



Marina Coast Water District

Marina Coast Water District

Regular Board Meeting/Groundwater Sustainability Agency Board Meeting
June 19, 2023

Minutes

1. Call to Order:

Director Moore called the meeting to order at 6:34 p.m. on June 19, 2023 both in-person at 920 2nd Avenue, Suite A, Marina, California; and, via Zoom teleconference.

2. Roll Call:

Board Members Present:

Jan Shriner – President – arrived at 6:37 p.m.
Thomas P. Moore
Gail Morton
Brad Imamura

Board Members Absent:

Herbert Cortez – Vice President

Staff Members Present:

Remleh Scherzinger, General Manager
Roger Masuda, District Counsel
Derek Cray, Operations and Maintenance Manager
Mary Lagasca, Director of Administrative Services
Patrick Breen, Water Resources Manager
Garret Haertel, District Engineer
Teo Espero, IT Administrator
Paula Riso, Executive Assistant/Clerk to the Board

Audience Members:

Andy Sterbenz, Schaaf & Wheeler
Alec Irwin, MCWD
Stephenie Verduzco, MCWD
Phil Clark, Seaside Customer
Vera Nelson, EKI Water & Environment
Andy Hunter, Whitson Engineers
Don Hofer, Marina Community Partners/Shea Homes
Jack Gao, Shea Homes

Ms. Paula Riso, Executive Assistant/Clerk to the Board, announced that the draft budget was available to the public online and hard copy on May 12th; a revised draft budget was available to the public online and hard copy on June 2nd; a hard copy of the draft budget was available on June 15th and the online version was made available June 19th for Agenda Item 11-A.

3. Public Comment on Closed Session Items:

There were no comments made.

President Shriner arrived at 6:37 p.m. The Board entered into closed session at 6:38 p.m. to discuss the following items:

4. Closed Session:

- A. Pursuant to Government Code 54957.6
Conference with Labor Negotiators
Agency Negotiators (General Manager)
Employee Organization: Marina Coast Water District Employees Association

- B. Pursuant to Government Code 54957.6
Conference with Labor Negotiators
Agency Negotiators (General Manager)
Employee Organization: Teamsters Local 890

- C. Conference with Legal Counsel – Existing Litigation
(Paragraph (1) of subdivision (d) of Government Code Section 54956.9)
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)

The Board ended closed session at 8:25 p.m. President Shriner reconvened the meeting to open session at 8:30 p.m.

5. Reportable Actions Taken During Closed Session:

Mr. Roger Masuda, District Counsel, stated that there were no reportable actions take during closed session. President Shriner noted that Agenda Item 5-A was pulled from the agenda.

6. Pledge of Allegiance:

Director Imamura led everyone present in the pledge of allegiance.

7. Oral Communications:

There were no public comments made.

8. Marina Coast Water District Groundwater Sustainability Agency Matters:

A. Action Item:

1. Receive the Annual Monterey Sub-basin Sustainable Groundwater Management Presentation:

Mr. Patrick Breen, Water Resources Manager, introduced this item noting that this was an annual report on the progress of the Monterey Sub-basin Groundwater Sustainability Plan (GSP).

Ms. Vera Nelson, EKI Environment & Water, gave a presentation on the Monterey sub-basin, noting that the Department of Water Resources (DWR) approved the GSP in April 2023. She stated that she would review the comparison against sustainable management criteria and the annual progress of the GSP. Ms. Nelson stated that the comparison against sustainable management criteria required by DWR looks at Seawater Intrusion Advancement; Groundwater Levels; Groundwater Storage; Interconnected Surface Waters, Water Quality; and, Subsidence. She then reviewed the progress of the Multi Sub-basin actions and projects. The Board asked clarifying questions.

9. Return to Marina Coast Water District Matters:

10. Consent Calendar:

Director Morton made a motion to approve the Consent Calendar consisting of: A) Receive and File the Check Register for the Month of May 2023; and, B) Approve the Draft Minutes of the Regular Joint Board/GSA Meeting of May 15, 2023. Director Imamura seconded the motion. The motion was passed by the following vote:

| | | | | | |
|------------------|---|-----|-----------------------|---|--------|
| Director Imamura | - | Yes | Vice President Cortez | - | Absent |
| Director Moore | - | Yes | President Shriner | - | Yes |
| Director Morton | - | Yes | | | |

11. Action Items:

Mr. Remleh Scherzinger, General Manager, suggested moving to Agenda Items 11-B, and 11-C, as there were public members present for that item.

- B. Adopt Resolution No. 2023-13 Regarding a Variance to the Application of MCWD Water Code Section 5.16.190 *Sewer System Easements*, for the Dunes of Monterey Bay Phase 2 West, Marina CA:

Agenda Item 11-B (continued):

Mr. Garrett Haertel, District Engineer, introduced this item. The Board asked clarifying questions.

Director Imamura made a motion to adopt Resolution No. 2023-13 regarding a variance to the application of MCWD Water Code Section 5.16.190 *Sewer System Easements*, for the Dunes of Monterey Bay Phase 2 West, Marina CA. Director Morton seconded the motion. The motion was passed by the following vote:

| | | | | | |
|------------------|---|-----|-----------------------|---|--------|
| Director Imamura | - | Yes | Vice President Cortez | - | Absent |
| Director Moore | - | Yes | President Shriner | - | Yes |
| Director Morton | - | Yes | | | |

C. Adopt Resolution No. 2023-14 Regarding a Variance to the Application of MCWD Water Code Section 5.16.190 *Sewer System Easements*, for the Dunes of Monterey Bay Phase 1B Promenade, Marina CA:

Mr. Haertel introduced this item. Director Moore asked clarifying questions regarding easements on Army owned property.

