



# MARINA COAST WATER DISTRICT & GROUNDWATER SUSTAINABILITY AGENCY

11 RESERVATION ROAD, MARINA, CA 93933-2099  
OFFICE: (831) 384-6131 [www.mcwd.org](http://www.mcwd.org)

## 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  
Via Zoom Teleconference**

**Tuesday, February 21, 2023, 6:30 p.m. PST**

Due to Governor Newsom's Executive Order N-29-20 and recommendations on protocols to contain the spread of COVID-19, staff and Board members will be attending the February 21, 2023 remotely from various locations. There will be No physical location of the meeting. The public is strongly encouraged to use the Zoom app for best reception. There may be limited opportunity to provide verbal comments during the meeting. 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](mailto:priso@mcwd.org) by 9:00 am on Tuesday, February 21, 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/88297758505?pwd=cGNmWXREQ25CMzdVdmZkZk8rcnJQdz09>

Passcode: 647887

To participate via phone, please call: 1-669-900-6833; Meeting ID: 882 2775 8505 Passcode: 647887

***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. Pledge of Allegiance**

**4. 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.*

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, Marina. A complete Board packet containing all enclosures and staff materials will be available for public review on the District website, Wednesday, February 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: 831-883-5910

**5. Consent Calendar**

- A. [Receive and File the Check Register for the Month of January 2023](#)
- B. [Approve the Draft Minutes of the Regular Joint Board/GSA Meeting of January 23, 2023](#)
- C. [Approve the Draft Minutes of the Special Joint Board/GSA Meeting of February 11, 2023](#)

**6. 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. 2023-07 to Award a Contract to Calcon Systems Inc. for the 2023 Supervisory Control and Data Acquisition Upgrade Project Phase 1 and Amend the FY 2022-2023 Budget](#)
- B. [Consider Authorizing a Return to Traditional Brown Act Requirements for Teleconference Attendance by Board Members](#)

**7. Workshop**

- A. [Sexual Harassment Training Provided by Anthem EAP](#)

**8. 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. Executive Committee
  - 2. Budget and Engineering Committee
  - 3. Community Outreach and Personnel Committee
  - 4. M1W Board Member Liaison

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

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

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

*Regular Board Meeting: Monday, March 20, 2023, 6:30 p.m.*

**Marina Coast Water District  
Agenda Transmittal**

**Agenda Item:** 5

**Meeting Date:** February 21, 2023

**Prepared By:** Paula Riso

**Approved By:** Remleh Scherzinger P.E.

**Agenda Title:** Consent Calendar

**Staff Recommendation:** The Board of Directors 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 January 2023
- B) Approve the Draft Minutes of the Regular Joint Board/GSA Meeting of January 23, 2023
- C) Approve the Draft Minutes of the Special Joint Board/GSA Meeting of February 11, 2023

**Discussion/Analysis:** See individual transmittals.

**Environmental Review Compliance:** None required.

**Legal Counsel Review:** None required.

**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 January 2023; draft minutes of January 23, 2023; and, draft minutes of the Special Joint Board/GSA meeting of February 11, 2023.

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

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Board Action

Motion By \_\_\_\_\_ Seconded By \_\_\_\_\_ No Action Taken \_\_\_\_\_

Ayes \_\_\_\_\_ Abstained \_\_\_\_\_

Noes \_\_\_\_\_ Absent \_\_\_\_\_

**Marina Coast Water District  
Agenda Transmittal**

**Agenda Item:** 5-A

**Meeting Date:** February 21, 2023

**Prepared By:** Mary Lagasca

**Approved By:** Remleh Scherzinger P.E.

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

**Staff Recommendation:** The Board of Directors receive and file the January 2023 expenditures totaling \$1,420,445.80.

**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 January 2023 and the Board is requested to receive and file the check register.

**Environmental Review Compliance:** None required.

**Legal Counsel Review:** None required.

**Climate Adaptation:** Not applicable.

**Financial Impact:** \_\_\_ Yes \_\_\_ X 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:** January 2023 Summary Check Register.

**Action Required:** \_\_\_ Resolution \_\_\_ X Motion \_\_\_ Review  
(Roll call vote is required.)

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Board Action

Motion By \_\_\_\_\_ Seconded By \_\_\_\_\_ No Action Taken \_\_\_\_\_

Ayes \_\_\_\_\_ Abstained \_\_\_\_\_

Noes \_\_\_\_\_ Absent \_\_\_\_\_

## JANUARY 2023 SUMMARY CHECK REGISTER

DATE	CHECK #	CHECK DESCRIPTION	AMOUNT
01/05/2023	73036 - 73062	Check Register	34,204.18
01/10/2023	ACH	Friedman & Springwater LLP	84,251.22
01/10/2023	73063 - 73098	Check Register	345,398.81
01/18/2023	Wire	Santa Cruz County Bank	118,694.06
01/18/2023	73099 - 73127	Check Register	45,213.32
01/24/2023	73128 - 73136	Check Register	173,749.03
01/31/2023	73137 - 73192	Check Register	61,604.49
01/06/2023	ACH	Payroll Direct Deposit	120,313.14
01/06/2023	ACH	CalPERS	26,657.68
01/06/2023	ACH	Empower Retirement	19,936.16
01/06/2023	ACH	Internal Revenue Service	47,525.67
01/06/2023	ACH	State of California - EDD	14,581.11
01/06/2023	ACH	WageWorks, Inc.	940.33
01/06/2023	501462 - 501463	Check Register	1,264.80
01/10/2023	501464 - 501471	Check Register	96,151.85
01/12/2023	501472 - 501473	Board Compensation Checks and Direct Deposit	415.57
01/12/2023	ACH	Internal Revenue Service	68.86
01/20/2023	ACH	Payroll Direct Deposit	121,223.84
01/20/2023	ACH	CalPERS	26,603.81
01/20/2023	ACH	Empower Retirement	19,543.10
01/20/2023	ACH	Internal Revenue Service	47,844.99
01/20/2023	ACH	State of California - EDD	12,802.65
01/20/2023	ACH	WageWorks, Inc.	880.33
01/20/2023	501474	Check Register	576.80
<b>TOTAL DISBURSEMENTS</b>			<b><u>1,420,445.80</u></b>

