



Marina Coast Water District

Regular Board Meeting/Groundwater Sustainability Agency Board Meeting
211 Hillcrest Avenue, Marina
January 29, 2020

Minutes

1. Call to Order:

President Moore called the meeting to order at 6:30 p.m. on January 29, 2020 at the Marina Council Chambers, 211 Hillcrest Avenue, Marina, California.

2. Roll Call:

Board Members Present:

Thomas P. Moore – President
Jan Shriner – Vice President
Herbert Cortez
Peter Le
Matt Zefferman

Board Members Absent:

None

Staff Members Present:

Keith Van Der Maaten, General Manager
Roger Masuda, District Counsel
Kelly Cadiente, Director of Administrative Services
Derek Cray, Operations and Maintenance Manager
Michael Wegley, District Engineer
Don Wilcox, Senior Engineer
Rose Gill, HR/Risk Administrator
Patrick Breen, Water Resources Manager
Paula Riso, Executive Assistant/Clerk to the Board

Audience Members:

Paul Lord, MCWD
Andrew Sterbenz, Schaaf & Wheeler
Philip Clark, Seaside Resident, WCC Member
Gary Petersen, SVBGSA
Laura Carpenter, Fieldman, Rolapp & Associates
Dan Kurz, Morgan Stanley
Doug Yount, Shea Homes
Vera Nelson, EKI Environment & Water
Donna Dulo, Seaside Resident
Dennis Robinson, Marina Resident

3. Public Comment on Closed Session Items:

There were no comments.

The Board entered into closed session at 6:32 p.m. to discuss the following items:

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.)
- 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 Property 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

The Board ended closed session at 7:04 p.m.

President Moore reconvened the meeting to open session at 7:06 p.m.

5. Reportable Actions Taken during Closed Session:

Mr. Roger Masuda, District Counsel, stated that there were no reportable actions taken during Closed Session.

6. Pledge of Allegiance:

Mr. Masuda led everyone present in the pledge of allegiance.

7. Oral Communications:

There were no comments.

8. Presentations:

A. Consider Adoption of Resolution No. 2020-01 in Recognition of Paul Lord, Water Conservation Specialist III, for 15 Years of Service to the Marina Coast Water District:

President Moore made a motion to adopt Resolution No. 2020-01 in recognition of Paul Lord, Water Conservation Specialist III, for 15 years of service to the Marina Coast Water District. Vice President Shriner seconded the motion. The motion was passed by the following vote:

Director Zefferman	-	Yes	Vice President Shriner	-	Yes
Director Cortez	-	Yes	President Moore	-	Yes
Director Le	-	Yes			

President Moore read the narration and presented Mr. Lord with a gift certificate.

B. Receive a Presentation on the District's \$17,725,000 Enterprise Revenue Certificates of Participation, Series 2019:

Ms. Kelly Cadiente, Director of Administrative Services, introduced this item. Ms. Laura Carpenter, Fieldman Rolapp & Associates, and Mr. Dan Kurz, Morgan Stanley, explained the process of marketing the 2019 Enterprise Revenue Certificates of Participation to potential investors. They stated the response from investors was excellent with many more investors wanting to purchase bonds than were available resulting in the final an-in borrowing cost of 2.99% over a thirty-year period. The Board asked clarifying questions.

9. Marina Coast Water District Groundwater Sustainability Agency Matters:

A. Groundwater Sustainability Plan Workshop – Public Hearing:

1. Close the Public Hearing and Consider Adoption of Resolution No. 2020-GSA01 to Approve the 180/400 Foot Aquifer Groundwater Sustainability Plan for the Marina Coast Water District Groundwater Sustainability Agency:

Agenda Item 9-A1 (continued):

Mr. Patrick Breen, Water Resources Manager, introduced this item and asked if there were any questions. Director Zefferman asked if the Board would receive a presentation on the USGS Hydrologic Model. Mr. Breen answered that it could be arranged once they have a final product. Director Zefferman asked who would be the lead on the Prop. 68 Grant funds. Mr. Breen answered that it would most likely be MCWDGSA.

