



MARINA COAST WATER DISTRICT

11 RESERVATION ROAD, MARINA, CA 93933-2099

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DIRECTORS

HOWARD GUSTAFSON
President

PETER LE
Vice President

THOMAS P. MOORE
WILLIAM Y. LEE
JAN SHRINER

Agenda

Regular Board Meeting, Board of Directors

Marina Coast Water District

Marina Council Chambers

211 Hillcrest Avenue, Marina, California

Monday, October 19, 2015, 6:30 p.m. PST

This meeting has been noticed according to the Brown Act rules. The Board of Directors meet regularly on the first and third Monday of each month. The meetings normally begin at 6:30 p.m. and are held at the City of Marina Council Chambers at 211 Hillcrest Avenue, Marina, California.

Our Mission: 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.

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.*

4. Closed Session

A. Pursuant to Government Code 54956.9
Conference with Legal Counsel – Existing Litigation

- 1) Ag Land Trust v. Marina Coast Water District, Monterey County Superior Court Case No. M105019; Sixth Appellate District Court of Appeals Case Nos. H038550 and H039559

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 City of Marina Council Chambers. The agenda shall also be posted at the following locations but those locations are not official agenda posting locations for purposes of section 54954.2(a)(1): District offices at 11 Reservation Road, Seaside City Hall, the City of Marina Library, and the City of Seaside Library. A complete Board packet containing all enclosures and staff materials will be available for public review on Thursday, October 15, 2015. Copies will also be available at the Board meeting. 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: 831-883-5910.

- 2) In the Matter of the Application of California-American Water Company (U210W) for Approval of the Monterey Peninsula Water Supply Project and Authorization to Recover All Present and Future Costs in Rates, California Public Utilities Commission No. A.12-04-019 & A.13-05-017 Settlement Agreement
- 3) California-American Water Company vs Marina Coast Water District; Monterey County Water Resources Agency; and Does 1 through 10, San Francisco Superior Court Case No. CGC-13-528312 (Complaint for Declaratory Relief)
- 4) Marina Coast Water District vs. California-American Water Company, Monterey County Water Resources Agency, and Does 1 through 50, San Francisco Superior Court Case No. CGC-15-547125 (Complaint for Breach of Warranties, etc.)
- 5) Marina Coast Water District v, California Coastal Commission (California-American Water Company, Real Party in Interest), Santa Cruz County Superior Court Case No. CV180839 (Petition for Writ of Mandate). Sixth District Court of Appeal Case No. H042742
- 6) Marina Coast Water District v, California State Lands Commission (California-American Water Company, Real Party in Interest), Santa Cruz County Superior Court Case No. CV180895 (Petition for Writ of Mandate)

- B. Pursuant to Government Code 54957 (a)
Threat to Public Services or Facilities

7:00 p.m. Reconvene Open Session

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.*
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. **Consent Calendar** *Board approval can be taken with a single motion and vote. A Board member or member of the public may request that any item be pulled from the Consent Calendar for separate consideration at this meeting or a subsequent meeting. The public may address the Board on any Consent Calendar item. Please limit your comment to four minutes.*

- A. Receive and File the Check Register for the Month of September 2015
B. Approve the Draft Minutes of the Regular Board Meeting of October 5, 2015

9. 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. Discussion and Possible Action to Consider Adoption of Resolution No. 2015-49 to Approve a Request for Proposal for Public Relations and Community Outreach Services

Action: The Board of Directors will consider approving a Request for Proposals for a Public Relations firm and provide direction to staff.

B. Discussion and Possible Action to Consider Adoption of Resolution No. 2015-50 to Award a Contract to Conduct a Cyber Security Audit of the District

Action: The Board will consider awarding a contract to conduct a Cyber Security Audit of the District.

10. Correspondence Received by the District, Directors and General Manager

11. 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. Counsel's Report

C. Committee and Board Liaison Reports

- | | |
|-----------------------------------|-----------------------------------|
| 1. Water Conservation Commission | 7. LAFCO Liaison |
| 2. Joint City-District Committee | 8. FORA |
| 3. Executive Committee | 9. WWOC Report |
| 4. Community Outreach Committee | 10. JPIA Liaison |
| 5. Budget and Personnel Committee | 11. Special Districts Association |
| 6. MRWPCA Board Member Liaison | |

12. Board Member Requests for Future Agenda Items

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

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

*Regular Meeting: Monday, November 2, 2015, 6:30 p.m.,
Marina Council Chambers, 211 Hillcrest Avenue, Marina*

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8

Meeting Date: October 19, 2015

Prepared By: Paula Riso

Approved By: Keith Van Der Maaten

Agenda Title: Consent Calendar

Staff Recommendation: The Board of Directors approve the Consent Calendar as presented.