Check No	Invoice Date	Check Date	Vendor Name	Description	Amount
73036	12/14/2022	01/05/2023	Area Communications	Answering Service 11/16 - 12/13	320.42
73037	11/30/2022	01/05/2023	Monterey Regional Waste Management District	Scrap PVC Disposal - O&M Yard	60.90
73038	12/02/2022	01/05/2023	Peninsula Welding & Medical Supply, Inc.	Welding Kit, Hose, Supplies - Vehicle #W01; Hose, Supplies - Vehicle #S01	1,602.38
73039	12/12/2022	01/05/2023	McDonald Refrigeration, Inc.	Service Freeze Kit	183.41
73040	12/12/2022	01/05/2023	Water Awareness Comm Mtry	Zun Zun Performance - Dual Language Academy	1,000.00
73041	11/29/2022	01/05/2023	CWEA - Monterey Bay Section	Membership Renewal	202.00
73042	12/09/2022	01/05/2023	Orkin Franchise 925	BLM/ IOP Pest Control 12/2022	205.00
73043	11/30/2022	01/05/2023	Pacific Smog	Smoke Test - Vehicle #1501	51.75
73044	12/08/2022	01/05/2023	HD Supply Facilities Maintenance LTD	General Supplies	381.33
73045	12/06/2022	01/05/2023	University of Southern CA	2023 Water Purveyor Membership - Cross Connection Control	250.00
73046	12/28/2022	01/05/2023	O'Reilly Automotive Stores, Inc.	Auto/ General Supplies	9.62
73047	12/12/2022	01/05/2023	Sabre Backflow, LLC	General Supplies	301.31
73048	12/12/2022	01/05/2023	Cook's Photography	Photography Sitting Fee - New Board Member	202.11
73049	11/28/2022	01/05/2023	Sturdy Oil Company	(22) 5-gallon Pails Clarion FM AW32; (225) gals Clear Diesel - Convault Tank/ O&M Yard; (1,321) gals Dyed Diesel - Various Sites	870.45
73050	11/30/2022	01/05/2023	ECAM Secure	Monthly Security Fees - Ord Wastewater Treatment Facility	1,218.50
73051	12/08/2022	01/05/2023	Green Rubber-Kennedy AG, LP	Rain Gear, General Supplies	1,079.80
73052	12/06/2022	01/05/2023	U.S. Bank Corporate Payment Systems	Employment Advertisement (Assistant/ Associate Engineer); (75) Reusable Water Bottles - All Staff; 2022 ACWA Fall Conference Hotel - GM; ArcGIS Enterprise Administration Workflows Course - IT Administrator; Backflow Assembly Tester Exam Fee - O&M; Cross-Connection Control Specialist Exam Fee - (2) O&M; Cybersecurity Awareness Training - All Staff; DOT Random Drug Testing Program - (12) O&M; Public Agency Legislative Roundup Webinar - HR; Cloud Hosted Server - CityWorks/ ESRI; SCADA Internet Service; SCADA Mobile/ Laptop Hotspot; General Supplies	13,639.22
73053	12/15/2022	01/05/2023	Marina Tire & Auto Repair	Oil Change, (4) Tires - Vehicle #1306	1,094.72
73054	12/06/2022	01/05/2023	Mid-State Fleet Repair	Smoke Inspection - Vehicle #1102	70.00
73055	12/16/2022	01/05/2023	U.S. Bank National Association	Beach Office Copier Lease 12/10 - 01/09	275.32
73056	12/14/2022	01/05/2023	ICONIX Waterworks (US), Inc.	(2) Couplers, Supplies - Beach Office Service Line Replacement; DI Spool, Mega Flange Kit, Supplies - Marina Vista Meter Installation; General Supplies	3,436.51
73057	09/14/2022	01/05/2023	Brigantino & Company	Appraisal Report	4,750.00
73058	12/13/2022	01/05/2023	Boutin Jones, Inc.	Legal Services 11/2022	144.50
73059	01/03/2023	01/05/2023	Buckles-Smith Electric Co.	General Supplies	19.05
73060	12/08/2022	01/05/2023	Verizon Connect NWF, Inc.	(3) OBD Units - Fleet	114.72
73061	11/30/2022	01/05/2023	AutoZone Parts, Inc.	Fleet Supplies	136.94

