



Marina Coast Water District

Regular Board Meeting/Groundwater Sustainability Agency Board Meeting
Via Zoom Teleconference
September 20, 2021

Minutes

1. Call to Order:

President Shriner called the meeting to order at 6:32 p.m. on August 16, 2021 via Zoom teleconference in Marina, California. She then proceeded with a land acknowledgement. “As Marina Coast Water District celebrates its 60th 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/Costanoan-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/Costanoan 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
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
Jigar Shah, District Engineer
Derek Cray, Operations and Maintenance Manager
Rose Gill, Human Resources/Risk Administrator
Don Wilcox, Senior Engineer
Teo Espero, IT Administrator
Barbara Montanti, Customer Service Billing Supervisor
Paula Riso, Executive Assistant/Clerk to the Board

Agenda Item 2 (continued):

Audience Members:

Andrew Sterbenz, Schaaf & Wheeler
Stephenie Verduzco, MCWD Staff
Peter Le, Marina Resident
Gary Krejsa, Marina Resident
Dr. Brian Haus, Dept. of Ocean Sciences, Rosenstiel School of Marina and Atmospheric Science
Joe Pineda, MCWD Staff

3. Public Comment on Closed Session Items:

There were no comments.

The Board entered into closed session at 6:34 p.m. to discuss the following item:

4. Closed Session:

- 1) 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 7:07 p.m. President Shriner reconvened the meeting to open session at 7:08 p.m.

5. Reportable Actions Taken During Closed Session:

Mr. Roger Masuda, District Counsel, stated there were no reportable actions taken in Closed Session.

6. Pledge of Allegiance:

Director Cortez led everyone present in the pledge of allegiance.

7. Oral Communications:

Mr. Peter Le, Marina Resident, submitted the following comment on September 17, 2021:

Dear Directors:

re: Oral Communication on Non-Agendized Item – September 20, 2021 Board Meeting

Agenda Item 7 (continued):

I would like to submit my comments under the Oral Communications of non-agendized item of the Board agenda, Item number 7. I would like to submit the following questions and request that the Board provides written responses to my questions in a timely manner.

In November 2016 Marina Coast Water District hired AKEL Engineering Group to prepare the Water Master Plan at a cost of about \$300,000. The total cost for the contract was about \$800,000 that included the preparation of the Sewer Master Plan, the Recycled Water Master Plan, and the Impact Fees. The Water Master Plan was approved by MCWD Board of Directors in May 2020.

City of Marina requires Marina Coast Water District (MCWD) to provide at least 1,500 gallons per minute for residential areas for 2 hours, 3,000 gallons per minute for schools or light/neighborhood commercial areas for 3 hours, and 4,000 gallons per minute for commercial/industrial areas for 4 hours. These requirements are described in the Water Master Plan that MCWD Board of Directors adopted in May 2020.

Section 7 of the approved Water Master Plan includes sub-Section 7.2 that provides a Fire Flow Analysis that was prepared by the AKEL Engineering Group.

1. Did Marina Coast Water District provide the approved Fire Flow Analysis results to either City of Marina Council or Marina City Manager or Marina Fire Chief? If so, when? If NOT, why not providing?
2. Did Marina Coast Water District discuss the Fire Flow Analysis results with either City of Marina Council or Marina City Manager or Marina Fire Chief? If so, when? If NOT, why not discussing?
3. Did Marina Coast Water District provide City of Marina or Marina Fire Department any written statement certifying that MCWD can provide adequate fire flows and water pressures as required by City of Marina and as described in the adopted Water Master Plan? If so, when did City of Marina receive this written statement from MCWD? If City of Marina did not receive any written statement from MCWD, did the City receive any ORAL statement from MCWD? If so, whom from MCWD provides the oral statements to Marina Fire Department on the adequacy of fire flows and water pressures? Was it MCWD General Manager or District Engineer or one or more of the Senior Engineers?
4. Did any Marina Coast Water District Director discuss the approved Fire Flow Analysis results with City of Marina Mayor Bruce Delgado and Marina Mayor Pro Temp Kathy Biala at one of the Joint City District Committee meetings in 2021? If not, why not?
And when will the District discuss the fire flow analysis results with City of Marina Mayor and Mayor Pro Temp at the Joint City District Committee?
5. Did the AKEL consulting engineer state that MCWD provides adequate required fire flows and water pressures specified in the adopted Water Master Plan? If so, where are these statements located in the adopted Water Master Plan (state the page number(s) and section number)?