Background: *2015 Strategic Plan Mission Statement – To 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.*

Consent calendar consisting of:

- A) Receive and File the Check Register for the Month of September 2015
- B) Approve the Draft Minutes of the Regular Board Meeting of October 5, 2015

Discussion/Analysis: See individual transmittals.

Environmental Review Compliance: None required.

Other Considerations: The Board of Directors can approve these items together or the Board can pull these items and discuss each one individually.

Material Included for Information/Consideration: The September 2015 Check Register; and, the draft minutes of October 5, 2015.

Action Required: _____ Resolution X 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: 8-A

Meeting Date: October 19, 2015

Prepared By: Kelly Cadiente

Approved By: Keith Van Der Maaten

Agenda Title: Receive and File the Check Register for the Month of September 2015

Staff Recommendation: The Board of Directors receive and file the September 2015 expenditures totaling \$934,969.33.

Background: *2015 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 September 2015 and the Board is requested to receive and file the check register.

Environmental Review Compliance: None required.

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: September 2015 Summary Check Register.

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: 8-B

Meeting Date: October 19, 2015

Prepared By: Paula Riso

Approved By: Keith Van Der Maaten

Agenda Title: Approve the Draft Minutes of the Regular Board Meeting of October 5, 2015

Staff Recommendation: The Board of Directors approve the draft minutes of the October 5, 2015 regular Board meeting.

Background: *2015 Strategic Plan, Mission Statement – We Provide 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: The draft minutes of October 5, 2015 are provided for the Board to consider approval.

Environmental Review Compliance: None required.

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 October 5, 2015.

Action Required: ___Resolution ___X___Motion ___Review

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____ Abstained _____

Noes _____ Absent _____

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9-A

Meeting Date: October 19, 2015

Prepared By: Jean Premutati

Approved By: Keith Van Der Maaten

Agenda Title: Discussion and Possible Action to Consider Adoption of Resolution No. 2015-49 to Approve a Request for Proposal for Public Relations and Community Outreach Services

Staff Recommendation: The Board approve the Request for Proposal and direct staff to send it out.

Background: *2015 5-Year Strategic Plan Mission Statement – Strategic Partners and Public Affairs – Our objective is to build our relationship with the public and local 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.*

On July 21, 2015, the District obtained the services of Miller Maxfield, Inc. to perform some basic public relations services such as press releases for new management staff as well as a Conservation press release and announcement of MCWD's conservation programs with a contract price of \$5,200. In addition, Miller Maxfield conducted an analysis of our website and provided recommendations for changes to ease of navigation, visual appeal and branding.

As MCWD moves forward in pursuing alternative water supplies, meeting conservation goals, ratepayer communication and customer service, the Outreach Committee, on September 10, 2015, asked staff to draft a request for proposal (RFP) for public relations and community outreach with a more long-term, formal scope of work. Some of the anticipated projects will include advertising campaigns, website recommendations, value-added media and editorial opportunities and the best strategies for outreach and communication efforts.

Discussion/Analysis: Over the past several years the District has been viewed by some in the media and the public in a negative light. We have much to be proud of, and in spite of some negative press, staff has managed to maintain a high level of core services, an outstanding safety record and has met and exceeded conservation goals. With the addition of a new General Manager and District Engineer, the Board and staff can focus on long range planning objectives and move forward with completing all the components in Section 4.0 of the District's 5-year strategic plan.

The goal of these efforts is to have a firm/consultant develop a strategic communication plan that can be used to communicate with our Strategic Partners (Section 4.1) and to complete a plan for technology use in public affairs (Section 4.2). Once the Board adopts the plans, staff will begin implementation.

Environmental Review Compliance: None required.

October 19, 2015

Resolution No. 2015-49
Resolution of the Board of Directors
Marina Coast Water District
Approving a Request for Proposal
For Public Relations and Community Outreach Services

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on October 19, 2015 at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, over the past few years the District has been unfairly viewed by the media and the public while maintaining a high level of core services; and,

WHEREAS, in July 2015, the firm of Miller Maxfield, Inc. was hired to perform basic public relations services until such time that key two (2) executive management positions were filled; and,

WHEREAS, the District is seeking a more long-term, formal scope of work; and,

WHEREAS, at the September 10, 2015 Outreach Committee meeting, the Committee asked staff to draft a request for proposals (RFP) to provide public relations and community outreach services to the District; and,

WHEREAS, an objective of the 5-year strategic plan is our strategic partners and public affairs (Section 4.0) which includes developing a strategic communication plan (Section 4.1) and adopting a plan for technology use in public affairs (Section 4.2) so that we can build relationships with the public and local agencies by communicating in a positive way including open discussions.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby adopt Resolution No. 2015-50 approving a request for proposals to provide public relations and community outreach services to the District.

PASSED AND ADOPTED on October 19, 2015, 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 _____

Thomas P. Moore, Director

ATTEST:

Keith Van Der Maaten, 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. 2015-49 adopted October 19, 2015.

