



MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

Home Page: www.mcwd.org

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DIRECTORS

JAN SHRINER
President

HERBERT CORTEZ
Vice President

BRAD IMAMURA
THOMAS P. MOORE
GAIL MORTON

Agenda

**Regular Board Meeting, Board of Directors
Marina Coast Water District**

and

**Regular Board Meeting, Board of Directors
Marina Coast Water District Groundwater Sustainability Agency
Hybrid Meeting**

920 2nd Avenue, Suite A, Marina, California

and

Zoom Teleconference

Monday, June 19, 2023, 6:30 p.m. PST

Staff and Board members will be attending the June 19, 2023 meeting in person. Members of the public may attend the Board meeting in person or can continue to attend remotely via Zoom conference.

Persons who are participating via telephone will need to press *9 to be acknowledged for comments. Members of the public participating by Zoom will be placed on mute during the proceedings and will be acknowledged only when public comment is allowed, after requesting and receiving recognition from the Board President. Public comment on the action item can also be submitted in writing to Paula Riso at priso@mcwd.org by 9:00 am on Monday, June 19, 2023; such comments will be distributed to the MCWD Board before the meeting.

This meeting may be accessed remotely using the following Zoom link:

<https://us02web.zoom.us/j/84739948649?pwd=Q0ZFckFUbE5PT0dCVVdRdWI6WUVxQT09>

Passcode: 687697

To participate via phone, please call: 1-669-900-9128; Meeting ID: 847 3994 8649 Passcode: 687697

Our Mission: We provide our customers with high quality potable and recycled water, wastewater collection and conservation services that are safe, affordable, reliable and sustainable, through planning, management and the development of water resources in an environmentally sensitive manner.

1. Call to Order

2. Roll Call

3. Public Comment on Closed Session Items *Anyone wishing to address the Board on matters appearing on Closed Session may do so at this time. Please limit your comment to four minutes. The public may comment on any other items listed on the agenda at the time they are considered by the Board.*

This agenda is subject to revision and may be amended prior to the scheduled meeting. Pursuant to Government Code section 54954.2(a)(1), the agenda for each meeting of the Board shall be posted at the District offices at 11 Reservation Road, and 920 2nd Avenue, Suite A, Marina. A complete Board packet containing all enclosures and staff materials will be available for public review on the District website, Thursday, June 15, 2023. Information about items on this agenda or persons requesting disability related modifications and/or accommodations should contact the Board Clerk 48 hours prior to the meeting at: 831-883-5931.

4. Closed Session

- A. Pursuant to Government Code 54957.6
Conference with Labor Negotiators
Agency Negotiators (General Manager)
Employee Organization: Marina Coast Water District Employees Association
- B. Pursuant to Government Code 54957.6
Conference with Labor Negotiators
Agency Negotiators (General Manager)
Employee Organization: Teamsters Local 890
- C. Conference with Legal Counsel – Existing Litigation
(Paragraph (1) of subdivision (d) of Government Code Section 54956.9)
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)

Reconvene to Open Session Estimated to be at 8:00 p.m.

5. Reportable Actions Taken During Closed Session *The Board will announce any reportable action taken during closed session and the vote or abstention on that action of every director present and may take additional action in open session as appropriate. Any closed session items not completed may be continued to after the end of all open session items.*

- A. [Consider Adoption of Resolution No. 2023-20 to Approve the Memorandum of Understanding Between the Marina Coast Water District Employees Association and the Marina Coast Water District](#)
(Page 1)

6. Pledge of Allegiance

7. Oral Communications *Anyone wishing to address the Board on matters not appearing on the Agenda may do so at this time. Please limit your comment to four minutes. The public may comment on any other items listed on the agenda at the time they are considered by the Board.*

* * * * *

8. Marina Coast Water District Groundwater Sustainability Agency Matters

A. Presentation

- 1. [Receive the Annual Monterey Sub-basin Sustainable Groundwater Management Presentation](#)
(Page 5)

9. Return to Marina Coast Water District Matters

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10. Consent Calendar

- A. Receive and File the Check Register for the Month of May 2023
(Page 8)
- B. Approve the Draft Minutes of the Regular Joint Board/GSA Meeting of May 15, 2023
(Page 16)

11. **Action Items** *The Board will review and discuss agenda items and take action or direct staff to return to the Board for action at a following meeting. The public may address the Board on these Items as each item is reviewed by the Board. Please limit your comment to four minutes.*

- A. Adopt Resolution No. 2023-21 to Adopt the Marina Coast Water District Budget for FY 2023-2024 and Waive Section 6.08.070 of the District Code for FY 2023-2024
(Page 22)
- B. Adopt Resolution No. 2023-13 to Regarding a Variance to the Application of MCWD Water Code Section 5.16.190 Sewer System Easements for the Dunes of Monterey Bay Phase 2 West, Marina, CA
(Page 27)
- C. Adopt Resolution No. 2023-14 Regarding a Variance to the Application of MCWD Water Code Section 5.16.190 Sewer System Easements for the Dunes of Monterey Bay Phase 1B Promenade, Marina, CA
(Page 44)
- D. Adopt Resolution No. 2023-22 Amending the Professional Services Agreement between Marina Coast Water District and Rauch Communication Consultants Inc. to Provide Public Relations and Community Outreach Services to the District
(Page 59)
- E. Provide Direction Regarding Election to the Coastal Network, Seat C, of the California Special Districts Association Board
(Page 73)

12. **Informational Items** *Informational items are normally provided in the form of a written report or verbal update and may not require Board action. The public may address the Board on Informational Items as they are considered by the Board. Please limit your comments to four minutes.*

- A. General Manager's Report
- B. Committee and Board Liaison Reports
 - 1. Budget and Engineering Committee
 - 2. Executive Committee
 - 3. Community Outreach and Personnel Committee
 - 4. M1W Board Member Liaison

13. **Board Member Requests for Future Agenda Items**

14. Director's Comments *Director reports on meetings with other agencies, organizations and individuals on behalf of the District and on official District matters.*

15. Adjournment *Set or Announce Next Meeting(s), date(s), time(s), and location(s):*

Regular Meeting: Monday, July 17, 2023, 6:30 p.m.

**Marina Coast Water District
Agenda Transmittal**

Agenda Item: 5-A

Meeting Date: June 19, 2023

Prepared By: Paula Riso

Approved By: Remleh Scherzinger P.E.

Agenda Title: Consider Adoption of Resolution No. 2023-20 to Approve the Memorandum of Understanding between the Marina Coast Water District Employees Association and the Marina Coast Water District

Staff Recommendation: Adopt Resolution No. 2023-20 to approve the Memorandum of Understanding between the MCWDEA and the Marina Coast Water District.

Background: *Strategic Plan, Goal 5.0 - Our objective is to recruit and retain a highly qualified, diverse and inspired workforce that delivers the essential services of our mission statement to the public while providing outstanding customer service. Our strategy is to utilize sound policies and personnel practices, offer competitive compensation and benefits, and provide opportunities for training, development, and professional growth while ensuring a safe and secure workplace.*

The Board appointed the General Manager, Remleh Scherzinger, as the negotiator to represent the District.

Discussion/Analysis: Over the past several months, the District negotiators and the Marina Coast Water District Employees Association (MCWDEA) met several times and worked toward agreement on a Memorandum of Understanding (MOU). Negotiations have produced a tentative agreement on the MOU and the Board is now asked to consider final approval with an effective date of July 1, 2023.

Environmental Review Compliance: None required.

Climate Adaptation: Not applicable.

Legal Counsel Review: The District's Labor and Employment Counsel reviewed and prepared the MOU for consideration.

Financial Impact: Yes No Funding Source/Recap: Expenditures are allocated across all cost centers for salaries and benefits.

Other Considerations: If the Board cannot agree on the terms of the MOU, the Board can continue negotiations until a mutual agreement is reached.

Material Included for Information/Consideration: Resolution No. 2023-20; and, the draft MOU between the MCWDEA and the Marina Coast Water District will be provided at the meeting.

Action Required: Resolution Motion Review
(Roll call vote is required.)

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____

Abstained _____

Noes _____

Absent _____

June 19, 2023

Resolution No. 2023-20
Resolution of the Board of Directors
Marina Coast Water District
Approving Memorandum of Understanding
Between the Marina Coast Water District Employees Association
and the Marina Coast Water District

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on June 19, 2023, at 920 Second Avenue, Suite A, Marina, California, as follows:

WHEREAS, the Board appointed General Manager, Remleh Scherzinger, to represent the District in negotiations with the supervisory and general service staff; and,

WHEREAS, the District negotiators met and negotiated with representatives of the Marina Coast Water District Employees Association; and,

WHEREAS, a tentative agreement has been reached on the MOU between the Marina Coast Water District Employees Association and the Marina Coast Water District; and,

WHEREAS, the effective date of the MOU will be July 1, 2023, unless otherwise noted in the MOU.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby:

1. approve the Memorandum of Understanding between the Marina Coast Water District Employees Association and the Marina Coast Water District; and,
2. authorizes and directs the Board President, Vice President, and General Manager to execute the Agreement in substantially the same form presented at this meeting on behalf of the Marina Coast Water District, and to take all other actions necessary to fully perform the District’s obligations under the Agreement.

PASSED AND ADOPTED on June 19, 2023, by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors _____

Noes: Directors _____

Absent: Directors _____

Abstained: Directors _____

Jan Shriner, President

ATTEST:

Remleh Scherzinger, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2023-20 adopted June 19, 2023.

Remleh Scherzinger, Secretary

**Marina Coast Water District
Groundwater Sustainability Agency
Agenda Transmittal**

Agenda Item: 8-A1

Meeting Date: June 19, 2023

Prepared By: Patrick Breen

Approved By: Remleh Scherzinger P.E.

Agenda Title: Receive a Presentation on the 2022 Monterey Subbasin Annual GSP Report

Staff Recommendation: The Board receives a presentation on the 2022 Monterey Subbasin Annual GSP Report.

Background: *Strategic Plan, Goal No. 2 Infrastructure – Our objective is to provide a high quality water distribution system and an efficiently operating wastewater collection system to serve existing and future customers.*

The Sustainable Groundwater Management Act (SGMA) of 2014 requires groundwater basins or subbasins that are designated as medium or high priority to be managed sustainably. The District formed the Marina Coast Water District Groundwater Sustainability Agency (MCWDGSA) in 2014 that primarily overlies the medium-priority Monterey Subbasin and a portion of the high-priority 180/400 Foot-Aquifer Subbasin.

Subsequently MCWDGSA took the lead in developing the Monterey Subbasin GSP in coordination with the Salinas Valley Groundwater Sustainability Agency.

On March 21, 2018, the Monterey Subbasin GSP initial notification was uploaded to California Department of Water Resources (DWR's) SGMA portal pursuant to GSP Regulations §353.6. A MCWD staff member was elected to serve on SVBGSA's Monterey Subbasin Stakeholder Committee and MCWDGSA led the development of the Monterey Subbasin GSP.

The MCWDGSA Board of Directors closed a public hearing on January 19, 2022, and adopted the plan that was subsequently submitted to the Department of Water Resources for approval by the statutory deadline of January 31, 2022.

Discussion: The Sustainable Groundwater Management Act (SGMA) requires GSAs to submit annual reports to DWR each April 1 following adoption of a groundwater sustainability plan. The report provides information on groundwater conditions and implementation of its GSP over the prior water year.

In general terms, the report should include both data and a narrative description of the GSA's progress toward implementation of their GSP. The data requirements include information collected from the basin's monitoring network, groundwater extractions for the basin, surface water supply, total water use, and changes in groundwater storage.

Environmental Review Compliance: None required.

Legal Counsel Review: None required.

**Marina Coast Water District
Agenda Transmittal**

Agenda Item: 10

Meeting Date: June 19, 2023

Prepared By: Paula Riso

Approved By: Remleh Scherzinger P.E.

Agenda Title: Consent Calendar

Staff Recommendation: Approve the Consent Calendar as presented.

Background: *Strategic Plan, Mission Statement – We provide our customers with high quality potable and recycled water, wastewater collection and conservation services that are safe, affordable, reliable and sustainable, through planning, management and the development of water resources in an environmentally sensitive manner.*

Consent calendar consisting of:

- A) Receive and File the Check Register for the Month of May 2023
- B) Approve the Draft Minutes of the Regular Joint Board/GSA Meeting of May 15, 2023

Discussion/Analysis: See individual transmittals.

Environmental Review Compliance: None required.

Legal Counsel Review: See individual transmittals.

Climate Action: Not applicable.

Other Considerations: The Board of Directors can approve these items together or they can pull them separately for discussion.

Material Included for Information/Consideration: Check Register for May 2023; and, draft minutes of May 15, 2023.

Action Required: Resolution Motion Review
(Roll call vote is required.)

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____ Abstained _____

Noes _____ Absent _____

**Marina Coast Water District
Agenda Transmittal**

Agenda Item: 10-A

Meeting Date: June 19, 2023

Prepared By: Mary Lagasca

Approved By: Remleh Scherzinger P.E.

Agenda Title: Receive and File the Check Register for the Month of April 2023

Staff Recommendation: Receive and file the May 2023 expenditures totaling \$4,595,468.28.

Background: *Strategic Plan, Objective No. 3 – Our objective is to manage public funds to assure financial stability, prudent rate management and demonstrate responsible stewardship. Our fiscal strategy is to forecast, control and optimize income and expenditures in an open and transparent manner. We will efficiently use our financial resources to assure availability to fund current and future demands.*

Discussion/Analysis: These expenditures were paid in May 2023 and the Board is requested to receive and file the check register. The May check register was larger than normal due to the following payments:

- Check No 73547 – Construction payment to Anderson Pacific Engineering for the amount of \$496,701.12 for the A1/A2 Tanks B/C Booster Pump Station Project
- Check No 73552 – The purchase of two (2) 2023 Ford F-150 trucks for the amount of \$76,075.99
- Wire payment of \$2,362,850.00 for the 2015 Series A and 2019 Series Bond Payments

Environmental Review Compliance: None required.

Legal Counsel Review: None required.

Climate Adaptation: Not applicable.

Financial Impact: ___ Yes ___ No **Funding Source/Recap:** Expenditures are allocated across the six cost centers; 01-Marina Water, 02-Marina Sewer, 03- Ord Water, 04-Ord Sewer, 05-Recycled Water, 06-Regional Water.

Other Consideration: None.

Material Included for Information/Consideration: May 2023 Summary Check Register.

Action Required: ___ Resolution ___ Motion ___ Review

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____ Abstained _____

Noes _____ Absent _____

MAY 2023 SUMMARY CHECK REGISTER

DATE	CHECK #	CHECK DESCRIPTION	AMOUNT
05/01/2023	ACH	Friedman & Springwater LLP	71,988.00
05/01/2023	73542 - 73574	Check Register	1,014,438.63
05/08/2023	73575 - 73595	Check Register	68,943.56
05/15/2023	73596 - 73626	Check Register	364,738.10
05/22/2023	Wire	U.S. Bank National Association	2,362,850.00
05/22/2023	73627 - 73663	Check Register	58,919.90
05/31/2023	73664 - 73700	Check Register	101,679.14
05/05/2023	501515 - 501519	Check Register	3,131.14
05/12/2023	ACH	Payroll Direct Deposit	123,187.40
05/12/2023	ACH	CalPERS	28,127.19
05/12/2023	ACH	Empower Retirement	14,439.91
05/12/2023	ACH	Internal Revenue Service	48,799.18
05/12/2023	ACH	State of California - EDD	10,046.17
05/12/2023	ACH	WageWorks, Inc.	910.33
05/12/2023	501520 - 501521	Check Register	1,253.56
05/15/2023	501522 - 501527	Check Register	81,446.25
05/23/2023	501528 - 501529	Board Compensation Checks and Direct Deposit	507.92
05/23/2023	ACH	Internal Revenue Service	84.16
05/26/2023	ACH	Payroll Direct Deposit	130,837.43
05/26/2023	ACH	CalPERS	28,238.71
05/26/2023	ACH	Empower Retirement	13,987.91
05/26/2023	ACH	Internal Revenue Service	54,419.80
05/26/2023	ACH	State of California - EDD	11,367.56
05/26/2023	ACH	WageWorks, Inc.	910.33
05/26/2023	501530	Check Register	216.00
TOTAL DISBURSEMENTS			<u>4,595,468.28</u>

Check No	Invoice Date	Check Date	Vendor Name	Description	Amount
ACH	04/06/2023	05/01/2023	Friedman & Springwater LLP	Legal Services 01/2023, 03/2023	71,988.00
73542	04/17/2023	05/01/2023	Becks Shoe Store, Inc. - Salinas	Boot Benefit - O&M	200.00
73543	04/25/2023	05/01/2023	City of Marina	Franchise Tax Fee 01/2023 - 03/2023	49,290.93
73544	04/11/2023	05/01/2023	PG&E	Gas and Electric Service 03/2023	79,774.21
73545	04/10/2023	05/01/2023	Mark's Barn Auto Body	Auto Body Repairs - Vehicle #2002	5,390.97
73546	04/18/2023	05/01/2023	Verizon Wireless	Cell Phone Service 04/2023	2,208.72
73547	03/21/2023	05/01/2023	Anderson Pacific Engineering Construction, Inc.	A1/A2 Tanks B/C Booster - Construction Pmt #16	496,701.12
73548	04/14/2023	05/01/2023	Harris & Associates	Inspection Services - RUWAP Distribution; Developers (Abdy Way Subdivision, Dunes 1B Promenade, Dunes 2 East, Enclave Phase 3)	26,435.81
73549	04/17/2023	05/01/2023	Shape Incorporated	(2) Flygt Pumps, Motor Control Center Panel - Hatten LS	67,629.96
73550	04/10/2023	05/01/2023	Carollo Engineers, Inc.	Developed Figures for DDW Recycled Water Reporting - RUWAP	3,592.88
73551	04/14/2023	05/01/2023	Val's Plumbing & Heating, Inc.	Janitor Room Leak Inspection - BLM	269.37
73552	04/12/2023	05/01/2023	National Auto Fleet Group	(2) 2023 Ford F-150	76,075.99
73553	04/14/2023	05/01/2023	Employnet, Inc.	Temporary Customer Service Representatives 04/03 - 04/07	3,002.73
73554	04/08/2023	05/01/2023	Instrument Technology Corporation	GPR Unit, Spare Battery Kit, Receiver, Accessories	22,971.89
73555	04/11/2023	05/01/2023	Richards, Watson & Gershon	Legal Services 03/2023	48,929.93
73556	04/15/2023	05/01/2023	U.S. Bank National Association	Beach Office Copier Lease 04/10 - 05/09	275.32
73557	04/13/2023	05/01/2023	Remy Moose Manley, LLP	Legal Services 02/2023 - 03/2023	95,765.00
73558	04/25/2023	05/01/2023	Griffith, Masuda & Hobbs	Legal Services 03/2023	18,876.42
73559	04/17/2023	05/01/2023	Access Monterey Peninsula, Inc.	Filming and Production 04/2023	460.00
73560	04/11/2023	05/01/2023	A Tool Shed, Inc.	Dump Truck Rental	3,006.41
73561	04/25/2023	05/01/2023	City of Seaside	City Utility Tax 01/2023 - 03/2023	12,558.43
73562	04/10/2023	05/01/2023	Conservation Rebate Program	16926 Mahone St - Washer Rebate	100.00
73563	04/27/2023	05/01/2023	Customer Service Refund	Refund Check - 4500 Peninsula Point Dr	90.00
73564	04/27/2023	05/01/2023	Customer Service Refund	Refund Check - 3002 Liberty Ct	65.54
73565	04/27/2023	05/01/2023	Customer Service Refund	Refund Check - 725 Henson Ct	40.00
73566	04/27/2023	05/01/2023	Customer Service Refund	Refund Check - 206 9th St	22.00
73567	04/27/2023	05/01/2023	Customer Service Refund	Refund Check - 265 Resevation Rd #O	5.69
73568	04/27/2023	05/01/2023	Customer Service Refund	Refund Check - 2614 Catwalk Ct	160.00
73569	04/27/2023	05/01/2023	Customer Service Refund	Refund Check - 3105 Lake Dr	40.00
73570	04/27/2023	05/01/2023	Customer Service Refund	Refund Check - 160 Beach Rd	10.19
73571	04/27/2023	05/01/2023	Customer Service Refund	Refund Check - 301 9th St #113	18.68
73572	04/27/2023	05/01/2023	Customer Service Refund	Refund Check - 2967 Carpenter Ct	117.13
73573	04/27/2023	05/01/2023	Customer Service Refund	Refund Check - 250 Boardwalk Ave	318.31
73574	04/27/2023	05/01/2023	Customer Service Refund	Refund Check - 16631 Early Ln	35.00
73575	04/19/2023	05/08/2023	Quinn Company	Annual Generator Maintenance - (9) Sites	11,159.41
73576	04/17/2023	05/08/2023	Grainger	(4) Full Face Respirators, (2) First Aid Kits, Multi-Gas Detector, Office Signage, General Operations/ Maintenance Supplies	2,159.70

