



# Marina Coast Water District

## Marina Coast Water District

Regular Board Meeting/Groundwater Sustainability Agency Board Meeting  
January 23, 2023

### Minutes

#### 1. Call to Order:

President Shriner called the meeting to order at 6:35 p.m. on January 23, 2023 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/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  
Brad Imamura

##### 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  
Patrick Breen, Water Resources Manager  
Garret Haertel, District Engineer  
Teo Espero, IT Administrator  
Paula Riso, Executive Assistant/Clerk to the Board

Agenda Item 2 (continued):

Audience Members:

Andy Sterbenz, Schaaf & Wheeler  
Phil Clark, Seaside Resident  
Mike McCullough, Monterey One Water  
Audrey Cray  
Doug Yount, Shea Homes  
Jack Gao, Shea Homes

3. Presentations:

- A. Receive a Plaque from the American Society of Civil Engineers for the Pure Water Monterey Groundwater Replenishment Project:

Mr. Mike McCullough, Monterey One Water, introduced this item and presented the plaque to the Marina Coast Water District Board.

- B. Adopt Resolution No. 2023-01 in Recognition of Derek Cray, Operations and Maintenance Manager, for 5 Years of Service to the Marina Coast Water District:

Director Moore made a motion to adopt Resolution No. 2023-01 in recognition of Derek Cray, Operations and Maintenance Manager, for 5 years of service to the Marina Coast Water District. Director Imamura seconded the motion. The motion was passed by the following vote:

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

Mr. Remleh Scherzinger, General Manager, thanked Mr. Cray and recognized his many accomplishments during his first five years with the District. Vice President Cortez shared his appreciation of Mr. Cray and his foresightedness with respect to needs of the District. Director Imamura thanked Mr. Cray for his hard work. President Shriner voiced her appreciation of Mr. Cray and his steady and calm demeanor during the last five years. Director Moore thanked Mr. Cray for his service. President Shriner read the narration of the Resolution.

Mr. Cray thanked Mr. Scherzinger for his kind comments, noting they meant a lot to him, along with the comments from the Board members. He commented that he appreciates everyone he works with and their ability to work together so well.

4. Public Comment on Closed Session Items:

There were no comments made.

The Board entered into closed session at 6:58 p.m. to discuss the following items:

5. Closed Session:

- A. Pursuant to Government Code 54956.9  
Conference with Legal Counsel – Existing Litigation
- 1) City of Marina, Monterey Peninsula Water Management District, Marina Coast Water District, and Marina Coast Water District Groundwater Sustainability Agency v. California Coastal Commission, et al. (California-American Water Company, Real Party in Interest), Monterey County Superior Court Case No. 22CV004063 (Petition for Writ of Mandate and Complaint for Declaratory and Injunctive Relief)
  - 2) Application of California-American Water Company to Obtain Approval of the Amended and Restate Water Purchase Agreement for the Pure Water Monterey Groundwater Replenishment Project, Update Supply and Demand Estimates for the Monterey Peninsula Water Supply Project, and Cost Recovery, before the California Public Utilities Commission, Application 21-11-024
  - 3) California-American Water Company, et al. v. Marina Coast Water District (San Francisco County Superior Court Case No. CGC-15-546632)(First District Court of Appeals, Division Two, Case No. A160662)
- B. Pursuant to Government Code section 54956.9(d)(4)  
Conference with Legal Counsel – Initiation of Litigation  
One Potential Case

The Board ended closed session at 7:56 p.m. President Shriner reconvened the meeting to open session at 7:57 p.m.

6. Reportable Actions Taken During Closed Session:

Mr. Roger Masuda, District Counsel, stated that there was one reportable action which was to appeal Agenda Item 5-A3 by a vote of 5-Ayes, 0-Noes, 0-Abstained.

7. Pledge of Allegiance:

Director Moore led everyone present in the pledge of allegiance.

8. Oral Communications:

Director Morton commented that there was a local assistance center for help as a result of the recent storms. The assistance center will be at the Spreckels Veterans Memorial Building from Jan 21<sup>st</sup> to Jan 26<sup>th</sup> from 9am to 7pm.

9. Consent Calendar:

Director Imamura requested to pull Item 9-A and Director Morton requested to pull Item 9-E from the Consent Calendar.

Director Moore made a motion to approve the Consent Calendar consisting of: B) Approve the Draft Minutes of the Regular Joint Board/GSA Meeting of December 13, 2022; C) Approve the Draft Minutes of the Special Joint Board/GSA Meeting of December 28, 2022; D) Adopt Resolution No. 2023-02 to Proclaim a Local Emergency, and Authorize Remote Teleconference Meetings of All District Legislative Bodies for the Following 30 Days; F) Adopt Resolution No. 2023-04 to Approve a Water, Sewer, and Recycled Water Infrastructure Agreement between MCWD and Shea Homes Limited Partnership for the Dunes at Monterey Bay Phase 2N – Stage A Development in Marina, CA; G) Receive the 4<sup>th</sup> Quarter 2022 MCWD Water Consumption Report; H) Receive the 4<sup>th</sup> Quarter 2022 Sewer Flow Report; and, I) Receive a Status Report Update on Current Capital Improvement Projects. Director Morton seconded the motion. The motion was passed by the following vote:

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

A. Receive and File the Check Register for the Month of December 2022:

Director Imamura asked if there was a way to categorize the check register and put it in a graph form. Mr. Scherzinger asked Mr. Imamura to provide an example if he has one, otherwise, staff will see what they can create. Director Moore suggested staff bring this back to a future Board meeting for Board discussion on the categories they would like to have sorted out.

