



# Marina Coast Water District

## Marina Coast Water District

Regular Board Meeting/Groundwater Sustainability Agency Board Meeting  
December 18, 2023

### Minutes

#### 1. Call to Order:

President Shriner called the meeting to order at 6:01 p.m. on December 18, 2023 both in-person at 920 2<sup>nd</sup> Avenue, Suite A, Marina, California; and, via Zoom teleconference.

#### 2. Roll Call:

##### Board Members Present:

Jan Shriner – President  
Herbert Cortez – Vice President – arrived at 6:04 p.m.  
Brad Imamura  
Thomas P. Moore  
Gail Morton

##### Board Members Absent:

None

##### Staff Members Present:

Remleh Scherzinger, General Manager  
Roger Masuda, 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  
Paula Riso, Executive Assistant/Clerk to the Board

##### Audience Members:

Andy Sterbenz, Schaaf & Wheeler  
Martin Rauch, Rauch Communications  
Mark Hildebrand, Hildebrand Consulting  
Monica Lal  
Brian McCarthy, Marina Resident

President Shriner stated that Agenda Item 10-B had been pulled from the agenda and will be brought back in January 2024. She also suggested moving Agenda Item 3 until after Closed Session to allow all Board members to be present for the election of officers.

Director Moore made a motion to postpone Agenda Item 3 until after Closed Session. 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			

4. Public Comment on Closed Session Items:

There were no comments made.

The Board entered into closed session at 6:03 p.m. to discuss the following items:

5. Closed Session:

- A. 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)

Vice President Cortez arrived at 6:04 p.m. The Board ended closed session at 6:31 p.m. President Shriner reconvened the meeting to open session at 6:34 p.m.

6. Reportable Actions Taken During Closed Session:

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

7. Pledge of Allegiance:

Director Moore led everyone present in the pledge of allegiance.

3. Election of Board President and Vice President for 2024:

Director Shriner nominated Director Cortez for President. Director Morton seconded the nomination. Director Cortez declined the nomination.

Director Moore nominated Director Morton for President. Director Shriner seconded the nomination. The nomination was passed by the following vote:

Director Imamura	-	Yes	Director Cortez	-	Yes
Director Moore	-	Yes	Director Shriner	-	Yes
Director Morton	-	Yes			

Item 3 (continued):

Director Morton nominated Director Cortez for Vice President. Director Moore seconded the nomination. Director Cortez declined the nomination.

Director Morton nominated Director Shriner for Vice President. Director Moore seconded the nomination. The nomination was passed by the following vote:

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

8. Oral Communications:

There were no public comments.

9. 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 November 2023; B) Approve the Draft Minutes of the Regular Joint Board/GSA Meeting of November 13, 2023; C) Approve the Proposed Regular Board/GSA Meeting and Workshop Schedule for 2024; and, D) Adopt Resolution No. 2023-48 to Approve a Reimbursement Agreement between MCWD and Shea Homes Limited Partnership; and, Amend the FY 2023-2024 Capital Improvement Budget to fund the Coe Avenue Water Pipeline Upsizing for Seaside Resort (Enclave - Phase 3) Project. Vice President Shriner seconded the motion. The motion was passed by the following vote:

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

10. Action Items:

President Morton reiterated that Item 10-B was pulled from the agenda.

A. Receive a Presentation on the Proposition 218 Process from Hildebrand Consulting:

Ms. Mary Lagasca, Director of Administrative Services, introduced this item.

Mr. Mark Hildebrand, Hildebrand Consulting, presented a brief overview of Prop. 218 and the rate setting process. He explained that the requirements of Prop. 218 are that revenues shall not exceed funds required to provide service, nor be used for another purpose; and that the amount shall not exceed the proportional cost of the service attributable to the parcel. Mr. Hildebrand added that the required procedure includes a 45-day notice, public hearing and written majority protest. Discussion followed.