Check No	Invoice Date	Check Date	Vendor Name	Description	Amount
73577	04/30/2023	05/08/2023	Peninsula Welding & Medical Supply, Inc.	Gas Cylinder Tank Rental Fee; Welding Supplies - Vehicles W01, S02	256.70
73578	04/13/2023	05/08/2023	Valley Saw and Garden Equipment	General Operations/ Maintenance Supplies	165.39
73579	04/25/2023	05/08/2023	Monterey Bay Analytical Services	Laboratory Testing	1,554.00
73580	04/28/2023	05/08/2023	Federal Express	Small Fragile Shipping Box	19.47
73581	04/18/2023	05/08/2023	Conservation Rebate Program	5011 Pacific Crest Dr - (2) Toilet Rebates	150.00
73582	04/20/2023	05/08/2023	Cal-Risk Control Services, Inc	Forklift Training Class	249.00
73583	03/31/2023	05/08/2023	Pacific Ag Rentals LLC	Mobile Restroom Rental - Beach/ Ord Offices	1,103.44
73584	04/25/2023	05/08/2023	Marina Tire & Auto Repair	Oil Change, Replacement Tire Sensor - Vehicle #1803; Oil Change - Vehicle #1802	302.10
73585	04/25/2023	05/08/2023	U.S. Bank National Association	IOP Office Copier Lease 04/20 - 05/19	287.34
73586	05/02/2023	05/08/2023	Monterey Bay Technologies, Inc.	IT Support Services 05/2023; Microsoft Office Licenses; Antivirus Subscription Renewal - 75 Licenses	6,554.21
73587	04/05/2023	05/08/2023	ICONIX Waterworks (US), Inc.	(10) Bolt Up Sets, (9) Ball Curb Stops, (2) Couplings, General Operations/ Maintenance Supplies	3,482.42
73588	04/04/2023	05/08/2023	Evoqua Water Technologies, LLC	(4,113) gals Bioxide - East Garrison LS	17,839.01
73589	04/21/2023	05/08/2023	Aleshire & Wynder, LLP	Legal Services 03/2023	5,744.50
73590	04/28/2023	05/08/2023	AT&T	Phone and Alarm Line Service 04/2023	247.26
73591	04/01/2023	05/08/2023	Verizon Connect NWF, Inc.	GPS Service - (31) Fleet Vehicles 03/2023	574.30
73592	04/13/2023	05/08/2023	GovInvest, Inc.	OPEB, GASB Report Services - Fiscal Year 2023; Fixed Asset Cleanup Project	16,250.00
73593	04/18/2023	05/08/2023	Conservation Rebate Program	4185 Peninsula Point Dr - (3) Toilet Rebates	225.00
73594	04/20/2023	05/08/2023	Conservation Rebate Program	408 Carentan Rd - Washer Rebate	150.00
73595	04/20/2023	05/08/2023	Conservation Rebate Program	210 Cosky Dr - Landscape Rebate	470.31
73596	04/30/2023	05/15/2023	Ace Hardware of Watsonville, Inc.	General Operations/ Maintenance, Meter Reader Supplies	997.51
73597	05/08/2023	05/15/2023	PG&E	Gas and Electric Service 04/2023	90,330.81
73598	05/03/2023	05/15/2023	MBS Business Systems	Copier Maintenance (2) Units 02/06 - 08/05	1,667.78
73599	04/14/2023	05/15/2023	Harris & Associates	Project Management - Recycled Water	120.00
73600	04/19/2023	05/15/2023	Valley Electric Motor Service	125 HP Marathon Motor - Ord Booster C1; Motor Service - Marina Booster Pump 3	7,532.10
73601	05/05/2023	05/15/2023	Federal Express	Shipping Charges	96.60
73602	04/19/2023	05/15/2023	Maggiore Bros Drilling	200 HP US VHS Motor Replacement - Well 29	30,210.00
73603	04/20/2023	05/15/2023	Core & Main LP	General Operations/ Maintenance Supplies	1,161.21
73604	04/27/2023	05/15/2023	American Supply Company	Janitorial Supplies	148.85
73605	04/10/2023	05/15/2023	Fastenal Industrial & Construction Supplies	General Operations/ Maintenance Supplies	1,854.74
73606	04/20/2023	05/15/2023	Don Chapin Co., Inc	(20.09) tons Base Rock, (30.35) tons Top Soil, (14.98) tons Plaster Sand - O&M Yard; Paving - (4) Sites	20,528.14

Check No	Invoice Date	Check Date	Vendor Name	Description	Amount
73607	04/19/2023	05/15/2023	Calcon Systems, Inc.	Alarm Troubleshooting - Ord Village LS; Radio Installation/ Adjustments - Ord Village LS, East Garrison LS; WIN-911 Programming; Radio Link Installation - Main Office to Reservoir 2 and EHP; Troubleshoot SCADA Sewer Radios; Wiring Adjustments - Well 10	9,170.00
73608	04/13/2023	05/15/2023	Sturdy Oil Company	(2) 5-gallon Pails Hydraulic Oil - Vehicles S02, W01	207.58
73609	05/03/2023	05/15/2023	Daiohs USA	Coffee Supplies	453.48
73610	04/30/2023	05/15/2023	ECAM Secure	Monthly Security Fees - Ord Wastewater Treatment Facility	1,218.50
73611	04/28/2023	05/15/2023	Employnet, Inc.	Temporary Customer Service Representatives 04/10 - 04/13, 04/17 - 04/21	5,710.10
73612	03/09/2023	05/15/2023	Green Rubber-Kennedy AG, LP	General Operations/ Maintenance Supplies	146.44
73613	03/30/2023	05/15/2023	Edges Electrical Group, LLC	General Operations/ Maintenance Supplies	122.49
73614	04/18/2023	05/15/2023	Western Exterminator Company	Pest Control - Beach Office 04/2023	119.60
73615	04/27/2023	05/15/2023	Marina Coast Water District (BLM)	BLM Water, Sewer, Fire Service 04/2023	405.85
73616	05/01/2023	05/15/2023	Pure Janitorial, LLC	Janitorial Service - MCWD, BLM Offices 04/2023	5,191.37
73617	04/30/2023	05/15/2023	Cintas Corporation No. 630	Uniforms, Towels, Rugs 04/2023	1,073.12
73618	05/01/2023	05/15/2023	Employee Reimbursement	Boot Benefit - O&M	200.00
73619	04/17/2023	05/15/2023	Psomas	Construction Management - A1/A2 Tanks B/C Booster	58,671.40
73620	04/25/2023	05/15/2023	WEX Bank	Fleet Gasoline 04/2023	7,236.74
73621	04/25/2023	05/15/2023	HPS West, Inc.	(175) Allegro UTG Registers and Plastic Housings; Allegro Pit Unit and Octave Encoder Module	36,244.20
73622	05/02/2023	05/15/2023	SBRK Finance Holdings, Inc.	Springbrook Annual Maintenance 07/2023 - 06/2024	32,667.69
73623	05/03/2023	05/15/2023	PJ Trucking Academy, LLC	ELDT Program/ Class B Driving Course - O&M	5,500.00
73624	04/24/2023	05/15/2023	Conservation Rebate Program	Motel 6 - (121) Toilet Rebates	9,075.00
73625	05/04/2023	05/15/2023	Conservation Rebate Program	The Parks at Monterey Bay - (287) Toilet Rebates	35,875.00
73626	05/01/2023	05/15/2023	Greenwaste Recovery, Inc.	Garbage Collection & Recycling Services 05/2023	801.80
Wire	04/06/2023	05/22/2023	U.S. Bank National Association (Bond Payments)	2015 Series A and 2019 Series Bond Payments	2,362,850.00
73627	04/27/2023	05/22/2023	Becks Shoe Store, Inc. - Salinas	Boot Benefit - O&M	176.44
73628	05/11/2023	05/22/2023	PG&E	Gas and Electric Service 04/2023 - LS 630 Monterey Rd	1,529.44
73629	05/03/2023	05/22/2023	Area Communications	Answering Service 04/05 - 05/02	384.87
73630	04/30/2023	05/22/2023	Monterey Regional Waste Management District	Miscellaneous Refuse Disposal - O&M Yard	206.40
73631	05/11/2023	05/22/2023	MBS Business Systems	Copier Maintenance 02/12 - 08/11	299.44
73632	05/07/2023	05/22/2023	Pitney Bowes Purchase Power (Postage)	Postage Meter Refill	1,026.99
73633	05/02/2023	05/22/2023	Monterey Bay Analytical Services	Laboratory Testing	420.00
73634	05/02/2023	05/22/2023	Water Awareness Comm Mtry	Zun Zun Performances - (2) Marina Vista, (2) Crumpton Elementary School	2,000.00
73635	05/04/2023	05/22/2023	Conservation Rebate Program	3288 Cove Way - Toilet Rebate	75.00
73636	05/16/2023	05/22/2023	Orkin Franchise 925	BLM/ IOP Pest Control 03/2023 - 04/2023	438.00
73637	05/01/2023	05/22/2023	Maynard Group	Network Support 05/2023	5,397.10
73638	04/20/2023	05/22/2023	HD Supply, Inc.	General Operations/ Maintenance Supplies	281.80

Check No	Invoice Date	Check Date	Vendor Name	Description	Amount
73639	05/01/2023	05/22/2023	Koff & Associates	Classification Description - Review/ Development	612.50
73640	04/30/2023	05/22/2023	DataProse, LLC	Customer Billing Statements 04/2023	5,557.14
73641	04/18/2023	05/22/2023	Ewing Irrigation Products, Inc.	General Operations/ Maintenance Supplies	65.54
73642	04/28/2023	05/22/2023	O'Reilly Automotive Stores, Inc.	Auto/ General Supplies	102.80
73643	04/27/2023	05/22/2023	Kelly-Moore Paint Company, Inc.	General Operations/ Maintenance Supplies	127.80
73644	03/28/2023	05/22/2023	Sabre Backflow, LLC	General Operations/ Maintenance Supplies	142.59
73645	05/09/2023	05/22/2023	CCOI Gate & Fence	Gate Repair - BLM	456.19
73646	04/19/2023	05/22/2023	Calcon Systems, Inc.	PLC/ SCADA Panel - Hatten LS; Radio Network Parts - Water Sites	16,250.38
73647	05/12/2023	05/22/2023	Employnet, Inc.	Temporary Customer Service Representatives 04/24 - 04/27; 05/01 - 05/05, 05/08	6,517.40
73648	05/16/2023	05/22/2023	U.S. Bank National Association	Beach Office Copier Lease 05/10 - 06/09	275.32
73649	05/01/2023	05/22/2023	Boutin Jones, Inc.	Legal Services 04/2023	2,888.00
73650	05/06/2023	05/22/2023	Eurofins Eaton Analytical, LLC	Laboratory Testing	3,763.00
73651	05/04/2023	05/22/2023	Buckles-Smith Electric Co.	General Operations/ Maintenance Supplies	253.34
73652	05/03/2023	05/22/2023	Aleshire & Wynder, LLP	Legal Services 04/2023	550.00
73653	04/30/2023	05/22/2023	Peninsula Messenger LLC	Courier Service 05/2023	242.00
73654	05/06/2023	05/22/2023	TIAA, FSB	Ord Office Copier, eCopy ScanStation Leases 05/2023	422.04
73655	04/30/2023	05/22/2023	Iron Mountain, Inc.	Shredding Service 04/2023	317.38
73656	05/01/2023	05/22/2023	Simpler Systems, Inc.	UB/ Finance Datapp Maintenance 05/2023	500.00
73657	04/30/2023	05/22/2023	Johnson Electronics	BLM Fire Alarm Monitoring 04/2023 - 06/2023	84.00
73658	05/04/2023	05/22/2023	Conservation Rebate Program	Comfort Inn - (39) Toilet Rebates	3,900.00
73659	05/01/2023	05/22/2023	Verizon Connect NWF, Inc.	GPS Service - (31) Fleet Vehicles 04/2023	589.00
73660	05/08/2023	05/22/2023	SBRK Finance Holdings, Inc.	CivicPay/ CivicPay IVR Transaction Fees 04/2023	1,945.00
73661	05/02/2023	05/22/2023	Conservation Rebate Program	3212 Vista Del Camino Cir - Landscape Rebate	987.00
73662	05/04/2023	05/22/2023	Conservation Rebate Program	3108 Messinger Dr - Washer Rebate	100.00
73663	05/17/2023	05/22/2023	Employee Reimbursement	Parking - 2023 ACWA Spring Conference	36.00
73664	04/30/2023	05/31/2023	Insight Planners	Web Development/ Maintenance and Hosting 04/2023; 2022 CCR - Layout/ Production	3,319.00
73665	05/03/2023	05/31/2023	Monterey Peninsula Engineering	Ord Village LS - Construction Pmts 19, 20	13,775.00
73666	05/09/2023	05/31/2023	Monterey Bay Analytical Services	Laboratory Testing	420.00
73667	05/12/2023	05/31/2023	Fast Response On-Site Testing	Annual Mask Fit, Hearing Tests	640.00
73668	05/08/2023	05/31/2023	Rauch Communication Consultants, Inc.	Public Relations 03/2023	19,783.89
73669	05/10/2023	05/31/2023	SWRCB - DWOCP	Grade II Water Treatment Certification Renewal	60.00
73670	05/05/2023	05/31/2023	Staples Credit Plan	Office Supplies	310.41
73671	05/12/2023	05/31/2023	Federal Express	Shipping Charges	93.35
73672	04/24/2023	05/31/2023	Fastenal Industrial & Construction Supplies	General Operations/ Maintenance Supplies	495.35
73673	05/03/2023	05/31/2023	Val's Plumbing & Heating, Inc.	HVAC Service - IOP/ BLM Offices	2,269.03
73674	04/24/2023	05/31/2023	E&M Electric and Machinery, Inc.	Historian/ Support Renewal 07/16/23 - 07/15/24	7,405.00
73675	04/30/2023	05/31/2023	Pacific Ag Rentals LLC	Mobile Restroom Rental - Beach/ Ord Offices	1,022.94

Check No	Invoice Date	Check Date	Vendor Name	Description	Amount
73676	05/03/2023	05/31/2023	Industrial Safety Gear	General Operations/ Maintenance Supplies	1,109.04
73677	05/05/2023	05/31/2023	Green Rubber-Kennedy AG, LP	General Operations/ Maintenance Supplies	279.84
73678	05/08/2023	05/31/2023	U.S. Bank Corporate Payment Systems	Employment Advertisements (Cross-Connection Control Specialist, Water Resources Intern/ Analyst); (6) Traffic Cone Bars, Sewer Tools - O&M; Truck Bed Lining - Vehicles 2302, 2303; 800A Breaker Repair - Watkins Gate Well; 2023 GM Leadership Summit and Hotel - GM; 2023 ACWA Spring Conference/ Expo, SGMA Implementation Summit/ Workshop and Hotel - Water Resources Manager; Backflow Assembly Tester Exam Fee - O&M; Zoom Pro/ Webinar Service; Cloud Hosted Server - CityWorks/ ESRI; SCADA Mobile/ Laptop Hotspot; SCADA Internet Service	20,478.67
73679	05/03/2023	05/31/2023	Federico Embroidery	Hat Embroidery - O&M	125.00
73680	05/04/2023	05/31/2023	Community Printers, Inc.	(15,700) 2022 Consumer Confidence Report - Split/ Shipped	5,265.53
73681	09/28/2022	05/31/2023	ChargePoint, Inc.	ChargePoint Network Software Services 10/12/22 - 10/11/23	1,035.00
73682	04/30/2023	05/31/2023	AutoZone Parts, Inc.	Auto/ General Supplies	8.73
73683	04/24/2023	05/31/2023	Golden State Truck and Trailer Repair, Inc.	Air Bag Replacement - Vehicle #2001	223.38
73684	05/10/2023	05/31/2023	Zanjero, Inc.	CIP Program Tool 04/2023; Water Supply Investigations Phase 1 04/2023; Desal Plant Program Management 04/2023	11,850.00
73685	04/25/2023	05/31/2023	RoadSafe Traffic Systems, Inc.	(30) 28" Traffic Cones, (50) Type 1 Barricades	3,480.93
73686	05/11/2023	05/31/2023	Conservation Rebate Program	2975 Bluffs Dr - Washer Rebate	150.00
73687	05/11/2023	05/31/2023	Conservation Rebate Program	1107 Jackson Ct - Washer Rebate	150.00
73688	05/11/2023	05/31/2023	Conservation Rebate Program	615 Thomas Ct - Washer Rebate	100.00
73689	05/23/2023	05/31/2023	Customer Service Refund	Refund Check - Hydrant Meter	1,117.72
73690	05/23/2023	05/31/2023	Customer Service Refund	Refund Check - 217 9th St	89.99
73691	05/23/2023	05/31/2023	Customer Service Refund	Refund Check - Hydrant Meter	1,962.98
73692	05/23/2023	05/31/2023	Customer Service Refund	Refund Check - 18910 Kilpatrick Ln	93.75
73693	05/23/2023	05/31/2023	Customer Service Refund	Refund Check - Hydrant Meter	2,159.61
73694	05/23/2023	05/31/2023	Customer Service Refund	Refund Check - 2006 Canvas Way	89.99
73695	05/23/2023	05/31/2023	Customer Service Refund	Refund Check - Hydrant Meter	2,135.92
73696	05/23/2023	05/31/2023	Customer Service Refund	Refund Check - 3249 Coral Way	32.14
73697	05/23/2023	05/31/2023	Customer Service Refund	Refund Check - 159 Okinawa Rd	40.00
73698	05/23/2023	05/31/2023	Customer Service Refund	Refund Check - 2765 Telegraph Blvd	19.00
73699	05/23/2023	05/31/2023	Customer Service Refund	Refund Check - 1825 Wedemeyer Ct	27.03
73700	05/23/2023	05/31/2023	Customer Service Refund	Refund Check - 3003 Concord Ct	60.92
501515	04/25/2023	05/05/2023	AFLAC	Employee Paid Benefits 04/2023	1,901.58
501516	04/19/2023	05/05/2023	Employee Reimbursement	Drug Test (DOT) - O&M	115.00
501517	04/26/2023	05/05/2023	Employee Reimbursement	Class B License Exam, CWEA Membership, Grade I Collection System Exam Fees	476.00
501518	04/17/2023	05/05/2023	Principal Life	Employee Paid Benefits 05/2023	211.24

