



Marina Coast Water District

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Regular Board Meeting/Groundwater Sustainability Agency Board Meeting
Via Zoom Teleconference
May 16, 2022

Minutes

1. Call to Order:

President Shriner called the meeting to order at 6:00 p.m. on May 16, 2022 via Zoom teleconference in Marina, California. President Shriner 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/Coastanoan-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 – arrived at 6:20 p.m.
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
Cheryl Parker, Associate Engineer
Teo Espero, IT Administrator
Paula Riso, Executive Assistant/Clerk to the Board

Agenda Item 2 (continued):

Audience Members:

Andy Sterbenz, Schaaf & Wheeler
Joe Pineda, MCWD
Erin Harwayne, Denise Duffy & Associates
Kevin Kostiuk, Raftelis
Phil Clark, Seaside Resident
Doug Yount, Shea Homes
Peter Le, Marina Resident

President Shriner commented that Item 9-C will begin promptly at 7:00 p.m. pursuant to the Public Notice that was sent out to customers.

3. Public Comment on Closed Session Items:

There were no comments made.

The Board entered into closed session at 6:04 p.m. to discuss the following items:

4. Closed Session:

- A. Pursuant to Government Code 54957
Conference with Labor Negotiators
Agency Designated Representative: General Manager
Employee Organizations: MCWD Employee Association and Teamsters Local 890
- B. Pursuant to Government Code 54957
Public Employee Performance Evaluation
Title: General Manager

Director Morton joined the meeting at 6:20 p.m. The Board ended closed session at 6:55 p.m. President Shriner reconvened the meeting to open session at 6:58 p.m.

5. Reportable Actions Taken During Closed Session:

President Shriner stated that there were no reportable actions taken in Closed Session.

6. Pledge of Allegiance:

Director Morton led everyone present in the pledge of allegiance.

7. Oral Communications:

Mr. Peter Le, Marina resident, commented that he sent an email to the Board members that the posting of the agenda on the District website wasn't posted in accordance with the legal requirements. He also stated that the information on the website changed and referred the Board to his email he submitted for more details. Mr. Le's email will be added as additional correspondence.

President Shriner commented that it was 7:00 p.m. and moved forward with Item 9-C.

9. Action Item:

- C. Conduct a Public Hearing for Proposed Recycled Water Rates and Adopt Resolution No. 2022-20 to Adopt District Rates, Fees, and Charges for Recycled Water Service, excluding Capacity Charges:

Ms. Kelly Cadiente, Director of Administrative Services, introduced this item.

President Shriner opened the Public Hearing at 7:01 p.m.

Ms. Cadiente gave a brief presentation on the proposed Recycled Water Rates.

President Shriner asked if the Board had any clarifying questions. The Board did not have any clarifying questions.

President Shriner asked if any public members would like to make comments. Mr. Le stated that he submitted comments to the Board members and wants them included into the record. He also asked the Board to address the main questions of whether there will be 1,427 acre-feet of recycled water available next year, or only 600 acre-feet. Mr. Le said there is a discrepancy between the adopted rate study and the budget for the amount paid by potable water users. He asked that there be consistency between the budget and rate study.

Noting that there were no other public comments, President Shriner closed the Public Hearing at 7:08 p.m.

Ms. Cadiente stated that she did not see a difference between the budget and rate study numbers mentioned by Mr. Le.

Director Moore made a motion to adopt Resolution No. 2022-20 to adopt District Rates, Fees, and Charges for Recycled Water Service, excluding Capacity Charges. Director Morton seconded the motion. Director Moore stated that in answer to Mr. Le's question, there is no way to forecast how much recycled water will be needed next year as it will depend on the demand.

