



Marina Coast Water District

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Regular Board Meeting/Groundwater Sustainability Agency Board Meeting
Via Zoom Teleconference
August 15, 2022

Minutes

1. Call to Order:

President Shriner called the meeting to order at 6:31 p.m. on August 15, 2022 via Zoom teleconference in Marina, California. President Shriner then proceeded with a land acknowledgement. "As Marina Coast Water District celebrates its 62nd 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/Conastanoan-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
Matt Zefferman

Board Members Absent:

None.

Staff Members Present:

Remleh Scherzinger, General Manager
Roger Masuda, District Counsel
Derek Cray, Operations and Maintenance Manager
Brian True, Senior Civil Engineer
Rose Gill, Human Resources/Risk Administrator
Teo Espero, IT Administrator
Paula Riso, Executive Assistant/Clerk to the Board

Agenda Item 2 (continued):

Audience Members:

Eric Tynan, Castroville Community Services District General Manager
Andy Sterbenz, Schaaf & Wheeler
Phil Clark, Seaside Resident
Joe Pineda, MCWD
Jose Rodriguez, MCWD
Travis Enzweiler, MCWD
Stephenie Verduzco, MCWD
Michael Schaier,
Dave Egan,

3. Public Comment on Closed Session Item:

There were no comments made.

The Board entered into closed session at 6:35 p.m. to discuss the following item:

4. Closed Session:

A. Pursuant to Government Code 54956.9

Conference with Legal Counsel – Existing Litigation

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 7:50 p.m. President Shriner reconvened the meeting to open session at 7:51 p.m.

5. Reportable Actions Taken During Closed Session:

President Shriner stated that direction was given to staff and there were no reportable actions taken in Closed Session.

6. Pledge of Allegiance:

Director Moore led everyone present in the pledge of allegiance.

7. Oral Communications:

No comments were made.

8. Presentations:

- A. Adopt Resolution No. 2022-38 in Recognition of Andrew Racz, Senior Engineer, for 5 Years of Service to the Marina Coast Water District:

Mr. Patrick Breen, Water Resources Manager, introduced this item.

Director Morton made a motion to adopt Resolution No. 2022-38 in recognition of Andrew Racz, Senior Engineer, for 5 years of service to the Marina Coast Water District. Director Moore seconded the motion. The motion was passed by the following vote:

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

President Shriner read the narration of the Resolution.

- B. Adopt Resolution No. 2022-39 in Recognition of Warren Foster, System Operator II, for 15 Years of Service to the Marina Coast Water District:

Mr. Derek Cray, Operations and Maintenance Manager, introduced this item.

Director Morton made a motion to adopt Resolution No. 2022-39 in recognition of Warren Foster, System Operator II, for 15 years of service to the Marina Coast Water District. Director Moore seconded the motion. The motion was passed by the following vote:

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

President Shriner read the narration of the Resolution.

- C. Adopt Resolution No. 2022-40 in Recognition of Lizet Ybarra, Accounting Technician, for 20 Years of Service to the Marina Coast Water District:

Mr. Remleh Scherzinger, General Manager, introduced this item.

Director Morton made a motion to adopt Resolution No. 2022-40 in recognition of Lizet Ybarra, Accounting Technician, for 20 years of service to the Marina Coast Water District. Vice President Cortez seconded the motion. The motion was passed by the following vote:

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

President Shriner read the narration of the Resolution.