Check No	Invoice Date	Check Date	Vendor Name	Description	Amount
73062	10/17/2022	01/05/2023	International E-Z UP, Inc.	(2) 10' x 10' Custom Pop-Up Canopies - Conservation Events	2,584.22
ACH	12/06/2022	01/10/2023	Friedman & Springwater LLP	Legal Services 11/2022	84,251.22
73063	12/31/2022	01/10/2023	Ace Hardware of Watsonville, Inc.	General Supplies	869.29
73064	12/29/2022	01/10/2023	Quinn Company	Annual Maintenance - (11) Generators	10,825.74
73065	12/13/2022	01/10/2023	Carlons Fire Extinguisher	First Aid Supplies	170.76
73066	01/03/2023	01/10/2023	City of Marina	Franchise Tax Fee 10/2022 - 12/2022	55,233.99
73067	12/16/2022	01/10/2023	Grainger	Clamp Meter, General Supplies	1,034.94
73068	11/30/2022	01/10/2023	Schaaf & Wheeler	Construction Phase - A1/A2 Tanks B/C Booster	15,704.85
73069	12/28/2022	01/10/2023	Monterey Bay Analytical Services	Laboratory Testing	1,260.00
73070	12/19/2022	01/10/2023	Monterey Sanitary Supply, Inc.	General Supplies	152.60
73071	12/18/2022	01/10/2023	Verizon Wireless	Cell Phone Service 12/2022	3,015.66
73072	12/13/2022	01/10/2023	American Supply Company	Janitorial Supplies	127.66
73073	12/17/2022	01/10/2023	M&M Backflow & Meter Maintenance	Field Testing - (15) Large Water Meters	3,525.00
73074	12/05/2022	01/10/2023	Fastenal Industrial & Construction Supplies	General Supplies	179.80
73075	12/15/2022	01/10/2023	Sturdy Oil Company	(250) gals Dyed Diesel - East Garrison LS, Dunes LS; (300) gals Clear Diesel - Convault Tank/ O&M Yard	2,881.65
73076	11/30/2022	01/10/2023	Pacific Ag Rentals LLC	Mobile Restroom Rental - Beach/ Ord Offices	1,052.93
73077	12/15/2022	01/10/2023	Sherwin-Williams Co.	General Supplies	453.05
73078	12/27/2022	01/10/2023	Safeguard Business Systems, Inc.	W2, 1099 Forms/ Envelopes	157.93
73079	12/26/2022	01/10/2023	U.S. Bank National Association	IOP Office Copier Lease 12/20 - 01/19	287.34
73080	01/03/2023	01/10/2023	Monterey Bay Technologies, Inc.	IT Support Services 01/2023	3,600.00
73081	12/19/2022	01/10/2023	Conservation Rebate Program	136 Peppertree Pl - (2) Toilet Rebates	150.00
73082	01/01/2023	01/10/2023	California Water Efficiency Partnership	2023 CalWEP and AWE Dues	3,410.20
73083	10/07/2022	01/10/2023	Association of California Water Agencies	2023 Annual Agency Dues	24,655.00
73084	12/07/2022	01/10/2023	Griffith, Masuda & Hobbs	Legal Services 11/2022	20,150.00
73085	01/01/2023	01/10/2023	Pure Janitorial, LLC	Janitorial Service - MCWD, BLM Offices 12/2022	5,129.97
73086	12/21/2022	01/10/2023	EKI Environment & Water, Inc.	Groundwater Sustainability Planning Implementation Actions	51,900.00
73087	12/31/2022	01/10/2023	Cintas Corporation No. 630	Uniforms, Towels, Rugs 12/2022; District Dress Shirt, Jacket, (2) Hats - Board Member	1,405.99
73088	12/21/2022	01/10/2023	Psomias	Construction Management/ Inspection - Ord Village LS; Construction Management - A1/A2 Tanks B/C Booster	54,735.73
73089	12/21/2022	01/10/2023	Ferguson Enterprises, Inc.	General Supplies	454.69
73090	12/25/2022	01/10/2023	WEX Bank	Fleet Gasoline 12/2022	6,000.98
73091	01/04/2023	01/10/2023	Employee Reimbursement	Boot Benefit - O&M	200.00
73092	12/14/2022	01/10/2023	Peninsula Crane & Rigging	Generator Placement Service - Dunes LS	1,440.00
73093	12/22/2022	01/10/2023	CivicPlus, LLC	Supplement 18 - Codes and Ordinances	349.42
73094	12/20/2022	01/10/2023	Nearmap US, Inc.	ArcGIS Map Subscription - Offline Copy Add-On Charge	1,000.00
73095	12/19/2022	01/10/2023	Conservation Rebate Program	3008 King Cir - Washer Rebate	100.00
73096	01/03/2023	01/10/2023	City of Seaside	City Utility Tax 10/2022 - 12/2022	18,688.93
73097	12/13/2022	01/10/2023	KBA Document Solutions, LLC	TX-4100 Canon Plotter/ Scanner, Accessories - Engineering	17,594.71