Check No	Invoice Date	Check Date	Vendor Name	Description	Amount
501519	04/19/2023	05/05/2023	Transamerica Life Insurance Company	Employee Paid Benefits 04/2023	427.32
ACH	05/12/2023	05/12/2023	Payroll Direct Deposit	Payroll Ending 05/05/23	123,187.40
ACH	05/12/2023	05/12/2023	CalPERS	Payroll Ending 05/05/23	28,127.19
ACH	05/12/2023	05/12/2023	Empower Retirement	Payroll Ending 05/05/23	14,439.91
ACH	05/12/2023	05/12/2023	Internal Revenue Service	Payroll Ending 05/05/23	48,799.18
ACH	05/12/2023	05/12/2023	State of California - EDD	Payroll Ending 05/05/23	10,046.17
ACH	05/12/2023	05/12/2023	WageWorks, Inc.	Payroll Ending 05/05/23	910.33
501520	05/12/2023	05/12/2023	General Teamsters Union	Payroll Ending 05/05/23	688.00
501521	05/12/2023	05/12/2023	MCS	Payroll Ending 05/05/23	565.56
501522	05/04/2023	05/15/2023	ACWA/ JPIA	Medical, Dental, Vision, EAP Insurance 06/2023	77,705.93
501523	05/09/2023	05/15/2023	Employee Reimbursement	Grade III Collection System Exam Fee	210.00
501524	05/05/2023	05/15/2023	Lincoln National Life Insurance Company	Life, Short/ Long Term Disability, AD&D Insurance 05/2023	3,205.32
50525			Void		
501526	05/04/2023	05/15/2023	Employee Reimbursement	Grade II Collection System Exam Fee	200.00
501527	05/15/2023	05/15/2023	Employee Reimbursement	Grade II Water Distribution Exam, Certification Fees	125.00
501528 - 501529	05/23/2023	05/23/2023	Board Compensation Checks and Direct Deposit	Board Compensation 04/2023	507.92
ACH	05/23/2023	05/23/2023	Internal Revenue Service	Board Compensation 04/2023	84.16
ACH	05/26/2023	05/26/2023	Payroll Direct Deposit	Payroll Ending 05/19/23	130,837.43
ACH	05/26/2023	05/26/2023	CalPERS	Payroll Ending 05/19/23	28,238.71
ACH	05/26/2023	05/26/2023	Empower Retirement	Payroll Ending 05/19/23	13,987.91
ACH	05/26/2023	05/26/2023	Internal Revenue Service	Payroll Ending 05/19/23	54,419.80
ACH	05/26/2023	05/26/2023	State of California - EDD	Payroll Ending 05/19/23	11,367.56
ACH	05/26/2023	05/26/2023	WageWorks, Inc.	Payroll Ending 05/19/23	910.33
501530	05/26/2023	05/26/2023	MCS	Payroll Ending 05/19/23	216.00
Total Disbursements for May 2023					4,595,468.28

**Marina Coast Water District
Agenda Transmittal**

Agenda Item: 10-B

Meeting Date: June 19, 2023

Prepared By: Paula Riso

Approved By: Remleh Scherzinger P.E.

Agenda Title: Approve the Draft Minutes of the Regular Joint Board/GSA Meeting of May 15, 2023

Staff Recommendation: Approve the draft minutes of the May 15, 2023 regular joint Board/GSA meeting.

Background: *Strategic Plan, Mission Statement – We provide our customers with high quality potable and recycled water, wastewater collection and conservation services that are safe, affordable, reliable and sustainable, through planning, management and the development of water resources in an environmentally sensitive manner.*

Discussion/Analysis: The draft minutes of May 15, 2023 are provided for the Board to consider approval.

Environmental Review Compliance: None required.

Legal Counsel Review: None required.

Climate Adaptation: Not applicable.

Financial Impact: ____ Yes X No **Funding Source/Recap:** None

Other Considerations: The Board can suggest changes/corrections to the minutes.

Material Included for Information/Consideration: Draft minutes of May 15, 2023.

Action Required: ____ Resolution X Motion ____ Review

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____ Abstained _____

Noes _____ Absent _____



Marina Coast Water District

Marina Coast Water District

Regular Board Meeting/Groundwater Sustainability Agency Board Meeting
May 15, 2023

Draft Minutes

1. Call to Order:

President Shriner called the meeting to order at 6:31 p.m. on May 15, 2023 both in-person at 920 2nd Avenue, Suite A, Marina, California; and, via Zoom teleconference. President Shriner then proceeded with a land acknowledgement. “As Marina Coast Water District celebrates its 63rd year providing publicly owned water service to its customers in Marina and the Ord Community, we acknowledge that our service 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
Herbert Cortez – Vice President
Thomas P. Moore
Gail Morton
Brad Imamura – arrived at 6:39 p.m.

Board Members Absent:

None.

Staff Members Present:

Remleh Scherzinger, General Manager
Roger Masuda, District Counsel
Derek Cray, Operations and Maintenance Manager
Mary Lagasca, Director of Administrative Services
Patrick Breen, Water Resources Manager
Garret Haertel, District Engineer
Teo Espero, IT Administrator
Paula Riso, Executive Assistant/Clerk to the Board

Agenda Item 2 (continued):

Audience Members:

Andy Sterbenz, Schaaf & Wheeler
Sarah Beesen, MCWD
Stephenie Verduzco, MCWD
Josh Goncalves, MCWD
Alexia Rapoport
Don Hofer, Shea Homes
Doug Yount, Shea Homes

3. Pledge of Allegiance:

Director Morton led everyone present in the pledge of allegiance.

4. Oral Communications:

There were no public comments made.

5. Presentation:

A. Adopt Resolution No. 2023-16 to Recognize Corey Luongo, Lead Operator, for 5 Years of Service to the Marina Coast Water District:

Mr. Derek Cray, Operations and Maintenance Manager, introduced this item congratulating Mr. Luongo for his five years at the District and wished him many more years to come. Ms. Sarah Beesen, MCWD employee, congratulated Mr. Luongo and voiced her pleasure in working with him in the Operations and Maintenance department.

Director Moore made a motion to adopt Resolution No. 2023-16 to recognize Corey Luongo, Lead Operator, 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 Imamura	-	Yes	Vice President Cortez	-	Yes
Director Moore	-	Yes	President Shriner	-	Yes
Director Morton	-	Yes			

President Shriner read the narration of the Resolution.

6. Consent Calendar:

Director Imamura requested to pull Items D, and F, from the Consent Calendar. Director Morton requested to pull Item E from the Consent Calendar.

Agenda Item 6 (continued):

Director Moore made a motion to approve the Consent Calendar consisting of: A) Receive and File the Check Register for the Month of April 2023; B) Approve the Draft Minutes of the Regular Joint Board/GSA Meeting of April 17, 2023; and, C) Approve the Draft Minutes of the Special Joint Board/GSA Meeting of May 2, 2023. Vice President Cortez seconded the motion. The motion was passed by the following vote:

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

D. Adopt Resolution No. 2023-17 Rescinding the Water Shortage Contingency Plan Stage 2 and Declaring Normal Water Conditions Exist:

Director Imamura asked what ‘normal’ water conditions meant and suggested that the District keep encouraging water conservation so we will be prepared for the next water shortage. Director Morton commented that she agrees with Director Imamura and suggested updating appropriate policies and/or ordinance.

Director Morton made a motion to adopt Resolution No. 2023-17 rescinding the Water Shortage Contingency Plan Stage 2 and declaring normal water conditions exist, and direct staff to work on updating the policy and Ordinance. Director Imamura seconded the motion. The motion was passed by the following vote:

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

E. Adopt Resolution No. 2023-18 to Award a Sole Source Contract to Calcon Systems for Supervisory Control and Data Acquisition (SCADA) and Motor Control Center (MCC) On-Call Services:

Director Morton questioned cyber security and asked if the company has vetted their employees who work on the system. Mr. Cray answered their employees are vetted by Calcon company.

Director Morton made a motion to adopt Resolution No. 2023-18 to award a Sole Source Contract to Calcon Systems for Supervisory Control and Data Acquisition (SCADA) and Motor Control Center (MCC) On-Call Services. Director Moore seconded the motion. The motion was passed by the following vote:

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

F. Adopt Resolution No. 2023-19 to Award a Contract to the Don Chapin Company, Inc., and Monterey Peninsula Engineering for On-Call Construction Services:

Director Imamura asked why only two of the six companies responded to the Request for Qualifications. Mr. Cray answered that many companies don't want to get locked into a 5-year contract. Discussion followed.

Director Imamura made a motion to adopt Resolution No. 2023-19 to award a contract to the Don Chapin Company, Inc., and Monterey Peninsula Engineering for On-Call Construction Services. Director Moore seconded the motion. The motion was passed by the following vote:

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

7. Staff Report:

A. Receive the First Quarter Investment Report for Calendar Year 2023:

Ms. Mary Lagasca, Director of Administrative Services, introduced this item and reviewed the first quarter investment report with the Board.

8. Budget Workshop:

A. Receive Presentation on the Proposed FY 2023-2024 District Budget and Provide Direction Regarding Preparation of the Final Budget Documents:

Ms. Lagasca introduced this item, noting a list of corrections made since the packet was sent out the previous week, was provided. She gave a brief presentation on the proposed FY 2023-2024 District budget. The Board asked clarifying questions and Director Moore suggested reviewing and possibly revising policy 6.08.070 regarding reserves. The Board suggested some edits to the budget, and voiced their appreciation of the excellent job staff did on the presentation and appearance of the budget.

Mr. Doug Yount, Shea Homes, commented that the budget presentation was excellent, professional, and appreciated the ease and clarity of the budget documentation. He suggested that the funds be separated in the slides and not just a summary. He asked that the updated budget and presentation slides be provided. Staff will make sure they are available on the District website for review.

Mr. Don Hofer, Shea Homes, also noted that the budget was well done and appreciated the quality of the document. He stated that he noticed some of the developer funded projects were not shown in the current budget and hoped to review it more clearly.

Staff will work with Mr. Hofer to ensure all the parties are in agreement with the proposed projects.

9. Informational Items:

A. General Manager's Report:

Mr. Scherzinger thanked Ms. Lagasca for all the hard work, time, and effort she and other managers put into pulling the budget together.

B. Committee and Board Liaison Reports:

1. Budget and Engineering Committee:

Director Morton gave a brief update.

2. M1W Board Member Liaison:

Director Moore gave a brief update.

10. Board Member Requests for Future Agenda Items:

The Board asked for an update to the Water Conservation Ordinance, the Water Shortage Contingency Plan, and the Reserve Policy.

11. Director's Comments:

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

12. Adjournment:

The meeting was adjourned at 9:25 p.m.

APPROVED:

Jan Shriner, President

ATTEST:

Paula Riso, Deputy Secretary

**Marina Coast Water District
Agenda Transmittal**

Agenda Item: 11-A

Meeting Date: June 19, 2023

Submitted By: Mary Lagasca

Approved By: Remleh Scherzinger P.E.

Agenda Title: Adoption of Resolution No. 2023-21 to Adopt the Marina Coast Water District Budget for FY 2023-2024 and Waive Section 6.08.070 of the District Code for FY 2023-2024

Staff Recommendation: Adopt Resolution No. 2023-21 to adopt the Marina Coast Water District Budget for FY 2023-2024 and waive Section 6.08.070 of the District Code for FY2023-2024.

Background: *Strategic Plan, Objective No. 3 – To manage public funds to assure financial stability, prudent rate management, and demonstrate responsible stewardship. Our fiscal strategy is to forecast, control and optimize income and expenditures in an open and transparent manner. We will efficiently use our financial resources to assure availability to fund current and future demands.*

On January 10, 2023, the Budget & Personnel Committee set the date for the FY 2023-2024 Budget Workshop for April 17, 2023. However, due to staff updates to the capital improvement program and scheduling issues, the workshop was rescheduled to May 15, 2023.

Discussion/Analysis: Based on Board discussion from the May 15th Budget Workshop and further refinements from staff, the FY 2023-2024 has been updated and included for the Board’s review. A detailed list of line item revisions from the May 15, 2023 version of the FY 2023-2024 Budget has been included for the Board’s consideration.

Also, discussed at the Budget Workshop was the waiver of Section 6.08.070 of the District Code for FY 2023-2024. Section 6.08.070 of the District Code provides that twenty-five percent of all monthly charges collected by the District shall be used for long-term water supply projects, but that this requirement may be waived by the Board on an annual basis. Based on projected funding mechanisms and requirements, staff recommends that the Board waive the requirements of Section 6.08.070 of the District’s Code for FY 2023-2024.

Environmental Review Compliance: None required.

Legal Counsel Review: None required.

Climate Adaptation: Not applicable.

Financial Impact: ___ Yes ___ **X** ___ No

Funding Source/Recap: None

Materials Included for Information/Consideration: Resolution No. 2023-21; List of Revisions to the May 15, 2023 version of the FY 2023-2024 District Budget; and, FY 2023-2024 District Budget dated June 19, 2023 (provided separately).

Action Required: X Resolution _____ Motion _____ Review
(Roll call vote is required.)

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____ Abstained _____

Noes _____ Absent _____

June 19, 2023

Resolution No. 2023 - 21
Resolution of the Board of Directors
Marina Coast Water District

Adopt the Marina Coast Water District Budget for FY 2023-2024
and Waive Section 6.08.070 of the District Code for FY 2023-2024

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on June 19, 2023, at 920 Second Avenue, Suite A, Marina, CA, as follows:

WHEREAS, staff prepared and presented the FY 2023-2024 District Budget that includes projected revenues, expenditures, and capital improvement projects for the six cost centers of the District’s Water, Wastewater, Recycled Water systems, and the MCWD Groundwater Sustainability Agency; and,

WHEREAS, rates, fees, and charges; excluding capacity fees for the Central Marina service area were adopted by the Board in Ordinances 60; and,

WHEREAS, rates, fees, and charges; excluding capacity fees for the Ord Community service area were adopted by the Board in Resolution No. 2018-12; and,

WHEREAS, the District Board reviewed the proposed FY 2023-2024 Budget on May 15, 2023, and provided updates to the document which have been incorporated; and,

WHEREAS, Section 6.08.070 of the District Code provides that twenty-five percent of all monthly charges collected by the District shall be used for long-term water supply projects, but that this requirement may be waived by the Board on an annual basis; and,

WHEREAS, the Board finds, based on projected funding mechanisms and requirements, that it is in the District’s interest to waive the requirements of Section 6.08.070 of the District’s Code for FY 2023-2024.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors of the Marina Coast Water District does hereby:

1. Adopt Resolution No 2023-21 to adopt the FY 2023-2024 Budget of the Marina Coast Water District.
2. Waive Section 6.08.070 of the District Code for FY 2023-2024.

PASSED AND ADOPTED on June 19, 2023, by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors _____

Noes: Directors _____

Absent: Directors _____

Abstained: Directors _____

Jan Shriner, President

ATTEST:

Remleh Scherzinger, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true, and correct copy of Resolution No. 2023-21 adopted June 19, 2023.

Remleh Scherzinger, Secretary

List of Changes from Budget Workshop Version:

1. P7 – Board of Directors- updated narrative for Vice President Cortez and Director Moore; changed arrangement of Board Members
2. P15 – Cost Allocation- added source number for basis of cost allocation
3. P21 – Key Assumptions- updated debt service payment schedule
4. P23-30 – Rates- updated capacity charge rates
5. P31-32 – Budget Summary- updated interest expense and principal debt service payment, due to new schedules received from State Water Board for SRF Loans
 - a. Principal payment – decrease by \$20,500
 - b. Interest expense – increase by \$45,500
 - c. Net increase in expense by \$25,000
6. P39 – Expense Budget Summary- updated interest expense and principal debt service
7. P42 – Administration Dept – updated interest expense
8. P113-115 – Debt Service Obligations – updated schedule for SRF 110 & SRF 120 loans
9. P117 – D/S Graph – updated debt service payment
10. P118 – Debt Service Coverage – updated D/S Coverage Ratio
11. P119-123 – Reserves – Updated reserve balances for RUWAP Debt Service
12. Moved General Rates, Fees & Other Charges from appendix to Rates Section
13. Moved CIP Detailed Pages from appendix to CIP Section
14. Moved Salary Schedule from appendix to Staff Section

**Marina Coast Water District
Agenda Transmittal**

Agenda Item: 11-B

Meeting Date: June 19, 2023

Prepared By: Garrett Haertel P.E.

Approved By: Remleh Scherzinger, P.E.

Agenda Title: Consider Adoption of Resolution No. 2023-13 Regarding a Variance to the Application of MCWD Water Code Section 5.16.190 *Sewer System Easements* for the Dunes of Monterey Bay Phase 2 West, Marina, CA

Staff Recommendation: Adopt Resolution No. 2023-13 approving a variance to the application of MCWD Water Code Section 5.16.190 for the Dunes of Monterey Bay Phase 2 West in Marina, CA.

Background: *Strategic Plan, Strategic Element 2.0 Infrastructure – Our objective is to provide a high quality water distribution system and an efficiently operating wastewater collection system to serve existing and future customers. Through the master planning process, our infrastructure strategy is to carefully maintain our existing systems and ensure future additions and replacements will meet District Standards.*

Shea Homes, LP (Developer), has submitted a Variance Request (Exhibit A), which requests relief from the strict application of MCWD Water Code Section 5.16.190 for the Dunes of Monterey Bay Phase 2 West Development. That section of the Water Code states: “In the event that an easement is required for the extension of the public sewer or the making of connections, the applicant shall procure and have accepted by the board a proper easement or grant of right-of-way sufficient in law to allow the laying and maintenance of such extension or connection. ...”

The District’s standard easement is described in MCWD’s Procedure Guidelines and Design Requirements (Guidelines) Section 300.7 which states: “For sewer facilities outside of the public right-of-way, an easement is required for construction and/or maintenance of sewer facilities, including but not limited to, sewer lines, manholes, and lift stations. Minimum easement width shall be 20-feet for sewer lines....”. Also included is a similar requirement for water lines where a minimum easement of 20-feet is required. For the Dunes of Monterey Bay Phase 2 West, the Developer is requesting water and sewer easements that are less than 20-feet wide for each separate utility main.

In order to provide a code compliant easement, the lot footprints would be reduced to a size essentially unworkable by the Developer due to street and specific plan requirements as set for below.

The City of Marina approved Specific Plan for the Dunes on Monterey Bay project, requires a variety of street types to be utilized within the development, some of which are 20-foot wide privately owned Lanes which allow for site planning to load garages from the rear of each residential unit as opposed to a street frontage which is generally consistent with previous phases of the total project.

To mitigate potential issues which could arise from the variance, the Developer would construct an MCWD public water main and sewer main within a 28-foot total width public utility

easement (PUE) with 10 feet minimum separation between wet utilities and a joint dry utility trench in between (and 20-foot Lane) for this portion of the development.

Developer has also agreed to provide and record a Covenant and Agreement Regarding Water District Facilities (the “Covenant” – Exhibit B), which relieves MCWD of any responsibility or obligation to repair or replace appurtenances above the subgrade, including sidewalks, pavers, landscaping, curbs, etc. affected by necessary repairs to the water and sanitary sewer pipes.

