



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, December 16, 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) 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.)

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, December 11, 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) 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
- 3) 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)
- 4) 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)
- 5) Marina Coast Water District, and Does 1-100 v, County of Monterey, Monterey County Board of Supervisors, and Does 101-110 (California-American Water Company, Real Party in Interest), Monterey County Superior Court Case No. 19CV003305 (Petition for Writ of Mandate and Complaint for Injunctive Relief)

- B. Pursuant to Government Code 54956.9(d)(4)
Conference with Legal Counsel – Anticipated Litigation
Initiation of Litigation – Three Potential Cases

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. 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 2020.

9. Presentations

- A. Receive a Presentation Regarding the Census Bureau's Upcoming 2020 Census

- B. Receive a Presentation from the Fort Ord Regional Habitat Cooperative regarding the Habitat Conservation Plan

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10. Marina Coast Water District Groundwater Sustainability Agency Matters

A. Groundwater Sustainability Plan Workshop – Public Hearing

- 1. Open a Public Hearing and Receive a Staff Report on the 180/400 Foot Aquifer Groundwater Sustainability Plan

Action: The Board of Directors will hold a public hearing to receive a presentation on the Groundwater Sustainability Plan and provide direction to staff.

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11. Return to Marina Coast Water District Matters

12. Consent Calendar

- A. Receive and File the Check Register for the Month of November 2019
- B. Receive the Quarterly Financial Statements for July 1, 2019 to September 30, 2019
- C. Approve the Draft Minutes of the Regular Joint Board/GSA Meeting of November 18, 2019
- D. Consider Adoption of Resolution No. 2019-85 to Approve the Purchase of a Dump Truck for the Operations and Maintenance Department
- E. Consider Adoption of Resolution No. 2019-86 to Approve an Amendment to the Jones Hall Legal Services Agreement Increasing the Contract Amount from \$75,000 to \$80,000 for Bond Counsel and Disclosure Counsel Services on the 2019 Enterprise Revenue Certificates of Participation Financing
- F. Consider Approving the Proposed Regular Board/GSA Meeting and Workshop Meeting Schedule for 2020

13. 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. 2019-87 to Approve Amendment No. 6 to the Professional Services Agreement with Carollo Engineers for Design of the Regional Urban Water Augmentation Project Distribution Mains Project

Action: The Board of Directors will consider approving Amendment No. 6 to the Professional Services Agreement with Carollo Engineers for design of the Regional Urban Water Augmentation Project Distribution Mains Project.

- B. Consider Adoption of Resolution 2019-88 to Reject All Bids on the Imjin Lift Station Improvement Project Phase I and Direct Staff to Rebid the Project

Action: The Board of Directors will consider rejecting all bids on the Imjin Lift Station project and direct staff to rebid the project.

- C. Consider Adoption of Resolution No. 2019-89 to Approve Three Grant of Easement Agreements Between Marina Coast Water District and the City of Seaside for the Ord Village Lift Station and Force Main Project

Action: The Board of Directors will consider approving three easements received from the City of Seaside for the Ord Village Lift Station and Force Main Project.

- D. Consider Adoption of Resolution No. 2019-90 for the Purchase of One New Standby Generator for the Ord Village Lift Station from Quinn Cat

Action: The Board of Directors will consider approving the Purchase of One New Standby Generator for the Ord Village Lift Station from Quinn Cat.

- E. Consider Adoption of Resolution No. 2019-91 to Approve District Collection of Delinquent Water Accounts Policy

Action: The Board of Directors will consider approving the new Collection of Delinquent Water Accounts Policy for the District.

- F. Consider Proposed Comment Letter to Monterey One Water on the Draft Supplemental Environmental Impact Report for the Proposed Modifications to the Pure Water Monterey Groundwater Replenishment Project

Action: The Board of Directors will consider approving comments for the Pure Water Monterey Expansion Supplemental Environmental Impact Report.

- G. Consider Adoption of Resolution No. 2019-64 to Approve the Addition of a Social Media Policy; and, Clarifying the Harassment and Bullying Language to the Board Procedures Manual

Action: The Board of Directors will consider approving the addition of a Social Media Policy; and, clarifying the Harassment and Bullying language to the Board Procedures Manual.

- H. Consider Director Appointments to Standing Committees of the Board and to Outside Agencies for 2020, 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 2020, and as negotiators to any Ad Hoc Committees of the Board.

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

a. Verbal Report on the Dunes Variance Request

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) |

15. Correspondence

16. Board Member Requests for Future Agenda Items

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

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

*Regular Meeting: Wednesday, January 29, 2020, 6:30 p.m.,
Marina Council Chambers, 211 Hillcrest Avenue, Marina*