Agenda Item 7 (continued):

6. Did the AKEL consulting engineer discuss or describe any deficiencies of the existing MCWD water supply system that was used for fire protection by City of Marina? Where are these discussions and/or statements located in the adopted Water Master Plan (state the page number(s) and section number)?

If NOT, why not?

7. Describe in details the deficiencies discovered from this Fire Flow Analysis.

8. The approved Water Master Plan also referred to the 2007 Water System Master Plan. What were the deficiencies of fire protection as described in the 2007 Water System Master Plan? Describe in details these deficiencies.

Did Marina Coast Water District notify City of Marina of the fire deficiencies that were described in the 2007 Water System Master Plan?

9. Have all the 2007 fire flow deficiencies been rectified as of July 1, 2021? If NOT, why not?

10. When will all the fire flow deficiencies analyzed in the 2020 Fire Flow Analysis be rectified by Marina Coast Water District?

What is the approximate cost to rectify all the fire flow deficiencies as described in the 2020 Fire Flow Analysis?

11. Marina Coast Water District recently publicized the construction of two (2) new reservoirs near CSUMB that will provide about 3 million gallons of water for fire storage that was lacking as described in the adopted 2020 Water Master Plan.

Can water from these two new reservoirs flow to Central Marina in sufficient quantities to provide the minimum required volumes to suppress fires through the existing water piping system?

Did the adopted Water Master Plan discuss in details how the 2 new reservoirs increase fire flows and water pressures for Central Marina? If so, where is this discussion located in the adopted Water Master Plan (state the page number(s) and section number)? Has any MCWD engineering staff or consultant checked this condition?

12. Where is the analysis and/or calculations in the adopted Water Master Plan that show the existing 4-inch, 6-inch and 8-inch water pipes in Central Marina that can carry 1,500 gallons per minute for homes, 3,000 gallons per minute for schools and neighborhood commercials, and 4,000 gallons per minute for commercial areas without excessive flow velocities that will damage these pipes and not allowed by Marina Coast Water District?

13. Marina Coast Water District was formed in 1969. Since 1969 did Marina Coast Water District **always** provide adequate fire flows and water pressures to City of Marina for fire protection purposes? (i.e., 1,500 gallons per minute for residential areas for 2 hours, 3,000 gallons per minute for schools or light/neighborhood commercial areas for 3 hours, and 4,000 gallons per minute for commercial/industrial areas for 4 hours).

14. If NOT, when? Show the dates for these non-conformance occurrences.

15. When Marina Coast Water District could **not** provide either adequate fire flows or adequate water pressures, was MCWD Board of Directors informed by either MCWD General Manager or MCWD District Engineer or MCWD consultants?

Agenda Item 7 (continued):

16. When Marina Coast Water District could **not** provide either adequate fire flows or adequate water pressures, did Marina Coast Water District notify either Marina City Council or Marina City Manager or Marina Fire Chief by emails or letters? If NOT, why not?

17. Did Marina Coast Water District know that the water pressures were not high enough to provide adequate fire protection at certain locations in the past 51 years from 1970 to 2021?

18. Did Marina Coast Water District know that the water supply volumes were not high enough to provide adequate fire protection at certain locations in the past 51 years?

19. Did Marina Coast Water District know that construction of new buildings was permitted and signed off by Marina Coast Water District while there were not adequate fire flows and/or adequate water pressures?

