



Marina Coast Water District

Regular Board Meeting/Groundwater Sustainability Agency Board Meeting
Via Zoom Teleconference
December 13, 2021

Minutes

1. Call to Order:

President Shriner called the meeting to order at 6:30 p.m. on November 15, 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/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
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
Kelly Cadiente, Director of Administrative Services
Derek Cray, Operations and Maintenance Manager
Patrick Breen, Water Resources Manager
Rose Gill, Human Resources/Risk Administrator
Paul Lord, Water Conservation Specialist
Teo Espero, IT Administrator
Paula Riso, Executive Assistant/Clerk to the Board

Agenda Item 2 (continued):

Audience Members:

Andy Sterbenz, Schaaf & Wheeler
Ken Pun, The Pun Group
Peter Le, Marina Resident
Laura Jensen, California Water Commission
Phil Clark, Seaside Resident/WCC Commissioner

3. Election of Board President and Vice President for 2022:

Vice President Moore nominated President Shriner to continue as Board President for 2022. Director Zefferman seconded the nomination. The nomination was passed by the following vote:

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

Director Zefferman nominated Director Cortez for Vice President. Vice President Moore seconded the nomination. The nomination was passed by the following vote:

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

4. Public Comment on Closed Session Items:

There were no comments made.

The Board entered into closed session at 6:37 p.m. to discuss the following items:

5. Closed Session:

- A. Pursuant to Government Code 54956.9
Conference with Legal Counsel – Existing Litigation
City of Marina vs. RMC Lonestar [CEMEX], California-American Water Company, Marina Coast WD, et al Defendants, Monterey County Superior Court Caser No. 20CV001387 (Complaint for Breach of Contract, Declaratory Relief under the Agency Act, and Tortious Interference with Existing Contract)
- B. Conference with Legal Counsel – Anticipated Litigation
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.0
1-Case

The Board ended closed session at 7:34 p.m. President Shriner reconvened the meeting to open session at 7:36 p.m.

6. Reportable Actions Taken During Closed Session:

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

7. Pledge of Allegiance:

Director Morton led everyone present in the pledge of allegiance.

8. Oral Communications:

Mr. Peter Le, Marina resident, commented that he had submitted his comments in written format to the entire Board and General Manager and noted he hadn't received any response as of today.

Ms. Paula Riso, Executive Assistant/Clerk to the Board, noted that Mr. Le had provided written comments and they were on file with the District.

9. Presentation

- A. Receive a Presentation from Laura Jensen, California Water Commission, Regarding Groundwater Trading:

Ms. Laura Jensen, Assistant Executive Officer with the California Water Commission, introduced this item and gave a brief presentation on groundwater trading. She reviewed how trading would take place and the rules behind the trading. Ms. Jensen discussed the role the State plays in the trading and noted that a draft white paper is anticipated in January with a final one in March. The Board asked clarifying questions.

10. 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 November 2021; B) Receive the Quarterly Financial Statements for April 1, 2021 to June 30, 2021; C) Approve the Revised Draft Minutes of the Regular Joint Board Meeting of October 18, 2021; D) Approve the Draft Minutes of the Regular Joint Board Meeting of November 15, 2021; E) Receive the Validated 2020 Water Loss Audit Report and Level 1 Validation Document; F) Consider Approving the Proposed Regular Board/GSA Meeting and Workshop Meeting Schedule for 2022; and, G) Adopt Resolution No. 2021-58 to Proclaim a Local Emergency, and Authorize Remote Teleconference Meetings of All District Legislative Bodies for the Following 30 Days. Director Zefferman seconded the motion.

Agenda Item 10 (continued):

The motion was passed by the following vote:

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

11. Action Items:

- A. Accept the Annual Comprehensive Financial Report and the Independent Auditor’s Report for the Fiscal Year ended June 30, 2021:

Ms. Cadiante introduced this item and Mr. Ken Pun, The Pun Group. The Board asked clarifying questions.

Director Moore made a motion to Accept the Annual Comprehensive Financial Report and the Independent Auditor’s Report for the Fiscal Year ended June 30, 2021 with the correction to the title on page 76. 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			

- B. Make Director Appointments to Standing Committees of the Board and to Outside Agencies for 2022, and as Negotiators to any Ad Hoc Committees of the Board:

Following discussion, President Shriner suggested the following appointments for 2022:

1.	Water Conservation Commission	Zefferman - Shriner as Alternate
2.	Joint City/District Committee	Morton, Zefferman – Moore as Alternate
3.	Executive Committee	Shriner, Cortez
4.	Budget and Personnel	Morton, Shriner – Cortez as Alternate
5.	Community Outreach	Moore, Zefferman – Cortez as Alternate

Current appointments to outside agencies:

1.	M1W	Moore – Zefferman as Alternate
2.	LAFCO	Cortez – Zefferman as Alternate
3.	JPIA	Morton – Cortez as Alternate
4.	SDA	Moore – Shriner, Morton, Zefferman and Cortez as Alternates
5.	MCWD/SVBGSA Steering Committee	Morton – Zefferman as Alternate

Agenda Item 11-B (continued):

Director Moore made a motion to approve the Committee appointments. 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			

Mr. Phil Clark, Seaside Resident/WCC Commissioner, commented that he would like to see the Water Conservation Commission meetings resume and noted that the Conservation Commission members have attended the Rotary and the Monterey County Fair.

12. Staff Report:

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

Ms. Cadiente introduced this item and noted that the arrearages program application has been submitted and the District is in line to receive approximately \$106,000 from the State.

13. Informational Items:

A. General Manager's Report:

Mr. Scherzinger gave the following updates:

- 1) MCWD is working with the Marina City Council to set up a presentation in January or February, to look at the water and fire system and also have the Fire Chief there help address questions and explain the ISO rating;
- 2) the Groundwater Sustainability Plan final publication is out and on the District website;
- 3) the District's new and improved website is up and running;
- 4) the SVBGSA and Monterey County summit is on the way in February;
- 5) the BRAC will provide a presentation on PFAS.

B. Counsel's Report:

Mr. Masuda commended Mr. Breen and the EKI team for working so hard on finalizing the Groundwater Sustainability Plan.

C. Committee and Board Liaison Reports:

1. Executive Committee:

Director Moore stated the next meeting is January 4th. President Shriner gave a brief update.

2. Community Outreach Committee:

Vice President Cortez and Director Zefferman gave a brief update.

3. Budget and Personnel Committee:

Vice President Cortez gave a brief update.

4. M1W Board Member:

Director Moore gave a brief update and noted that the next meeting is January 31, 2022.

5. LAFCO Liaison:

Vice President Cortez stated there was no update.

8. JPIA Liaison:

14. Board Member Requests for Future Agenda Items:

President Shriner stated that any requests may be emailed to staff.

15. Director's Comments:

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

16. Adjournment:

The meeting was adjourned at 9:24 p.m.

APPROVED:



Jan Shriner, President

ATTEST:



Paula Riso, Deputy Secretary