



Marina Coast Water District

Special Board Meeting/Groundwater Sustainability Agency Hybrid Board Meeting
February 11, 2023

Minutes

1. Call to Order:

President Shriner called the meeting to order at 9:06 a.m. on February 11, 2023, at 920 2nd Avenue, Suite A, and, via Zoom teleconference in Marina, California.

2. Roll Call:

Board Members Present:

Jan Shriner – President
Herbert Cortez – Vice President
Brad Imamura
Thomas P. Moore
Gail Morton

Board Members Absent:

None.

Staff Members Present:

Remleh Scherzinger, General Manager
Paula Riso, Executive Assistant/Clerk to the Board

Audience Members:

None

3. Pledge of Allegiance:

President Shriner led everyone present in the pledge of allegiance.

4. Oral Communications:

There were no comments made.

5. Public Comment on Closed Session Items:

There were no comments made.

The Board entered into closed session at 9:08 a.m. to discuss the following items:

6. Closed Session:

A. Pursuant to Government Code 54956.9

Conference with Legal Counsel – Existing Litigation

- 1) 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)
- 2) 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 No. CGC-15-546632 (Complaint for Damages, Breach of Warranties, etc.)
- 3) 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
- 4) 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)
- 5) 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); Sixth District Court of Appeals Case Nos. H049146 and H049170
- 6) 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)

Director Moore left the meeting at 12:20 p.m.

Agenda Item 6 (continued):

- B. Pursuant to Government Code section 54956.9(d)(4)
Conference with Legal Counsel – Initiation of Litigation
Two Potential Cases

- C. Pursuant to Government Code 54956.8
Conference with Real Property Negotiator
Property: Corporation Yard
Negotiating Parties: City of Marina and MCWD Negotiator - General Manager
Under Negotiation: Price and Terms

- D. Pursuant to Government Code 54957
Conference with Labor Negotiators
Agency Designated Representative: General Manager
Employee Organizations: MCWD Employee Association and Teamsters Local 890

The Board ended closed session at 2:43 p.m. President Shriner reconvened the meeting to open session at 2:45 p.m.

7. Reportable Actions Taken During Closed Session:

Mr. Roger Masuda, District Counsel, stated there were no reportable actions taken in closed session.

8. Board Member Requests for Future Agenda Items:

Director Imamura requested an item to discuss cyber security.

9. Directors Comments:

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

10. Adjournment:

The meeting was adjourned at 2:49 p.m.

APPROVED:



Jan Shriner, President

ATTEST:



Paula Riso, Deputy Secretary