



MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

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DIRECTORS

THOMAS P. MOORE
President

JAN SHRINER
Vice President

HERBERT CORTEZ
PETER LE
MATT ZEFFERMAN

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, May 20, 2019, 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. Roll Call

3. 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.*

4. Closed Session

A. Pursuant to Government Code 54956.9
Conference with Legal Counsel – Existing Litigation

- 1) 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 Application ("A.") 12-04-019

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 Wednesday, May 15, 2019. 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.

- 2) In the Matter of the Application of California-American Water Company (U 210 W) for an Order (1) Approving a Settlement Agreement with the County of Monterey and the Monterey County Water Resources Agency to Settle and Resolve Claims and Issues Between the Parties and to Promote the Development, Construction and Operation of a Water Supply Project for Monterey County on an Expedited Basis, and (2) Authorizing the Transfer of Authorized Costs Related to the Settlement Agreement to Its Special Request 1 Surcharge Balancing Account, California Public Utilities Commission Application ("A.") 13-05-017, and related California Supreme Court petition for writ of review.
 - 3) City of Marina and Marina Coast Water District, Petitioners v. Public Utilities Commission of the State of California, Respondent (California-American Water Company, et al., Real Parties in Interest), Petitions for Writ of Review, California Supreme Court Case No. S253585
 - 4) 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 Damages, Breach of Warranties, etc.)
 - 5) Marina Coast Water District v, California Coastal Commission (California-American Water Company, Real Party in Interest), Santa Cruz County Superior Court Case No. 15CV00267, Sixth Appellate District Court of Appeals Case No. H045468
 - 6) 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)
 - 7) 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)
- B. Pursuant to Government Code 54957.6
Conference with Labor Negotiators
Agency Negotiators (Keith Van Der Maaten, Jan Shriner)
Employee Organization: Marina Coast Water District Employees Association
- C. Pursuant to Government Code 54957.6
Conference with Labor Negotiators
Agency Negotiators (Keith Van Der Maaten, Jan Shriner)
Employee Organization: Teamsters Local 890

7:00 p.m. Reconvene Open Session

5. 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.*

6. Pledge of Allegiance

7. 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.*

8. Presentations

- A. Consider Adoption of Resolution No. 2019-27 in Recognition of Thomas Barkhurst, Laboratory Supervisor, for 20 Years of Service to the Marina Coast Water District

Action: The Board will consider adopting Resolution No. 2019-27 recognizing Thomas Barkhurst, Laboratory Supervisor, and awarding him a gift certificate for twenty years of service to the Marina Coast Water District.

- B. Consider Adoption of Resolution No. 2019-28 in Recognition of Susan Kiefert, Customer Service/Billing Representative II, for 35 Years of Service to the Marina Coast Water District

Action: The Board will consider adopting Resolution No. 2019-28 recognizing Susan Kiefert, Customer Service/Billing Representative II, and awarding her a gift certificate for thirty-five years of service to the Marina Coast Water District.

- C. Consider Adoption of Resolution No. 2019-29 Proclaiming the Week of May 19-25, 2019 National Public Works Week

Action: The Board will consider adopting Resolution No. 2019-29 proclaiming the week of May 19-25, 2019 National Public Works Week.

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9. Marina Coast Water District Groundwater Sustainability Agency Matters

A. Staff Report

- 1. Receive an Update on the 180/400 Foot Aquifer Groundwater Sustainability Planning Process

Action: The Board of Directors will receive an update on the Groundwater Sustainability Planning process for the 180/400' Aquifer.

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10. Return to Marina Coast Water District Matters

11. Consent Calendar

- A. Receive and File the Check Register for the Month of April 2019
- B. Receive the Quarterly Financial Statements for January 1, 2019 to March 31, 2019
- C. Approve the Draft Minutes of the Joint Board/GSA Meeting of April 15, 2019
- D. Approve the Draft Minutes of the Special Joint Board/GSA Meeting of May 1, 2019
- E. Consider Adoption of Resolution No. 2019-30 to Award a Contract to Don Chapin Company, Inc. for Construction On-Call Services
- F. Consider Adoption of Resolution No. 2019-31 to Amend the On-Call Engineering Services Agreement with Schaaf & Wheeler for the A1/A2 Reservoirs and B/C Booster Pump Station Design Services
- G. Consider Adoption of Resolution No. 2019-32 to Approve a Tree Replacement Funding Agreement between Marina Coast Water District and California State University at Monterey Bay
- H. Consider Adoption of Resolution No. 2019-33 to Approve Amendment No. 1 to the Professional Services Agreement with GHD, INC. for Design and Construction Support Services for the Imjin Lift Station Improvement Project
- I. Consider Adoption of Resolution No. 2019-34 to Approve Task Order 10 for Inspection and Construction Support Services for the Sea Haven Development Phase 5A as Part of the On-Call Professional Services Agreement with Harris & Associates

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 Adoption of Resolution No. 2019-35 to Approve Amendment 1 with Monterey One Water for NPDES Permitting Work on the Pure Water Advanced Water Treatment and Outfall Wastewater Disposal for the Regional Urban Water Augmentation Project

Action: The Board of Directors will consider approving Amendment 1 with Monterey One Water for NPDES Permitting Work on the Pure Water Advanced Water Treatment and Outfall Wastewater Disposal for the Regional Urban Water Augmentation Project.

- B. Consider Adoption of Resolution No. 2019-36 to Authorize the General Manager to Submit an Application and Execute a Grant Agreement with the United States Bureau of Reclamation for a WaterSMART: Title XVI Water Reclamation and Reuse Program Grant for the Regional Urban Water Augmentation Project

Action: The Board of Directors will consider authorizing the General Manager to submit an application and execute a Grant Agreement with the United States Bureau of Reclamation for a WaterSMART: Title XVI Water Reclamation and Reuse Program Grant for the Regional Urban Water Augmentation Project.

- C. Consider Adoption of Resolution No. 2019-37 to Approve the 2018 Memorandum of Understanding Update with the Monterey Peninsula, Carmel Bay, and South Monterey Bay Integrated Regional Water Management Group and Approve a Reimbursement to the Monterey Peninsula Water Management District for Prop 1 Funding Grant Preparation Costs

Action: The Board of Directors will consider approving an update to the 2018 MOU with the Monterey Peninsula, Carmel Bay, and Southern Monterey Bay Integrated Regional Water Management Plan Program.

- D. Discuss, Consider, and Determine Action on Vice President Jan Shriner's Request for Censure as to Director Peter Le

Action: The Board of Directors will discuss Vice President Jan Shriner's request for censure of Director Peter Le and determine what action should be taken.

- E. Discuss, Consider, and Determine Action on Director Peter Le's Harassment Complaint against Vice President Jan Shriner

Action: The Board of Directors will discuss Director Peter Le's harassment complaint against Vice President Jan Shriner and determine what action should be taken.

13. 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

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| 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) |

14. Board Member Requests for Future Agenda Items

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

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

*Regular Meeting: Monday, June 25, 2019, 6:30 p.m.,
District Office, 11 Reservation Road, Marina*