Director Moore made a motion to receive and file the check register for the month of December 2022. Director Morton seconded the motion. The motion passed by the following vote:

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

E. Adopt Resolution No. 2023-03 to Amend Section 34 of the Board of Director's Manual - Committees:

Director Morton suggested adding language to the description of the Budget and Engineering Committee to read, "...and provide input on engineering projects and programs." President Shriner commented that the Executive Committee is responsible for any message of the District, while the Community Outreach is responsible for providing a vehicle to deliver that message. Discussion followed.

Agenda Item 9-E (continued):

Director Morton made a motion to adopt Resolution No. 2023-03 to amend Section 34 of the Board of Director's Manual – Committees, with the suggested language addition to the Budget and Engineering Committee. Director Moore seconded the motion. The motion was passed by the following vote:

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

10. Action Items:

- A. Accept the Annual Comprehensive Financial Report and the Independent Auditor's Report for the Fiscal Year ended June 30, 2022:

Ms. Mary Lagasca, Director of Administrative Services, introduced this item and the District's Auditor, Mr. Ken Pun, Pun Group. Mr. Pun gave a brief presentation on the Independent Auditor's Report for the Fiscal Year ended June 30, 2022. The Board asked clarifying questions.

Director Morton made a motion to accept the Annual Comprehensive Financial Report and the Independent Auditor's Report for the Fiscal Year ended June 30, 2022, with the corrections to the cover letter regarding meeting location and GSA plan submittal. Director Moore seconded the motion. The motion was passed by the following vote:

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

- B. Receive the Marina Coast Water District FY 2022-2023 Mid-Year Report:

Ms. Lagasca introduced this item. The Board asked clarifying questions.

- C. Adopt Resolution No. 2023-05 to Amend the FY 2022-2023 Capital Improvement Budget to Fully Fund the Booker Lift Station Replacement Project and the Intermediate Reservoir Recoating and Replacement Projects:

Mr. Garrett Haertel, District Engineer, introduced this item.

Director Moore made a motion to adopt Resolution No. 2023-05 to amend the FY 2022-2023 Capital Improvement Budget to fully fund the Booker Lift Station Replacement Project and the Intermediate Reservoir Recoating and Replacement Projects. Director Morton seconded the motion. The motion passed by the following vote:

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

D. Make Director Appointments to Standing Committees of the Board and to Outside Agencies for 2023, and as Negotiators to any Ad Hoc Committees of the Board:

The Board Committee appointments are as follows:

1.	Joint City/District Committee	Morton, Imamura – Cortez Alternate
2.	Executive Committee	Shriner, Cortez
3.	Budget and Engineering	Morton, Shriner – Cortez Alternate
4.	Community Outreach and Personnel	Imamura, Moore – Cortez Alternate
5.	M1W	Moore – Cortez Alternate
6.	LAFCO	Cortez – Shriner Alternate
7.	JPIA	Morton - Imamura Alternate
8.	SDA	Moore – All other Directors as Alternate
9.	MCWD/SVBGSA Steering Committee	Morton - Shriner Alternate
10.	Climate Action Plan Committee	Moore – Matt Zefferman public member
11.	Water Conservation Commission Liaison	TBD

Director Moore made a motion to approve Director appointments to Standing Committees of the Board and to outside agencies for 2023, and as negotiators to any Ad Hoc Committees of the Board. Director Imamura seconded the motion. The motion passed by the following vote:

Director Imamura	-	Yes	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 update:

- 1) State drought outlook has moved to moderate in this area.
- 2) Most of the state's reservoirs are above average for this time of year.
- 3) Congratulations to District as we were prepared for the emergency and also supported the City of Seaside when they needed help.
- 4) The District performed 100% through the entire emergency.
- 5) Looking forward to working with M1W and MCWRA to better utilize the Salinas River and capturing more water.
- 6) Began budget process at staff level and will bring to committee soon.
- 7) Harassment Training and Brown Act Training to be held in February.
- 8) The Strategic Plan will be brought to the Board in March.
- 9) Tours for the Board and new staff will begin soon.
- 10) Attended a recent meeting with the SVBGSA and will have staff be more involved in their meeting scheduling.

B. Committee and Board Liaison Reports:

1. Executive Committee:

Vice President Cortez gave a brief update.

2. Budget and Personnel Committee:

Director Morton gave a brief update.

3. Community Outreach Committee:

Director Moore and Vice President Cortez gave a brief update.

4. M1W Board Member Liaison:

Director Moore gave a brief update noting the next meeting will be on January 30th.

14. Board Member Requests for Future Agenda Items:

President Shriner suggested any requests can be emailed to staff.

15. Director's Comments:

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

16. Adjournment:

The meeting was adjourned at 9:55 p.m.

APPROVED:



Jan Shriner, President

ATTEST:



Paula Riso, Deputy Secretary