Director Le asked if the plan was entirely compliant with the Groundwater Sustainability Act with regards to a sustainable yield. He also voiced his concern with the list of Priority Projects, particularly the pumping barrier, and asked how the District could fight so hard against Cal Am's desalination project saying it would have an adverse environmental impact, then propose to do the same type of project and say there is no impact to the environment. Mr. Masuda answered that by approving the Groundwater Sustainability Plan (GSP), the Board was not approving the proposed projects. He said the potential projects listed are to help meet the sustainability goals in twenty years and each project would have to go through environmental review first and would be subject to CEQA challenges.

Vice President Shriner made a motion to adopt Resolution No. 2020-GSA01 to approve the 180/400 Foot Aquifer Groundwater Sustainability Plan for the Marina Coast Water District Groundwater Sustainability Agency. President Moore seconded the motion.

Vice President Shriner commented that the SVBGSA has adopted their plan excluding the CEMEX site because of the overlap with the City of Marina. She stated she is saddened that Monterey County has declared the CEMEX area unmanaged and has sought to become the sole GSA for that area.

Director Cortez asked if all MCWD's comments were included in the document. Mr. Breen answered that after several meetings between staff and consultants, most comments were included. Director Cortez asked if it was necessary for the Resolution to include all the comments about CEMEX. Mr. Breen answered that he added the extra language to err on the side of caution and have more information rather than too little. Director Cortez asked Mr. Masuda if it was necessary to include the language. Mr. Masuda stated that he didn't like to many findings in a Resolution, only what was being approved. Mr. Keith Van Der Maaten, General Manager, noted that he felt it was important to include the language in the Resolution because it explained why the entire subbasin was not covered by this GSP. President Moore asked if the GSP would need to be updated later to include the CEMEX property. Mr. Gary Petersen, SVBGSA General Manager, answered that the SVBGSA approved the GSP and it did not cover the CEMEX property. He said that Monterey County approached him and asked that the SVBGSA include the property in their GSP. Mr. Petersen stated that there was a special meeting tomorrow to include the CEMEX property in the GSP so it would not be declared unmanaged. President Moore asked if it would be prudent to drop the CEMEX language from the Resolution and ask staff to work with the SVBGSA to include it in the GSP. Mr. Masuda answered that the SVBGSA hasn't taken action yet and advised to adopt the Resolution the way it was written.

Agenda Item 9-A1 (continued):

Mr. Masuda clarified that the Department of Water Resources (DWR) has two years to review the Plan and the Plan is not cast in stone. He added that the MCWDGSA will continue working with the SVBGSA over the next two years and if DWR comes back with suggestions following their review, the GSA's can let them know they have already addressed any issues.

Director Le commented that the Board didn't follow the order of business. He said they were supposed to ask questions of staff first, then open to the public, then bring back to the Board for making Resolutions. Director Le said he would like the Board to follow the order of business the Board approved.

Director Le stated that tomorrow, the SVBGSA has a closed session item regarding the lawsuit between the City of Marina and the Monterey County. He also said that the GSP Priority Projects lacked common sense. Director Le said that some of the Alternative Projects were less expensive and it was common sense to do those projects first. He said he looked at other GSP's and no one else is listing desal projects as a priority. Director Le said he looked at Santa Cruz's GSP and they have seawater intrusion like us, but their priority is injection because it is less expensive.