9. Consent Calendar:

Director Morton pulled item 9-E 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 July 2022; B) Approve the Draft Minutes of the Regular Joint Board/GSA Meeting of July 18, 2022; C) Receive an Update on the Fiscal Impacts to the District due to Covid-19; and, D) Adopt Resolution No. 2022-41 to Proclaim a Local Emergency, and Authorize Remote Teleconference Meetings of All District Legislative Bodies for the Following 30 Days. Director Morton seconded the motion. The motion was passed by the following vote:

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

- E. Adopt Resolution No. 2022-42 to Approve a Water, Sewer, and Recycled Water Infrastructure Agreement between MCWD and Lightfighter Village GP, LLC for the Lightfighter Village Development in Marina, CA:

Director Morton commented that 15-acre feet of water was given to the City of Marina specifically for the Veteran’s Transition Center (VTC) projects and asked what happens to the remaining 3.05-acre feet after this project is completed. Mr. Scherzinger stated that it will stay on the books until another VTC project is developed. Director Morton stated that the 15-acre feet should be notated that it was in addition to the FORA allocation so as not to be misconstrued at a later date that the City of Marina got extra water. Discussion followed.

Director Morton made a motion to adopt Resolution No. 2022-42 to approve a Water, Sewer, and Recycled Water Infrastructure Agreement between MCWD and Lightfighter Village GP, LLC for the Lightfighter Village Development in Marina, CA. Director Moore seconded the motion. The motion was passed by the following vote:

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

10. Action Items:

- A. Adopt Resolution No. 2022-43 to Execute a Mutual Assistance Agreement Between Marina Coast Water District and the Castroville Community Services District:

Mr. Cray introduced this item and pointed out a correction that needed to be made to Section 5 of the Agreement... the word ‘Lender’ in the second sentence should read ‘Borrower’. He added that Castroville Community Services District has already approved this agreement.

Agenda Item 10-A (continued):

Director Zefferman pointed out another correction to be made on page 91. In Section 3 (c) the words Borrower and Lender should be swapped. He also asked how the replacement cost is determined. Director Zefferman asked is Section 13 on page 4 of the Agreement should read 'Monterey County' instead of 'Santa Barbara'. Mr. Roger Masuda, District Counsel, confirmed that it should be 'Monterey County'.

Vice President Cortez questioned if there was a conflict in Section 3(f) and Section 7. Mr. Masuda said there was no conflict. Director Cortez questioned who would give direction in case of equipment being borrowed. Mr. Scherzinger stated that Section 5 clarifies who would give direction to employees should they need to accompany the equipment to aid the other agency. There were more clarifying questions from the Board.

Director Morton made a motion to adopt Resolution No. 2022-43 to execute a Mutual Assistance Agreement between Marina Coast Water District and the Castroville Community Services District with the corrections noted in the earlier discussion. Director Moore seconded the motion. Mr. Eric Tynan, Castroville Community Services District General Manager, thanked the Board for their consideration and expressed his gratitude to the District for working together.

Director Zefferman commented that he would prefer to see a final document before approving it.

Director Zefferman made a substitute motion to table this item and bring it back to the next meeting with the language updated and any legal tightening that may need to be done. Director Morton seconded the motion. Discussion followed. Mr. Tynan commented that they take their work very seriously as well and would be pleased to be able to work together in the case of an emergency. Director Zefferman suggested having language that states each agency will annually update the other with the equipment schedule. The motion was passed by the following vote:

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

11. Informational Items:

A. General Manager's Report:

Mr. Scherzinger gave the following updates:

- 1) Mr. Scherzinger introduced Ms. Mary Lagasca to the Board as the new Director of Administrative Services.
- 2) A new District Engineer will be starting on September 6th.

B. Committee and Board Liaison Reports:

1. Special Districts Association of Monterey County:

President Shriner and Director Morton gave a brief update.

2. M1W Board Member Liaison:

Director Moore gave a brief update and noted the next meeting is August 29th.

12. Board Member Requests for Future Agenda Items:

President Shriner stated that any requests may be emailed to staff. Director Morton asked for an update on the ramification of deep aquifer pumping. Director Zefferman asked when the Steering Committee would meet as they haven't met in over 18 months, and asked for an agenda item to receive an update on GSA activities. Director Morton also asked for the Strategic Plan to be brought back to the Board.

12. Director's Comments:

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

13. Adjournment:

The meeting was adjourned at 9:43 p.m.

APPROVED:



Jan Shriner, President

ATTEST:



Paula Riso, Deputy Secretary