



# MARINA COAST WATER DISTRICT & GROUNDWATER SUSTAINABILITY AGENCY

11 RESERVATION ROAD, MARINA, CA 93933-2099  
OFFICE: (831) 384-6131 [www.mcwd.org](http://www.mcwd.org)

## DIRECTORS

JAN SHRINER  
*President*

HERBERT CORTEZ  
*Vice President*

BRAD IMAMURA  
THOMAS P. MOORE  
GAIL MORTON

## 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  
Via Zoom Teleconference**

Monday, January 23, 2023, 6:30 p.m. PST

**Due to Governor Newsom's Executive Order N-29-20 and recommendations on protocols to contain the spread of COVID-19, staff and Board members will be attending the January 23, 2023 remotely from various locations. There will be No physical location of the meeting. The public is strongly encouraged to use the Zoom app for best reception. There may be limited opportunity to provide verbal comments during the meeting. Persons who are participating via telephone will need to press \*9 to be acknowledged for comments. Members of the public participating by Zoom will be placed on mute during the proceedings and will be acknowledged only when public comment is allowed, after requesting and receiving recognition from the Board President. Public comment on the action item can also be submitted in writing to Paula Riso at [priso@mcwd.org](mailto:priso@mcwd.org) by 9:00 am on Monday, January 23, 2023; such comments will be distributed to the MCWD Board before the meeting.**

This meeting may be accessed remotely using the following Zoom link:

<https://us02web.zoom.us/j/82708835910?pwd=RDJKVjI2K3RpNIQwZ284SnlaT01pUT09>

Passcode: 985868

To participate via phone, please call: 1-669-900-9128; Meeting ID: 827 0883 5910 Passcode: 985868

***Our Mission:*** We provide our customers with high quality potable and recycled water, wastewater collection and conservation services that are safe, affordable, reliable and sustainable, through planning, management and the development of water resources in an environmentally sensitive manner.

### 1. Call to Order

### 2. Roll Call

### 3. Presentations

- A. Receive a Plaque from the American Society of Civil Engineers for the Pure Water Monterey Groundwater Replenishment Project  
(Page 1)

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 District offices at 11 Reservation Road, Marina. A complete Board packet containing all enclosures and staff materials will be available for public review on the District website, Thursday, January 19, 2023. 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.

B. Adopt Resolution No. 2023-01 in Recognition of Derek Cray, Operations and Maintenance Manager, for 5 Years of Service to the Marina Coast Water District  
(Page 2)

**4. 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.*

**5. Closed Session**

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

- 1) City of Marina, Monterey Peninsula Water Management District, Marina Coast Water District, and Marina Coast Water District Groundwater Sustainability Agency .v, California Coastal Commission, et al. (California-American Water Company, Real Party in Interest), Monterey County Superior Court Case No. 22CV004063 (Petition for Writ of Mandate and Complaint for Declaratory and Injunctive Relief)
- 2) Application of California-American Water Company to Obtain Approval of the Amended and Restate Water Purchase Agreement for the Pure Water Monterey Groundwater Replenishment Project, Update Supply and Demand Estimates for the Monterey Peninsula Water Supply Project, and Cost Recovery, before the California Public Utilities Commission, Application 21-11-024
- 3) California-American Water Company, et al. v. Marina Coast Water District (San Francisco County Superior Court Case No. CGC-15-546632)(First District Court of Appeals, Division Two, Case No. A160662)

B. Pursuant to Government Code section 54956.9(d)(4)  
Conference with Legal Counsel – Initiation of Litigation  
One Potential Case

**Reconvene to Open Session Estimated to be at 7:30 p.m.**

**6. 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.*

**7. Pledge of Allegiance**

**8. 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.*

## 9. Consent Calendar

- A. Receive and File the Check Register for the Month of December 2022  
(Page 8)
- B. Approve the Draft Minutes of the Regular Joint Board/GSA Meeting of December 13, 2022  
(Page 16)
- C. Approve the Draft Minutes of the Special Joint Board/GSA Meeting of December 28, 2022  
(Page 23)
- D. Adopt Resolution No. 2023-02 to Proclaim a Local Emergency, and Authorize Remote Teleconference Meetings of All District Legislative Bodies for the Following 30 Days  
(Page 26)
- E. Adopt Resolution No. 2023-03 to Amend Section 34 of the Board of Director's Manual - Committees  
(Page 30)
- F. Adopt Resolution No. 2023-04 to Approve a Water, Sewer, and Recycled Water Infrastructure Agreement between MCWD and Shea Homes Limited Partnership for the Dunes at Monterey Bay Phase 2N - Stage A Development in Marina, CA  
(Page 35)
- G. Receive the 4th Quarter 2022 MCWD Water Consumption Report  
(Page 101)
- H. Receive the 4th Quarter 2022 Sewer Flow Report  
(Page 106)
- I. Receive a Status Report Update on Current Capital Improvement Projects  
(Page 109)

## 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. Accept the Annual Comprehensive Financial Report and the Independent Auditor's Report for the Fiscal Year ended June 30, 2022  
(Page 119)
- B. Receive the Marina Coast Water District FY 2022-2023 Mid-Year Financial Report  
(Page 121)
- C. Adopt Resolution No. 2023-05 to Amend the FY 2022-2023 Capital Improvement Budget to Fully Fund the Booker Lift Station Replacement Project and the Intermediate Reservoir Recoating and Replacement Projects  
(Page 132)

D. Make Director Appointments to Standing Committees of the Board and to Outside Agencies for 2023, and as Negotiators to any Ad Hoc Committees of the Board  
(Page 137)

**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. Committee and Board Liaison Reports

1. Executive Committee
2. Budget and Personnel Committee
3. Community Outreach Committee
4. M1W Board Member Liaison

**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):*

*Special Legal Workshop: Saturday, February 11, 2023, 6:30 p.m.*

*Regular Board Meeting: Tuesday, February 21, 2023, 6:30 p.m.*