Mr. Breen answered that the cost of water per acre foot was not the primary factor to order the priority. He said that the invasive species eradication was considered low hanging fruit and they did not feel there was the availability of enough injectable water to hold off seawater intrusion to make that a Priority Project. Mr. Petersen stated that basins shouldn't be compared to one another as they are all unique hydrologically and how much water they have. He added that larger cities like Los Angeles and Orange County have hundreds of millions of gallons of treated water to inject into their wells. Mr. Petersen said that they are looking at injecting into the wells but do not feel there is enough fresh water available to inject to be effective. He added that each area would have unique solutions to help them deal with their GSP. Mr. Petersen stated that this was just to get the Plan completed and there was still so much more work to be done evaluating the different solutions and figuring out the responsibilities. He said it would probably take the full 20 years to become sustainable and each project would need to be treated differently but they were all out there for them to look at and decide which way to go. President Moore asked how set in stone the projects were. Mr. Petersen answered that they weren't set in stone. They would probably change over, and over as new information comes in and is evaluated. Director Le asked if Mr. Petersen knows of anyone else in California using desal pumping for seawater intrusion. Mr. Petersen answered that he didn't know of any on the coast, but there were some inland that were pumping brackish water and some other countries that did.

Director Zefferman made a substitute motion to adopt the Resolution adding language stating that the Board is adopting the GSP with the acknowledgement that the Priority List are preliminary, and all require extensive review to assess their viability. Director Le seconded the substitute motion.

Director Cortez asked if the District has their own list of priorities in case DWR asks. Mr. Breen answered that the District did have their own priorities and was looking into projects such as injection of recycled water into the aquifer.

Agenda Item 9-A1 (continued):

Mr. Masuda commented that as part of the District's comments on the GSP, the District presented groups of ideas for projects. He added that the GSP will look at what projects are best for the basin and not necessarily any particular entity.

Mr. Van Der Maaten commented that this GSP is principally for the 180/400' subbasin. He stated that MCWDGSA's primary focus is for the Monterey subbasin and these projects are for users that pump out of the 180/400' subbasin, which is not Marina Coast. Mr. Van Der Maaten stated that the District needs to be involved in these projects because the success of the adjacent basin helps with MCWDGSA's success. He said what is more important is when MCWDGSA begins looking into the Monterey subbasin, and starts to really look into these projects. Mr. Van Der Maaten said the MCWDGSA just received a grant from DWR to study injection and the District is moving forward with the Regional Urban Water Augmentation Project to augment groundwater pumping.

There were no public comments.

President Moore closed the Public Hearing at 8:02 p.m.

Director Le commented that the GSP lists Priority and Alternative projects and he would like to see them as Potential Projects so there is no priority. He asked if Director Zefferman would make a change to his substitute motion to delete all references to CEMEX. Director Zefferman said he wasn't planning on deleting the reference because it does not commit the Board to the CEMEX site and doesn't side with either the Monterey County or City of Marina.

Director Le made a substitute motion to adopt the Resolution with the language included by Director Zefferman and to delete all references to the CEMEX site. The motion failed for lack of a second.

Director Zefferman's substitute motion was voted on and failed with the following vote:

Director Zefferman	-	Yes	Vice President Shriner	-	No
Director Cortez	-	No	President Moore	-	Yes
Director Le	-	No			

President Moore returned to the main motion. Director Cortez commented that after listening to the General Manager's comments, he feels it is important to support our neighbors and also trust in staff's comments on how we are working together. He noted that it will take DWR two years to review the Plan and then the District can get another look at it.

Director Le commented that as far as he knows, there is potential litigation on this Plan and he agrees with some of the reasons and he hopes they go ahead and challenge this plan so it can be argued in court.

Agenda Item 9-A1 (continued):

Vice President Shriner's main motion to adopt Resolution No. 2020-GSA01 to approve the 180/400 Foot Aquifer Groundwater Sustainability Plan for the Marina Coast Water District Groundwater Sustainability Agency, which was seconded by President Moore was voted on and passed with the following vote:

Director Zefferman	-	Abstained	Vice President Shriner	-	Yes
Director Cortez	-	Yes	President Moore	-	Yes
Director Le	-	No			

10. Return to Marina Coast Water District Matters:

11. Consent Calendar:

Director Le requested to pull items A and B from the Consent Calendar.

