



MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

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DIRECTORS

JAN SHRINER
President

HERBERT CORTEZ
Vice President

BRAD IMAMURA
THOMAS P. MOORE
GAIL MORTON

Agenda

**Regular Board Meeting, Board of Directors
Marina Coast Water District**

and

**Regular Board Meeting, Board of Directors
Marina Coast Water District Groundwater Sustainability Agency
Hybrid Meeting**

920 2nd Avenue, Suite A, Marina, California

and

Zoom Teleconference

Monday, December 18, 2023, 6:00 p.m. PST

Staff and Board members will be attending the December 18, 2023 meeting in person. Members of the public may attend the Board meeting in person or can continue to attend remotely via Zoom conference.

Persons who are participating via telephone will need to press *9 to be acknowledged for comments. Members of the public participating by Zoom will be placed on mute during the proceedings and will be acknowledged only when public comment is allowed, after requesting and receiving recognition from the Board President. Public comment on the action item can also be submitted in writing to Paula Riso at priso@mcwd.org by 9:00 am on Monday, December 18, 2023; such comments will be distributed to the MCWD Board before the meeting.

This meeting may be accessed remotely using the following Zoom link:

<https://us02web.zoom.us/j/84585351458?pwd=NEQ5ZTZUNXovRVhKWlJTTTFVMdmY5UT09>

Passcode: 628311

To participate via phone: 1-669-900-9128; Meeting ID: 845 8535 1458 Passcode: 628311

***Our Mission:** We provide our customers with high quality potable and recycled water, wastewater collection and conservation services that are safe, affordable, reliable and sustainable, through planning, management and the development of water resources in an environmentally sensitive manner.*

- 1. Call to Order**
- 2. Roll Call**
- 3. Election of Board President and Vice President for 2024**

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This agenda is subject to revision and may be amended prior to the scheduled meeting. Pursuant to Government Code section 54954.2(a)(1), the agenda for each meeting of the Board shall be posted at the District offices at 11 Reservation Road, and 920 2nd Avenue, Suite A, Marina. A complete Board packet containing all enclosures and staff materials will be available for public review on the District website, Wednesday, December 13, 2023. Information about items on this agenda or persons requesting disability related modifications and/or accommodations should contact the Board Clerk 48 hours prior to the meeting at: 831-883-5931.

4. Public Comment on Closed Session Items *Anyone wishing to address the Board on matters appearing on Closed Session may do so at this time. Please limit your comment to four minutes. The public may comment on any other items listed on the agenda at the time they are considered by the Board. Disruptive behavior may result in removal of the individual responsible.*

5. Closed Session

- A. Conference with Legal Counsel – Existing Litigation
(Paragraph (1) of subdivision (d) of Government Code Section 54956.9)
Bay View Community DE, LLC; Bryan Taylor; Greg Carter; and Brooke Bilyeu vs Marina Coast Water District; Board of Directors of Marina Coast Water District; County of Monterey and Does 1-25, inclusive, Monterey County Superior Court Case No. 18CV000765 (Petition for Writ of Mandate or Administrative Mandate, and Complaint for Declaratory and Injunctive Relief and Breach of Contract)

Reconvene to Open Session Estimated to be at 6:45 p.m.

6. Reportable Actions Taken During Closed Session *The Board will announce any reportable action taken during closed session and the vote or abstention on that action of every director present and may take additional action in open session as appropriate. Any closed session items not completed may be continued to after the end of all open session items.*

7. Pledge of Allegiance

8. Oral Communications *Anyone wishing to address the Board on matters not appearing on the Agenda may do so at this time. Please limit your comment to four minutes. The public may comment on any other items listed on the agenda at the time they are considered by the Board. Disruptive behavior may result in removal of the individual responsible.*

9. Consent Calendar

- A. Receive and File the Check Register for the Month of November 2023
(Page 4)
- B. Approve the Draft Minutes of the Regular Joint Board/GSA Meeting of November 13, 2023
(Page 11)
- C. Approve the Proposed Regular Board/GSA Meeting and Workshop Meeting Schedule for 2024
(Page 17)
- D. Adopt Resolution No. 2023-48 to Approve a Reimbursement Agreement between MCWD and Shea Homes Limited Partnership; and, Amend the FY 2023-2024 Capital Improvement Budget to fund the Coe Avenue Water Pipeline Upsizing for Seaside Resort (Enclave - Phase 3) Project
(Page 19)

10. Action Items *The Board will review and discuss agenda items and take action or direct staff to return to the Board for action at a following meeting. The public may address the Board on these Items as each item is reviewed by the Board. Please limit your comment to four minutes.*

- A. Receive a Presentation on the Proposition 218 Process from Hildebrand Consulting
(Page 40)

- B. Adopt Resolution No. 2023-49 to Authorize a Professional Services Agreement with Schaaf & Wheeler for Engineering Services During Construction for the A1/A2 Reservoirs and B/C Booster Pump Station Project
(Page 42)
- C. Adopt Resolution No. 2023-50 to Approve the Revised Reserve Policy
(Page 72)
- D. Make Director Appointments to Standing Committees of the Board and to Outside Agencies for 2024, and as Negotiators to any Ad Hoc Committees of the Board
(Page 86)

11. Informational Items *Informational items are normally provided in the form of a written report or verbal update and may not require Board action. The public may address the Board on Informational Items as they are considered by the Board. Please limit your comments to four minutes.*

- A. General Manager's Report
- B. Committee and Board Liaison Reports
 - 1. Budget and Engineering Committee
 - 2. Executive Committee
 - 3. Community Outreach Committee
 - 4. M1W Board Member Liaison
 - 5. Joint City/District Committee

12. Board Member Requests for Future Agenda Items

13. Director's Comments *Director reports on meetings with other agencies, organizations and individuals on behalf of the District and on official District matters.*

14. Adjournment *Set or Announce Next Meeting(s), date(s), time(s), and location(s):*

Regular Meeting: Monday, January 22, 2024, 6:00 p.m.

Marina Coast Water District
Agenda Transmittal

Agenda Item: 3

Meeting Date: December 18, 2023

Prepared By: Paula Riso

Approved By: Remleh Scherzinger, PE

Agenda Title: Election of Board President and Vice-President for 2024

Staff Recommendation: The Board of Directors elect a President and Vice-President to serve the next 1-year term.

Background: *Strategic Plan, Mission Statement – We provide our customers with high quality potable and recycled water, wastewater collection and conservation services that are safe, affordable, reliable and sustainable, through planning, management and the development of water resources in an environmentally sensitive manner.*

Discussion/Analysis: The Board Procedures Manual states in part:

“The Board of Directors shall have a President who is elected by the Board from among the five Directors. The President shall be elected annually in the month of December but not before any newly elected or reelected Director(s) have taken office. No Director shall serve more than three (3) consecutive years as President, unless a majority of the Directors cannot agree on who should be the new President, then the existing President shall remain President until the issue can be resolved.”

“This Board of Directors shall have one Vice-President who shall be elected by the Board from among the five (5) Directors at the same time as the President is elected. The Vice-President shall be elected annually in the month of December but not before any newly elected or reelected Director(s) have taken office. No Director shall serve more than three (3) consecutive years as Vice President. If a majority of the Directors cannot agree on who should be the new Vice President, then the existing Vice President shall continue in office until the issue can be resolved.”

Environmental Review Compliance: None required.

Legal Counsel Review: None required.

Climate Action: Not applicable.

Financial Impact: Yes No **Funding Source/Recap:** None

Other Considerations: None.

Material Included for Information/Consideration: None.

Action Required: Resolution Motion Review

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____

Abstained _____

Noes _____

Absent _____