20. When Marina Coast Water District signs off building permits for occupancy for new structures, does Marina Coast Water District first check to verify whether there is adequate fire flows and adequate water pressures before signing off?

If NOT, why not?

21. Between 1969 and 2021 did Marina Coast Water District, at any time, improve the water supply for fire protection after the fact that it has previously signed off for occupancy of new structures without adequate fire flows and/or adequate water pressures?

22. In September 2020 there was a request to place an item on the MCWD Board agenda to discuss the fire flows and fire hydrant testing. MCWD district's legal counsel, Mr. Masuda, advised the Board to place this request on the Board agenda for consideration. What were the reasons that this item was not placed on the MCWD Board agenda for discussion and get input from the public

When will MCWD Board discuss the fire flows, water pressures, and fire hydrant testing at a public meeting?

23. Between 1969 and 2020 did Marina Coast Water District check the actual available fire flows in the field and perform any public fire hydrant testing? Show the dates that MCWD performed these flow measurements and fire hydrant tests. If MCWD did not perform any flow measurements or fire hydrant tests, provide reasons for not doing any test?

24. How many fire hydrants that Marina Coast Water District owns?

25. When MCWD Board of Directors approved the latest Water Master Plan in May 2020, the Board approved the minimum water pressure of **35** pounds per square inch (psi) for **existing** development and **40** pounds per square inch (psi) for **new** development as described in the approved 2020 Water Master Plan, page 3-9.

a) Why did MCWD Board approve a **lower** minimum water pressure for **existing** development, thus making ratepayers in existing development a second-class status while paying the same water rates?

b) Did MCWD Board receive any information from MCWD General Manager or District Engineer on adopting a lower minimum water pressure for existing development? What were the impacts and consequences of setting a lower minimum water pressure for existing development?

c) Did MCWD Board know the cost of increasing the minimum water pressure for existing development from 35 psi to 40 psi?

Agenda Item 7 (continued):

d) Did MCWD Board notify affected ratepayers living and/or doing business in existing development that their minimum water pressure is only 35 psi and lower than that of in new development.

e) If NOT, why not?

26. MCWD Board of Directors approved the latest Capital Improvement Plan in June 2021. Why didn't this approved Capital Improvement Plan address or resolve all exiting deficiencies in providing adequate fire flows and water pressures for fire protection in the City of Marina by 2022?

Was MCWD Board of Directors informed by MCWD staff that there was no deficiency in providing adequate fire flows and water pressures as required by City of Marina and as described in the adopted Water Master Plan?

27. When will Marina Coast Water District provide adequate fire flows and water pressures as required by different codes and standards for fire protection as described in the adopted 2020 Water Master Plan? At this time, NO one can assure the year that Marina Coast Water District will meet all these requirements.

Why isn't it an urgency to comply with all the fire protection requirements?

28. Information from the 2019 bond issue and the adopted 2021-22 budget shows that Marina Coast Water District still has capacity to issue new bonds to construct new facilities to provide adequate fire flows and adequate water pressures for fire protection.

a) Why didn't Marina Coast Water District consider issuing new bonds to fix all deficiencies in not providing adequate fire flows and/or water pressures?

b) Did Marina Coast Water District ask its ratepayers for opinions on issuing new bonds to improve fire protection in the past 52 years to meet fire protection standards?

c) Did Marina Coast Water District retain consultants to evaluate the issuance of bonds to improve the **fire protection** to meet various fire codes in the past 52 years?

29. Does Marina Coast Water District know or is aware of the adverse impacts of not providing adequate fire flows and/or adequate water pressures for fire suppression to homes, businesses, and MPUSD & other schools?

30. Did City of Marina or Marina Fire Department inform Marina Coast Water District the adverse impacts of not providing adequate fire flows and/or adequate water pressures for fire suppression?

31. When will MCWD Board place an item on the Board agenda to discuss and inform the public of the adequacy of providing water and water pressures by MCWD for fire protection and available options and let the public comments?