While the granting of a variance will maintain appropriate separation between the 8-inch water and 6-8-inch sewer pipes in the available PUE, it will result in a less than standard distance from each pipe to the outside edge of the easement. (10-feet is the standard distance from pipe centerline or 20-foot total width, whereas the variance will result in 7.5-feet for water pipes and 9.5-feet for sewer pipes from pipe centerline). In addition, the space within the available easement will be fully utilized to ensure that the pipes are accessible if repairs are ever needed and the facilities will not be impacted by adjoining structures.

Furthermore, District staff analyzed the potential for pipeline failure in the event the variance was granted. (The two most common types of pipe failure are defective pipe manufacture and defective installation.) MCWD recently added an Engineering Technician to the Engineering Department staff and that individual along with contracted building inspectors review all materials to be installed and observe installation activities. These actions minimize potential risk of the minute probability of pipe failure.

Discussion/Analysis: In accordance with the MCWD Water Code, the MCWD Board must make three affirmative findings in order to grant a variance from the Water Code. Based on the Variance Request submitted and other salient project features that make the Dunes of Monterey Bay Phase 2 West unique in its characteristics, the MCWD Board should consider those findings as follows:

1. This variance will allow the Dunes of Monterey Bay Phase 2 West Development to proceed without undue hardship; and,
2. The variance would not cause a significant adverse effect to the water supply or service to other persons served by the District because the recorded Covenant would assure the ratepayers are not paying for the work to repair or replace appurtenances above subgrade for the water and sewer pipe; and,
3. Granting the variance and accepting the recorded Covenant would remove any responsibility or obligation on behalf of the District for repairs and replacement of appurtenances above the subgrade, including sidewalks, pavers, landscaping, curbs, etc. affected by necessary repairs to the water and sanitary sewer pipes; and,
4. The variance is in the best interest of the District as it allows the project applicant and MCWD to operate in a timely fashion, and without undue delay.

District staff recommends the MCWD Board of Directors approve Resolution No. 2023-13 granting the variance request for the Dunes of Monterey Bay Phase 2 West easement width modification.

Environmental Review Compliance: None required.

Legal Counsel Review: Legal Counsel has reviewed this particular variance request for compliance with MCWD’s requirements.

Climate Adaptation: This variance provides an opportunity for a development project to be completed that was designed with Low-Impact Development (LID) as a component of design. LID refers to systems and practices that use or mimic natural processes that result in the infiltration, evapotranspiration or use of stormwater in order to protect water quality and associated aquatic habitat. Given the close proximity to the Monterey Bay Natural Marine Sanctuary and other sensitive environmental areas, reducing impacts are paramount. MCWD will continue to work with the development community to produce projects that minimize impacts while utilizing requirements of the District in the final design.

Financial Impact: Yes No **Funding Source/Recap:** With the recorded Covenant, the risk to work in close proximity to driveways and other improvements is reduced. The Covenant and Agreement would require the developer and its successors to pay for any work that may result in working in close proximity to improvements.

Other Considerations: None recommended.

Material Included for Information/Consideration: Resolution No. 2023-13; Exhibit A - Variance Request by Shea Homes LP, Master Developer for the Dunes of Monterey Bay Phase 2 West; Exhibit B - Draft Covenant; and Exhibits C-E - maps showing the Phase 2 West layout.

Action Required: Resolution Motion Review
(Roll call vote is required.)

Board Action

Motion By: _____ Seconded By: _____ No Action Taken: _____

Ayes: _____ Abstained: _____

Noes: _____ Absent: _____

June 19, 2023

Resolution No. 2023-13
Resolution of the Board of Directors
Marina Coast Water District
Approving a Variance to the Application of MCWD Water Code Section 5.16.190
for the Dunes of Monterey Bay Phase 2 West in Marina, CA

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“MCWD”), at a regular meeting duly called and held on June 19, 2023 at 920 Second Avenue, Suite A, Marina, California as follows:

WHEREAS, MCWD and the Master Developer entered into the Dunes of Monterey Bay Phase 2 West Water, Sewer, and Recycled Water Infrastructure Agreement on May 18, 2022; and,

WHEREAS, the Water, Sewer, and Recycled Water Infrastructure Agreement Section 10.1 states: “Developer shall obtain all easements (excluding easements within existing public rights of way) necessary for ingress and egress to and from the facilities for the purpose of installation, operation, maintenance, replacement and removal of said facilities and for the location of the facilities. Pipeline easements shall be 20-feet in width or as otherwise agreed by the District Engineer and Developer.”; and,

WHEREAS, the Water Code Section 5.16.190 states: “In the event that an easement is required for the extension of the public sewer or the making of connections, the applicant shall procure and have accepted by the board a proper easement or grant of right-of-way sufficient in law to allow the laying and maintenance of such extension or connection.”; and,

WHEREAS, the MCWD Procedure Guidelines and Design Requirements, Section 300.7 states in part: “For sewer facilities outside of the public right-of-way, an easement is required for construction and/or maintenance of sewer facilities, including but not limited to, sewer lines, manholes, and lift stations. Minimum easement width shall be 20-feet for sewer lines...”; and,

WHEREAS, the MCWD Procedure Guidelines and Design Requirements, Section 300.7 states in part: “For water... facilities outside of the public right-of-way, an easement is required for construction and/or maintenance of water facilities, including but not limited to, water mains, hydrants, Minimum easement width shall be 20-feet for water mains...”; and,

WHEREAS, Shea Homes, LP, (Developer), Master Developer for the Dunes of Monterey Bay Phase 2 West project, has submitted a Variance Request (attached); and,

WHEREAS, the Variance Request asks the MCWD Board of Directors to waive Water Code Section 5.16.190 and direct MCWD staff to review and accept a project design that does not include the required easement but does include a public utility easement and a “Covenant and Agreement Regarding Water District Facilities” with conditions which expressly relieves the District from any responsibility for repairs and replacement of appurtenances above the subgrade, including sidewalks, pavers, landscaping, curbs, etc. for necessary repairs to the water and sanitary sewer pipes; and,

WHEREAS, the three findings that are required to support a recommendation to the Board are contingent on the Developer executing and recording a utility easement to reduce the risk to the District with allowing infrastructure in close proximity to improvements; and,

WHEREAS, MCWD Water Code Section 2.08 Variances requires the MCWD Board of Directors to make a determination that:

1. The strict application of the code would result in unfair or unequal treatment, undue hardship, or an emergency condition exists which requires that the variance be granted; and,
2. Granting the variance will not cause a significant adverse effect on the water supply or on service to other persons served by the District, and,
3. The variance is in the best interest of the District.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby make the following findings:

1. Strict application of the code would result in an undue hardship to the Dunes of Monterey Bay Phase 2 West Development by causing a complete redesign of the project that would be infeasible which requires that the variance be granted; and,
2. Granting the variance will not cause a significant adverse effect on the water supply or on service to other persons served by the District because the Variance Request conditions result in a recorded public utility easement which will not result in any increased obligation of the District or its rate payers; and,
3. The variance is in the best interests of the District because variance would not result in additional burdens to the rate payers while working with local developers towards a successful project; and,
4. The recorded "Covenant and Agreement Regarding Water District Facilities," shall include conditions that expressly state the District has no responsibility for repairs and replacement of appurtenances above the subgrade, including sidewalks, pavers, landscaping, curbs, etc. for necessary repairs to the water and sanitary sewer pipes, and that these obligations will be at the Developer or Developer's successor-in-interest cost and expense.

BE IT FURTHER RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby:

1. grant the variance to the application of MCWD Water Code Section 5.16.190 for the Dunes of Monterey Bay Phase 2 West Development; and,
2. directs the General Manager to take all actions and execute all documents as may be necessary or appropriate to give effect to this resolution.

PASSED AND ADOPTED on June 19, 2023 by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors _____
Noes: Directors _____
Absent: Directors _____
Abstained: Directors _____

Jan Shriner, President

ATTEST:

Remleh Scherzinger, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2023-13 adopted June 19, 2023.

Remleh Scherzinger, Secretary



Variance Request Form for Marina Coast Water District

Assigned _____
Reviewed _____
Granted / Denied _____
Account No. _____

PART A – APPLICANT INFORMATION

Requested Variance (include District Code Section) Section 300.7

Date of Submittal of Variance Request 3-9-2023

Has applicant applied for the same or similar variance previously? YES NO UNKNOWN

If YES, to above, please provide details _____

Request:

Name of Applicant (Contact) Jack Gao

Applicant Relationship to Owner Project Manager for MCP and Shea Homes LP

Billing Name (if different from above) Shea Homes LP

Street/Mailing Address for Variance 110 10th Street City Marina State CA Zip 93933

Street/Mailing Address for Billing (if different) 2630 Shea Center Drive, Livermore, CA 94551

Daytime Phone Number (925)640-5846 Fax Number _____

PART B – BASIS OF VARIANCE REQUEST

1. The strict application of the code would result in unfair or unequal treatment, undue hardship, or an emergency condition exists which requires that the variance be granted; and,
2. Granting the variance will not cause a significant adverse effect on the water supply or on service to other persons served by the district; and,
3. The variance is in the best interests of the district.

This variance request may only be based on the above conditions. Please briefly describe the basis of your request and provide documentation of need in Part C. If further space is required in the completion of this form, provide a note of such and attach supporting documentation with application.

Request to construct an MCWD public water main and sewer main within a 28-foot utility easement (and 20-foot Lane) as a part of the Dunes on Monterey Bay Phase 2 West Development. In order to keep appropriate separation between the 8-inch water and 6-8-inch sewer pipes in the available easement, the distance to the edge of the easement from each pipe is less than 10-feet (7.5-feet for water and 9.5-feet for sewer), with 10-feet being the typical setback when a pipe is centered in a 20-foot easement.

Reason for requesting this variance:

1. The Specific Plan for The Dunes on Monterey Bay project outlines a variety of street types to be utilized for the development, some of which are 20' wide Lanes that allow for site planning that loads garages from the rear as opposed to a street frontage. Consistent with previous phases, certain lots in Phase 2 West cannot be served with water or sewer service except from the Lane as the fronts of the lots either face open space or existing streets without water or sewer mains.
2. The proposed Phase 2 West condition is consistent with those of previous Dunes phases and other developments within the district which have a history of functioning appropriately.
3. The space within the available easement was fully utilized to ensure that the pipes are accessible if repairs are ever needed and are not impacted by adjoining structures.

PART C – EVIDENCE TO SUPPORT VARIANCE

Provide documentation to support you request. Documentation should concisely prove the need for a variance. Please list documents below and attach copies with your application. Original records will not be returned.

Design follows the adopted University Village Specific plan, Development Regulation for Duet products. Attached Exhibit 1

PART D – REQUESTED ACTION

What specific action are you requesting that the Board take?

Approve this Variance Request so that staff can approve the Phase 2 West Improvement Plans as designed and construction can begin at the end of the month.

- I understand that the application for a variance does not guarantee a variance will be granted.*

- I have contacted the owner and he has given his permission to process this application, or I am the property owner.*

Applicant:

Applicant’s Name: _____

Applicant’s Signature: _____ Date: _____

PART D – GENERAL MANAGER’S RECOMMENDATION (for internal use by Marina Coast Water District)

- Having fully considered the above application for variance, I find that the Application has NOT proven by clear and convincing evidence that the requirements of Section 2.08 Variances have been met. Based on the foregoing, a VARIANCE IS NOT RECOMMENDED.

- Having fully considered the above application for variance, I find that the Applicant has proven by clear and convincing evidence that the requirements of Section 2.08 Variances have been met. Based on the foregoing, a VARIANCE IS RECOMMENDED.

This request will be on the Marina Coast Water District Board agenda currently scheduled for _____. Please call the District to confirm this date.

Explanation _____

Signature of District General Manager

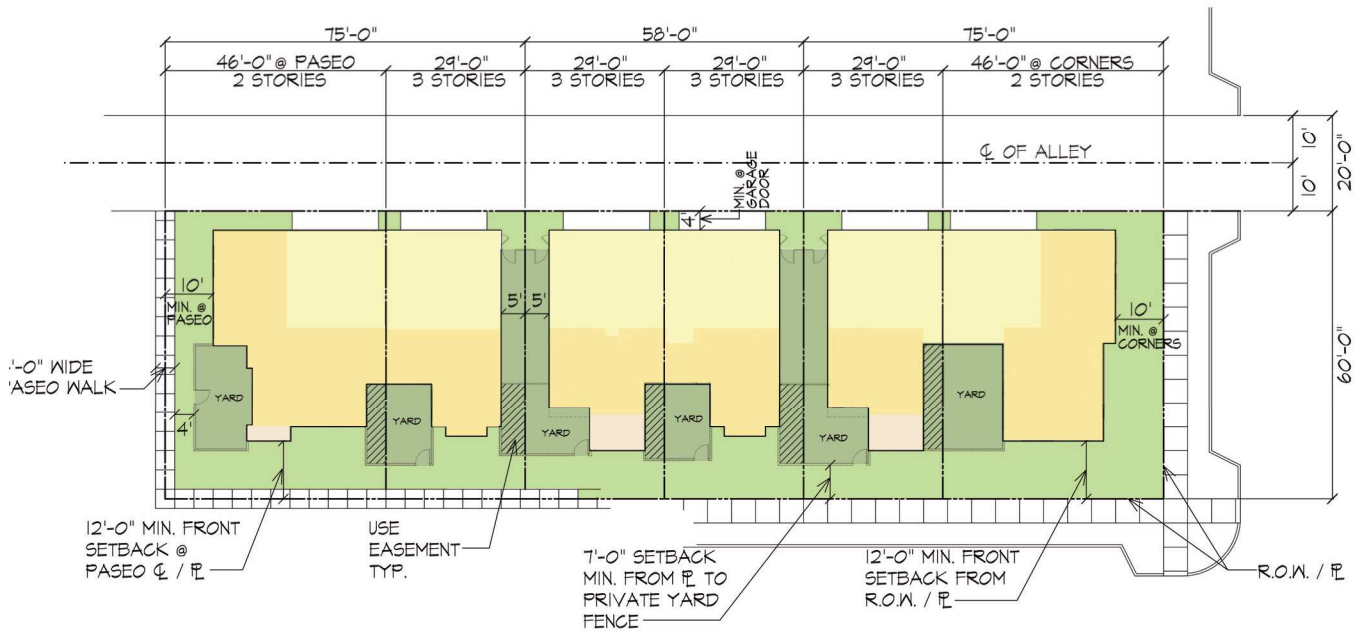
Date

Exhibit 1

DUETS



Artist's Conceptual Illustrative Streetscape



Graphic Application of Development Regulations

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

Marina Coast Water District
11 Reservation Road
Marina, CA 93933
Attention: General Manager

(Space Above Line for Recorder's Use)

**COVENANT AND AGREEMENT REGARDING WATER DISTRICT FACILITIES
(Parcel L2W.1 of The Dunes on Monterey Bay Phase 2 West)**

This COVENANT AND AGREEMENT REGARDING WATER DISTRICT FACILITIES ("**Covenant**") is made this ____ day of _____, 2023, by and between SHEA HOMES LIMITED PARTNERSHIP, a California limited partnership ("**Developer**") and MARINA COAST WATER DISTRICT, a county water district and political subdivision of the State of California ("**MCWD**").

RECITALS

A. Developer is the developer and owner of the real property in the City of Marina ("**City**"), County of Monterey commonly known as "The Dunes on Monterey Bay", which will include that certain private street as more particularly described on **Exhibit "A"** attached hereto ("**Property**"). Upon development, the Property will be conveyed by Developer to The Dunes on Monterey Bay Association, a California nonprofit mutual benefit corporation ("**Association**").

B. MCWD typically requires a 30 foot wide easement for the placement of MCWD's infrastructure. Given the total width of the private street and the related public utility easements (collectively, the "**PUE**"), the total easement area will only be 28 feet wide. In exchange for the grants of variance by MCWD per MCWD Resolutions No. _____ ("**Variance**"), Developer has agreed to record this Covenant against the Property in lieu of providing MCWD with MCWD's standard easement.

C. The burdens and benefits of this Covenant are intended to be covenants that run with the land, binding Developer and any subsequent party with ownership or control of the Property, which includes but is not limited to the Association ("**Responsible Party**"). Developer shall be responsible for its obligations under this Covenant, until the date Developer transfers the Property to the Association, at which time the Association shall automatically assume all rights and obligations of Developer under this Covenant ("**Association Transfer Date**"). Developer shall have no further rights or obligations under this Covenant for any matters arising after the Association Transfer Date and the Association will be deemed the sole Responsible Party under this Covenant.

COVENANTS, TERMS, CONDITIONS AND RESTRICTIONS

NOW THEREFORE, Developer and MCWD hereby declare the Property shall be held, transferred, conveyed, leased, occupied or otherwise disposed of and used subject to the following covenants, which shall run with the land and be binding on both the Developer and its respective successors in interest, and future owners of the Property, including the Association.

1. **Variance Requirements**. In order to mitigate potential impacts from the issuance of the Variance, MCWD requires Responsible Party to agree to the following:

(a) MCWD shall have no obligation to repair, replace or restore any improvement, in or over the PUE, including but not limited to roadway surfaces (other than asphalt), concrete sidewalks curbs or gutters, trees, shrubbery, fences, walls or other plantings or structures that are injured, damaged or destroyed in connection with MCWD's reasonable repairs, maintenance or replacement of MCWD's infrastructure within the PUE, provided that MCWD shall retain the obligation to promptly complete all repairs and/or replace any backfill (properly compacted) and, asphalt damaged or removed by MCWD in connection with such work.

(b) The Responsible Party agrees to indemnify, defend and hold harmless MCWD from and against any and all actions, proceedings, damages, costs, expenses, claims or liabilities of every kind or nature whatsoever for damages to persons or property, arising out of, resulting from, or on account of MCWD's issuance of the Variance, except to the extent any loss, damage or claim is caused by the willful misconduct of MCWD.

2. **Amendment or Termination.** The terms of this Covenant may be modified or terminated only by a written instrument approved and signed by the Responsible Party and MCWD and recorded in the Official Records of Monterey County.

3. **Governing Law and Severability.** This Covenant shall be deemed to be made in, and the rights and liabilities of the owners of the property subject hereto, and the interpretation and construction of the Covenant governed by and construed in accordance with the laws of the State of California. Any legal action arising out of this Covenant shall be filed in and adjudicated by a court of competent jurisdiction in the County of Monterey, State of California.

4. **Recitals.** The Recitals are hereby incorporated into this Covenant.

IN WITNESS WHEREOF Developer has executed this Covenant the day and year first above written.