A. Receive and File the Check Register for the Month of December 2019:

Director Le questioned the check paid to Aqua Geo Frameworks, LLC. and asked what it was for. Mr. Van Der Maaten answered that it was for the Airborne Electromagnetic Survey that was recently performed. Director Le suggested changing the description in the check register to better describe what the payment was for.

Vice President Shriner made a motion to receive the check register for the month of December 2019. Director Zefferman seconded the motion. The motion was passed by the following vote:

Director Zefferman	-	Yes	Vice President Shriner	-	Yes
Director Cortez	-	Yes	President Moore	-	Yes
Director Le	-	Yes			

B. Approve the Draft Minutes of the Regular Joint Board/GSA Meeting of December 16, 2019:

Director Le commented that Item 13-E on page 8 of the minutes should state that District counsel mentioned there were six languages that were required for the new Collection Policy. He also said that Item 16, page 13 of the minutes, should be corrected to read he attended a conference in November, not December, and that he did not ask that it be included in the next Board packet. He just mentioned that it was not included in the December packet.

Director Zefferman made a motion to direct staff to review the tape to clarify what was said under items 13-E and 16 of the December 16th meeting, and make any necessary changes to the draft minutes of the regular joint Board/GSA meeting of December 16, 2019. Vice President Shriner seconded the motion. The motion was passed by the following vote:

Director Zefferman	-	Yes	Vice President Shriner	-	Yes
Director Le	-	Yes	President Moore	-	Yes
Director Cortez	-	Yes			

12. Action Items:

A. Consider Appointments of Two Public Members to Fill the Vacant Positions on the Water Conservation Commission:

Mr. Breen introduced this item. Vice President Shriner asked about the terms for the two positions. Mr. Breen answered that one position was completing a 2-year term and the other was completing a 3-year term. Director Cortez commented that he was very impressed with the applications that were received. President Moore also commented on the impressive applications.

Ms. Donna Dulo, Seaside resident and Water Conservation Commission (WCC) applicant, spoke about how much she would like to serve on the WCC and is very interested in water issues.

Mr. Dennis Robinson, Marina resident and WCC applicant, gave his background on water issues while working and living in Dayton, OH. He mentioned that he recently received a call regarding a job opportunity, and it could interfere with his service on the WCC, but he was still in negotiations and would let staff know the outcome as soon as he could.

Vice President Shriner made a motion to appoint both public members to the vacant positions on the WCC. President Moore seconded the motion. Director Le asked if both applicants lived in the District's service area. Mr. Breen answered that they did. The motion was passed by the following vote:

Director Zefferman	-	Yes	Vice President Shriner	-	Yes
Director Le	-	Yes	President Moore	-	Yes
Director Cortez	-	Yes			

B. Consider Adoption of Resolution No. 2020-02 to Approve Amendment No. 5 to the Professional Services Agreement with Akel Engineering Group, Inc. for Master Plans and Capacity Fees Study for Sewer, Water and Recycled Water:

Mr. Michael Wegley, District Engineer, introduced this item explaining that there were four substantial projects coming online soon and it would be in the best interest to include them in the Master Plans. Director Le asked if the Amendment was approved tonight and the new projects made changes, would there need to be more changes to the Master Plans. Mr. Wegley said the projects were far enough along that any changes they made wouldn't impact the Master Plans because they have a cap on their allocated water. Director Le asked where the Main Gate project would get their additional water from. Mr. Wegley answered that Seaside was looking to use recycled water on the golf course to free up potable water for Main Gate and Campus Town. The Board asked clarifying questions.

Mr. Van Der Maaten noted that the District received a letter from Building Industry Association (BIA) recommending approval of the Amendment No. 5 and a copy was provided on the dais. Director Le commented that he just received the letter and it was impossible to read at this last minute. He asked that in the future, staff provide additional information with the packet and not on the dais as he will disregard any material provided at the dais.