Check No	Invoice Date	Check Date	Vendor Name	Description	Amount
73098	11/07/2022	01/10/2023	Probolsky Research LLC	Customer Survey	37,500.00
Wire	12/06/2022	01/18/2023	Santa Cruz County Bank	BLM Construction Loan Payment	118,694.06
73099	09/26/2022	01/18/2023	Becks Shoe Store, Inc. - Salinas	Boot Benefit - O&M, Engineering	325.36
73100	01/03/2023	01/18/2023	Peninsula Welding & Medical Supply, Inc.	Welding Kit, Supplies - Vehicle #S01; Gas Cylinder Tank Rental Fee; Nitrogen UHP Gas Tank - Annual Lease	1,135.53
73101	12/20/2022	01/18/2023	CWEA - Monterey Bay Section	Membership Renewal	202.00
73102	12/22/2022	01/18/2023	Harris & Associates	Developers (CHISPA East Garrison Apartments, Enclave at Cypress Grove)	9,334.00
73103	12/31/2022	01/18/2023	DataProse, LLC	Customer Billing Statements 12/2022	6,113.63
73104	12/13/2022	01/18/2023	Fastenal Industrial & Construction Supplies	General Supplies	106.74
73105	12/21/2022	01/18/2023	Wallace Group	Developer (Wathen-Castanos Homes)	8,978.44
73106	01/10/2023	01/18/2023	Geiger	(800) Disconnect Orders	584.19
73107	12/26/2022	01/18/2023	BHI Management Consulting	Plan Development - Strategic Plan	750.00
73108	12/20/2022	01/18/2023	Don Chapin Co., Inc	Crane Service - (4) Sites	4,456.25
73109	01/10/2023	01/18/2023	Daiohs USA	Coffee Supplies	495.09
73110	01/12/2023	01/18/2023	Employee Reimbursement	Grade II Collection System Certification Renewal	100.00
73111	06/22/2022	01/18/2023	CLK Supplies, LLC	(18) Schlage Locks (Re-Issue)	501.47
73112	12/29/2022	01/18/2023	Marina Tire & Auto Repair	(4) Tires, Oil Change - Vehicle #1801; (2) Tires - Vehicle #1803	1,530.23
73113	01/04/2023	01/18/2023	Boutin Jones, Inc.	Legal Services 12/2022	509.50
73114	12/31/2022	01/18/2023	Peninsula Messenger LLC	Courier Service 01/2023	250.00
73115	12/29/2022	01/18/2023	Western Exterminator Company	Pest Control - Beach Office 12/2022	106.75
73116	01/06/2023	01/18/2023	TIAA, FSB	Ord Office Copier, eCopy ScanStation Leases 01/2023	422.04
73117	12/31/2022	01/18/2023	Iron Mountain, Inc.	Shredding Service 12/2022	288.58
73118	12/28/2022	01/18/2023	AT&T	Phone and Alarm Line Service 12/2022	202.99
73119	01/01/2023	01/18/2023	Simpler Systems, Inc.	UB Datapp Maintenance 01/2023	500.00
73120	12/30/2022	01/18/2023	Marina Coast Water District (BLM)	BLM Water, Sewer, Fire Service 12/2022	391.26
73121	12/12/2022	01/18/2023	Federico Embroidery	(2) MCWD Shirts - Engineering	62.84
73122	01/10/2023	01/18/2023	Employee Reimbursement	Grade III Collection System Exam Fee	215.00
73123	01/10/2023	01/18/2023	Employee Reimbursement	Grade III Collection System Exam Fee	215.00
73124	02/01/2023	01/18/2023	The Ferguson Group, LLC	Grant Writing and Legislative Advocacy 02/2023	1,700.00
73125	12/27/2022	01/18/2023	HPS West, Inc.	Master Meter Mobile Receiver, Antenna	3,421.43
73126	01/04/2023	01/18/2023	SBRK Finance Holdings, Inc.	CivicPay/ CivicPay IVR Transaction Fees 12/2022	1,928.00
73127	01/10/2023	01/18/2023	Employee Reimbursement	CWEA Membership Fee, Grade I Collection System Exam Fee	387.00
73128	01/05/2023	01/24/2023	Pitney Bowes Global Financial Services LLC	Postage Machine Lease 11/09 - 02/08	1,089.75
73129	01/10/2023	01/24/2023	PG&E	Gas and Electric Service 12/2022	77,704.59

Check No	Invoice Date	Check Date	Vendor Name	Description	Amount
73130	11/30/2022	01/24/2023	Schaaf & Wheeler	Construction Meetings, Review Submittals - Ord Village LS FM Improvements; CA DOF Population Projection Responses - 2020 UWMP; Developers (Campus Town, CHISPA East Garrison Apartments, Dunes 1B Promenade, Dunes 2 North, Dunes Brass Tap, Dunes 2 East, Enclave Phase 3, Home2 Suites, Quick Quack Car Wash, Veterans Transition Center - Hayes)	21,905.10
73131	01/05/2023	01/24/2023	Staples Credit Plan	Office Supplies	608.82
73132	01/01/2023	01/24/2023	Maynard Group	Meraki Wireless Backup, eMVS Cloud, VoIP Services, NEC Phone Equipment Maintenance, General Services 01/2023	5,763.10
73133	01/04/2023	01/24/2023	ARC Document Solutions, LLC	(10) Sewer/ (10) Water System Maps	2,857.33
73134	12/31/2022	01/24/2023	Salinas Valley Basin Groundwater Sustainability Agency	Deep Aquifer Study 01/2023 - 12/2023	21,000.00
73135	01/12/2023	01/24/2023	HPS West, Inc.	(100) 1" BLMJ Meters with Allegro Register, Mobile Antenna	42,745.34
73136	01/04/2023	01/24/2023	Conservation Rebate Program	732 Ready Ct - Toilet Rebate	75.00
73137	01/13/2023	01/31/2023	Becks Shoe Store, Inc. - Salinas	Boot Benefit - Meter Reader	200.00
73138	12/31/2022	01/31/2023	Insight Planners	Web Development/ Maintenance and Hosting 12/2022	1,914.00
73139	12/28/2022	01/31/2023	Home Depot Credit Services	(2) Impact Socket Sets, Saw Kit, Tools - Vehicle #W01; General Supplies	2,467.03
73140	01/11/2023	01/31/2023	Grainger	General Supplies	1,136.30
73141	01/11/2023	01/31/2023	Area Communications	Answering Service 12/14 - 01/10	392.79
73142	01/10/2023	01/31/2023	Monterey Bay Analytical Services	Laboratory Testing	1,260.00
73143	12/20/2022	01/31/2023	CWEA - Monterey Bay Section	Membership Renewal	202.00
73144	01/18/2023	01/31/2023	Verizon Wireless	Cell Phone Service 01/2023	2,459.89
73145	01/17/2023	01/31/2023	Orkin Franchise 925	BLM/ IOP Pest Control 01/2023	205.00
73146	01/04/2023	01/31/2023	Johnson Controls Security Solutions LLC	Boiler Room Heat Sensor Replacement - Ord Office	1,053.55
73147	01/13/2023	01/31/2023	HD Supply Facilities Maintenance LTD	General Supplies	438.83
73148	12/28/2022	01/31/2023	Ewing Irrigation Products, Inc.	General Supplies	69.88
73149	01/11/2023	01/31/2023	Val's Plumbing & Heating, Inc.	Replacement Circulation Pump, Shower Inspection, Cartridge Replacement - IOP Office	2,540.43
73150	12/30/2022	01/31/2023	Calcon Systems, Inc.	Backup Pressure Mode Integration - Marina Booster; Control Logic Troubleshooting - Promontory LS; PSI Integration; Recycled Water Integration; SCADA Programming	11,330.00
73151	12/30/2022	01/31/2023	Univar Solutions USA, Inc.	(1,020) gals Chlorine - Well 11, Intermediate Reservoir	3,324.67
73152	12/31/2022	01/31/2023	Pacific Ag Rentals LLC	Mobile Restroom Rental - Beach/ Ord Offices	1,343.69
73153	12/31/2022	01/31/2023	ECAM Secure	Monthly Security Fees - Ord Wastewater Treatment Facility	1,218.50
73154	01/13/2023	01/31/2023	Green Rubber-Kennedy AG, LP	General Supplies	263.74