DEVELOPER:

SHEA HOMES LIMITED PARTNERSHIP, a California limited partnership

By: _____
Name: _____
Its: _____

By: _____
Name: _____
Its: _____

MCWD:

MARINA COAST WATER DISTRICT, a county water district and political subdivision of the State of California

By: _____
Name: _____
Its: _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of)

On _____, before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of)

On _____, before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

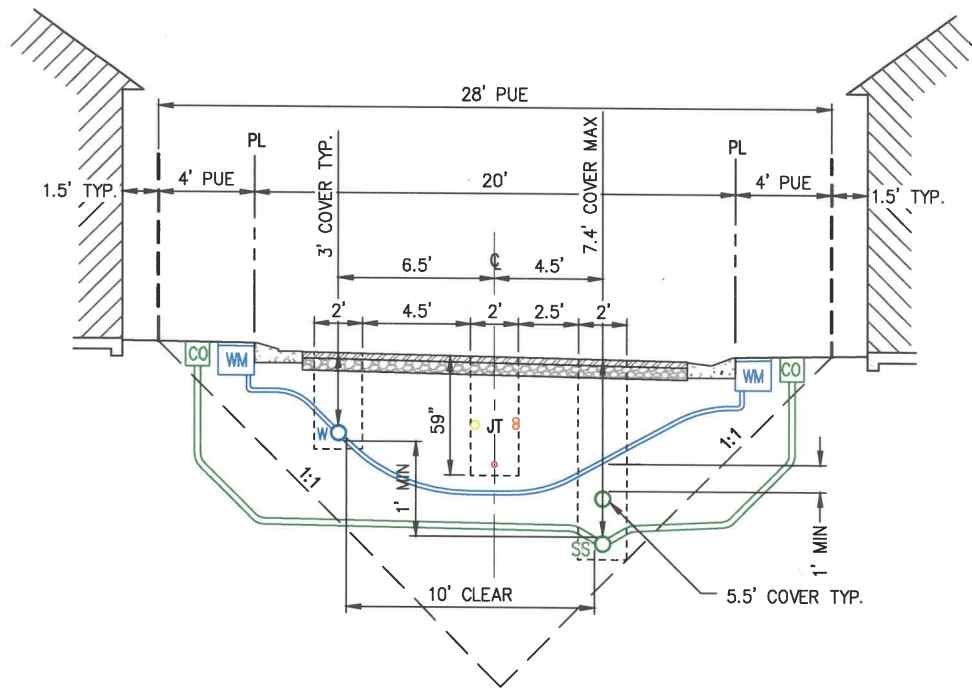
Signature _____

EXHIBIT A

Property

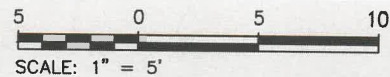
Real property in the City of Marina, County of Monterey, State of California, described as follows:

Parcel L2W.1 as shown on that certain Map entitled "Tract No. _____ The Dunes on Monterey Bay Phase 2 West", filed for record _____ in Volume _____ of Cities and Towns, at Page _____, filed in the Office of the County Recorder, County of Monterey, State of California.



TYPICAL LANE UTILITY CROSS SECTION

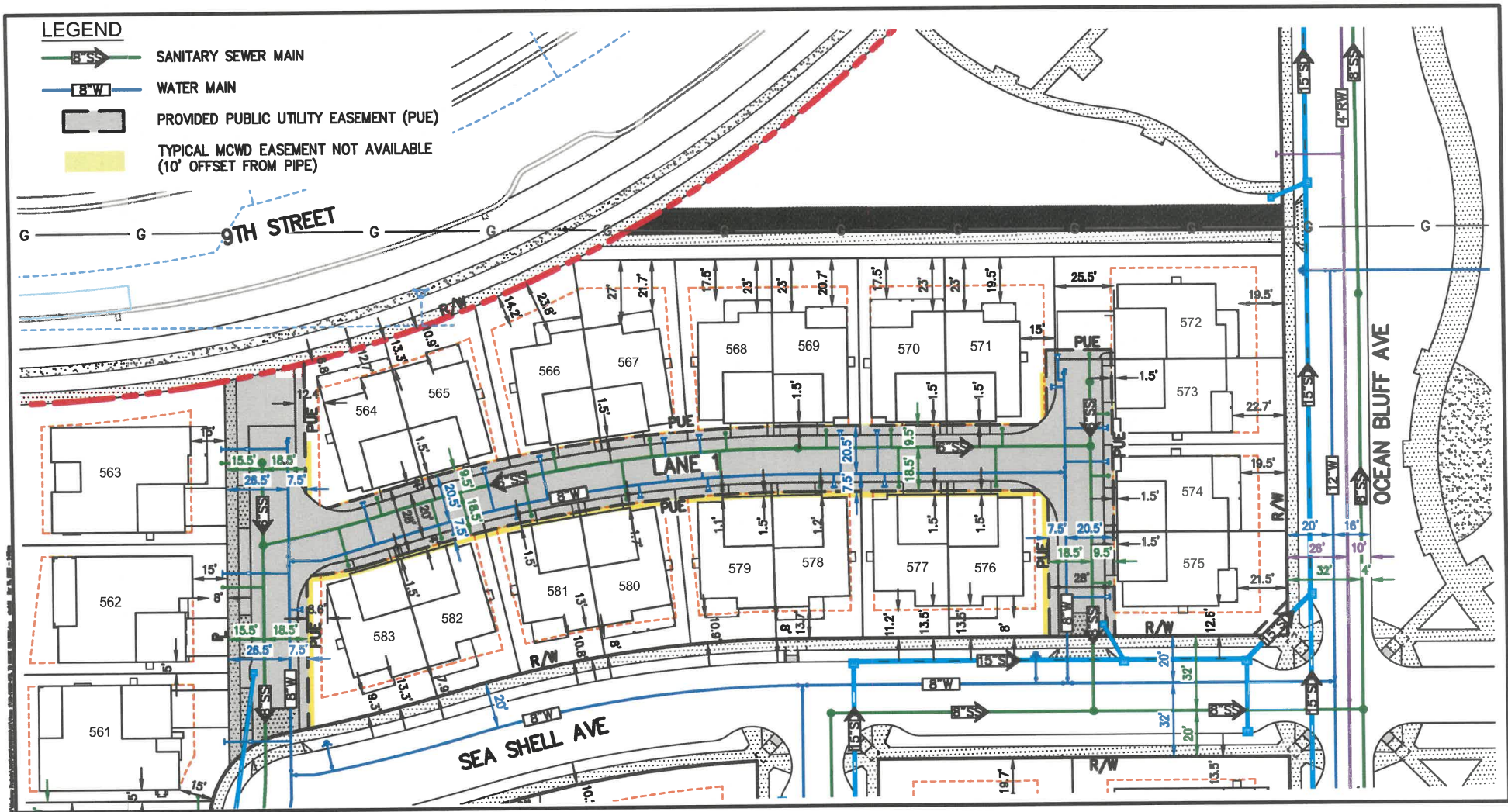
LANE EASEMENT VARIANCE
THE DUNES ON MONTEREY BAY - PHASE 2 WEST
 MARINA, CALIFORNIA







April 21, 2023
 Project No.: 3140.37

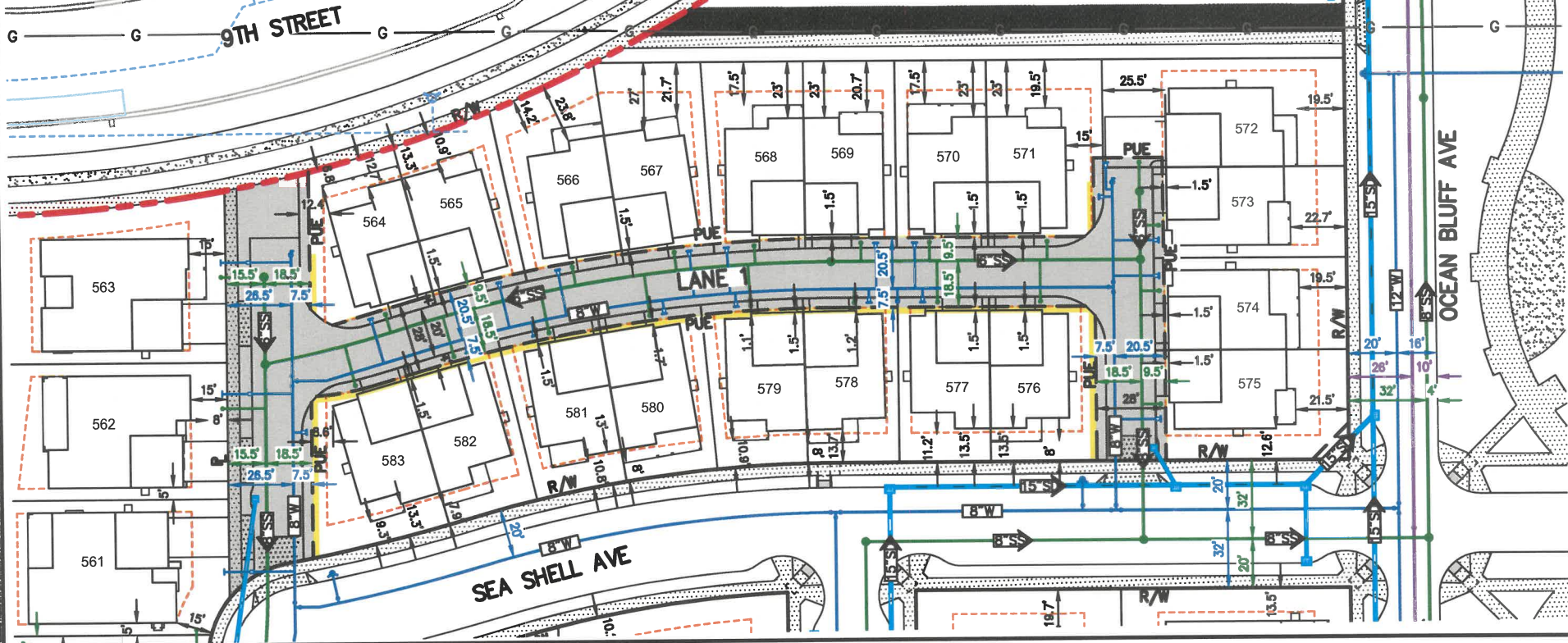


Exhibit C

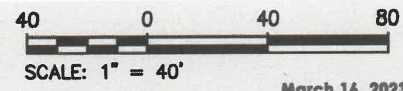


LEGEND

-  SANITARY SEWER MAIN
-  WATER MAIN
-  PROVIDED PUBLIC UTILITY EASEMENT (PUE)
-  TYPICAL MCWD EASEMENT NOT AVAILABLE (10' OFFSET FROM PIPE)



LANE EASEMENT VARIANCE
THE DUNES ON MONTEREY BAY - PHASE 2 WEST
 MARINA, CALIFORNIA



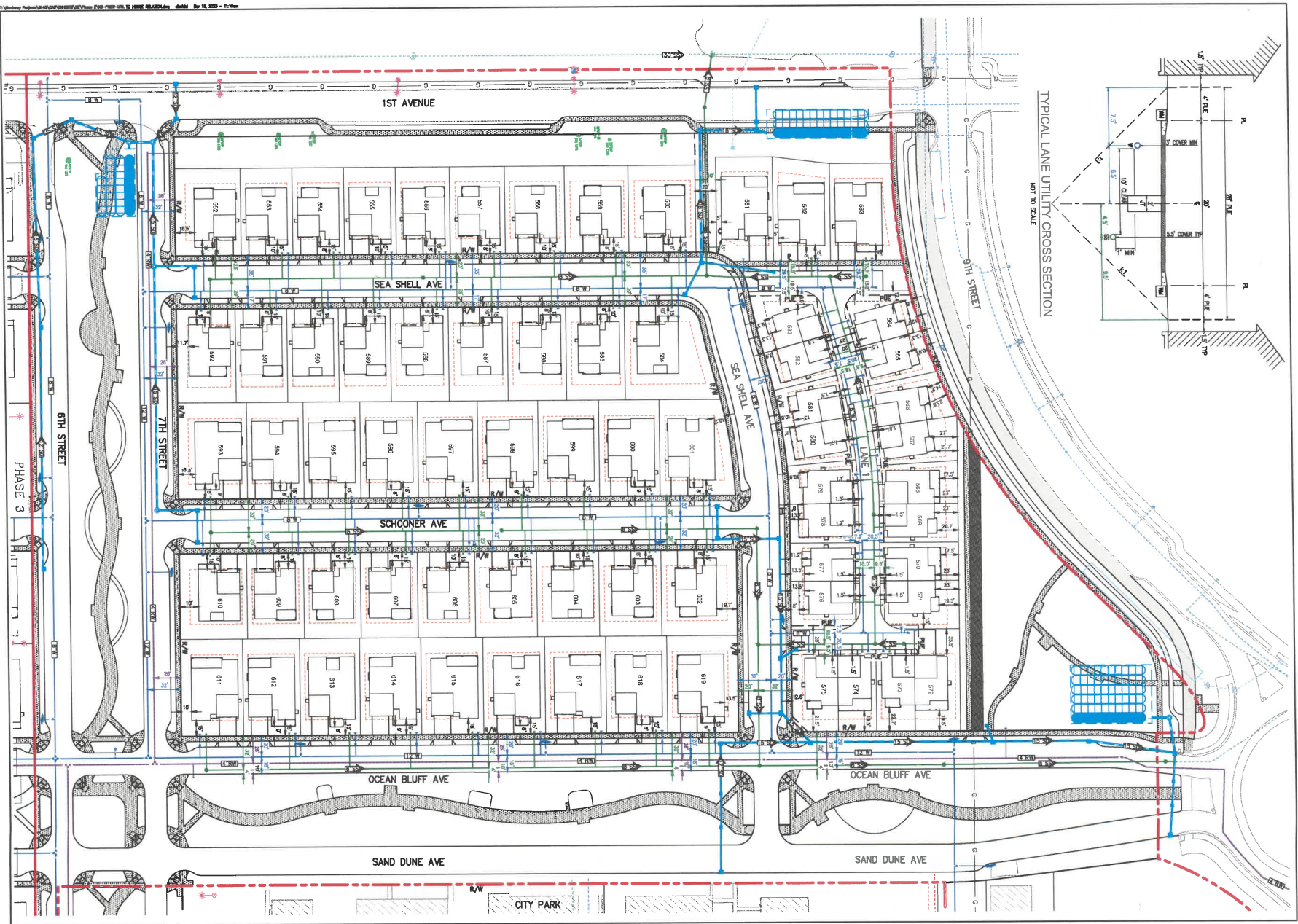
March 16, 2023
 Project No.: 3140.37



Civil Engineering
 Land Surveying
 4 Health Court
 Monterey, California
 93940
 whitsoneng.com



Exhibit D



**Marina Coast Water District
Agenda Transmittal**

Agenda Item: 11-C

Meeting Date: June 19, 2023

Prepared By: Garrett Haertel P.E.

Approved By: Remleh Scherzinger P.E.

Agenda Title: Adoption of Resolution No. 2023-14 Regarding a Variance to the Application of MCWD Water Code Section 5.16.190 *Sewer System Easements* for the Dunes of Monterey Bay Phase 1B Promenade, Marina, CA

Staff Recommendation: Adopt Resolution No. 2023-14 approving a variance to the application of MCWD Water Code Section 5.16.190 for the Dunes of Monterey Bay Phase 1B Promenade in Marina, CA.

Background: *Strategic Plan, Strategic Element 2.0 Infrastructure – Our objective is to provide a high quality water distribution system and an efficiently operating wastewater collection system to serve existing and future customers. Through the master planning process, our infrastructure strategy is to carefully maintain our existing systems and ensure future additions and replacements will meet District Standards.*

Shea Homes, LP (Developer), has submitted a Variance Request (Exhibit A) to the application of MCWD Water Code Section 5.16.190 for the Dunes of Monterey Bay Phase 1B Promenade Development. That section of the Water Code states “In the event that an easement is required for the extension of the public sewer or the making of connections, the applicant shall procure and have accepted by the board a proper easement or grant of right-of-way sufficient in law to allow the laying and maintenance of such extension or connection. ...”

The District’s standard easement is described in MCWD’s Procedure Guidelines and Design Requirements (Guidelines) Section 300.7 which states: “For sewer facilities outside of the public right-of-way, an easement is required for construction and/or maintenance of sewer facilities, including but not limited to, sewer lines, manholes, and lift stations. Minimum easement width shall be 20-feet for sewer lines....” For the Dunes of Monterey Bay Phase 1B Promenade, the Developer is requesting a sewer easement that is less than 20-feet in width.

In order to provide the required easement width, an additional easement would be required from the US Army. In an effort to advance the project in a timely manner, the Developer is requesting a variance to avoid seeking an easement with the US Army which will potentially create a significant delay to the project.

The Applicant has agreed to provide and record a Covenant and Agreement Regarding Water District Facilities (the “Covenant” – Exhibit B), which relieves MCWD of any responsibility or obligation to repair or replace appurtenances above the subgrade, including sidewalks, pavers, landscaping, curbs, etc. affected by necessary repairs to the sanitary sewer pipes. MCWD’s standard easements would make the District responsible for these costs. Instead, the Covenant and Agreement provided through this variance request will require the Developer and/or subsequent property owners to be responsible for all replacement and repair work for surface appurtenances other than asphalt paving above District infrastructure within the easement. The overall easement is being reduced in width from 20 feet to 17 to 19 feet for a total length of 74 feet. This reduction in width is required due to the City of Marina approved Specific Plan for

Low-Impact Development (LID) reduced lane sizes and the land use jurisdiction requiring emergency vehicle access through narrower low-impact street designs. The Veteran’s Memorial Hospital landscape area adjoining the property allows for this variance by providing adequate space to perform any potential maintenance activities (i.e. room for a excavator to swing around for trenching).

Discussion/Analysis: In accordance with the MCWD Water Code, the MCWD Board must make three affirmative findings in order to grant a variance from the Water Code. Based on the Variance Request submitted and other salient project features that make the Dunes of Monterey Bay Phase 1B Promenade unique in its characteristics, the MCWD Board should consider those findings as follows:

1. This variance will allow the Dunes of Monterey Bay Phase 1B Promenade Development to proceed without undue hardship; and,
2. The variance would not cause a significant adverse effect to the water supply or service to other persons served by the District because the recorded Covenant would assure the ratepayers are not paying for the work to repair or replace appurtenances above subgrade for the sewer pipe; and,
3. Granting the variance and accepting the recorded Covenant would remove any responsibility or obligation on behalf of the District for repairs and replacement of appurtenances above the subgrade, including sidewalks, pavers, landscaping, curbs, etc. affected by necessary repairs to the water and sanitary sewer pipes; and,
4. The variance is in the best interest of the District as it allows the project applicant and MCWD to operate in a timely fashion, and without undue delay.

District staff recommends that the MCWD Board of Directors approve Resolution No. 2023-14 granting the variance for the Dunes of Monterey Bay Phase 1B Promenade easement width reduction.

Environmental Review Compliance: None required.

Legal Counsel Review: Legal Counsel has reviewed this particular variance request for compliance with MCWD’s requirements.

Climate Adaptation: This variance provides an opportunity for a development project to be completed that was designed with LID as a component of design. LID refers to systems and practices that use or mimic natural processes that result in the infiltration, evapotranspiration or use of stormwater in order to protect water quality and associated aquatic habitat. Given the close proximity to the Monterey Bay Natural Marine Sanctuary and other sensitive environmental areas, reducing impacts are paramount. MCWD will continue to work with the development community to produce projects that minimize impacts while utilizing requirements of the District in the final design.

Financial Impact: Yes X No **Funding Source/Recap:** With the recorded Covenant, the risk to work in close proximity to driveways and other improvements is reduced. The Covenant and Agreement would require the developer and its successors to pay for any work that may result in working in close proximity to improvements.

Other Considerations: None recommended.

Material Included for Information/Consideration: Resolution No. 2023-14; Exhibit A - Variance Request by Shea Homes LP, Master Developer for the Dunes of Monterey Bay Phase 1B Promenade; and, Exhibit B – Draft Covenant.

Action Required: Resolution Motion Review
(Roll call vote is required.)