Agenda Item 9-C (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			

8. Consent Calendar:

Director Morton made a motion to approve the Consent Calendar consisting of: A) Receive and File the Check Register for the Month of April 2022; B) Receive the Quarterly Financial Statements for January 1, 2022 to March 31, 2022; C) Approve the Draft Minutes of the Special Joint Board Meeting of April 11, 2022; D) Approve the Draft Minutes of the Regular Joint Board Meeting of April 18, 2022; E) Adopt Resolution No. 2022-17 Ordering an Election, Requesting County Elections to Conduct the Election, and Requesting Consolidation of the Election Set for November 8, 2022; F) Adopt Resolution No. 2022-18 to Proclaim a Local Emergency, and Authorize Remote Teleconference Meetings of All District Legislative Bodies for the Following 30 Days; and G) Receive an Update on the Fiscal Impacts to the District due to Covid-19. Director Moore seconded the motion. President Shriner asked if the public wanted to pull any items or make any comments. Hearing none, Director Morton reaffirmed her motion and Director Moore reaffirmed his second of 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			

9. Action Items:

- A. Consider Adoption of Resolution No. 2022-19 to Find that the MCWD Sphere of Influence Amendment and Annexation for Monterey County A.P.N. (031-15-016; 018; 024; 029; 031; 032; 036-44; 054-056); (031-261-003; 004); and (031-152-011) is Categorically Exempt from CEQA under CEQA Guidelines Section 15061(b)(3); and Direct Staff to File an Application with the Local Agency Formation Commission:

Mr. David Hobbs, District Counsel, introduced this item.

Director Moore made a motion to adopt Resolution No. 2022-19 to find that the MCWD Sphere of Influence Amendment and Annexation for Monterey County A.P.N. (031-15-016; 018; 024; 029; 031; 032; 036-44; 054-056); (031-261-003; 004); and (031-152-011) is Categorically Exempt from CEQA under CEQA Guidelines Section 15061(b)(3); and direct staff to file an application with the Local Agency Formation Commission. Director Zefferman 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. Consider the Introduction and First Reading of Ordinance No. 62, An Ordinance Amending Title 4, Recycled Water, of the Marina Coast Water District Code:

Ms. Cheryl Parker, Associate Engineer, introduced this item and went over the changes staff made to the Ordinance after the packet was published. The Board asked clarifying questions regarding the penalties and permitting for this ordinance as well as the process for adopting the Ordinance.

Following a lengthy discussion, Mr. Scherzinger apologized and requested to pull this item from the agenda to allow staff to refine the Ordinance and bring the First Reading back at the special meeting scheduled for May 24th.

President Shriner recessed the meeting from 8:16 p.m. to 8:25 p.m.

D. Adopt Resolution No. 2022-21 to Adopt the Marina Coast Water District Budget for FY 2022-2023 and Waive Section 6.08.070 of the District Code for FY 2022-2023:

Ms. Cadiente introduced this item. The Board and staff noted some typos.

Director Morton made a motion to adopt Resolution No. 2022-21 to adopt the Marina Coast Water District Budget for FY 2022-2023 and Waive Section 6.08.070 of the District Code for FY 2022-2023, as revised. Director Moore 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			

10. Informational Items:

A. General Manager's Report:

Mr. Scherzinger gave the following updates:

- 1) The District is receiving \$56,000 for the sewer arrearages program.
- 2) The Ferguson Group has been retained to help with Federal grants.
- 3) The proposed Public Relations Firm has changed out some team members and the proposal will be brought back for consideration at the next meeting.
- 4) A contract employee was hired to help with the GIS and cataloging assets which will help with the CIP process.
- 5) The Climate Action Plan will be ready to discuss at the next meeting and looking to appoint an Ad Hoc Committee to help pull the Plan together.
- 6) At the ACWA Conference, met with the Deputy Secretary of the Interior, Gary Gold. He also talked to Secretary of Natural Resources, Wade Crowfoot, who is interested in meeting with MCWD Board and touring the Pure Water Monterey Plant. A new proposed Bill, AB2201 will give groundwater management agencies the authority over wells, and it is causing heartburn for ACWA agencies as some want this and others don't.

B. Committee and Board Liaison Reports:

1. M1W Board Member Liaison:

Director Moore gave a brief update. Vice President Cortez thanked M1W staff for the warm welcome as an alternate to their Board.

11. Correspondence:

President Shriner noted that the Marina High School thanked MCWD staff for their assistance on Earth Day.

12. Board Member Requests for Future Agenda Items:

Director Zefferman said he was glad to hear the Climate Action Plan was coming forward.

12. Director's Comments:

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

13. Adjournment:

The meeting was adjourned at 8:52 p.m.

APPROVED:



Jan Shriner, President

ATTEST:



Paula Riso, Deputy Secretary