



MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

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DIRECTORS

JAN SHRINER
President

HERBERT CORTEZ
Vice President

THOMAS P. MOORE
GAIL MORTON
MATT ZEFFERMAN

Agenda

**Special Board Meeting, Board of Directors
Marina Coast Water District**

and

**Special Board Meeting, Board of Directors
Marina Coast Water District Groundwater Sustainability Agency
Via Zoom Teleconference**

Thursday, August 25, 2022, 6:30 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 August 25, 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 on the action item can also be submitted in writing to Paula Riso at priso@mcwd.org by 9:00 am on Thursday, August 25, 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/87182915937?pwd=VitoYm5yZEY2cFo5VVNvaHUxY1VMQT09>

Passcode: 466692

To participate via phone, please call: 1-669-900-9128; Meeting ID: 871 8291 5937 Passcode: 466692

Our Mission: We provide our customers with high quality water, wastewater collection and conservation services at a reasonable cost, through planning, management and the development of water resources in an environmentally sensitive manner.

1. Call to Order
2. Roll Call
3. Pledge of Allegiance

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 office at 11 Reservation Road. A complete Board packet containing all enclosures and staff materials will be available for public review on the District website, Wednesday, August 24, 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. Action Item

- A. Adopt Resolution No. 2022-44 to Proclaim a Local Emergency, and Authorize Remote Teleconference Meetings of All District Legislative Bodies for the Following 30 Days
- B. Adopt Resolution No. 2022-45 to Commemorate the 75th Anniversary of Monterey Peninsula Community College District

5. 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.*

6. 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)

7. 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.*

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

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

Regular Meeting: Monday, September 19, 2022, 6:30 p.m.

**Marina Coast Water District
Agenda Transmittal**

Agenda Item: 4-A

Meeting Date: August 25, 2022

Prepared By: Paula Riso

Approved By: Remleh Scherzinger

Agenda Title: Adopt Resolution No. 2022-44 to Proclaim a Local Emergency, and Authorize Remote Teleconference Meetings of All District Legislative Bodies for the Following 30 Days

Staff Recommendation: The Board of Directors adopt Resolution No. 2022-44 to proclaim a local emergency and authorize remote teleconference meetings of all District legislative bodies for the following 30 days.

Background: *Strategic Plan, Mission Statement – 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.*

On March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic. That proclamation remains in effect. As a result of the state of emergency, the Governor issued executive orders that waived the normally strict provisions of the Brown Act relating to holding and participating in meetings via teleconferencing. Executive Order N-29-20 allowed bodies subject to the Brown Act to meet without a physical meeting location, so long as various requirements were met, including providing the public the opportunity to observe and participate in the meeting telephonically or electronically. Executive Order No. N-08-21 extended the suspension of the Brown Act’s normal teleconferencing rules through September 30, 2021.

On September 16, 2021, Governor Newsom signed AB 361 which took effect immediately. This legislation amends the Brown Act to allow meeting bodies subject to the Brown Act to meet via teleconference during a proclaimed state of emergency in accordance with teleconference procedures established by AB 361 rather than under the Brown Act’s more narrow standard rules for participation in a meeting by teleconference. The Monterey County Health Officer has issued a recommendation for social distancing in legislative body meetings, so the first meeting after September 30, 2021, may be held without making findings. If the Board desires to continue to meet remotely via teleconference after that first meeting, the Board is required to make certain findings under AB 361 no later than 30 days after the first teleconference meeting held pursuant to AB 361, and every 30 days thereafter. If the Board does not meet again within 30 days, a special meeting may be necessary for this purpose. If the finding is not timely made, the Board will be required to meet in person to make findings to return to remote meetings.

Discussion/Analysis: The teleconference rules of AB 361 are operative only so long as the Governor’s proclamation of statewide emergency is in place; once that proclamation is terminated, the Board must either meet in person or utilize the normal Brown Act rules for teleconferencing.

On August 15, 2022, the Board adopted Resolution No. 2022-41 proclaiming a local emergency and authorizing remote teleconference meetings of all District Legislative bodies for 30 days. Staff

recommends proclaiming the emergency is still in place and authorize the Board to continue to meet remotely via teleconference until such time the emergency is over.

Environmental Review Compliance: None required.

Climate Adaptation: Not applicable.

Legal Counsel Review: This item was reviewed by legal counsel in October 2021 and has not changed with the exception of the date and resolution number.

Financial Impact: ____ Yes X No **Funding Source/Recap:** None

Other Considerations: The Board of Directors can elect to not proclaim a local emergency and return to in-person meetings.

Material Included for Information/Consideration: Resolution No. 2022-44.

Action Required: X Resolution ____ Motion ____ Review
(Roll call vote is required.)

