



MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

Home Page: www.mcwd.org

TEL: (831) 384-6131 FAX: (831) 883-5995

DIRECTORS

THOMAS P. MOORE
President

JAN SHRINER
Vice President

HERBERT CORTEZ
MATT ZEFFERMAN
PETER LE

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

Marina Council Chambers

211 Hillcrest Avenue, Marina, California

Monday, December 17, 2018, 6:30 p.m. PST

This meeting has been noticed according to the Brown Act rules. The Board of Directors meet regularly on the third Monday of each month with workshops scheduled for the first Monday of some months. The meetings normally begin at 6:30 p.m. and are held at the City of Marina Council Chambers at 211 Hillcrest Avenue, Marina, California.

Our Mission: We provide our customers with high quality water, wastewater collection and conservation services at a reasonable cost, through planning, management and the development of water resources in an environmentally sensitive manner.

1. Call to Order

2. Administer Oath of Office

Action: The Oath of Office will be administered to Jan Shriner, Matt Zefferman, and Peter Le so they can serve as Directors to the Marina Coast Water District Board.

3. Roll Call

4. Election of Board President and Vice-President

Action: The Board will elect two Directors to serve as President and Vice-President of the Board until December 2019.

5. 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.*

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 City of Marina Council Chambers. The agenda shall also be posted at the following locations but those locations are not official agenda posting locations for purposes of section 54954.2(a)(1): District offices at 11 Reservation Road, Seaside City Hall, the City of Marina Library, and the City of Seaside Library. A complete Board packet containing all enclosures and staff materials will be available for public review on Thursday, December 13, 2018. Copies will also be available at the Board meeting. 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: 831-883-5910.

6. Closed Session

A. Pursuant to Government Code 54956.9

Conference with Legal Counsel – Existing Litigation

- 1) Ag Land Trust v. Marina Coast Water District, Monterey County Superior Court Case No. M105019; Sixth Appellate District Court of Appeals Case Nos. H038550 and H039559
- 2) In the Matter of the Application of California-American Water Company (U210W) for Approval of the Monterey Peninsula Water Supply Project and Authorization to Recover All Present and Future Costs in Rates, California Public Utilities Commission No. A.12-04-019 & A.13-05-017 Settlement Agreement
- 3) Marina Coast Water District v. California Public Utilities Commission, California Supreme Court Case No. S230728, Writ of Review
- 4) California-American Water Company vs Marina Coast Water District; Monterey County Water Resources Agency; and Does 1 through 10, San Francisco Superior Court Case No. CGC-13-528312 (Complaint for Declaratory Relief); First Appellate District Court of Appeals Case Nos. A145604, A146166, A146405
- 5) Marina Coast Water District vs California-American Water Company, Monterey County Water Resources Agency; and, California-American Water Company, Monterey County Water Resources Agency vs Marina Coast Water District, San Francisco Superior Court Case Nos. CGC-15-547125, CGC-15-546632 (Complaint for Breach of Warranties, etc.)
- 6) Marina Coast Water District v. California Coastal Commission (California-American Water Company, Real Party in Interest), Santa Cruz County Superior Court Case No. 15CV00267
- 7) 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)
- 8) Marina Coast Water District, and Does 1-100 v. County of Monterey, County of Monterey Health Department Environmental Health Bureau, and Does 101-110, Monterey County Superior Court Case No. 18CV000816 (Petition for Writ of Mandate and Complaint for Injunctive Relief)

7:00 p.m. Reconvene Open Session

7. 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.*

8. Pledge of Allegiance

9. 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.*

10. Presentations

- A. Consider Adoption of Resolution No. 2018-66 in Recognition of Jose Rodriguez, System Operator II, for 15 Years of Service to the Marina Coast Water District

Action: The Board will consider adopting Resolution No. 2018-66 recognizing Jose Rodriguez, System Operator II, and awarding him a plaque and gift certificate for fifteen years of service to the Marina Coast Water District.