Board Action

Motion By: _____ Seconded By: _____ No Action Taken: _____

Ayes: _____ Abstained: _____

Noes: _____ Absent: _____

June 19, 2023

Resolution No. 2023-14
Resolution of the Board of Directors
Marina Coast Water District
Approving a Variance to the Application of
MCWD Water Code Section 5.16.190 *Sewer System Easements*
for the Dunes of Monterey Bay Phase 1B Promenade in Marina, CA

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“MCWD”), at a regular meeting duly called and held on June 19, 2023 at 920 Second Avenue, Suite A, Marina, California as follows:

WHEREAS, MCWD and the Master Developer entered into the Dunes of Monterey Bay Phase 1B Promenade Water, Sewer, and Recycled Water Infrastructure Agreement on May 18, 2022; and,

WHEREAS, the Water, Sewer, and Recycled Water Infrastructure Agreement Section 10.1 states: “Developer shall obtain all easements (excluding easements within existing public rights of way) necessary for ingress and egress to and from the facilities for the purpose of installation, operation, maintenance, replacement and removal of said facilities and for the location of the facilities. Pipeline easements shall be 20 feet in width or as otherwise agreed by the District Engineer and Developer.”; and,

WHEREAS, the Water Code Section 5.16.190 states: “In the event that an easement is required for the extension of the public sewer or the making of connections, the applicant shall procure and have accepted by the board a proper easement or grant of right-of-way sufficient in law to allow the laying and maintenance of such extension or connection.”; and,

WHEREAS, the MCWD Procedure Guidelines and Design Requirements, Section 300.7 states in part: “For sewer facilities outside of the public right-of-way, an easement is required for construction and/or maintenance of sewer facilities, including but not limited to, sewer lines, manholes, and lift stations. Minimum easement width shall be 20-feet for sewer lines...”; and,

WHEREAS, Shea Homes, LP, (Developer), Master Developer for the Dunes of Monterey Bay Phase 1B Promenade project, has submitted a Variance Request (attached); and,

WHEREAS, the Variance Request asks the MCWD Board of Directors to waive Water Code Section 5.16.190 and direct MCWD staff to review and accept a project design that does not include MCWD’s standard easement but which does include a public utility easement and a “Covenant and Agreement Regarding Water District Facilities” with conditions which expressly relieves the District from any responsibility for repairs and replacement of appurtenances above the subgrade, including sidewalks, pavers, landscaping, curbs, etc. for necessary repairs to the water and sanitary sewer pipes; and,

WHEREAS, the requested reduction in easement width will not cause major maintenance conflicts or incur any undue liability; and,

WHEREAS, the three findings that are required to support a recommendation to the Board are contingent on the Developer executing and recording a utility easement to reduce the risk to the District with allowing infrastructure in close proximity to improvements; and,

WHEREAS, MCWD Water Code Section 2.08 Variances requires the MCWD Board of Directors to make a determination that:

1. The strict application of the code would result in unfair or unequal treatment, undue hardship, or an emergency condition exists which requires that the variance be granted; and,
2. Granting the variance will not cause a significant adverse effect on the water supply or on service to other persons served by the District; and,
3. The variance is in the best interests of the District.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby make the following findings:

1. Strict application of the code would result in an undue hardship to the Dunes of Monterey Bay Phase 1B Promenade Development by significantly delaying the project to acquire an extended easement from the United States Army which requires that the variance be granted; and,
2. Granting the variance will not cause a significant adverse effect on the water supply or on service to other persons served by the District because the Variance Request conditions result in a recorded public utility easement which will not result in any increased obligation of the District or its rate payers; and,
3. The variance is in the best interests of the District because variance would not result in additional burdens to the rate payers while working with local developers towards a successful project; and,
4. The recorded “Covenant and Agreement Regarding Water District Facilities,” shall include conditions that expressly state the District has no responsibility for repairs and replacement of appurtenances above the subgrade, including sidewalks, pavers, landscaping, curbs, etc. for necessary repairs to the water and sanitary sewer pipes, and that these obligations will be at the Developer or Developer’s successor-in-interest cost and expense.

BE IT FURTHER RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby:

1. grant the variance to the application of MCWD Water Code Section 5.16.190 for the Dunes of Monterey Bay Phase 1B Promenade Development; and,
2. directs the General Manager to take all actions and execute all documents as may be necessary or appropriate to give effect to this resolution.

PASSED AND ADOPTED on June 19, 2023 by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors _____
Noes: Directors _____
Absent: Directors _____
Abstained: Directors _____

Jan Shriner, President

ATTEST:

Remleh Scherzinger, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2023-14 adopted June 19, 2023.

Remleh Scherzinger, Secretary



Variance Request Form for Marina Coast Water District

Assigned _____
Reviewed _____
Granted / Denied _____
Account No. _____

PART A – APPLICANT INFORMATION

Requested Variance (include District Code Section) Section 300.7

Date of Submittal of Variance Request 12-5-2022

Has applicant applied for the same or similar variance previously? YES NO UNKNOWN

If YES, to above, please provide details _____

Request:

Name of Applicant (Contact) Steve Lucas

Applicant Relationship to Owner Project Manager for MCP and Shea Homes LP

Billing Name (if different from above) Shea Homes LP

Street/Mailing Address for Variance 110 10th Street City Marina State CA Zip 93933

Street/Mailing Address for Billing (if different) 2630 Shea Center Drive, Livermore, CA 94551

Daytime Phone Number (510) 418-8777 Fax Number (925) 245-8831

PART B – BASIS OF VARIANCE REQUEST

1. The strict application of the code would result in unfair or unequal treatment, undue hardship, or an emergency condition exists which requires that the variance be granted; and,
2. Granting the variance will not cause a significant adverse effect on the water supply or on service to other persons served by the district; and,
3. The variance is in the best interests of the district.

This variance request may only be based on the above conditions. Please briefly describe the basis of your request and provide documentation of need in Part C. If further space is required in the completion of this form, provide a note of such and attach supporting documentation with application.

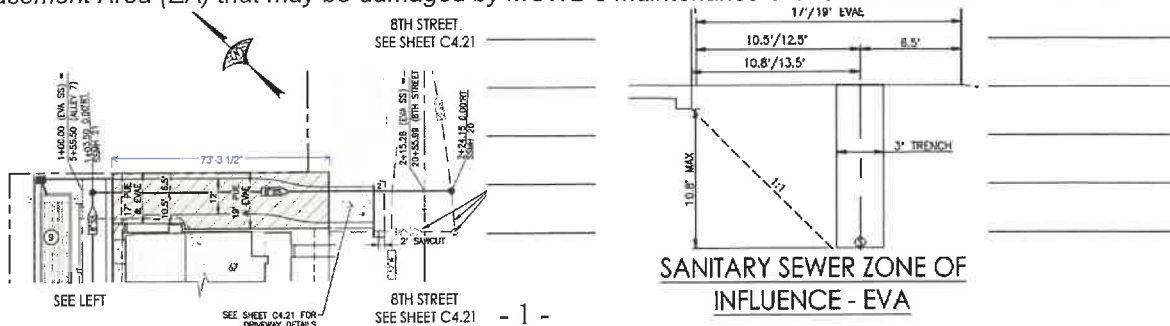
Request for a reduction in width of sewer easement from 20' to 17'-19' at the Emergency Vehicle Access (EVA) located within the Dunes Phase 1B Promenade.

The total length of this request reduction is approximately 74'.

Reason for requesting this variance:

- 1. Layout of the proposed buildings at this location would not allow the added width to meet the 20' easement requirement.*
- 2. This reduction would not impact any future maintenance required by the District as shown in the Zone of Influence below.*

MCWD shall not be responsible for repair or replacement of improvements, including pavers, within the Easement Area (EA) that may be damaged by MCWD's maintenance of MCWD facilities within the EA.



MCP agrees that MCWD shall not be responsible for repair or replacement of landscape improvements, including pavers, curbs and gutters, within the Easement Area that may be damaged by MCWD's maintenance of MCWD facilities within the Easement Area.

PART C – EVIDENCE TO SUPPORT VARIANCE

Provide documentation to support you request. Documentation should concisely prove the need for a variance. Please list documents below and attach copies with your application. Original records will not be returned.

- _____ 1. Sheet 35 of 66 (C4.20) is included in the technically approved improvement plans reviewed by MCWD staff.
 - _____ 2. Copy of the technically approved Final Map for this phase of development
-
-
-

PART D – REQUESTED ACTION

What specific action are you requesting that the Board take?

Approval of a variance allowing the reduction in a utility easement width from 20 feet, to 17 feet, to preserve a mature Monterey Cypress tree that fronts on 8th Street in Marina, CA.

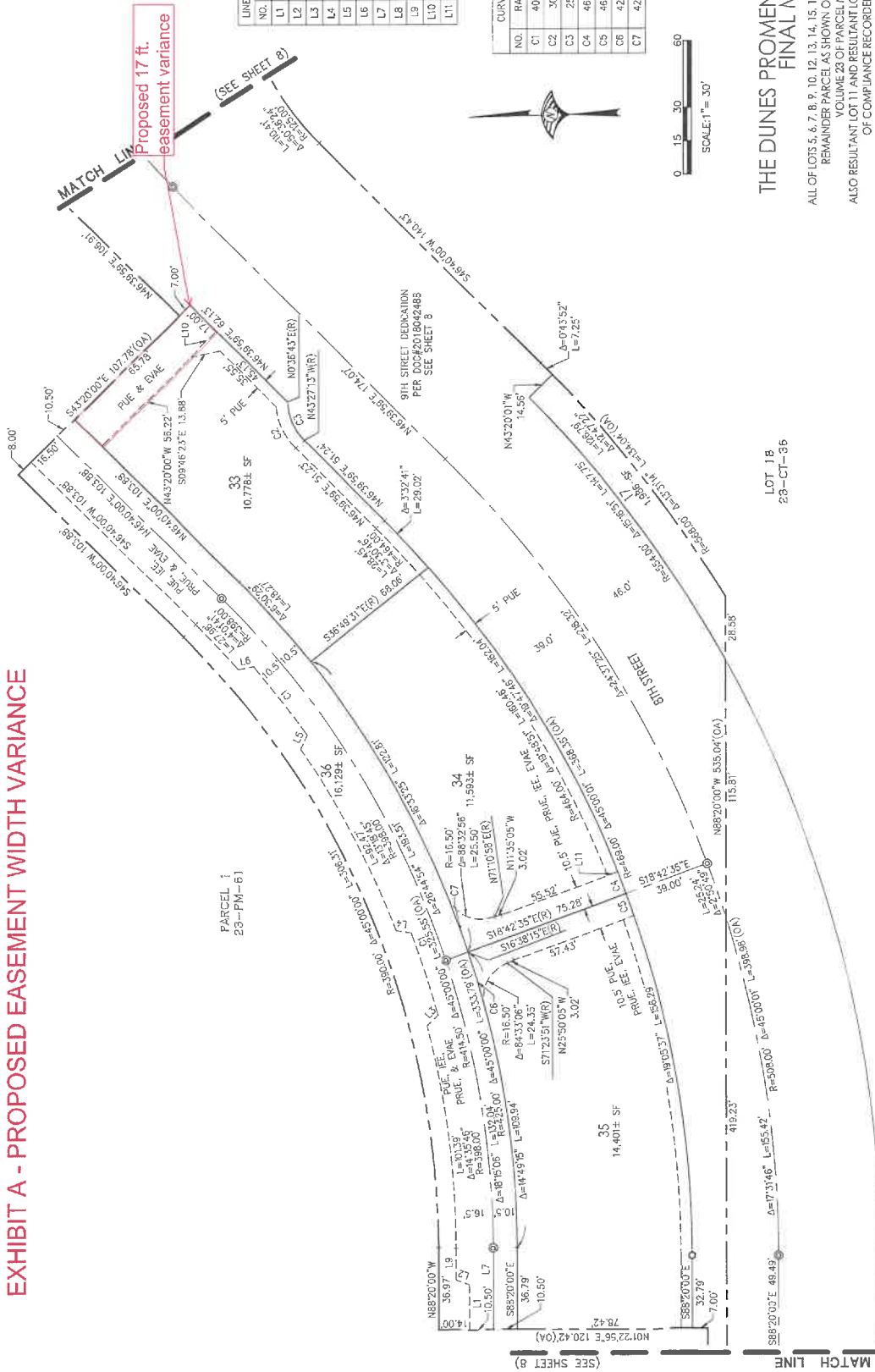
- I understand that the application for a variance does not guarantee a variance will be granted.*
- I have contacted the owner and he has given his permission to process this application, or I am the property owner.*

Applicant:

Applicant's Name: Steve Lucas

Applicant's Signature:  Date: 1/11/2023

EXHIBIT A - PROPOSED EASEMENT WIDTH VARIANCE



LINE TABLE - THIS SHEET ONLY

NO.	BEARING	LENGTH
L1	N88°20'00"W	20.58'
L2	N21°40'00"E	6.39'
L3	N42°53'17"W	6.91'
L4	N10°29'59"E	6.91'
L5	N82°43'56"W	6.91'
L6	N82°04'48"W	5.91'
L7	N88°20'00"W	36.85'
L8	S18°42'35"E	10.51'
L9	N88°20'00"W	14.13'
L10	S43°20'00"E	18.57'
L11	S18°42'35"E	5.00'

CURVE TABLE - THIS SHEET ONLY

NO.	RADIUS	DELTA	LENGTH
C1	404.00'	5°33'11"	361.6'
C2	30.00'	47°03'15"	20.97'
C3	25.00'	44°03'56"	19.23'
C4	469.00'	1°16'58"	10.50'
C5	469.00'	1°16'58"	10.50'
C6	425.00'	3°28'00"	25.84'
C7	425.00'	3°37'51"	26.93'

THE DUNES PROMENADE - PHASE 1B FINAL MAP

ALL OF LOTS 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 17, 18, 24 AND A PORTION OF THE REMAINDER PARCEL AS SHOWN ON THE PARCEL MAP FILED IN VOLUME 28 OF PARCEL MAPS AT PAGE 27. ALSO RESULTANT LOT 11 AND RESULTANT LOT 20 AS DESCRIBED IN CERTIFICATES OF COMPLIANCE RECORDED NOVEMBER 29, 2021 AS INSTRUMENT NOS. 202107916, 202107918 OFFICIAL RECORDS OF MONTEREY COUNTY CITY OF MARINA, COUNTY OF MONTEREY



WOOD RODGERS
BUILDING RELATIONSHIP ONE PROJECT AT A TIME
4675 WILLOW ROAD, STE 125 TEL: 825.847.1556
PLEASANTON, CA 94588 FAX: 925.847.1557

NOTE:
SEE SHEET 2 FOR BASIS OF BEARINGS, REFERENCES, NOTES, AND LEGEND.

JUNE 2022
Sheet 7 of 8
JOB # 309015

PART D – GENERAL MANAGER’S RECOMMENDATION (for internal use by Marina Coast Water District)

- Having fully considered the above application for variance, I find that the Application has NOT proven by clear and convincing evidence that the requirements of Section 2.08 Variances have been met. Based on the foregoing, a VARIANCE IS NOT RECOMMENDED.

- Having fully considered the above application for variance, I find that the Applicant has proven by clear and convincing evidence that the requirements of Section 2.08 Variances have been met. Based on the foregoing, a VARIANCE IS RECOMMENDED.

This request will be on the Marina Coast Water District Board agenda currently scheduled for _____. Please call the District to confirm this date.

Explanation _____

Signature of District General Manager

Date

RECORDING REQUESTED BY
AND WHEN RECORDED MAIL TO:

Marina Coast Water District
11 Reservation Road
Marina, CA 93933
Attention: General Manager

(Space Above Line for Recorder's Use)

**COVENANT AND AGREEMENT REGARDING WATER DISTRICT FACILITIES
(Portion of Lot 33 of The Dunes Promenade – Phase 1B)**

This COVENANT AND AGREEMENT REGARDING WATER DISTRICT FACILITIES ("**Covenant**") is made this ____ day of _____, 2023, by and between SHEA HOMES LIMITED PARTNERSHIP, a California limited partnership ("**Developer**") and MARINA COAST WATER DISTRICT, a county water district and political subdivision of the State of California ("**MCWD**").

RECITALS

A. Developer is the developer and owner of the real property in the City of Marina ("**City**"), County of Monterey commonly known as "Rooftops at the Dunes", which will include that certain public utility easement area as more particularly described on **Exhibit "A"** attached hereto ("**Property**"). Upon development, the Property will be conveyed by Developer to the Rooftops at the Dunes Homeowners Association, a California nonprofit mutual benefit corporation ("**Association**").

B. MCWD typically requires a 20 foot wide easement for the placement of MCWD's infrastructure on the Property. Due to development constraints, the total easement area ("**PUE**") will only range between 17 and 19 feet wide. In exchange for the grants of variance by MCWD per MCWD Resolutions No. _____ ("**Variance**"), Developer has agreed to record this Covenant against the Property in lieu of providing MCWD with MCWD's standard easement.

C. The burdens and benefits of this Covenant are intended to be covenants that run with the land, binding Developer and any subsequent party with ownership or control of the Property, which includes but is not limited to the Association ("**Responsible Party**"). Developer shall be responsible for its obligations under this Covenant, until the date Developer transfers the Property to the Association, at which time the Association shall automatically assume all rights and obligations of Developer under this Covenant ("**Association Transfer Date**"). Developer shall have no further rights or obligations under this Covenant for any matters arising after the Association Transfer Date and the Association will be deemed the sole Responsible Party under this Covenant.

COVENANTS, TERMS, CONDITIONS AND RESTRICTIONS

NOW THEREFORE, Developer and MCWD hereby declare the Property shall be held, transferred, conveyed, leased, occupied or otherwise disposed of and used subject to the following covenants, which shall run with the land and be binding on both the Developer and its respective successors in interest, and future owners of the Property, including the Association.

1. **Variance Requirements**. In order to mitigate potential impacts from the issuance of the Variance, MCWD requires Responsible Party to agree to the following:

(a) MCWD shall have no obligation to repair, replace or restore any improvement, in or over the PUE, including but not limited to roadway surfaces (other than asphalt), concrete sidewalks curbs or gutters, trees, shrubbery, fences, walls or other plantings or structures that are injured, damaged or destroyed in connection with MCWD's reasonable repairs, maintenance or replacement of MCWD's infrastructure within the PUE, provided that MCWD shall retain the obligation to promptly complete all repairs and/or replace any backfill (properly compacted) and asphalt damaged or removed by MCWD in connection with such work.

(b) The Responsible Party agrees to indemnify, defend and hold harmless MCWD from and against any and all actions, proceedings, damages, costs, expenses, claims or liabilities of every kind or nature whatsoever for damages to persons or property, arising out of, resulting from, or on account of MCWD's issuance of the Variance, except to the extent any loss, damage or claim is caused by the willful misconduct of MCWD.

2. **Amendment or Termination.** The terms of this Covenant may be modified or terminated only by a written instrument approved and signed by the Responsible Party and MCWD and recorded in the Official Records of Monterey County.

3. **Governing Law and Severability.** This Covenant shall be deemed to be made in, and the rights and liabilities of the owners of the property subject hereto, and the interpretation and construction of the Covenant governed by and construed in accordance with the laws of the State of California. Any legal action arising out of this Covenant shall be filed in and adjudicated by a court of competent jurisdiction in the County of Monterey, State of California.

4. **Recitals.** The Recitals are hereby incorporated into this Covenant.

IN WITNESS WHEREOF Developer has executed this Covenant the day and year first above written.