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____ Abstained _____

Noes _____ Absent _____

August 25, 2022

Resolution No. 2022 - 44
Resolution of the Board of Directors
Marina Coast Water District

Proclaiming a Local Emergency, and Authorize Remote Teleconference Meetings of All
Meetings of the Board of Directors and Specified Board Committees
for the Following 30 Days

RESOLVED, by the Board of Directors ("Board") of the Marina Coast Water District ("District"), at a special meeting duly called and held on August 25, 2022 via a video conference pursuant to Governor Newsom's Executive Order N-29-20, as follows:

WHEREAS, on March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic; and,

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 which took effect immediately and amends the Brown Act to allow meeting bodies subject to the Brown Act to meet via teleconference during a proclaimed state of emergency in accordance with teleconference procedures established by AB 361 rather than under the Brown Act's more narrow standard rules for participation in a meeting by teleconference; and,

WHEREAS, the first meeting after September 30, 2021, may be held without making findings. However, if the Board desires to continue to meet remotely via teleconference after that first meeting, the Board is required to make certain findings under AB 361 no later than 30 days after the first teleconference meeting held pursuant to AB 361, and every 30 days thereafter; and,

WHEREAS, no later than 30 days after meeting via teleconference for the first time pursuant to AB 361, the body must make a finding that the body "has reconsidered the circumstances of the state of emergency" and further find that "[a]ny of the following circumstances exist: (i) The state of emergency continues to directly impact the ability of the members to meet safely in person. (ii) State or local officials continue to impose or recommend measures to promote social distancing." (Gov't Code §54953(e)(3) [AB 361, p. 11].); and,

WHEREAS, the teleconference rules of AB 361 are operative only so long as the Governor's proclamation of statewide emergency is in place; once that proclamation is terminated, the Board, the Executive Committee, Budget and Personnel Committee, and Community Outreach Committee, and Director participation in the Joint City-District Committee, must either meet in person or utilize the normal Brown Act rules for teleconferencing.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors of the Marina Coast Water District does hereby:

1. Proclaim a local emergency; and,
2. Reconsidered the circumstances of the state of emergency and find that the following circumstances exist: (i) The state of emergency continues to directly impact the ability of the members to meet safely in person. (ii) State or local officials continue to impose or recommend measures to promote social distancing; and,

3. Authorize Remote Teleconference Meetings of All Meetings of the Board of Directors, the Executive Committee, Budget and Personnel Committee, and Community Outreach Committee, and Director participation in the Joint City-District Committee for the Following 30 Days.

PASSED AND ADOPTED on August 25, 2022 by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors _____

Noes: Directors _____

Absent: Directors _____

Abstained: Directors _____

Jan Shriner, President

ATTEST:

Remleh Scherzinger, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2022-44 adopted August 25, 2022.

Remleh Scherzinger, Secretary

**Marina Coast Water District
Agenda Transmittal**

Agenda Item: 4-B

Meeting Date: August 25, 2022

Prepared By: Paula Riso

Approved By: Remleh Scherzinger

Agenda Title: Adopt Resolution No. 2022-45 to Commemorate the 75th Anniversary of Monterey Peninsula Community College District

Staff Recommendation: The Board of Directors adopt Resolution No. 2022-45 to commemorate the 75th Anniversary of Monterey Peninsula Community College District.

Background: *Strategic Plan, Strategic Element 4.2 – Develop a Strategic Communications Plan and Communicate with our Strategic Partners.*

Monterey Peninsula Community College (MPC) has an Education Center in the City of Marina located in the Ord Community, and a Public Safety Training Center in the City of Seaside located in the Ord Community, which includes a Fire and Police Academy. MCWD provides water and sewer services to the MPC facilities on the Ord Community.

Discussion/Analysis: MPC will be celebrating 75 years of serving students and the community – serving more than 11,000 students annually and conferring approximately 1,000 degrees and certificates each year. With more than 700 employees and a \$68 Million budget, MPC is also a major economic engine for our region.

MPC offers exceptional educational opportunities at its campus in Monterey, its Education Center at Marina, its Public Safety Training Center in Seaside, its partner high schools, and online, as well as comprehensive supportive resources and specialized programs dedicated to ensuring its students have the tools they need to succeed.

As MPC celebrates its 75th Anniversary throughout the 2022-2023 Academic Year, the District would like to help increase awareness of MPC’s positive impact on its surrounding communities and the wealth of educational, professional, and personal enrichment opportunities it has to offer.

It is with great honor that the District is able to commemorate the 75th Anniversary of Monterey Peninsula Community College District.

Environmental Review Compliance: None required.

Climate Adaptation: Not applicable.

Legal Counsel Review: Not required.

Financial Impact: ___ Yes ___X___ No **Funding Source/Recap:** None

Other Considerations: The Board of Directors can elect to not commemorate the 75th Anniversary of Monterey Peninsula Community College District.

Material Included for Information/Consideration: Resolution No. 2022-45; and calendar of events.

Action Required: X Resolution Motion Review
(Roll call vote is required.)