- B. Consider Adoption of Resolution No. 2018-67 to Recognize Howard Gustafson for 14 Years of Outstanding and Dedicated Service as a Director to the Marina Coast Water District

Action: The Board will consider adopting Resolution No. 2018-67 recognizing Howard Gustafson for fourteen years of outstanding and dedicated service as a Director to the Marina Coast Water District.

- C. Consider Adoption of Resolution No. 2018-68 to Recognize William Y. Lee for 12 Years of Outstanding and Dedicated Service as a Director to the Marina Coast Water District

Action: The Board will consider adopting Resolution No. 2018-68 recognizing William Y. Lee for twelve years of outstanding and dedicated service as a Director to the Marina Coast Water District.

11. Consent Calendar

- A. Receive and File the Check Register for the Month of November 2018
- B. Receive the Quarterly Financial Statements for April 1, 2018 to June 30, 2018
- C. Approve the Draft Minutes of the Joint Board/GSA Meeting of November 19, 2018
- D. Receive the Validated 2017 Water Loss Audit Report and Level 1 Validation Document
- E. Receive Response to Marina Coast Water District Board Request for a Listing of Developer Account Balances Written Off by the District
- F. Consider Approving the Proposed Regular Board/GSA Meeting and Workshop Meeting Schedule for 2019

12. 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. Consider Appointments of Five Public Members to the Water Conservation Commission

Action: The Board of Directors will consider appointing five public members to the Water Conservation Commission.

- B. Consider Accepting the Comprehensive Annual Financial Report and the Independent Auditor's Report for the Fiscal Year ended June 30, 2018

Action: The Board of Directors will consider accepting the Comprehensive Annual Financial Report and the Independent Auditor's Report for the fiscal year ended June 30, 2017.

- C. Consider Adopting Resolution No. 2018-69 Approving an Amendment to the On-Call Engineering Services Agreement with Harris & Associates for Ongoing Construction Support Services to the East Garrison Development Project

Action: The Board of Directors will consider amending the On-Call Professional Services Agreement with Harris & Associates for Inspection and Construction Support Services for the East Garrison Development Projects.

- D. Consider Approving the District's 2018 Year in Review

Action: The Board of Directors will consider approving the District's 2018 Year in Review.

- E. Receive the Draft District FY 2019-2020 Budget Schedule and Set Date for the 2019-2020 Budget Workshop

Action: The Board of Directors will receive the draft FY 2019-2020 budget schedule and set a date for the 2019-2020 budget workshop.

- F. Consider Director Appointments to Standing Committees of the Board and to Outside Agencies for 2019, and as negotiators to any Ad Hoc Committees of the Board

Action: The Board of Directors will consider appointing Directors to Standing Committees of the Board and to Outside Agencies for 2019, and as negotiators to any Ad Hoc Committees of the Board.

13. Staff Report

- A. Water, Sewer, and Recycled Water Master Plan and Capacity Fee Schedule

14. 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. Counsel's Report

C. Committee and Board Liaison Reports

- | | |
|-----------------------------------|---|
| 1. Water Conservation Commission | 7. LAFCO Liaison |
| 2. Joint City-District Committee | 8. FORA |
| 3. Executive Committee | 9. WWOC Report |
| 4. Community Outreach Committee | 10. JPIA Liaison |
| 5. Budget and Personnel Committee | 11. Special Districts Association |
| 6. M1W Board Member Liaison | 12. SVBGSA Liaison (Steering Committee) |

15. Board Member Requests for Future Agenda Items

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

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

*Special Meeting: Monday, January 14, 2019, 6:30 p.m.,
Marina Council Chambers, 211 Hillcrest Avenue, Marina*

*Regular Meeting: Tuesday, January 22, 2019, 6:30 p.m.,
Marina Council Chambers, 211 Hillcrest Avenue, Marina*