



MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

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DIRECTORS

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President

HERBERT CORTEZ
Vice President

THOMAS P. MOORE
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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
Via Zoom Teleconference**

Monday, June 20, 2022, **6:00 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 June 20, 2022 meeting 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 can also be submitted in writing to Paula Riso at priso@mcwd.org by 9:00 am on Monday, June 20, 2022; 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/88139920620?pwd=cUFleEg4Mk9zbzU1VmNIQjhmUHJQZz09>

Passcode: 811410

To participate via phone: 1-669-900-9128; Meeting ID: 881 3992 0620; Passcode: 811410

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. Action Item

- A. Appoint a District Negotiator to Negotiate with California American Water Company Regarding an Emergency Water Transfer
(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. 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): City of Marina Council Chambers. A complete Board packet containing all enclosures and staff materials will be available for public review on the District website, Thursday, June 16, 2022. 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

- 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. Marina Coast Water District v. Trustees of the California State University, and Does 1-20; Monterey County Superior Court Case No. 21CV001296 (Verified Complaint for Declaratory and Injunctive Relief)
- B. Pursuant to Government Code 54956.8
Conference with Real Property Negotiator
Property: Armstrong Ranch Property
Negotiating Parties: Sunberry Growers, LLC. and MCWD Negotiators (Legal Counsel and General Manager)
Under Negotiation: Price and Terms
- C. Pursuant to Government Code 54956.8
Conference with Real Property Negotiator
Property: Emergency Transfer of District Water
Negotiating Parties: California-American Water Company and MCWD Negotiator (To Be Determined in Item 3-A)
Under Negotiation: Price and Terms

Reconvene Open Session

- 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.*

7:00 PM – Open Public Hearing

9. Public Hearing

- A. Conduct a Public Hearing; Make a Motion to Find that Adoption of the Ordinance is Exempt from the California Environmental Quality Act; Consider Waiving the Reading of Ordinance No. 62 in its Entirety; and, Consider the Second Reading and Adoption of Ordinance No. 62, Approving an Ordinance Amending Title 4, Recycled Water, of the Marina Coast Water District Code
(Page 2)

10. Presentations

- A. Adopt Resolution No. 2022-24 in Recognition of Lyssa Farrell, Customer Service/Billing Technician II, for 5 Years of Service to the Marina Coast Water District
(Page 15)
- B. Consider Adoption of Resolution No. 2022-25 in Recognition of Joe Correa and to Adjourn the Meeting in his Memory
(Page 19)

11. Consent Calendar

- A. Receive and File the Check Register for the Month of May 2022
(Page 25)
- B. Approve the Draft Minutes of the Special Joint Board/GSA Meeting of May 9, 2022
(Page 33)
- C. Approve the Draft Minutes of the Regular Joint Board/GSA Meeting of May 16, 2022
(Page 37)
- D. Approve the Draft Minutes of the Special Joint Board/GSA Meeting of May 24, 2022
(Page 44)
- E. Receive an Update on the Fiscal Impacts to the District due to Covid-19
(Page 49)
- F. Adopt Resolution No. 2022-26 to Proclaim a Local Emergency, and Authorize Remote Teleconference Meetings of All District Legislative Bodies for the Following 30 Days
(Page 59)
- G. Adopt Resolution No. 2022-27 to Approve the Third Amendment to the Loan Agreement with PNC Bank (formerly BBVA Mortgage Corporation) for Interim Financing of the Regional Urban Water Augmentation Recycled Water Pipeline and Distribution System
(Page 63)
- H. Adopt Resolution No. 2022-28 to Adopt the FY 2021-2022 Updates to the Investment Policy
(Page 75)
- I. Adopt Resolution No. 2022-29 to Approve a Water, Sewer, and Recycled Water Infrastructure Agreement between MCWD and Shea Homes, LP, for the Dunes Phase 1B Promenade Development in Marina, CA
(Page 86)

- J. Adopt Resolution No. 2022-30 to Approve a Water, Sewer, and Recycled Water Infrastructure Agreement between MCWD and the City of Seaside for the Seaside Resort B&B Hotel in Seaside, CA
(Page 154)

12. 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 a Climate Action Plan Presentation, Adopt Resolution No. 2022-31 for Renewable Electricity Purchase, and Appoint an Ad Hoc Climate Action Plan Committee
(Page 221)
- B. Adopt Resolution No. 2022-11 to Approve a Professional Services Agreement with Rauch Communication Consultants, Inc. to Provide Public Relations and Community Outreach Services to the District
(Page 242)
- C. Adopt Resolution No. 2022-32 to Approve Amendment No. 1 to the General Manager's Employment Agreement
(Page 339)

13. 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

14. Board Member Requests for Future Agenda Items

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

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

Regular Meeting: Monday, July 18, 2022, 6:30 p.m.