



Marina Coast Water District

Special Board Meeting/Groundwater Sustainability Agency Board Meeting
Via Zoom Teleconference
August 14, 2021

Minutes

1. Call to Order:

Vice President Moore called the meeting to order at 9:07 a.m. on August 14, 2021 via Zoom teleconference in Marina, California.

2. Roll Call:

Board Members Present:

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

Board Members Absent:

None.

Staff Members Present:

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

Audience Members:

None.

3. Pledge of Allegiance:

Mr. Roger Masuda, District Counsel, led everyone present in the pledge of allegiance.

4. Oral Communications:

There were no comments.

5. Public Comment on Closed Session Items:

There were no comments.

The Board entered into closed session at 9:10 a.m. to discuss the following items:

6. Closed Session:

A. Pursuant to Government Code 54956.9

Conference with Legal Counsel – Existing Litigation

- 1) Bay View Community DE, LLC; Bryan Taylor; Greg Carter; and Brooke Bilyeu v. Marina Coast Water District; Board of Directors of Marina Coast Water District; County of Monterey, et al., 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, and Cross-Complaint)
- 2) 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) Case No.s H049146 and H049170
- 3) Appeal No. A-3-MRA-19-0034 by California-American Water Company to the California Coastal Commission over Denial by the City of Marina for a Coastal Development Permit for Construction of Slant Intake Wells for the Monterey Peninsula Water Supply Project
- 4) Monterey Peninsula Water Management District v. California-American Water Company, Calif. Pub. Utilities Commission Complaint No. 21-05-005
- 5) City of Marina vs. RMC Lonestar [CEMEX], California-America Water Company, Marina Coast WD, et al Defendants, Monterey County Superior Court Case No. 20CV001387 (Complaint for Breach of Contract, Declaratory Relief under the Agency Act, and Tortious Interference with Existing Contract)
- 6) Marina Coast Water District vs California-American Water Company, Monterey County Water Resources Agency; and, California-American Water Company, Monterey County Water Resources Agency vs Marina Coast Water District, San Francisco Superior Court Case Nos. CGC-15-547125, CGC-15-546632 (Complaint for Damages, Breach of Warranties, etc.)
- 7) California-American Water Company v. All Persons Interested..., Complaint for Reverse Validation, Monterey County Superior Court Case No. 20CV002436, and Marina Coast Water District's consideration of joining that case
- 8) Marina Coast Water District v. Trustees of the California State University, and Does 1-20; Monterey County Superior Court Case No. 21CV001296 (Verified Complaint for Declaratory and Injunctive Relief)

B. Pursuant to Government Code 54956.9(d)(4)
Conference with Legal Counsel – Anticipated Litigation
Initiation of Litigation: One Potential Case

Vice President Moore left the meeting at 11:40 p.m. The Board ended closed session at 2:40 pm. Director Cortez reconvened the meeting to open session at 2:41 p.m.

7. Reportable Actions Taken During Closed Session:

Mr. Masuda stated that no reportable actions were taken in closed session.

8. Board Member Requests for Future Agenda Items:

President Shriner noted that the Board members can email in their requests. Director Morton asked to discuss a surcharge for jurisdictions that exceed their water allocations. Mr. Scherzinger stated that he would start that discussion in the Budget and Personnel Committee and then bring it back to the Board.

9. Director's Comments:

Director Cortez and President Shriner made comments.

10. Adjournment:


The meeting was adjourned at 2:46 p.m.

APPROVED:



Jan Shriner, President

ATTEST:



Paula Riso, Deputy Secretary