



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
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**

Dual Locations

11 Reservation Road, Marina, California
And
Waimānalo Public and School Library
41-1320 Kalaniana'ole Hwy, Waimānalo, HI 96795

Tuesday, June 25, 2019, 6:30 p.m. PST
(Please Note the Location and Day Change)

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 usually 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

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, June 19, 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.

- 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
 - 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.*

- A. Consider Adoption of Resolution No. 2019-38 to Approve the Memorandum of Understanding Between the Marina Coast Water District Employees Association and the Marina Coast Water District

Action: The Board of Directors will consider approving the Memorandum of Understanding between the Marina Coast Water District Employees Association and the Marina Coast Water District.

- B. Consider Adoption of Resolution No. 2019-39 to Approve the Memorandum of Understanding Between the Teamsters Local 890 and the Marina Coast Water District

Action: The Board of Directors will consider approving the Memorandum of Understanding between the Teamsters Local 890 and the Marina Coast Water District.

- C. Consider Adoption of Resolution No. 2019-40 to Approve the Terms and Conditions of the Employment Agreement Between the Unrepresented Employees and the Marina Coast Water District

Action: The Board of Directors will consider approving the term and conditions of the employment agreement between the unrepresented employees and the Marina Coast Water District

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. Workshop

- A. Receive Presentation on the Draft Sewer, Water and Recycled Water Master Plan Studies for the Marina and Ord Community Service Areas and Provide Direction Regarding Preparation of the Final Documents
- B. Receive Presentation on the Draft Capacity Fees for the Marina and Ord Community Service Areas and Provide Direction Regarding Preparation of the Final Documents

9. Consent Calendar

- A. Receive and File the Check Register for the Month of May 2019
- B. Consider Approval of the Draft Minutes of the Joint Board/GSA Meeting of May 20, 2019
- C. Consider Adoption of Resolution No. 2019-41 to Approve a Contract with Fieldman Rolapp & Associates to Provide Financial Advisory Services to the District
- D. Consider Adoption of Resolution No. 2019-42 to Approve a Memorandum of Understanding between Marina Coast Water District and the Monterey Peninsula Unified School District Regarding the In-School Water Conservation Education Program
- E. Consider Adoption of Resolutin No. 2019-43 to Authorize a Notice of Completion for the Watkins Gate RISD Rehab Project to be Filed with the Monterey County Recorder

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. Consider Adoption of Resolution No. 2019-44 to Approve the Marina Coast Water District Budget for FY 2019-2020

Action: The Board of Directors will consider approving the FY 2018-2019 budget.

- B. Consider Adoption of Resolution No. 2019-45 to Approve the District's Five-Year Capital Improvement Projects Budget

Action: The Board of Directors will consider approving the District's five-year Capital Improvement Projects budget for the Central Marina and Ord Community service areas.

- C. Consider Adoption of Resolution No. 2019-46 Placing a Director in Nomination as a Member of the Association of California Water Agencies Region 5 Board

Action: The Board of Directors will consider nominating a Director to the ACWA Region 5 Board.

- D. Consider Adoption of Resolution No. 2019-47 to Approve an Addition to the Board Procedures Manual

Action: The Board of Directors will consider approving an addition to the Board Procedures Manual.

- E. 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.

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. 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) |

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, July 15, 2019, 6:30 p.m.,
Marina Council Chambers, 211 Hillcrest Avenue, Marina*