



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

Tuesday, February 25, 2020, 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, February 19, 2020. 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) 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)
- 3) 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)
- 4) 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 – Two 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. Consent Calendar

- A. Receive and File the Check Register for the Month of January 2020
- B. Receive the Quarterly Financial Statements for October 1, 2019 to December 31, 2019
- C. Consider Adoption of Resolution No. 2020-06 to Approve Updates to the Employee Handbook
- D. Approve the Draft Minutes of the Special Joint Board/GSA Meeting of January 23, 2020
- E. Approve the Draft Minutes of the Regular Joint Board/GSA Meeting of January 29, 2020

9. 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 the Final Report from Aqua Geo Frameworks on the 2019 Airborne Electromagnetic Survey

Action: The Board of Directors will receive the final report from Aqua Geo Frameworks on the 2019 Airborne Electromagnetic Survey.

- B. Discuss, Consider, and Determine Action on Director Peter Le's Complaint against the District for Negligence, Discrimination, and Retaliation

Action: The Board of Directors will discuss Director Peter Le's complaint against the District and determine what action should be taken.

- C. Discuss and Consider Adoption of Resolution No. 2020-07 Ratifying Comments Submitted to Monterey One Water on the Draft Supplemental Environmental Impact Report for the Proposed Pure Water Monterey Expansion Project, Providing Policy Direction to District Staff Regarding the Pure Water Monterey Project and Pure Water Monterey Expansion Project, and Appointing a Real Property Negotiator

Action: The Board of Directors will consider ratifying comments submitted to Monterey One Water on the Draft Supplemental Environmental Impact Report for the proposed Pure Water Monterey Expansion Project, providing policy direction to District staff regarding the Pure Water Monterey Project and Pure Water Monterey Expansion Project, and appointing a Real Property Negotiator.

- D. Consider Providing Direction Regarding the Nomination to the Coastal Network, Seat B, of the California Special Districts Association Board

Action: The Board of Directors will consider providing direction on the election of one member to the Coastal Network, Seat B, of the California Special Districts Association.

- E. Consider Providing Direction Regarding the Nomination to the Coastal Network, Seat C, of the California Special Districts Association Board

Action: The Board of Directors will consider providing direction on the election of one member to the Coastal Network, Seat C, of the California Special Districts Association.

- F. Receive the Marina Coast Water District FY 2019-2020 Mid-Year Report

Action: The Board of Directors will consider receiving the Marina Coast Water District FY 2019-2020 Mid-Year Report.

- G. Consider Approving the 2019 Year in Review Report

Action: The Board of Directors will consider approving the 2019 Year in Review Report.

10. Staff Reports

- A. Receive a Capacity/Capital Surcharge Reserve Fund Activity Report

11. Workshop

- A. Strategic Plan and Goal Setting Workshop

12. 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) |

13. Board Member Requests for Future Agenda Items

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

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

*Regular Meeting: Monday, March 16, 2020, 6:30 p.m.,
Marina Council Chambers, 211 Hillcrest Avenue, Marina*