I request that my above comments read at the Board meeting on September 20, 2021 under the public comment section on non-agendized item and also be placed in the official records of this regular Board meeting.

The District's responses to all my questions will also benefit all Marina ratepayers in providing accurate information and avoid any fake news circulating around. Thank you for your consideration.

Agenda Item 7 (continued):

Sincerely,

Peter Le

Sent by email to all MCWD Directors and MCWD General Manager (email address not available)

directorshrinier@mcwd.org

directormoore@mcwd.org

directorcortez@mcwd.org

directormorton@mcwd.org

mzefferman@mcwd.org

Remleh Scherzinger, General Manager, email not shown on MCWD website?

Mr. Le noted he stated that he had received a document from the City of Marina titled “Deployment Analysis of Marina Fire Department” and after reading the document, he wanted to add the following questions to his communication:

32. Does the Marina Coast Water District own all the public fire hydrants in the City of Marina?

33. What were the dates that Marina Coast Water District completed the inspection of all the public fire hydrants? What were the dates that MCWD maintained the fire hydrants? What were the dates that MCWD replaced the fire hydrants?

34. Does MCWD have any written documents or agreements with the City of Marina? Or any Memorandum of Agreement or Memorandum of Understanding with the City of Marina that states clearly whose responsibility it is to inspect, maintain and replace all the public fire hydrants?

35. Regarding the National Fire Protection Association’s Standard 291, the standard requires all fire departments in the State of California to inspect and submit certification to the State of California. If Marina Coast Water District actually owns the public fire hydrants, I would like to know when was the last time MCWD test and submit certification to State of California.

Mr. Le said he would like the Board to address and take this seriously and don’t sweep it under the rug. His suggested to the Board that the General Manager said some questions/documents he could provide, and some would take time to answer. He suggested the Board stay on top of it and not let it drag out for a year.

Mr. Gary Krejsa, Marina resident, commented he lived on Begonia Circle and that the information Mr. Le shared, showed that the flow data for some of the hydrants, especially in the Marina Station and Central Business District area, are about half deficient from what should be available. He said it raises a concern to him because some of this information seems to be reported to the fire insurers for homeowners and he doesn’t know what the ramifications are. Mr. Krejsa stated that a 2019 report showed that there is a flow deficiency for older homes in the Marina Station and suggested that a Town Hall meeting be held to discuss how to correct some of the flow.

8. Presentation:

A. Introducing Jigar Shah, P.E., as the District's New District Engineer:

Mr. Remleh Scherzinger, General Manager, introduced Mr. Jigar Shah and welcomed him to the District. Mr. Shah stated that he was looking forward to his work at the District and easing public concerns such as the one just mentioned. The Board members welcomed Mr. Shah to the District.

B. Adopt Resolution No. 2021-46 Recognizing Travis Martens, Meter Reader, for 5 Years of Service to the Marina Coast Water District:

Ms. Barbara Montanti, Customer Service Billing Supervisor, introduced this item.

Vice President Moore made a motion to adopt Resolution No. 2021-46 recognizing Travis Martens, Meter Reader, for 5 years of service to the Marina Coast Water District. Director Morton seconded the motion. The motion was passed by the following vote:

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

President Shriner read the narration on the Resolution.

C. Receive a Presentation from Brian Haus, Ph.D., Department of Ocean Sciences, Rosenstiel School of Marine and Atmospheric Science on their Collaboration with the Naval Postgraduate School Focused on Improving Environmental Forecasts in Monterey Bay:

Dr. Brian Haus gave a brief presentation on the collaborative work being performed with the Naval Postgraduate School. The Board made comments.

9. Consent Calendar:

Director Morton asked a clarifying question on Item 9-D. Director Zefferman requested to pull Item 9-C from the Consent Calendar.