Check No	Invoice Date	Check Date	Vendor Name	Description	Amount
73155	01/06/2023	01/31/2023	U.S. Bank Corporate Payment Systems	Employment Advertisement (Assistant/ Associate Engineer); Pretreatment, Pollution Prevention, and Stormwater Conference - (3) O&M; Water Service Tools - O&M; Bed Liner Application - Vehicles W01, S02; Hotel for Cross-Connection Training - (2) O&M; Cloud Hosted Server - CityWorks/ ESRI; SCADA Internet Service; SCADA Mobile/ Laptop Hotspot; General Supplies	11,348.79
73156	01/16/2023	01/31/2023	U.S. Bank National Association	Beach Office Copier Lease 01/10 - 02/09	275.32
73157	12/31/2022	01/31/2023	Evoqua Water Technologies, LLC	Hydrogen Sulfide Monitoring - East Garrison LS	1,912.98
73158	01/11/2023	01/31/2023	Lou's Gloves, Inc.	Nitrile Gloves	327.00
73159	01/01/2023	01/31/2023	Verizon Connect NWF, Inc.	GPS Service - (29) Fleet Vehicles 11/2022 - 12/2022	1,052.68
73160	01/12/2023	01/31/2023	Casner Exterminating, Inc.	Electro Gun Exterminator Services - Well 10	1,500.00
73161	12/27/2022	01/31/2023	Pac Machine Company, Inc.	Float Assembly - Sewer Bypass Pump	686.59
73162	12/31/2022	01/31/2023	AutoZone Parts, Inc.	Fleet Supplies	22.34
73163	01/24/2023	01/31/2023	Employee Reimbursement	Grade III Collection System Exam Fee	215.00
73164	01/24/2023	01/31/2023	Employee Reimbursement	CWEA Membership Renewal	202.00
73165	01/10/2023	01/31/2023	Conservation Rebate Program	1610 Hodges Ct - (3) Toilet Rebates	225.00
73166	01/12/2023	01/31/2023	Conservation Rebate Program	3171 Shuler Cir - Hot Water Recirculation Pump Rebate	187.50
73167	01/13/2023	01/31/2023	Conservation Rebate Program	1727 Fairway Dr - Washer Rebate	150.00
73168	01/30/2023	01/31/2023	Customer Service Refund	Refund Check - 4500 Peninsula Point Dr	85.90
73169	01/30/2023	01/31/2023	Customer Service Refund	Refund Check - 3150 Lake Dr	23.29
73170	01/30/2023	01/31/2023	Customer Service Refund	Refund Check - Hydrant Meter	2,074.49
73171	01/30/2023	01/31/2023	Customer Service Refund	Refund Check - 2947 Harvey Ct	7.81
73172	01/30/2023	01/31/2023	Customer Service Refund	Refund Check - 14746 Kit Carson Dr	35.00
73173	01/30/2023	01/31/2023	Customer Service Refund	Refund Check - 3 Carmel Cir	35.00
73174	01/30/2023	01/31/2023	Customer Service Refund	Refund Check - 3178 Crescent Ave	6.10
73175	01/30/2023	01/31/2023	Customer Service Refund	Refund Check - 3126 Crestview Ct	40.00
73176	01/30/2023	01/31/2023	Customer Service Refund	Refund Check - 18982 Kilpatrick Ln	300.00
73177	01/30/2023	01/31/2023	Customer Service Refund	Refund Check - 18471 McClellan Cir	35.00
73178	01/30/2023	01/31/2023	Customer Service Refund	Refund Check - Hydrant Meter	1,759.44
73179	01/30/2023	01/31/2023	Customer Service Refund	Refund Check - 243 9th St	103.60
73180	01/30/2023	01/31/2023	Customer Service Refund	Refund Check - 459 Marina Heights Dr	18.41
73181	01/30/2023	01/31/2023	Customer Service Refund	Refund Check - 18922 Kilpatrick Ln	211.52
73182	01/30/2023	01/31/2023	Customer Service Refund	Refund Check - 18910 Kilpatrick Ln	97.82
73183	01/30/2023	01/31/2023	Customer Service Refund	Refund Check - Hydrant Meter	1,753.18
73184	01/30/2023	01/31/2023	Customer Service Refund	Refund Check - 253 9th St	363.03
73185	01/30/2023	01/31/2023	Customer Service Refund	Refund Check - Hydrant Meter	2,129.16
73186	01/30/2023	01/31/2023	Customer Service Refund	Refund Check - 3123 Messinger Dr	179.33
73187	01/30/2023	01/31/2023	Customer Service Refund	Refund Check - 3135 Ocean Ter	35.00
73188	01/30/2023	01/31/2023	Customer Service Refund	Refund Check - 284 Wharf Ter	40.00
73189	01/30/2023	01/31/2023	Customer Service Refund	Refund Check - 14841 Kit Carson Dr	92.43