DEVELOPER:

SHEA HOMES LIMITED PARTNERSHIP, a California limited partnership

By: _____
Name: _____
Its: _____

By: _____
Name: _____
Its: _____

MCWD:

MARINA COAST WATER DISTRICT, a county water district and political subdivision of the State of California

By: _____
Name: _____
Its: _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of)

On _____, before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of)

On _____, before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

EXHIBIT A

Property

Real property in the City of Marina, County of Monterey, State of California, described as follows:

That portion of Lot 33 depicted as "PUE & EVAE" as shown on that certain Map entitled "Tract No. _____
The Dunes Promenade – Phase 1B", filed for record _____ in Volume _____ of Cities
and Towns, at Page _____, filed in the Office of the County Recorder, County of Monterey, State of California.

**Marina Coast Water District
Agenda Transmittal**

Agenda Item: 11-D

Meeting Date: June 19, 2023

Prepared By: Paula Riso

Approved By: Remleh Scherzinger P.E.

Agenda Title: Adopt Resolution No. 2023-22 Amending the Professional Services Agreement between Marina Coast Water District and Rauch Communication Consultants, Inc. to Provide Public Relations and Community Outreach Services to the District

Staff Recommendation: Adopt Resolution No. 2023-22 to approve a Professional Services Agreement (PSA) with Rauch Communication Consultants, Inc. to provide public relations and community outreach services to the District.

Background: *Strategic Plan, Goal 4.0 – Strategic Partners and Public Affairs - Our objective is to build our relationship with the State, Federal, Regional, SVBGSA and Local public and non-profit agencies. Our strategy in the areas of strategic partners and public affairs is to communicate in a positive way, including active listening and encouraging open discussions and schedule regular meetings.*

In June 2022, the Board approved a contract with Rauch Communication Consultants, Inc. (RCC) to provide public relations and community outreach services to the District for fiscal year 2022/2023.

Discussion/Analysis: Over the last year, RCC has provided excellent outreach with regards to press releases, social media, e-blasts, the Coastal Commission Hearing, etc. RCC is very responsive when District staff reaches out for last-minute special messages or emergency notifications that need to be transmitted immediately. RCC has also been proactive in helping revamp the District website by concentrating on updating different pages and sections, as well as creating new webpages for water resources.

The Outreach Committee and staff are very pleased with the work RCC has provided and asked for a new proposal and scope of work for the fiscal year 2023/2024. A scope of work and proposal are attached for review.

Environmental Review Compliance: None required.

Legal Counsel Review: None required as this is just updating the last PSA approved in June 2022.

Climate Adaptation: Not applicable.

Financial Impact: X Yes No **Funding Source/Recap:** Consultant line items for all cost centers in the Administration Section of the proposed FY 2023-2024 District Budget.

Other Considerations: The Board of Directors can reject this proposal and elect to go out to bid.

June 19, 2023

Resolution No. 2023-22
Resolution of the Board of Directors
Marina Coast Water District

Amending the Professional Services Agreement with Rauch Communication Consultants, Inc.
to Provide Public Relations and Community Outreach Services to the District

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on June 19, 2023, at 920 Second Avenue, Suite A, Marina, CA, as follows:

WHEREAS, the District adopted a five-year Strategic Plan with an objective to build our relationship with the public and local agencies with a strategy to communicate with our strategic partners by establishing clear lines of communications between the District, other agencies, and the public to ensure that our message is clearly and quickly communicated so that we can establish and maintain a positive reputation; and,

WHEREAS, the need exists for a strategic approach to communication to ensure the District is able to clearly and concisely deliver its messages to stakeholders and ratepayers to ensure they understand and appreciate the valuable services provided by the District; and,

WHEREAS, in 2022, staff distributed a request for proposal for public relations and community outreach services, to which Rauch Communication Consultants, Inc. was selected; and,

WHEREAS, in fiscal year 2022/2023, Rauch Communication Consultants, Inc. has provided excellent outreach with regards to press releases, social media, e-blasts, the Coastal Commission Hearing, etc; and,

WHEREAS, staff is pleased to provide a scope of work and proposal from Rauch Communication Consultants, Inc. for fiscal year 2023/2024.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby:

- 3. adopt Resolution No. 2023-22 approving an amendment to the Professional Services Agreement with Rauch Communications Consultants, Inc. to provide public relations and community outreach services to the District at a cost not-to-exceed \$160,768.
- 4. authorize the General Manager to take all actions and execute all documents as may be necessary or appropriate to give effect to this resolution.

PASSED AND ADOPTED on June 19, 2023, by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors _____

Noes: Directors _____

Absent: Directors _____

Abstained: Directors _____

Jan Shriner, President

ATTEST:

Remleh Scherzinger, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2023-22 adopted June 19, 2023.

Remleh Scherzinger, Secretary

Dynamic Public Outreach, Smart Strategic Planning

For local governments, special districts, and the engineering, environmental and law firms that support them.

DATE: June 12, 2023

NO OF PAGES: 9

TO: Paula Riso, Executive Assistant

FROM: Martin Rauch

RE: Proposal for Public Relations and Community Outreach Services

This document provides a scope of work for development and implementation of public relations and community outreach services.

A highly experienced and skilled partner to work with you. Rauch Communication Consultants (RCC) has decades of experience successfully helping special districts with public relations and community outreach services.

Proven approaches and strategies. Over the decades, we have worked with water and sanitary agencies like yours to build public understanding and support for our clients and advance their programs, including every type of water and sanitary service project, program, rate, crisis, and emergency. We have proven approaches and strategies to resolve and apply them to the specific details, communities, and personalities within your service area.

Honed outreach skills. RCC has successfully implemented virtually every type of outreach tool over hundreds of projects for decades. We know how to pick the right media and outreach tools and implement them quickly, economically, and effectively.

Grounded in real-world experiences. RCC works every day with districts like yours to resolve issues like CEQA acceptance, public resistance, costly water system rebuilds, short timelines, facilitating among different groups and interests, and more.

Here's why Marina Coast Water District would be well served by RCC:

In-depth public engagement program experience across hundreds of projects over almost 50 years.

Local and regional experience, with MCWD and along the Monterey peninsula, with agricultural agencies, and across the state with every type of special district.

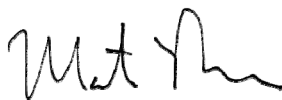
We know special districts. We focus on special districts and understand special district governance, finance, operations, community relations, and the many issues they face.

We have worked with over 225 Special Districts. In addition, we are faculty for the California Special District Leadership Academy and regularly teach at statewide conferences on public engagement.

Cost-Effective and targeted to meet your needs. We tailor our work to focus on providing only the help your District and your customers need.

The same experienced team will serve you. Over the past year, our team has come to know your district, staff, and board well—experience that will allow us to serve you efficiently and effectively.

We look forward to working with you on this critical project.



Martin Rauch, Principal Consultant

We Will Continue to Partner Effectively With The District

The most important elements in building an effective partnership with our clients include:

- Attentiveness to Your Needs. We will continue to serve the District, its board and staff with attention and care for your specific needs, personalities, and circumstances. This s the starting point for providing quality service and building an effective partnership.
- Responsive. When you reach out to us with a request or issue, we will continue to respond promptly. When you need us, we are available.
- Regular communication through email, calls, and in-person and virtual meetings. We manage our work through a cloud work management tool and keep you regularly updated using the media you prefer email, presentations, text, etc.
- Adaptable. We will continue to report regularly on progress and flexibly adjust plans when needed. We have worked with hundreds of Districts and flexibly adapted to the needs of each one.

Scope of Services

Task 1. Research and Information Gathering. We have a lot of accumulated knowledge about the District that we will build upon as new topics arise over time.

Task 2. Develop an Engagement Plan. This past year we built up familiarity with the District, developed working relationships among the leadership team, and built up ongoing positive outreach. We also provided on-call outreach for issues that arose like visits by legislators, communicating the District's position on Cal-Am desal and drawing people to the hearing, publishing press stories, etc.

Establish the Goals and objectives of the Outreach Program. It is helpful to identify what the engagement programs are meant to achieve before developing a plan to achieve it. Some likely goals include improved participation and recognition for the conservation program; support of a smooth Proposition 218 process; and building an understanding of the District's high water quality, proactive facilities upgrades and maintenance, commitment to sustainability, and more.

Identify Key Audiences and Stakeholders and Set Specific Goals for Each. A program like this requires not just general outreach but also considering the specific needs of individuals and smaller groups in terms of how they currently view the District, how best to communicate with each, the amount of detail desired, need or desire for translation, etc. This year, some of the priority subgroups may include: reaching out to HOAs, communicating effectively with both rate areas of the District, reaching renters and other non-rate payers, and others.

Timeline. The plan will be timed to match appropriate legal, permitting, environmental, financial, decision-making, and other timelines.

2.1. Develop Clear Narrative Messaging. One of the early needs is to develop a clear narrative that outlines the issues and the District's initial approach in single-page, paragraph-length, and couple-sentence-length versions. The narrative states the program's key messages and themes: what one would tell an interested customer, stakeholder, or reporter if one had only seconds or a minute or two to present the issues. The narrative must be simple, clear, and be easily remembered and repeated without notes. It starts with the problem(s), has a middle (describing the process), and a proposed end (the program implementation). If the public does not understand and accept the beginning of the story (the problem), they will never support the end (implementing the solution). The clear, straightforward narrative carries the program forward and can be expanded with factual detail (legal, technical, regulatory, financial) when appropriate. All communication is built on this evolving narrative message. The factual, technical details support the message rather than the other way around.

Task 3. Implement the Public Engagement Plan. The details of the implementation plan will be developed over time. Below are EXAMPLES of elements that MAY be implemented:

3.2. Update Branding. In the past year, we have utilized a slightly modified branding (adjusted version of existing logo and a new wave design). We recommend sticking with this branding for now with perhaps minor adjustments, and consider fully updating the branding (logo, colors, fonts, etc.) in the future.

3.3 Get the Word Out Presentations and Meetings. Once the branding and messaging are updated, and the outreach is rolling to the General public. We also suggest getting out and reintroducing the District throughout the community. This could include developing a presentation and handout and onsite visits with a wide variety of stakeholders. One group that has been recommended by the PI Committee is HOAs. It might also include presentations to one or more of the following: Rotary Club, Monterey County Business Council, chambers of commerce, business and construction unions council, Salinas Valley Water Coalition, farm bureau, Grower-Shipper Association, mayors committee, LandWatch, League of Women Voters. It

might be beneficial to reach out to ag leaders, including Rick Antle, Bruce Taylor, Ocean Mist Farms, Chris Bunn Sr. and Jr.

3.4 Continue Enhanced Social Electronic Media Presence. We will continue to post regularly on FaceBook, Instagram, Twitter, and LinkedIn. We expect to obtain access to NextDoor soon as well. The District has an existing YouTube channel which has been quiet. This year, we propose to initiate use of brief videos on social media platforms. Over time, we will start to add higher production-value videos to YouTube. One suggestion from the PI Committee is to develop how-to videos. For example, *how to drain a water heater and maintain it, replace a valve with ball valve, and talk about mineral build up*. Here is an example: [Water Conservation How-To Videos \(English & Spanish\) - YouTube](#)

3.5 Consider Bill Stuffers or Mailers. Bill stuffers can be slow because they must be timed with the billing cycle and they are less read than direct mailers, but they are inexpensive and often a good choice to maintain a flow of communication. If there are a lot of renters in a region, we recommend that any mailers go to every dwelling unit, property owners, and billpayers. The specific mailer expect this year is a Proposition 218 mailer and possibly one or two mailers before it (see more about a potential rate program below).

3.6 Email list development and e-newsletter. The District has an active enews and email list of over 8,000 people. The enews is being developed and distributed two to three times each month. This will continue. We currently have a general and a conservation enews and propose to combine them. We are also investigating inviting people with emails from the voter rolls to sign up for the enews. We also will develop a signup poster for all events with a QR code and promote signups on social media, enews, and other spaces.

3.7 Website Rebuild and updates. It is important to have a modern, easy-to-use, and attractive website since it should be the hub of all communications. We will continue to update the website section-by-section as needed. Later in the year, or after we propose to undertake a full redesign and reorganization to be built on the content that has been updated over time. We will continue to work with the District's current webmaster (Dale) to ensure the site is on a robust, up-to-date, and secure platform. We also recommend installing a ready-to-go emergency notice panel that can be activated when needed.

3.8 Press Relations and Newspaper Advertisements. We will continue to provide press support, as well as assist the Board and staff to respond quickly and accurately to press inquiries and needs.

3.9 Analytics, Tracking and Key Performance Indicators. This year we have tracked basic social and web analytics. This year we will enhance them with trends over time and provide monthly analyses and suggested actions or changes (if any) in response. Longer-term performance evaluation. A qualitative survey was completed in 2021/2022. We suggest that it be updated periodically.

3.10 Monitoring Local Issues and Ongoing Support. We will continue to monitor local media daily and report as appropriate. Different people and groups react in varied and unexpected ways to public engagement. RCC will provide as-needed consulting support to help modify the program and offer support to staff as the outreach is implemented. This includes responding to questions, updating the message, working with the District and other team members to explain complex issues, respond to the press, etc. Last year a variety of outreach was covered by this category and others: the unplanned, heavy desal-related outreach; development of a water quality booth and materials; planning and assisting with a recycled water groundbreaking event; and YIR. Close coordination will be maintained between the District and the consultant if media and other challenges arise, and we will provide on-call support to adjust existing proposed actions and undertake other methods and media as needed.

OTHER POTENTIAL OUTREACH

Rates. We have supported many rate and assessment programs for decades and conducted our first since Proposition 218 assessment immediately after the law was approved in 1996. We can help with all aspects of strategy and communication of a potential rate program, including any public meetings. Meeting facilitation. Meeting facilitation is a specialty. We have facilitated virtually every type of public meeting, from small groups of up to 700 or more people. We are experts in both virtual and in-person meeting planning and facilitation. Scope: We do not have details yet on the scope or timing of a potential rate program. It may be possible to accomplish some or all of it within this scope or additional scope may be needed. We will work with the District to identify the appropriate outreach scope when more detail is available.

Year in Review. This year we accomplished the Year in Review within the pre-existing scope – up to this point in the review and post-Board review update; it is not yet complete. We are currently discussing with staff options for modifying the document in the future and will be taking that discussion to the appropriate Board Committee and to the Board. With the scope of that project in flux for next year, we do not have a specific scope for it.

Web and Document Accessibility Audit, Remediation, and Posting of a Statement. Web and document accessibility are not only good ideas in themselves but are mandated by law. In recent years, the pace of lawsuits has been growing that require private and public organizations to comply. The District website is run by another contractor, and we have not evaluated whether the website is accessible or not. We will provide a separate scope for auditing for accessibility, remediating, reporting, and creating an accessibility statement if requested by the District. We can also refer the District to an accessibility expert that can assist with document accessibility if desired.

Fact Sheets, Question-and-Answer Sheets. These elements provide additional detail to the public about particular issues. We may provide fact sheets or question-and-answer sheets as needed on pertinent issues raised by the public. These can be adapted to a variety of electronic and hard copy formats.

Customer Contact Tracking Log. It can be helpful to have a customer contact tracking log to track all customer contacts and comments from social media, phone calls, meetings, etc. This is used to ensure a quick, consistent, and effective response to public comments and questions. It also can be used to step back and improve understanding of the response. For example, we have experienced Districts feeling overwhelmed with what is perceived as an avalanche of negative attacks. When we step back and look at the tracking data, we see that maybe a handful of angry people called, another handful with questions and frustrations out of, say, 30,000 customers.

Continued Participation in Activities by the Water Awareness of Monterey County. School presentation by Zun Zun, information tables and giveaways at community events, County Fair participation, etc. Consider other possible activities.

Emergency and Crisis Management. An emergency and crisis communication plan should be developed if there isn't one already.

Near and Intermediate input by the public on key issues. We propose considering Flash Vote one-minute surveys to assist with this.

Cost Proposal

We propose to plan and implement the outreach program as described in this document and outlined below for a not to exceed \$160,768 for consulting plus any material expenses.

Marina Coast Water District	Senior Consultant	Web Master	Graphic Design	Consultant	Social Media	Project Manager	Subtotal
	\$240	\$122	\$122	\$125	\$70	\$80	
Hours	12	0	0	0	120	0	132
Step 1. Research and Information Gathering	\$2,880	\$0	\$0	\$0	\$8,400	\$0	\$11,280
Hours	24	0	4	8	24	8	68
Step 2. Develop Engagement Plan (detailed analysis and plan, timeline, who is responsible, how monitor and evaluate, etc.)	\$5,760	\$0	\$488	\$1,000	\$1,680	\$640	\$9,568
Hours	16	0	0	8	24	0	48
Step 2.1 Develop Clear Narrative Messaging	\$3,840	\$0	\$0	\$1,000	\$1,680	\$0	\$6,520
Hours	0	0	0	0	0	0	0
Step 3.2. Update Branding	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Hours	24	0	12	8	24	1	69
Step 3.3 Get the Word Out Presentations and Meetings. Create presentation and update.	\$5,760	\$0	\$1,464	\$1,000	\$1,680	\$80	\$9,984
Hours	24	0	30	0	200	2	256
3.4 Enhanced Social and Electronic Media Presence. Facebook, Next Door, Instagram, Twitter, YouTube, (not LinkedIn)	\$5,760	\$0	\$3,660	\$0	\$14,000	\$160	\$23,580
Hours	20	0	12	10	24	3	69
3.5 Bill Stuffers or Mailers (Simple, designed stuffer and one page two-sided simple newsletter)	\$4,800	\$0	\$1,464	\$1,250	\$1,680	\$240	\$9,434
Hours	18	0	48	0	200	2	268
3.6 Email List Development and E-Newsletter	\$4,320	\$0	\$5,856	\$0	\$14,000	\$160	\$24,336
Hours	20	0	30	48	48	1	147
3.7 Web Rebuild and updates. Updates during the year. Scope for a web accessibility audit will be provided separately.	\$4,800	\$0	\$3,660	\$6,000	\$3,360	\$80	\$17,900
Hours	36	0	12	10	24	2	84
3.8 Press Relations and Newspaper Advertisements (press releases, ads, and strategizing and support responding to media issues)	\$8,640	\$0	\$1,464	\$1,250	\$1,680	\$160	\$13,194
Hours	30	0	0	0	68	1	99
3.9 Analytics, Tracking and Key Performance Indicators. Does not include quantitative survey or Flash Vote	\$7,200	\$0	\$0	\$0	\$4,760	\$80	\$12,040
Hours	40	0	36	36	60	3	175
3.10 Monitoring Local Issues and Ongoing Support	\$9,600	\$0	\$4,392	\$4,500	\$4,200	\$240	\$22,932
HOURS	264	0	184	128	816	23	1,415
SUBTOTALS AND TOTALS	\$63,360	\$0	\$22,448	\$16,000	\$57,120	\$1,840	\$160,768

It is important that a program of this sort be flexible to respond to the needs of the community. Therefore, the deliverables, quantities, and hours are estimates designed to give an estimated scope of the effort. The specific deliverables may change and the amount of time for each deliverable may also change depending on the evolving needs of the District and the public it serves.

Current Rates. The outreach and public involvement programs rate for the senior consultant (Martin) is \$240 per hour. The webmaster (Mike and Jay) \$122/hour. Graphic Design (Chris) \$122/hour. Consultant (Steve) \$130. Social Media and Other (Jean) \$70. Project Manager (Lynda) \$80.

Travel and Expenses Additional. Material expenses, including travel expenses (transportation and lodging), printing, shipping, sales tax, and other expenses are additional and passed on at cost. Car mileage is at the IRS California rate at the time or the actual rental car cost plus fuel. For meetings involving travel, the minimum charge is four hours.