Agenda Item 12-B (continued):

Vice President Shriner commented that she would like to see BIA members at Board meetings so they could participate in the public process. Mr. Wegley answered that they have been present at working staff meetings with FORA and WWOC, just not Board meetings.

Director Le asked if anyone has looked at the new Accessory Dwelling Unit laws where a unit of less than 750 square feet cannot be charged fees. Mr. Wegley answered that there were a few nuances to that but it was covered in the Master Plans.

Vice President Shriner made a motion to adopt Resolution No. 2020-02 approving Amendment No. 5 to the Professional Services Agreement with Akel Engineering Group, Inc. for Master Plans and Capacity Fees Study for Sewer, Water and Recycled Water. Director Cortez seconded the motion. The motion was passed by the following vote:

Director Zefferman	-	Yes	Vice President Shriner	-	Yes
Director Le	-	Yes	President Moore	-	Yes
Director Cortez	-	Yes			

C. Consider Adoption of Resolution No. 2020-03 to Reject All Bids on the Regional Urban Water Augmentation Project – Recycled Water Distribution Pipelines Phase and Direct Staff to Rebid the Project:

Mr. Don Wilcox, Senior Engineer, introduced this item explaining that a bid protest was received after the bids were opened.

Vice President Shriner made a motion to adopt Resolution No. 2020-03 to Reject All Bids on the Regional Urban Water Augmentation Project – Recycled Water Distribution Pipelines Phase and Direct Staff to Rebid the Project. Director Cortez seconded the motion.

Director Cortez asked if there was anything in place to correct the process in the future. Mr. Wilcox answered that staff was working on going through the standard bid information to make sure everything as been updated. He said that the requirement of the Contractor's license number was updated two years ago by the Public Contract Code and it just slipped through the cracks and wasn't updated on the District's bid solicitation document. Director Le commented that the District has been using the wrong form for two years and asked what the impact was to the bid schedule. Mr. Wilcox answered that it would delay it about 90 days while the District rebids the project. Director Cortez asked if there was any recourse with the consultant who put the bid documents together. Mr. Van Der Maaten answered that if there was proof that there was a problem with the consultant doing the job they were hired to do, there was always recourse.

The motion was passed by the following vote:

Director Zefferman	-	Yes	Vice President Shriner	-	Yes
Director Le	-	Yes	President Moore	-	Yes
Director Cortez	-	Yes			

D. Consider Adoption of Resolution No. 2020-04 to Approve Amendment No. 7 to the Professional Services Agreement with Carollo Engineers for Design of the Regional Urban Water Augmentation Project Distribution Mains Project:

Mr. Wilcox introduced this item explaining that there will need to be another meeting to go over all the details to make sure everything is correct. Director Zefferman asked whose job it was to make sure the documents comply with the Code. Mr. Wilcox answered it was everyone from District staff and consultants, to legal counsel. He said things like this were usually looked at every few years but maybe it needs to be done more often. Director Cortez asked how long Carollo has been doing this work for the District and that during that time, while the District was paying premium rates for their expertise, they haven't caught the mistake. Mr. Wilcox answered that during the next request for proposals, staff could tighten that up by making sure everyone's scope-of-work includes a more thorough review of the Public Contract Code. Vice President Shriner asked if there was a way to have the protester pay for the re-bid. Mr. Masuda answered that his staff was already looking into a bid protest procedure to require the bid protester to pay up front for the cost of the bid protest.

Vice President Shriner made a motion to adopt Resolution No. 2020-04 to Approve Amendment No. 7 to the Professional Services Agreement with Carollo Engineers for Design of the Regional Urban Water Augmentation Project Distribution Mains Project. President Moore seconded the motion. Director Cortez commented that a question came up asking if the District had systems in place so this doesn't happen again and the fact that they were looking to approve this without a system in place says that status quo was not great but let's move forward. He said that instead it should say that status quo wasn't good, and our qualified staff said it should be tightened up here and let's follow that and vote on it again when it comes back to the Board.