Keith Van Der Maaten, Secretary

Marina Coast Water District
Agenda Transmittal

Agenda Item: 9-B

Meeting Date: October 19, 2015

Submitted By: Kelly Cadiente

Approved By: Keith Van Der Maaten

Agenda Title: Discussion and Possible Action to Consider Adoption of Resolution No. 2015-50 to Award a Contract for Cyber Security Audit Services

Staff Recommendation: The Board of Directors adopt Resolution No. 2015-50 to award a contract for cyber security audit services to Info@Risk, Inc. in an amount not-to-exceed \$19,500.

Background: *2015 5-Year 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.*

On March 16, 2015, the Board adopted Resolution No. 2015-11 to approve the District Technology Plan Appendix for FY 2015-2016. Included in the approved motion was direction to staff to seek an appropriate computer security consultant to perform a cyber security audit of the District's Information and Technology (IT) and the Supervisory Control and Data Acquisition (SCADA) systems.

On August 17, 2015, the Board adopted Resolution No. 2015-43 approving the Request for Proposals (RFP). The scope of services in the RFP included:

- Provide a full network vulnerability assessment of the organization through
 - A full Internet Firewall router review of both the IT and SCADA systems.
 - A full review of VPN routers and communication between office locations and between the SCADA control room and to remote access users.
- Identify and provide a report of suggestions to remediate vulnerabilities and provide a report of intrusions (if any) into the District's IT and SCADA systems.
- Review the current IT policies and procedures including an examination of the District's back-up procedures and off-site storage and provide a listing of recommended changes to align with Best Practices for cyber security.
- Review all network gear within the IT system, which includes all switches and access points as well as all devices including workstations, laptops, and cell phones and provide a list of recommended changes where necessary.
- Review all network gear within the SCADA system, as well as all devices including workstations, laptops, and cell phones and provide a list of recommended changes where necessary.
- Review network and infrastructure maps for accuracy.
 - Identify and provide a listing of discrepancies.

Discussion/Analysis: The RFP deadline was extended one week to September 25th due to a delay in posting the RFP. The District received 5 responses to the RFP whose proposed costs range from \$5,000 - \$45,133. An evaluation matrix is included to assist the Board with its selection. Based on a review of the proposals, Info@Risk, Inc. was ranked the highest based on their qualifications and completeness of proposal. Staff therefore recommends awarding a contract to Info@Risk, Inc. in an amount not-to-exceed \$19,500.

Staff was informed of an evaluation tool for the SCADA system from the Department of Homeland Security (DHS) that may be another option for the Board to consider for the SCADA portion of the audit. After staff review and discussion with the SCADA consultant, staff does not believe the use of the evaluation tool is a feasible option as it would involve a large amount of staff and consulting time. In addition, while it allows for a representative from the DHS to assist at no charge to the District, it would most likely take a lot more time to complete than having the chosen cyber security auditor include that in their work.

Environmental Review Compliance: None required.

Financial Impact: Yes No Funding Source/Recap: Funded through FY 2015/2016 Operating Budget of the Central Marina and Ord Community cost centers – MW 27%, MS 7%, OW 54%, OS 12%.

Material Included for Information/Consideration: Resolution No. 2015-50; and, Summary Matrix of Proposals.

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

Board Action

Motion By _____ Seconded By _____ No Action Taken _____

Ayes _____ Abstained _____

Noes _____ Absent _____

October 19, 2015

Resolution No. 2015-50
Resolution of the Board of Directors
Marina Coast Water District
Approving a Contract with Info@Risk, Inc.
to Provide Cyber Security Audit 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 October 19, 2015 at 211 Hillcrest Avenue, Marina, California as follows:

WHEREAS, on March 16, 2015, the Board adopted Resolution No. 2015-11 to approve the District Technology Plan Appendix for FY 2015-2016. Included in the approved motion was direction to staff to seek an appropriate computer security consultant to perform a cyber security audit of the District’s Information and Technology (IT) and the Supervisory Control and Data Acquisition (SCADA) system; and,

WHEREAS, previously the Board adopted Resolution No. 2015-43 to approve a Request for Proposals (RFP) for cyber security audit services to the District; and,

WHEREAS, staff issued a RFP with a proposal due date of September 25, 2015 and received five (5) proposals; and,

WHEREAS, a summary of the proposals was prepared by staff to assist the Board member evaluate of the proposals.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby adopt Resolution No. 2015-50, to approve a contract with Info@Risk, Inc. for a not-to-exceed amount of \$19,500 to provide cyber security audit services to the District, and authorizes the General Manager and/or the Director of Administrative Services to take all actions and execute all documents as may be necessary or appropriate to give effect to this resolution.

PASSED AND ADOPTED on October 19, 2015, 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 _____

Thomas P. Moore, President

ATTEST:

Keith Van Der Maaten, 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. 2015-50 adopted October 19, 2015.

Keith Van Der Maaten, Secretary