Director Morton made a motion to adopt Resolution No. 2023-14 regarding a variance to the application of MCWD Water Code Section 5.16.190 *Sewer System Easements*, for the Dunes of Monterey Bay Phase 1B Promenade, Marina CA. Director Moore seconded the motion.

Director Shriner asked the developer to explain why they never tried to get the easement from the neighboring property. Mr. Don Hofer, Marina Community Partners, commented that the design of these developments were part of the Specific Plan that was adopted nearly twenty years ago which was fully vetted with the public. He said changes cannot be made unless the Specific Plan was also changed. Discussion followed.

The motion was passed by the following vote:

| | | | | | |
|------------------|---|-----|-----------------------|---|--------|
| Director Imamura | - | Yes | Vice President Cortez | - | Absent |
| Director Moore | - | Yes | President Shriner | - | Yes |
| Director Morton | - | Yes | | | |

A. Adopt Resolution No. 2023-21 to Adopt the Marna Coast Water District Budget for FY 2023-2024 and Waive Section 6.08.070 of the District Code for FY 2023-2024:

Ms. Mary Lagasca, Director of Administrative Services, introduced this item and reviewed a list of changes from the last draft budget. Mr. Scherzinger noted that the Board should make the motion to adopt the Resolution adopting the budget as amended.

Agenda Item 11-A (continued):

Director Morton made a motion to adopt Resolution No. 2023-21 to adopt the Marna Coast Water District Budget for FY 2023-2024 as amended and waive Section 6.08.070 of the District Code for FY 2023-2024. Director Imamura seconded the motion. Director Morton thanked staff for the time and effort to meet with the Board and subcommittee on the budget and incorporate all the comments and changes into the final document. Director Moore wanted to assure the public that although there are many projects on the Capital Improvement list, none will move forward without proper vetting. The motion was passed by the following vote:

| | | | | | |
|------------------|---|-----|-----------------------|---|--------|
| Director Imamura | - | Yes | Vice President Cortez | - | Absent |
| Director Moore | - | Yes | President Shriner | - | Yes |
| Director Morton | - | Yes | | | |

President Shriner noted it was 10:00 p.m. and asked if there was a motion to continue the meeting.

Director Moore made a motion to continue the meeting to complete the agenda. Director Morton seconded the motion. The motion was passed by the following vote:

| | | | | | |
|------------------|---|-----|-----------------------|---|--------|
| Director Imamura | - | Yes | Vice President Cortez | - | Absent |
| Director Moore | - | Yes | President Shriner | - | Yes |
| Director Morton | - | Yes | | | |

- D. Adopt Resolution No. 2023-22 Amending the Professional Services Agreement between Marina Coast Water District and Rauch Communications Consultants, Inc. to Provide Public Relations and Community Outreach Services to the District:

Mr. Scherzinger introduced this item.

Director Moore made a motion adopt Resolution No. 2023-22 amending the Professional Services Agreement between Marina Coast Water District and Rauch Communications Consultants, Inc. to provide Public Relations and Community Outreach Services to the District. Director Imamura seconded the motion. The motion was passed by the following vote:

| | | | | | |
|------------------|---|-----|-----------------------|---|--------|
| Director Imamura | - | Yes | Vice President Cortez | - | Absent |
| Director Moore | - | Yes | President Shriner | - | Yes |
| Director Morton | - | Yes | | | |

- E. Provide Direction Regarding Election to the Coastal Network, Seat C, of the California Special Districts Association Board:

Director Moore made a motion to direct the District to vote for Director Imamura for the Coastal Network, Seat C on the California Special Districts Association Board. Director Imamura seconded the motion.

Agenda Item 11-E (continued):

The motion failed.

| | | | | | |
|------------------|---|-----------|-----------------------|---|--------|
| Director Imamura | - | Yes | Vice President Cortez | - | Absent |
| Director Moore | - | Yes | President Shriner | - | No |
| Director Morton | - | Abstained | | | |

Director Moore made a motion to direct the District to vote for Vince Ferrante for the Coastal Network, Seat C on the California Special Districts Association Board. President Shriner seconded the motion. The motion was passed by the following vote:

| | | | | | |
|------------------|---|-----|-----------------------|---|--------|
| Director Imamura | - | Yes | Vice President Cortez | - | Absent |
| Director Moore | - | Yes | President Shriner | - | Yes |
| Director Morton | - | Yes | | | |

12. Informational Items:

A. General Manager's Report:

Mr. Scherzinger stated he had nothing to report.

B. Committee and Board Liaison Reports:

1. Budget and Engineering Committee:

Director Morton gave a brief update.

2. Executive Committee:

President Shriner gave a brief update.

3. Community Outreach and Personnel Committee:

Director Imamura and Director Moore gave a brief update.

4. M1W Board Member Liaison:

Director Moore gave a brief update.

13. Board Member Requests for Future Agenda Items:

Mr. Scherzinger commented that there were a couple of items for closed session.


14. Director's Comments:

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

15. Adjournment:

The meeting was adjourned at 10:20 p.m.

APPROVED:



Jan Shriner, President

ATTEST:



Paula Riso, Deputy Secretary