Director Le asked if Director Cortez wanted to make a substitute motion to adopt the Resolution but also ask staff to tighten up the procedure so they don't have to pay additional costs in the future. President Moore asked if that motion could be made under this item. Mr. Masuda answered that it shouldn't be made under this item and that direction should go to the General Manager. President Moore asked if Vice President Shriner would amend her motion to direct that staff seek some kind of monetary accommodation from Carollo. Vice President Shriner agreed to amend her motion to include seeking monetary accommodation from Carollo. Director Le urged the Board to look at the bigger picture. He said right now the District is entitled to 600 acre feet of advanced water that they can't use because the distribution pipe isn't completed. Director Le added that the District has to pay a couple of million for this year, so in the scheme of things he urges the Board to approve the original Resolution. He said that one month will cost the District a couple hundred thousand dollars. Director Cortez commented he appreciates what Director Le said, but he said his vote would still be no because he thinks it is important for the Board to show that there has to be accountability from the vendors. He added that the District pays and doesn't get anything for free and it has to be documented somewhere besides just the minutes.

Director Le made a substitute motion that the Board approve 2020-04 to Approve Amendment No. 7 to the Professional Services Agreement with Carollo Engineers for Design of the Regional Urban Water Augmentation Project Distribution Mains Project. President Moore said it was basically the same as the other motion on the floor, except the other motion asks staff to see monetary accommodation from Carollo.

Agenda Item 12-D (continued):

The motion to adopt Resolution No. 2020-04 to Approve Amendment No. 7 to the Professional Services Agreement with Carollo Engineers for Design of the Regional Urban Water Augmentation Project Distribution Mains Project and direct staff to see monetary accommodation from Carollo, was passed by the following vote:

Director Zefferman	-	No	Vice President Shriner	-	Yes
Director Cortez	-	No	President Moore	-	Yes
Director Le	-	Yes			

E. Consider Approving the 2019 Year in Review Report:

Mr. Van Der Maaten introduced this item explaining that this report was a draft and this is the third year the District has generated a Year in Review. He briefly reviewed what was accomplished over the last year. President Moore asked if anyone had more than three edits to the document. Director Zefferman suggested sending any non-substantive changes to the General Manager and once they are incorporated, the report be brought back to the Board.

Director Le said he had three suggestions: 1) correct the date on page 3 of the report that the RUWAP distribution mains was completed and advertised for bid with construction taking place in 2020; 2) correct the misspelling of “it’s” to “its” on Page 2 of the report; and, 3) add the District website to the report.

Vice President Shriner said she had a few typo’s that she would send as Director Zefferman suggested, but also would like to see mentioned that the contract negotiations went well with staff, and, the District’s customer base grew a lot last year.

Director Cortez suggested highlighting the employees and showing how many were long-term to emphasize what a great District this was to work for.

President Moore suggested adding that employee information to the Leadership page and adding Board member’s email addresses.

Director Zefferman made a motion to direct staff to incorporate the proposed changes; incorporate any emailed non-substantive changes received from Board members; and, bring a revised report back to the Board at the next meeting. Vice President Shriner seconded the motion.

Mr. Phil Clark, Seaside resident/WCC member, commented that the photo images were not clear and not relative to Marina.

Director Zefferman revised his motion to direct staff to incorporate the proposed changes; incorporate any emailed non-substantive changes received from Board members; review the graphics and replace with ones of the District; and, bring a revised report back to the Board at the next meeting. Vice President Shriner seconded the revised motion.

Agenda Item 12-E (continued):

The motion was passed by the following vote:

Director Zefferman	-	Yes	Vice President Shriner	-	Yes
Director Le	-	Yes	President Moore	-	Yes
Director Cortez	-	Yes			

F. Consider Adoption of Resolution No. 2020-05 to Approve Updates to the 5-Year Strategic Plan:

Mr. Van Der Maaten introduced this item and gave a brief background stating that this would wrap this Strategic Plan up and get ready for the next workshop coming soon.