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____

Abstained _____

Noes _____

Absent _____

August 25, 2022

Resolution No. 2022 - 45
Resolution of the Board of Directors
Marina Coast Water District
Commemorating the 75th Anniversary of Monterey Peninsula Community College District

RESOLVED, by the Board of Directors ("Board") of the Marina Coast Water District ("District"), at a special meeting duly called and held on August 25, 2022 via a video conference pursuant to Governor Newsom's Executive Order N-29-20, as follows:

WHEREAS, in September 1947, Monterey Peninsula College (MPC) commenced its operation on the campus of Monterey High School; and,

WHEREAS, by September 1948, MPC enrolled 280 students and employed 20 faculty members, and began holding classes on the Monterey campus at 980 Fremont Street; and,

WHEREAS, MPC's need to accommodate its growing student population became evident by 1957 when its enrollment approached 1,000 students, which led to the construction of its engineering building in 1958, the library in 1960, and the Art and Music Center and swimming pool in 1962; and,

WHEREAS, MPC continued its expansion in 1965, when new buildings for business, humanities, life sciences, physical education, physical sciences, and social sciences were constructed, as were the Lecture Forum, the College Theater, and the Student Center; and,

WHEREAS, from 1971 to 1993, in cooperation with the U.S. Army, MPC operated an education center at Fort Ord, the former U.S. military base located in Northern Monterey County until its closure in 1994, benefiting the communities in the north side of MPC's service area, including armed forces personnel and their families; and,

WHEREAS, in 1982-83, MPC and Community Hospital of the Monterey Peninsula Entered into a partnership from which the Maurine Church Coburn School of Nursing was born, resulting in a generation of nurses who have cared for and taken care of countless members of MPC's surrounding communities; and,

WHEREAS, MPC continued to strive to meet the educational needs of its surrounding communities with the construction of Library and Technology Center in 2003 and the Child Development Center in 2007, the development of the Public Safety Training Center in 2009, and the construction of the Education Center at Marina in 2010; and,

WHEREAS, MPC has hosted notable figures throughout its history, including James Baldwin, Joan Baez, William F. Buckley, Supreme Court Justice William O. Douglas, Aldous Huxley, Dr. Martin Luther King, Jr., Dr Margaret Mead, Joyce Carol Oates, Dr. J. Robert Oppenheimer, Rosa Parks, Ronald Reagan, Eleanor Roosevelt, Pierre Salinger, Carl Sandburg, and Carlos Santana; and,

WHEREAS, since its humble beginnings in 1947, MPC has established itself as essential to the educational and cultural development of the Monterey Peninsula and has improved the lives of innumerable students, and by extension their families and its communities; and,

WHEREAS, as MPC approaches its 75th year, it now offers exceptional educational opportunities at its campus in Monterey, its Education Center at Marina, its Public Safety Training Center in Seaside, its partner high schools, and online as well as comprehensive supportive resources and specialized programs dedicated to ensuring its students have the tools they need to succeed; and,

WHEREAS, MPC will celebrate its 75th anniversary throughout the 2022-23 Academic Year to commemorate this important milestone and to increase awareness of MPC's positive impact on its surrounding communities and the wealth of education, professional, and personal enrichment opportunities it has to offer.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors of the Marina Coast Water District does hereby recognize and commend Monterey Peninsula College on the eve of this special occasion, for its steadfast, 75 year-long commitment to transforming lives through education.

PASSED AND ADOPTED on August 25, 2022 by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors _____

Noes: Directors _____

Absent: Directors _____

Abstained: Directors _____

Jan Shriner, President

ATTEST:

Remleh Scherzinger, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2022-45 adopted August 25, 2022.

Remleh Scherzinger, Secretary



MONTEREY PENINSULA College

EXECUTIVE SUMMARY *for* MPC's 75th ANNIVERSARY CELEBRATION PLANS

OPPORTUNITY

Monterey Peninsula College turns 75-years-old in Fall 2022. This provides an opportunity to reconnect, build community, and drive awareness about MPC.

GOAL

To increase awareness of MPC turning 75 and all of the positive impacts MPC has on our community.

OBJECTIVE

To inform past, current, and future students, employees, and community members about the 75th anniversary and everything MPC has to offer.

STRATEGY

MPC will strive to be as visible as possible and build positive relationships by leveraging & enhancing existing events, resources, and marketing opportunities.

2022 CALENDAR 2023 OF EVENTS



JULY

- Board Resolution commemorating 75th anniversary

AUGUST

- Commemorative Calendars & Fall Flex Day
- Timeline Exhibit Opens in the Library

SEPTEMBER

- Community Celebration* (Sep. 10)
**Caroline Page Garden & MPC Quad*

OCTOBER

- MPC Foundation "Diamond Jubilee" Gala (Oct. 22)

NOVEMBER

- Alumni Photo/Memory Contest (social media)

DECEMBER

- Commemorative Winter Greeting Card

JANUARY

- History of MPC Video (Debuts at Spring Flex Day)

FEBRUARY

- 75th Anniversary Swag
- MPC Foundation Donor Appreciation Party (Feb. 23)

MARCH

- Lobo Hall of Fame Banquet (Mar. 10)

APRIL

- 75 Art Show (details TBD)

MAY

- Commencement & other Celebratory Spring Events

JUNE/JULY

- Community Connections
- Monterey Chamber BEA Awards Dinner Table



JOIN US!

Special Anniversary

Community
Festival

SEPT 10
1 - 5PM

MPC's Monterey Campus Outdoor Quad

- family friendly
- food vendors
- carnival games
- live music
- activities
- and more ..



MONTEREY PENINSULA
College