Check No	Invoice Date	Check Date	Vendor Name	Description	Amount
73190	01/30/2023	01/31/2023	Customer Service Refund	Refund Check - 15142 Breckinridge Ave	113.42
73191	01/30/2023	01/31/2023	Customer Service Refund	Refund Check - Hydrant Meter	2,086.00
73192	01/30/2023	01/31/2023	Customer Service Refund	Refund Check - 2 Caroline Ln	54.06
ACH	01/06/2023	01/06/2023	Payroll Direct Deposit	Payroll Ending 12/30/22	120,313.14
ACH	01/06/2023	01/06/2023	CalPERS	Payroll Ending 12/30/22	26,657.68
ACH	01/06/2023	01/06/2023	Empower Retirement	Payroll Ending 12/30/22	19,936.16
ACH	01/06/2023	01/06/2023	Internal Revenue Service	Payroll Ending 12/30/22	47,525.67
ACH	01/06/2023	01/06/2023	State of California - EDD	Payroll Ending 12/30/22	14,581.11
ACH	01/06/2023	01/06/2023	WageWorks, Inc.	Payroll Ending 12/30/22	940.33
501462	01/06/2023	01/06/2023	General Teamsters Union	Payroll Ending 12/30/22	688.00
501463	01/06/2023	01/06/2023	MCS	Payroll Ending 12/30/22	576.80
501464	01/04/2023	01/10/2023	ACWA Joint Power Ins Authority	Workers Compensation Insurance 10/01/2022 - 12/31/2022	13,130.00
501465	01/04/2023	01/10/2023	ACWA/ JPIA	Medical, Dental, Vision, EAP Insurance 02/2023	77,902.12
501466	12/28/2022	01/10/2023	AFLAC	Employee Paid Benefits 12/2022	1,245.86
501467	12/18/2022	01/10/2023	Principal Life	Employee Paid Benefits 01/2023	211.24
501468	12/10/2022	01/10/2023	Lincoln National Life Insurance Company	Life, Short/ Long Term Disability, AD&D Insurance 01/2023	2,932.93
501469	12/23/2022	01/10/2023	WageWorks, Inc.	FSA Admin Fees 12/2022	164.00
501470	12/16/2022	01/10/2023	Transamerica Life Insurance Company	Employee Paid Benefits 12/2022	427.32
501471	06/29/2022	01/10/2023	Employee Reimbursement	Refund Check - Employee Paid Benefits 06/2022 (Re-Issue)	138.38
501472 - 501473	01/12/2023	01/12/2023	Board Compensation Checks and Direct Deposit	Board Compensation 12/2022	415.57
ACH	01/12/2023	01/12/2023	Internal Revenue Service	Board Compensation 12/2022	68.86
ACH	01/20/2023	01/20/2023	Payroll Direct Deposit	Payroll Ending 01/13/23	121,223.84
ACH	01/20/2023	01/20/2023	CalPERS	Payroll Ending 01/13/23	26,603.81
ACH	01/20/2023	01/20/2023	Empower Retirement	Payroll Ending 01/13/23	19,543.10
ACH	01/20/2023	01/20/2023	Internal Revenue Service	Payroll Ending 01/13/23	47,844.99
ACH	01/20/2023	01/20/2023	State of California - EDD	Payroll Ending 01/13/23	12,802.65
ACH	01/20/2023	01/20/2023	WageWorks, Inc.	Payroll Ending 01/13/23	880.33
501474	01/20/2023	01/20/2023	MCS	Payroll Ending 01/13/23	576.80

**Total Disbursements for January 2023 1,420,445.80**

**Marina Coast Water District  
Agenda Transmittal**

**Agenda Item:** 5-B

**Meeting Date:** February 21, 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 January 23, 2023

**Staff Recommendation:** The Board of Directors approve the draft minutes of the January 23, 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 January 23, 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     No    **Funding Source/Recap:** None

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

**Material Included for Information/Consideration:** Draft minutes of January 23, 2023.

**Action Required:**     Resolution     Motion     Review

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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  
January 23, 2023

### Draft Minutes

#### 1. Call to Order:

President Shriner called the meeting to order at 6:35 p.m. on January 23, 2023 via Zoom teleconference in Marina, California. President Shriner then proceeded with a land acknowledgement. “As Marina Coast Water District celebrates its 62nd year providing publicly owned water service to its customers in Marina and the Ord Community, we acknowledge that our service area is located on the traditional lands of the Esselen people. They are known today as the Ohlone/Coastanoan-Esselen Nation. We respect their elders, past, present, and emerging, for they hold the memories, traditions, culture, and hopes of the Esselen people. We also acknowledge the government of the Ohlone/Coastanoan-Esselen Nation and appreciate the spiritual role it plays today in preserving the cultural, historical and heritage beliefs of the Esselen people. We are grateful that they share their traditional lands with us.”