Director Zefferman commented that the word “now” should be removed from the seventh bullet point under Vision Statements. He also said that he would like to see the eighth bullet say, “Our District explicitly incorporates consideration of carbon emissions in all aspects of planning, design and operation.”

Director Le commented that the Mission Statement is quite old, as is the Vision Statement, and he would like staff to add something about recycled water to both. He also had these suggested changes to the Strategic Plan:

Page 4 - add water storage to Section 1.0;

Page 5 - add recycled water to Section 2.0;

Page 5 - add a new Section 2.7 Explore use of new technology; add new Section 3.7 Implement new technology to improve efficiency;

Page 6 - add to Section 4.0 to read, “Our objective is to build our relationship with the public and local agencies, regional, state, federal, and non-profit organizations. Our strategy in the areas of strategic partners and public affairs is to communicate in a positive way, including active listening, encouraging open discussions, and schedule regular meetings.; ”

Page 6 – add Section 4.5 Annual in Review;

Page 6 – add to Section 6.0 to read, “Our objective is to create, maintain, update, and implement policies...” “We will also maintain, use, and implement appropriate technology...”

Page 6 – delete 6.1 since Annexation is complete.

President Moore suggested changing 6.1 to Future annexations once all the work is done in the Ord Community. Director Le suggested changing 6.1 to Additional annexations.

Mr. Van Der Maaten pointed out that this SP was from last year and it hasn’t been updated for the new year. He reminded the Board that they would be holding a SP Workshop in the near future to develop new plans.

Director Cortez thanked staff for their work on the Core Values. He asked if all the Vision Statements were all in the Action Plan by Objective, and noted that Vision Statements were overreaching and should not be repeated in the Action Plan spreadsheet.

Agenda Item 12-F (continued):

Director Zefferman said that the General Manager commented that this was last year's SP and asked if they even needed to approve it. Mr. Van Der Maaten commented that he was looking to finish the SP with the changes to the Core Values and to use it to start the discussion on the next SP. Vice President Shriner said that she was curious if working with the SVBGSA should be added to the SP, perhaps under Section 4.0. Mr. Van Der Maaten said it could be added along with other specific agencies. Vice President Shriner suggested adding to the acronyms to make sure all are captured.

President Moore suggested that since the Core Values were the significant change brought forward, the Board vote on approving the Core Values and then make all the other changes in the upcoming SP Workshop.

Director Le made a motion to approve all the comments made by the Directors. Director Cortez seconded the motion. The motion was passed by the following vote:

Director Zefferman	-	Yes	Vice President Shriner	-	Yes
Director Le	-	Yes	President Moore	-	Yes
Director Cortez	-	Yes			

Director Zefferman left the meeting at 9:31 p.m.

G. Discuss Increasing Compensation to Directors for Attending Board Meetings:

Mr. Van Der Maaten introduced this item.

Director Cortez made a motion to move this item to the Budget and Personnel Committee and have the Committee look into what stipends other agencies are providing, then bring it back to the Board. President Moore seconded the motion.

Mr. Masuda commented that the County Water District Statute code 30507 limits the amount of compensation for Directors to \$600 per month.

Director Le made a substitute motion to approve compensation of \$100 per Board meeting. The motion died for lack of a second. Director Le said he checked, and Monterey One Water and the Monterey Peninsula Water Management District gets \$100 per meeting, while Marina City Counsel gets \$250 a month. He said that they could do a study that costs tons of money and staff time or just approve \$100 and move on. Director Cortez said that he may agree with Director Le, but he feels that for the public's benefit and because it is District ratepayer's money, he thinks it would be more appropriate to go through the process. He added that he was considering that the increase begins after the next election for the next term. Mr. Masuda cautioned that they look at other county water districts because their limitations are different from city and irrigation districts.