Vice President Moore made a motion to approve the Consent Calendar consisting of: A) Receive and File the Check Register for the Month of August 2021; B) Approve the Draft Minutes of the Special Joint Board/GSA Meeting of August 14, 2021; and, D) Adopt Resolution No. 2021-47 to Amend the FY 2021-2022 Budget for the Unbudgeted Purchase of a Replacement Booster Pump for Marina Booster Station by Utilizing Marina Water Capital Replacement and Improvement Reserve Funds. Director Morton seconded the motion. The motion was passed by the following vote:

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

C. Approve the Draft Minutes of the Regular Joint Board/GSA Meeting of August 16, 2021:

Vice President Moore made a motion to approve the draft minutes of August 16, 2021. Director Morton seconded the motion. The motion was passed by the following vote:

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

10. Action Items:

A. Adopt Resolution No. 2021-48 for the Purchase of Four Replacement Standby Generators for the District's Sewer Lift Stations from Quinn Cat:

Mr. Derek Cray, Operations and Maintenance Manager, introduced this item. The Board asked clarifying questions.

Vice President Moore made a motion to adopt Resolution No. 2021-48 to approve the Purchase of Four Replacement Standby Generators for the District's Sewer Lift Stations from Quinn Cat. Director Morton seconded the motion. The motion was passed by the following vote:

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

B. Adopt Resolution No. 2021-49 to Approve an Agreement with the City of Marina for Rehabilitation of City Streets:

Mr. Don Wilcox, Senior Engineer, introduced this item. Discussion and clarification followed.

Director Morton made a motion to adopt Resolution No. 2021-49 to approve an Agreement with the City of Marina for Rehabilitation of City Streets. Vice President Moore seconded the motion. The motion passed by the following vote:

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

11. Staff Report:

A. Receive an Update on the Fiscal Impacts to the District due to Covid-19:

Mr. Scherzinger introduced this item and reviewed the revenues, and delinquent accounts.

12. Informational Items:

A. General Manager's Report:

Mr. Scherzinger reported that the Department of Water Resources Grant Program has found some funding and reappropriated another \$300,000 to the District's Groundwater Sustainability Agency for the Groundwater Sustainability Plan (GSP), bringing the total to \$1million. He also noted that the Notice to Proceed has been given for the A1/A2 tank. Mr. Scherzinger thanked the Board for approving the slurry seal project and encouraging cooperation with other agencies. He then shared that the GSP is out for 90-day public review. Mr. Scherzinger stated that the Civic Spark intern has joined the District and is working on a District Climate Action Plan and Greenhouse Gas Energy Survey.

B. Counsel's Report:

There was no report.

C. Committee and Board Liaison Reports:

1. Water Conservation Commission:

Director Zefferman stated no meeting was held.

2. Joint City District Committee:

Director Morton noted the next meeting was Wednesday, September 22nd.

3. Executive Committee:

Vice President Moore stated they met on September 7th. The next meeting is scheduled for October 5th.

4. Community Outreach Committee:

Director Cortez gave a brief update.

5. Budget and Personnel Committee:

President Shriner gave a brief update.

6. M1W Board Member:

Vice President Moore gave a brief update noting the next meeting was September 27th.

7. LAFCO Liaison:

Director Cortez stated the meeting was canceled.

8. JPIA Liaison:

Director Morton stated there was nothing to report.

9. Special Districts Association Liaison:

Vice President Moore stated the next meeting is scheduled for October 19th.

10. MCWD/SVBGSA Steering Committee:

Mr. Breen said the meeting was canceled.

13. Director Correspondence:

President Shriner gave a brief report.

14. Board member Requests for Future Agenda Items:

Director Morton asked to discuss blight removal and working with the City of Marina on blight removal. President Shriner asked to revisit the moratorium, if needed, in October. President Shriner noted that the Board members can also email in their requests.

15. Director's Comments:

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

16. Adjournment:

The meeting was adjourned at 8:41 p.m.

APPROVED:



Jan Shriner, President

ATTEST:



Paula Riso, Deputy Secretary