#### 2. Roll Call:

##### Board Members Present:

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

##### 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  
Phil Clark, Seaside Resident  
Mike McCullough, Monterey One Water  
Audrey Cray  
Doug Yount, Shea Homes  
Jack Gao, Shea Homes

3. Presentations:

- A. Receive a Plaque from the American Society of Civil Engineers for the Pure Water Monterey Groundwater Replenishment Project:

Mr. Mike McCullough, Monterey One Water, introduced this item and presented the plaque to the Marina Coast Water District Board.

- B. Adopt Resolution No. 2023-01 in Recognition of Derek Cray, Operations and Maintenance Manager, for 5 Years of Service to the Marina Coast Water District:

Director Moore made a motion to adopt Resolution No. 2023-01 in recognition of Derek Cray, Operations and Maintenance Manager, for 5 years of service to the Marina Coast Water District. 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			

Mr. Remleh Scherzinger, General Manager, thanked Mr. Cray and recognized his many accomplishments during his first five years with the District. Vice President Cortez shared his appreciation of Mr. Cray and his foresightedness with respect to needs of the District. Director Imamura thanked Mr. Cray for his hard work. President Shriner voiced her appreciation of Mr. Cray and his steady and calm demeanor during the last five years. Director Moore thanked Mr. Cray for his service. President Shriner read the narration of the Resolution.

Mr. Cray thanked Mr. Scherzinger for his kind comments, noting they meant a lot to him, along with the comments from the Board members. He commented that he appreciates everyone he works with and their ability to work together so well.

4. Public Comment on Closed Session Items:

There were no comments made.

The Board entered into closed session at 6:58 p.m. to discuss the following items:

5. Closed Session:

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

- 1) City of Marina, Monterey Peninsula Water Management District, Marina Coast Water District, and Marina Coast Water District Groundwater Sustainability Agency v. California Coastal Commission, et al. (California-American Water Company, Real Party in Interest), Monterey County Superior Court Case No. 22CV004063 (Petition for Writ of Mandate and Complaint for Declaratory and Injunctive Relief)
- 2) Application of California-American Water Company to Obtain Approval of the Amended and Restate Water Purchase Agreement for the Pure Water Monterey Groundwater Replenishment Project, Update Supply and Demand Estimates for the Monterey Peninsula Water Supply Project, and Cost Recovery, before the California Public Utilities Commission, Application 21-11-024
- 3) California-American Water Company, et al. v. Marina Coast Water District (San Francisco County Superior Court Case No. CGC-15-546632)(First District Court of Appeals, Division Two, Case No. A160662)

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

The Board ended closed session at 7:56 p.m. President Shriner reconvened the meeting to open session at 7:57 p.m.

6. Reportable Actions Taken During Closed Session:

Mr. Roger Masuda, District Counsel, stated that there was one reportable action which was to appeal Agenda Item 5-A3 by a vote of 5-Ayes, 0-Noes, 0-Abstained.

7. Pledge of Allegiance:

Director Moore led everyone present in the pledge of allegiance.

8. Oral Communications:

Director Morton commented that there was a local assistance center for help as a result of the recent storms. The assistance center will be at the Spreckels Veterans Memorial Building from Jan 21<sup>st</sup> to Jan 26<sup>th</sup> from 9am to 7pm.

9. Consent Calendar:

Director Imamura requested to pull Item 9-A and Director Morton requested to pull Item 9-E from the Consent Calendar.

Director Moore made a motion to approve the Consent Calendar consisting of: B) Approve the Draft Minutes of the Regular Joint Board/GSA Meeting of December 13, 2022; C) Approve the Draft Minutes of the Special Joint Board/GSA Meeting of December 28, 2022; D) Adopt Resolution No. 2023-02 to Proclaim a Local Emergency, and Authorize Remote Teleconference Meetings of All District Legislative Bodies for the Following 30 Days; F) Adopt Resolution No. 2023-04 to Approve a Water, Sewer, and Recycled Water Infrastructure Agreement between MCWD and Shea Homes Limited Partnership for the Dunes at Monterey Bay Phase 2N – Stage A Development in Marina, CA; G) Receive the 4<sup>th</sup> Quarter 2022 MCWD Water Consumption Report; H) Receive the 4<sup>th</sup> Quarter 2022 Sewer Flow Report; and, I) Receive a Status Report Update on Current Capital Improvement Projects. 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			

A. Receive and File the Check Register for the Month of December 2022:

Director Imamura asked if there was a way to categorize the check register and put it in a graph form. Mr. Scherzinger asked Mr. Imamura to provide an example if he has one, otherwise, staff will see what they can create. Director Moore suggested staff bring this back to a future Board meeting for Board discussion on the categories they would like to have sorted out.

Director Moore made a motion to receive and file the check register for the month of December 2022. Director Morton seconded the motion. The motion 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. 2023-03 to Amend Section 34 of the Board of Director's Manual - Committees:

Director Morton suggested adding language to the description of the Budget and Engineering Committee to read, "...and provide input on engineering projects and programs." President Shriner commented that the Executive Committee is responsible for any message of the District, while the Community Outreach is responsible for providing a vehicle to deliver that message. Discussion followed.