Agenda Item 12-F (continued):

The main motion was passed by the following vote:

Director Zefferman	-	Absent	Vice President Shriner	-	Yes
Director Le	-	No	President Moore	-	Yes
Director Cortez	-	Yes			

13. Staff Reports:

A. Receive and Update on the Ord Office Plan:

Mr. Van Der Maaten noted that FORA's lease on the Districts Imjin office expires on June 30, 2020 and staff is planning on moving Ord staff over as soon after as possible. He said the office is not large enough to house all the employees at this time, but proposed office improvements will be brought to the Board during the budget process. Mr. Van Der Maaten also said that the District's Ord office will house the Operations and Maintenance staff. Director Le asked for a project schedule/timeline and he said he didn't think staff could just move into the Imjin office without tenant permits and that it was unreasonable to think it could happen so quickly. Mr. Van Der Maaten stated that the first phase of the move doesn't require any tenant improvements because the offices are already set up. He said the construction and tenant improvement work to the undeveloped side of the office will happen in phase two. Director Le suggested the General Manager ask the Board to amend the budget to help pay for any improvements needed so they could start moving forward now. Vice President Shriner commented that the staff should be able to schedule the move as needed and the Board shouldn't need to see any kind of schedule, they just need to be updated on the progress.

B. Receive a Report on Current Capital Improvement Projects:

Mr. Michael Wegley gave a brief report on the Capital Improvement Projects.

C. Receive the 4th Quarter 2019 MCWD Water Consumption Report:

Ms. Cadiente gave a brief report on the water consumption for 2019.

D. Receive the 2019 Sewer Flow Report through December 31, 2019:

Ms. Cadiente gave a brief report on the sewer flows for 2019.

14. Informational Items:

A. General Manager's Report:

No report was given.

B. Counsel's Report:

No report was given.

C. Director's Report:

1. Receive a Report from Director Le Regarding his Attendance at the California Water Association Conference in Monterey:

There were no questions or comments.

D. Committee and Board Liaison Reports:

1. Water Conservation Commission:

Mr. Breen stated they met on January 9th and the next meeting would be February 6, 2020.

2. Joint City District Committee:

President Moore stated the next meeting would be February 26, 2020.

3. Executive Committee:

President Moore noted the next meeting is scheduled for February 11, 2020.

4. Community Outreach Committee:

Director Cortez gave a brief update stating they discussed the Board Procedures Manual.

5. Budget and Personnel Committee:

Vice President Shriner gave a brief update noting that Mr. Joe Correa was retiring after 28 years.

6. M1W Board Member:

President Moore gave a brief update and noted the next meeting is scheduled for February 24th.

7. LAFCO Liaison:

Director Cortez noted the next meeting is scheduled for February 24th.

8. FORA:

Vice President Shriner gave a brief update and noted the next meeting is scheduled for February 13th.

9. WWOC:

Mr. Van Der Maaten noted the next meeting was to-be-determined.

10. JPIA Liaison:

No report was given.

11. Special Districts Association Liaison:

President Moore gave a brief update and noted the next meeting was scheduled for April 21st. Vice President Shriner said that there was a presentation from Streamline and suggested that perhaps the District could do a quick review to make sure the website is ADA compliant.

12. SVGSA Liaison:

No report was given.

15. Board member Requests for Future Agenda Items:

President Moore noted that the Board members can email in their requests. Director Le stated that he wanted an item on the RUWAP discussion; decide whether to delete the hot water recirculation from District standards; to see the results from the AEM 2.0; and to discuss a franchise agreement with other agencies; and get a copy of the results from the last meter that was tested.

16. Director's Comments:

Director Cortez, Vice President Shriner, and President Moore made comments.

17. Adjournment:

The meeting was adjourned at 9:59 p.m.

APPROVED:



Thomas P. Moore, President

ATTEST:



Paula Riso, Deputy Secretary