



Marina Coast Water District

Marina Coast Water District

Regular Board Meeting/Groundwater Sustainability Agency Board Meeting
October 16, 2023

Minutes

1. Call to Order:

President Shriner called the meeting to order at 6:01 p.m. on October 16, 2023 both in-person at 920 2nd Avenue, Suite A, Marina, California; and, via Zoom teleconference. President Shriner then proceeded with a land acknowledgement. “As Marina Coast Water District celebrates its 63rd year providing publicly owned water service to its customers in Marina and the Ord Community, we acknowledge that our service area is located on the traditional lands of the Esselen people. They are known today as the Ohlone/Constanoan-Esselen Nation. We respect their elders, past, present, and emerging, for they hold the memories, traditions, culture, and hopes of the Esselen people. We also acknowledge the government of the Ohlone/Coastanoan-Esselen Nation and appreciate the spiritual role it plays today in preserving the cultural, historical and heritage beliefs of the Esselen people. We are grateful that they share their traditional lands with us.”

2. Roll Call:

Board Members Present:

Jan Shriner – President
Herbert Cortez – Vice President
Thomas P. Moore
Gail Morton

Board Members Absent:

Brad Imamura

Staff Members Present:

Remleh Scherzinger, General Manager
David Hobbs, Assistant District Counsel
Derek Cray, Operations and Maintenance Manager
Mary Lagasca, Director of Administrative Services
Garrett Haertel, District Engineer
Patrick Breen, Water Resources Manager
Teo Espero, IT Administrator
Barbara Montanti, Customer Service Billing Supervisor
Paula Riso, Executive Assistant/Clerk to the Board

Item 2 (continued):

Audience Members:

Ken Pun, The Pun Group, LLC
Andy Sterbenz, Schaaf & Wheeler
Phil Clark, Seaside Resident
Fagan Lopez, MCWD
Tobias Osborne, MCWD
Troy Lawson, Denise Duffy & Associates

3. Presentation:

A. Adopt Resolution No. 2023-45 in Recognition of Fagan Lopez, Meter Reader, for 5 Years of Service to the Marina Coast Water District:

Ms. Barbara Montanti, Customer Service Billing Supervisor, introduced this item and recognized Mr. Lopez for his 5 years of service.

Director Morton made a motion to adopt Resolution No. 2023-45 recognizing Fagan Lopez for 5 years of service to MCWD and present him with a plaque and gift certificate. Director Moore seconded the motion. Mr. Lopez voiced his appreciation and thanked the Board for the opportunity to work for the District. The motion was passed by the following vote:

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

President Shriner read the narration of the Resolution and presented the gift certificate to Mr. Lopez.

4. Public Comment on Closed Session Items:

There were no comments made.

The Board entered into closed session at 6:09 p.m. to discuss the following items:

5. Closed Session:

A. Pursuant to Government Code 54956.9
Conference with Legal Counsel – Existing Litigation
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); Sixth District Court of Appeals Case Nos. H049146 and H049170

Agenda Item 5 (continued):

- B. Pursuant to Government Code 54956.9
Conference with Legal Counsel – Existing Litigation
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); Sixth District Court of Appeals Case Nos. H049146 and H049170

The Board ended closed session at 7:21 p.m. President Shriner reconvened the meeting to open session at 7:25 p.m.

6. Reportable Actions Taken During Closed Session:

Mr. David Hobbs, Assistant District Counsel, stated that with regards to agenda item 5-B, 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); Sixth District Court of Appeals Case Nos. H049146 and H049170, the Board approved filing a petition to the Supreme Court of California for review in that case by the following vote:

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

7. Pledge of Allegiance:

Director Moore led everyone present in the pledge of allegiance.

8. Oral Communications:

There were no public comments.

9. Consent Calendar:

Director Morton requested to pull item 9-F from the Consent Calendar.