What Our Clients Are Saying About Us

“There are a lot of public relations firms that put out nice newsletters and send out standard public information materials. But in a tough situation, I want to have Rauch Communication Consultants on my side.

You were always looking ahead, working to solve problems before they occurred. You were also willing to challenge project decisions when you thought we were going in the wrong direction. You gave us insight into people, and used a bulletproof process to track all the details and complicated interactions between the project team, policy makers and the public...”

Meredith Husted Sacramento Regional County Sanitation District

Throughout the project, your guidance and counsel were insightful and invaluable. Your years of experience working with water industry clients on public information and strategic planning efforts were clearly evident. In addition, your project management skills and ability to juggle multiple deliverables at once is commendable.

Several aspects of the outreach program bear your signature mark. One is the customer service log that you so diligently championed and utilized as vital input to the program. The other is the series of community forums for which you so ably prepared Mike and me. Another is the final customer newsletter that received commendations across the board from our Directors, staff, and customers.

Betty Burnett, AGM, South Coast WD

“Thank you...for a fine overall public relations campaign...on the very complicated and political education process concerning our water needs and needs for steelhead fish. Your media outreach, organizing large public meetings, support materials, letters, press release, and newsletter all helped to positively change the public attitude about water in the Ojai Valley and west Ventura County.”

Chuck Bennett, Dir., Casitas Municipal WD

Rauch Communication Consultants Inc. has been in charge of the public outreach for Novato Sanitary District for the past six years. Over that time, they did the outreach for our \$90 million wastewater treatment plant upgrade project and the rate increase to fund the project. In both cases, the public outreach program resulted in very positive public support of the District's programs.

I have come to rely on them for very quick responses on a number of occasions. Most recently we had an odor complaint from neighbors of the treatment plant. Martin provided talking points for the press within hours of being contacted. He also assisted on short notice to prepare a presentation for the Board of Directors and develop an outreach program to the neighborhood.

Beverly James, GM Novato Sanitary District

You have helped us to successfully convey to our customers the importance of the work we are doing for them in providing them with water service. I receive complements on a regular basis from members of the public on the newsletters you prepare for us and how well they tell the story of Diablo Water District. I believe the best indication of how the work you have done for us has been received by our customers was in the public opinion poll that was conducted by the City in which our customers ranked the reliability of our water service second highest only to the fire department who of course is able to provide reliable protection due to dependability of our water system.

Mike Yeraka, GM, Diablo Water District

“Your guidance and counsel were insightful and invaluable. Your years of experience working with water industry clients on public information and strategic planning efforts were clearly evident . . . your project management skills and ability to juggle multiple deliverables at once is commendable.”

Betty Burnett, AGM, South Coast WD

Partial Client List

ASSOCIATIONS, JPAs, STATE, FEDERAL, CORPORATIONS, AND OTHERS

Association of California Water Agencies (ACWA)	Sewer Authority Mid-Coastside
California Special Districts Association (CSDA)	Mission Research Corporation
California Association of Sanitation Agencies (CASA)	Stone Creek Company
California Department of Water Resources	Suburban Water Systems
Special Districts Institute	Boyle Engineering
California Sanitation Risk Management Authority	Dokken Engineering
California Association of Public Cemeteries	El Solutions
Friant Water Authority	McCormick, Kidman, and Behrens
WaterReuse Association	Pennfield and Smith
California Mosquito and Vector Control Association	Redwine and Sherill
American Desalting Association	White House Office of Policy Development
Association of Groundwater Agencies	National Water Resource Association
San Luis Delta-Mendota Water Authority	North Bay Watershed Authority
San Joaquin River Exchange Contractors Water Authority	San Gabriel Valley Water Association
North Bay Water Reuse Authority	San Gabriel Basin WQA
Faculty Association of Community Colleges	Santa Barbara Special District Association
National Water Resource Association	Cachuma Operations Maintenance Board
Water Education Foundation	Cachuma Conservation Release Board
Pacific Coast Association of Port Authorities	California Sign Association

LOCAL GOVERNMENT AGENCIES

BUTTE COUNTY Oroville-Wyandotte ID	North Bakersfield Rec. and Park District Inyokern Community Services District Shafter Park and Recreation District	MARIN COUNTY Las Gallinas Valley Sanitary District North Marin Water District Sausalito-Marín City Sanitation Dst. Tamalpais CSD Sanitary District #5 (Tiburon) Novato Sanitary District Ross Valley Sanitary District San Rafael Sanitation District City of San Rafael Central Marin Sanitary Agency County of Marin Novato Disposal Services, Inc. San Quentin Village and Murray Park
CALAVERAS COUNTY Calaveras County WD	LASSEN COUNTY Lassen Municipal Utility District	MERCED COUNTY Central California Irrigation District MONO COUNTY (and MADERA) Mammoth Community Water District
CONTRA COSTA COUNTY Diablo Water District Contra Costa Water District Stege Sanitary District Dublin San Ramon Service District	LOS ANGELES COUNTY Los Angeles County Park and Rec Castaic Lake Water Agency Central Basin MWD Pico Water District Upper San Gabriel Valley MWD West Basin MWD San Gabriel Valley MWD Water Replenishment Dst. of So. Cal. San Gabriel County Water District Main San Gabriel Basin Watermaster California Domestic Water Company Pasadena Historical Museum Three Valleys MWD Newhall County Water District Las Virgenes Municipal Water District Conjunctive Use Working Group (?) Palmdale Water District City of Sierra Madre City of Arcadia City of El Monte City of La Puente East Pasadena Water Company Foothill Municipal Water District Valley County Water District	MONTEREY COUNTY Marina Coast Water District Monterey Peninsula Water Management District Monterey Regional Water Pollution Control Agency Pebble Beach CSD
EL DORADO COUNTY South Lake Tahoe PUD		NAPA COUNTY Napa County Napa Sanitation District
IMPERIAL COUNTY Imperial Irrigation District		
KERN COUNTY Arvin Edison Water Storage District Indian Wells Valley Airport District Indian Wells Valley Water District Kern County Water Agency West Kern Water District North of the River Municipal Water District (Bakersfield) Oildale Mutual Water Company North Kern Water Storage District Golden Empire Transit District Terra Bella Irrigation District Friant Water Users Authority Cawelo Water District Arvin Community Services District		

NEVADA COUNTY

Northstar CSD
Truckee-Donner Public Utility District
Tahoe Truckee Unified School District

ORANGE COUNTY

Municipal Water District of Orange County
Mesa Consolidated Water District
Los Alamitos County Water District
SouthCoast Water District
Serrano Irrigation District
El Toro Water District
Orange County Water District
Costa Mesa Sanitary District
Capistrano Beach County Water District
Coastal Municipal Water District
Midway City Sanitary District
TriCities Municipal Water District
Yorba Linda Water District
Placentia Library District
Laguna Beach County Water District
Emerald Bay Service District
Moulton Niguel Water District
Orange County Vector Control

PLACER COUNTY

Foresthill PUD
San Juan Water District
North Tahoe Public Utility District
Squaw Valley Public Services District

PLUMAS COUNTY

East Plumas Health Care District

RIVERSIDE COUNTY

Coachella Valley Mosquito & Vector Control District
Mission Springs Water District
29 Palms Municipal Water District
Rancho California Water District
South Mesa Water Company
Elsinore Valley MWD
Santa Rosa CSD
Beaumont Cherry Valley Water District
Santa Ana Watershed Project Authority
Desert Healthcare District

SACRAMENTO COUNTY

County of Sacramento Public Works Agcy.
Sacramento Regional County Sanitation District
Fair Oaks Water District
Arcade Water District
Sacramento Metropolitan WA
Carmichael Water District
Rio Linda Water District
Northridge Water District
Rancho Murrieta CSD
Cordova Recreation and Park District

SAN BERNARDINO COUNTY

Big Bear Municipal Water District
Monte Vista Water District
Big Bear Airport District
Yucaipa Valley Water District
Bear Valley Community Hospital District
Bear Valley Community Services District
City of Big Bear Water and Power Department
Joshua Basin Water District
Inland Empire Utility Agency
East Valley Water District
Big Bear Area Regional Wastewater Agency
Victor Valley Water District
Cucamonga County Water District
San Antonio Water Company
Chino Basin Watermaster
ITI Desert Water District
San Bernardino Valley Water Conservation District
Big Bear City CSD
City of Big Bear Lake
Hi-Desert Water District
West San Bernardino County WD

SAN DIEGO COUNTY

San Diego County Water Authority
Padre Dam Municipal Water District
Rincon del Diablo MWD
Vallecitos Water District
Helix Water District
Leucadia Wastewater District
North County Fire Protection District
Olivenhain Municipal Water District
Sante Fe Irrigation District
Otay Water District
Fallbrook Public Utility District
Rainbow Water District
Vista Irrigation District

SAN FRANCISCO COUNTY

Golden Gate Bridge, Highway, & Trans. District

SAN JOAQUIN COUNTY

Ripon Fire Department

SAN LUIS OBISPO

Templeton CSD
Port San Luis Harbor District
San Simeon CSD
Cambria Community Services District
Nipomo Community Services District

SAN MATEO COUNTY

East Palo Alto Sanitary District
San Mateo County Harbor District
Montara Water & Sanitation District
Sewer Authority Mid-Coastside

SANTA BARBARA COUNTY

City of Santa Barbara

Goleta Sanitary District
Montecito Sanitary District
Carpinteria Sanitary District
Santa Maria Public Airport District
Goleta Water District
Montecito Water District
Cachuma Project Authority
Goleta West Sanitary District
Mosquito and Vector Management District
Isla Vista Recreation and Park District
Lompoc Hospital District
Santa Barbara County Vector Control District
Carpinteria Valley Water District
Santa Ynez Community Services District
La Cumbre Mutual Water Company

SANTA CLARA

Santa Clara Valley Water District
West Valley Sanitation District

SANTA CRUZ COUNTY

Scotts Valley Water District
Pajaro Valley Water Management Agency (Watsonville)
Central Fire Protection District
Santa Cruz FPD
Soquel Creek Water District

SOLANO COUNTY

Rural North Vacaville Water District

TULARE COUNTY

Friant Water User Authority
Visalia Public Cemetery District

VENTURA COUNTY

Camrosa County Water District
Rancho Simi Rec. & Park District
Casitas Municipal Water District
Conejo Recreation and Park District
Ojai Valley Sanitary District
Calleguas Municipal Water District
Meiners Oak County Water District
Marina Coast Water District
Camarillo Health Care District

**Marina Coast Water District
Agenda Transmittal**

Agenda Item: 11-E

Meeting Date: June 19, 2023

Prepared By: Paula Riso

Approved By: Remleh Scherzinger P.E.

Agenda Title: Consider Providing Direction Regarding Election to the Coastal Network, Seat C, of the California Special Districts Association Board

Staff Recommendation: Provide direction on the election to the Coastal Network, Seat C, of the California Special Districts Association (CSDA) Board.

Background: *Strategic Plan Mission Statement – We provide our customers with high quality water, wastewater collection and conservation services at a reasonable cost, through planning, management and the development of water resources in an environmentally sensitive manner.*

Discussion/Analysis: Seat C of the Coastal Network to CSDA’s Board is up for election for the 2024-2026 term. CSDA asked for nominations to Seat C of the Coastal Network on their Board to be submitted by July 14, 2023. They received three nomination forms for Seat C, Vince Ferrante of Moss Landing Harbor District; Brad Imamura from Marina Coast Water District; and, Ronald Stassi of Vandenberg Village Community Services District. Copies of their candidate information is attached. On June 5th, CSDA emailed electronic ballots which are due back to them by July 14, 2023.

Environmental Review Compliance: None required.

Legal Counsel Review: None required.

Climate Adaptation: Not applicable.

Financial Impact: ___ Yes ___ X No Funding Source/Recap: None.

Other Considerations: The Board can decide to not submit a ballot.

Material Included for Information/Consideration: CSDA candidate information for Coastal Network Seat C.

Action Required: ___ Resolution ___ X Motion ___ Review

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____ Abstained _____

Noes _____ Absent _____



**California Special
Districts Association**
Districts Stronger Together

2023 CSDA BOARD CANDIDATE INFORMATION SHEET

The following information **MUST** accompany your nomination form and Resolution/minute order:

Name: Vince Ferrante

District/Company: Moss Landing Harbor District Commissioner

Title: Commissioner

Elected/Appointed/Staff: Elected

Length of Service with District: 20+years

1. Do you have current involvement with CSDA (such as committees, events, workshops, conferences, Governance Academy, etc.):

Governance Academy completed all four modules. I've attended all CSDA Conferences since 2002. I was part of the revitalization task force in 2011. Served on all CSDA committees and have been vice-chair or chair of those committees. I served on the Executive Board for CSDA as secretary for 2 terms, Vice-President in 2016 and President of CSDA in 2017.

2. Have you ever been associated with any other state-wide associations (CSAC, ACWA, League, etc.):

N/A

3. List local government involvement (such as LAFCo, Association of Governments, etc.):

I was the CSDA Liaison for the National Coalition for the Special Districts association for four years.

4. List civic organization involvement: Member of Moss Landing Chamber of Commerce, Board Director and Supervisory Committee Chair of Central Coast Federal Credit Union. Vice-President of the Salinas Japanese Sister City organization. Member of the Monterey Elks, Knights of Columbus, Native Sons of the Golden West, American Legion Post 31, Festa Italia Monterey, Friends of Isola de Femina. Volunteer at Salinas Valley Health Hospital.

****Candidate Statement – Although it is not required, each candidate is requested to submit a candidate statement of no more than 300 words in length. Any statements received in the CSDA office after the nomination deadlines will not be included with the ballot.**

**Candidate Statement
Coastal Network 5, Seat C
Vincent Ferrante-Incumbent**



As a Board Member for California Special District Association for the past several years, I have committed my efforts to efficiently serve the needs of our Independent Special Districts in Coastal Network 5 and also all Special Districts throughout California.

To advance our interests, I also served on all CSDA Committees as either Chairman or Vice-Chairman, two terms as the Board Secretary, Vice-President and in 2017 I had the honor to serve as CSDA President, elected by the CSDA Board of Directors.

I have had the opportunity to visit all the Chapters in Coastal Network 5 while serving on the CSDA Board, either in person or on Zoom.

During my time on the CSDA Board, I have seen membership increase; our professional development has added more conferences and various other educational items and also increased attendees at our State Conferences. Our Advocacy/Legislative Department has been able to follow more bills in the State Legislature. Much of this is with the approval of the CSDA Board.

Additionally, I was appointed the CSDA National Liaison and attended Special District Conferences in Florida, Utah, Colorado, and Oregon in order to create a networking with other States. This has encouraged other states' Special Districts to attend our conferences and provide opportunities to share knowledge, lobbying techniques utilized by other Special Districts, and building to a stronger coalition of Special Districts throughout the United States of America.

Will you please assist me in continuing to serve as your CSDA Director in Coastal Network 5.



California Special
Districts Association
Districts Stronger Together

2023 CSDA BOARD CANDIDATE INFORMATION SHEET

The following information **MUST** accompany your nomination form and Resolution/minute order:

Name: Brad Imanuca

District/Company: Marina Coast Water District

Title: Director

Elected/Appointed/Staff: Elected

Length of Service with District: Sworn in on December 2022

1. Do you have current involvement with CSDA (such as committees, events, workshops, conferences, Governance Academy, etc.):

No

2. Have you ever been associated with any other state-wide associations (CSAC, ACWA, League, etc.):

No

3. List local government involvement (such as LAFCo, Association of Governments, etc.):

None

4. List civic organization involvement:

None

****Candidate Statement** – Although it is not required, each candidate is requested to submit a candidate statement of no more than 300 words in length. **Any statements received in the CSDA office March 31, 2023, after 5:00 p.m. will not be included with the ballot.**

Brad Imamura
CANDIDATE STATEMENT
for
Coastal Network, Seat C, of the CSDA Board

I was recently elected as a Director for the Marina Coast Water District Board in November 2022 and sworn in December 2022.

My experience working for the Santa Clara Valley Water District has taught me to work collaboratively with people of various backgrounds and be an advocate when dealing with government bureaucracy. Integrity, experience and dedication will guide my decisions.

Please elect Brad Imamura to serve as a Director in Seat C to the Coastal Network of the California Special Districts Association Board.

Thank you.



**California Special
Districts Association**
Districts Stronger Together

2023 CSDA BOARD CANDIDATE INFORMATION SHEET

The following information **MUST** accompany your nomination form and Resolution/minute order:

Name: Ronald V. Stassi

District/Company: Vandenberg Village CSD

Title: Director

Elected/Appointed/Staff: Elected

Length of Service with District: 1- year

1. Do you have current involvement with CSDA (such as committees, events, workshops, conferences, Governance Academy, etc.):

Attended Special District Leadership Academy in 2022
Attended 2022 Annual Conference & Exhibitor

2. Have you ever been associated with any other state-wide associations (CSAC, ACWA, League, etc.):

Officer in California Municipal Utilities Association, President of Southern California Public Power Authority, Represent of Utilities in Northern California Public Power Authority

3. List local government involvement (such as LAFCo, Association of Governments, etc.):

Groundwater Sustainability Agency (GSA) for Santa Ynez River Valley Groundwater Basin (a medium-priority basin under the Sustainable Groundwater Management Act)

4. List civic organization involvement:

Past member in Burbank Sunrise Kiwanis Current president of Vandenberg Village Association

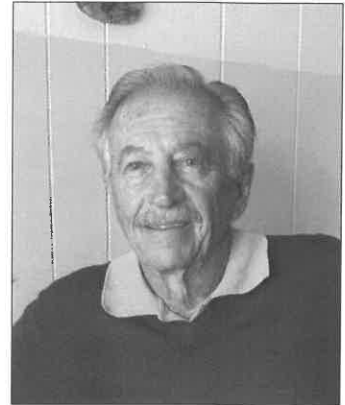
****Candidate Statement – Although it is not required, each candidate is requested to submit a candidate statement of no more than 300 words in length. Any statements received in the CSDA office after the nomination deadlines will not be included with the ballot.**

Ronald V. Stassi

Nomination Form

CDSA Board of Directors | Coastal Network, Seat C (2024-2026)

In recent years I have learned a great deal about the role and importance of independent special districts in California. Most of this knowledge I acquired after the City of Lompoc hired me as its Utility Director in 2007. Soon thereafter I established a relationship with the **Vandenberg Village Community Services District** personnel while leading the City's team that financed and constructed the regional plant that the District utilizes for its sewage and wastewater treatment. Much later, in January 2022, I was selected to fill a vacant position on its board. I received a full four-year term following the November 2022 General Election when I ran unopposed.



Before relocating to the Central Coast I spent 45 years with California governmental utilities, mostly in supervisory or managerial roles, including serving as the head of two municipal utilities and representing both organizations in joint powers authorities.

I have a Bachelor and Masters degrees in Engineering as well as an MBA. I am a licensed Professional Engineer in the State of California. My experience rising from an entry-level engineer to managing two California municipal utilities has helped me become an effective special district board member that will carry over if elected to the CSDA Board.

In addition to serving as an elected official, I have been a member of a service club (Kiwanis) and currently serve as president of a local volunteer civic organization, the Vandenberg Village Association.

I completed CSDA's Special District Leadership Academy in 2022.

I ask for your vote so that I may help represent our mutual interests. You can reach me at rstassi@vvcasd.org or ronstassi@gmail.com.