C. Adopt Resolution No. 2023-50 to Approve the Revised Reserve Policy:

Ms. Lagasca introduced this item and reviewed the proposed revisions to the Reserve Policy. During discussion, the Board asked clarifying questions and suggested titling Section 3050.4.1 as Restricted Reserve Funds; and Section 3050.4.2 as Designated Reserve Funds.

Director Moore made a motion to approve the revised Reserve Policy as recommended by the Budget and Engineering Committee and include the recommended edits. Director Cortez seconded the motion. Director Cortez commended staff and Board members for all the work done on this policy. The motion was passed by the following vote:

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

D. Make Director Appointments to Standing Committees of the Board and to Outside Agencies for 2024, and as Negotiators to any Ad Hoc Committees of the Board:

Ms. Riso noted that several Directors provided their requests and those were included with the Committee Appointment List.

Following discussion, President Morton suggested the following appointments for 2024:

1.	Executive Committee	Morton, Shriner
2.	Budget and Engineering	Morton, Shriner – Imamura as Alternate
3.	Community Outreach	Moore, Imamura – Cortez as Alternate
4.	Joint City/District Committee	Morton, Imamura – Moore as Alternate

Appointments to outside agencies:

1.	M1W	Moore – Cortez as Alternate
2.	LAFCO	Cortez – Imamura as Alternate
3.	JPIA	Cortez – Moore as Alternate
4.	MCWD/SVBGSA Steering Committee	Morton – Shriner as Alternate
5.	SDA	Moore – Shriner, Morton, Imamura and Cortez as Alternates

Climate Action Plan Ad Hoc Committee	Moore – Zefferman as Public Member
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Director Moore made a motion to approve the proposed appointments for 2024. Director Cortez seconded the motion. The motion was passed by the following vote:

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

11. Informational Items:

A. General Manager's Report:

Mr. Scherzinger reported the following:

1. Operations and Maintenance crews have temporarily repaired the pipeline for the Sand Tank. It also brought to light the need for a new pipeline to be installed prior to the A1/A2 tanks coming online;
2. A1/A2 Tanks have been delayed because of a PG&E and CSUMB easement issue, so staff will be relocating the transformer and meter panel to City property;
3. Recently purchased two Electric Cars for the District fleet;
4. Pure Water Monterey Phase 2 – the State Water Resources Control Board is currently voting on regulations for direct potable reuse water;
5. CIP – making sure projects are ready to be included in the Rate Study;
6. Moving along with desal restart;
7. The Strategic Plan will be coming to the Board for discussion in February and March, with adoption in April.

B. Committee and Board Liaison Reports:

1. Budget and Engineering Committee:

President Morton and Vice President Shriner gave a brief update.

2. Executive Committee:

Director Cortez and Vice President Shriner gave a brief update.

3. Community Outreach Committee:

Director Imamura gave a brief update.

4. M1W Board Member Liaison:

Director Moore gave a brief update.

5. Joint City/District Committee:

President Morton gave a brief update.

12. Board Member Requests for Future Agenda Items:

There were no requests for items.

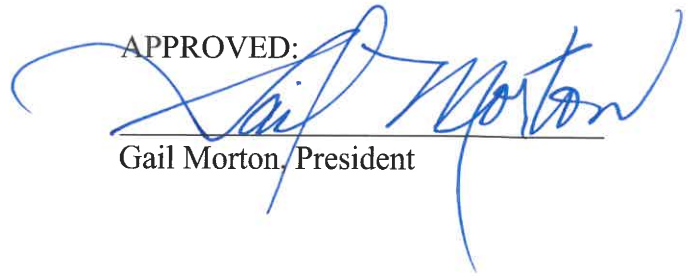
13. Director's Comments:

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

14. Adjournment:

The meeting was adjourned at 9:12 p.m.

APPROVED:



A handwritten signature in blue ink, appearing to read 'Gail Morton', is written over a horizontal line. The signature is stylized and cursive.

Gail Morton, President

ATTEST:



A handwritten signature in blue ink, appearing to read 'Paula Riso', is written over a horizontal line. The signature is cursive.

Paula Riso, Deputy Secretary