Director Moore made a motion to approve the Consent Calendar consisting of: A) Receive and File the Check Register for the Month of September 2023; B) Approve the Draft Minutes of the Special Joint Board/GSA Meeting of September 13, 2023; C) Approve the Draft Minutes of the Regular Joint Board/GSA Meeting of September 18, 2023; D) Receive the 3rd Quarter 2023 MCWD Water Consumption Report; and, E) Receive the 3rd Quarter 2023 Sewer Flow Report. Vice President Cortez seconded the motion.

Agenda Item 9 (continued):

The motion was passed by the following vote:

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

F. Receive a Status Report Update on Current Capital Improvement Projects:

Director Morton questioned what other development projects staff was working on as was depicted in the staff report. Mr. Garrett Haertel, District Engineer, gave examples of the major development projects being different phases of the Dunes and Sea Haven projects; and, examples of the smaller development projects, such as Additional Dwelling Unit applications, splitting one property into three separate units, etc.

Director Moore made a motion to receive the status report update on current Capital Improvement Projects. Director Morton seconded the motion. The motion was passed by the following vote:

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

10. Action Items:

A. Consider Accepting the Annual Comprehensive Financial Report and the Independent Auditor's Report for the Fiscal Year ended June 30, 2023:

Ms. Mary Lagasca, Director of Administrative Services, introduced this item and introduced Mr. Ken Pun, The Pun Group, LLC. The Board commented on the District's incredible efforts by the Director of Administrative Services to quadruple the interest earned to that over the last several years.

Director Moore made a motion to accept the Annual Comprehensive Financial Report and the Independent Auditor's Report for the Fiscal Year ended June 30, 2023. Director Morton seconded the motion. The motion was passed by the following vote:

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

B. Adopt Resolution No. 2023-46 to Approve a Professional Services Agreement with Denise Duffy and Associates for Annexation Consulting Services for California State Park and Bureau of Land Management Parcels:

Mr. Patrick Breen, Water Resources Manager, introduced this item and described the areas that are to be annexed. He noted that the contingency amount was not reflected on the Resolution in the packet, but an amended Resolution was distributed on the dais.

Agenda Item 10-B (continued):

Director Moore made a motion to adopt Resolution No. 2023-46 to approve a Professional Services Agreement with Denise Duffy and Associates for Annexation Consulting Services for California State Park and Bureau of Land Management Parcels, as amended. Director Morton seconded the motion. The motion was passed by the following vote:

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

11. Informational Items:

A. General Manager's Report:

Mr. Scherzinger gave the following updates:

- He noted that the District responded to the City of Seaside answering their questions.
- Met with the City of Marina to discuss several issues.
- Held a Project Teams meeting with MCWD and City of Monterey to find out their needs.
- Met with Del Rey Oaks to discuss the alignment of South Boundary Road and water needs.
- Met with Glen Nelson of CSUMB to discuss Tanks A1/A2 and the easement issue with PG&E.
- Finalizing the development of a Seaside Inter Tie Agreement to help with any future water issues.
- Crafting the LandWatch letter.
- Met with the executives of Monterey One Water and the SVBGS to discuss how the two GSA's can work collaboratively on the Corral de Tierra area.

B. Committee and Board Liaison Reports:

1. Budget and Engineering Committee:

Director Morton gave a brief update.

2. Executive Committee:

Vice President Cortez gave a brief update.

3. Community Outreach Committee:

Director Moore gave a brief update.

4. M1W Board Member Liaison:

Director Moore gave a brief update.

5. MCWD/SVBGSA Steering Committee:

Director Morton gave a brief update.

12. Board Member Requests for Future Agenda Items:

Director Morton commented there was the voting structure for Monterey One Water; and the Social Media Policy.

13. Director's Comments:

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

14. Adjournment:

The meeting was adjourned at 8:28 p.m.

APPROVED:



Jan Shriner, President

ATTEST:



Paula Riso, Deputy Secretary