Agenda Item 9-E (continued):

Director Morton made a motion to adopt Resolution No. 2023-03 to amend Section 34 of the Board of Director’s Manual – Committees, with the suggested language addition to the Budget and Engineering Committee. 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			

10. Action Items:

- A. Accept the Annual Comprehensive Financial Report and the Independent Auditor’s Report for the Fiscal Year ended June 30, 2022:

Ms. Mary Lagasca, Director of Administrative Services, introduced this item and the District’s Auditor, Mr. Ken Pun, Pun Group. Mr. Pun gave a brief presentation on the Independent Auditor’s Report for the Fiscal Year ended June 30, 2022. The Board asked clarifying questions.

Director Morton made a motion to accept the Annual Comprehensive Financial Report and the Independent Auditor’s Report for the Fiscal Year ended June 30, 2022, with the corrections to the cover letter regarding meeting location and GSA plan submittal. 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			

- B. Receive the Marina Coast Water District FY 2022-2023 Mid-Year Report:

Ms. Lagasca introduced this item. The Board asked clarifying questions.

- C. Adopt Resolution No. 2023-05 to Amend the FY 2022-2023 Capital Improvement Budget to Fully Fund the Booker Lift Station Replacement Project and the Intermediate Reservoir Recoating and Replacement Projects:

Mr. Garrett Haertel, District Engineer, introduced this item.

Director Moore made a motion to adopt Resolution No. 2023-05 to amend the FY 2022-2023 Capital Improvement Budget to fully fund the Booker Lift Station Replacement Project and the Intermediate Reservoir Recoating and Replacement Projects. Director Morton seconded the motion. The motion passed by the following vote:

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

D. Make Director Appointments to Standing Committees of the Board and to Outside Agencies for 2023, and as Negotiators to any Ad Hoc Committees of the Board:

The Board Committee appointments are as follows:

1.	Joint City/District Committee	Morton, Imamura – Cortez Alternate
2.	Executive Committee	Shriner, Cortez
3.	Budget and Engineering	Morton, Shriner – Cortez Alternate
4.	Community Outreach and Personnel	Imamura, Moore – Cortez Alternate
5.	M1W	Moore – Cortez Alternate
6.	LAFCO	Cortez – Shriner Alternate
7.	JPIA	Morton - Imamura Alternate
8.	SDA	Moore – All other Directors as Alternate
9.	MCWD/SVBGSA Steering Committee	Morton - Shriner Alternate
10.	Climate Action Plan Committee	Moore – Matt Zefferman public member
11.	Water Conservation Commission Liaison	TBD

Director Moore made a motion to approve Director appointments to Standing Committees of the Board and to outside agencies for 2023, and as negotiators to any Ad Hoc Committees of the Board. Director Imamura seconded the motion. The motion passed by the following vote:

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

11. Informational Items:

A. General Manager’s Report:

Mr. Scherzinger gave the following update:

- 1) State drought outlook has moved to moderate in this area.
- 2) Most of the state’s reservoirs are above average for this time of year.
- 3) Congratulations to District as we were prepared for the emergency and also supported the City of Seaside when they needed help.
- 4) The District performed 100% through the entire emergency.
- 5) Looking forward to working with M1W and MCWRA to better utilize the Salinas River and capturing more water.
- 6) Began budget process at staff level and will bring to committee soon.
- 7) Harassment Training and Brown Act Training to be held in February.
- 8) The Strategic Plan will be brought to the Board in March.
- 9) Tours for the Board and new staff will begin soon.
- 10) Attended a recent meeting with the SVBGSA and will have staff be more involved in their meeting scheduling.

B. Committee and Board Liaison Reports:

1. Executive Committee:

Vice President Cortez gave a brief update.

2. Budget and Personnel Committee:

Director Morton gave a brief update.

3. Community Outreach Committee:

Director Moore and Vice President Cortez gave a brief update.

4. M1W Board Member Liaison:

Director Moore gave a brief update noting the next meeting will be on January 30th.

14. Board Member Requests for Future Agenda Items:

President Shriner suggested any requests can be emailed to staff.

15. Director's Comments:

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

16. Adjournment:

The meeting was adjourned at 9:55 p.m.

APPROVED:

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Jan Shriner, President

ATTEST:

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Paula Riso, Deputy Secretary

**Marina Coast Water District  
Agenda Transmittal**

**Agenda Item:** 5-C

**Meeting Date:** February 21, 2023

**Prepared By:** Paula Riso

**Approved By:** Remleh Scherzinger P.E.

**Agenda Title:** Approve the Draft Minutes of the Special Joint Board/GSA Meeting of February 11, 2023

**Staff Recommendation:** The Board of Directors approve the draft minutes of the February 11, 2023 special 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 February 11, 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 February 11, 2023.

**Action Required:**    \_\_\_ Resolution    \_\_\_ **X** \_\_\_ Motion    \_\_\_ Review

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Board Action

Motion By \_\_\_\_\_ Seconded By \_\_\_\_\_ No Action Taken \_\_\_\_\_

Ayes \_\_\_\_\_ Abstained \_\_\_\_\_

Noes \_\_\_\_\_ Absent \_\_\_\_\_



# Marina Coast Water District

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

## Draft Minutes

### 1. Call to Order:

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

### 2. Roll Call:

#### Board Members Present:

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

#### Board Members Absent:

None.

#### Staff Members Present:

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

#### Audience Members:

None

### 3. Pledge of Allegiance:

President Shriner led everyone present in the pledge of allegiance.

### 4. Oral Communications:

There were no comments made.

### 5. Public Comment on Closed Session Items:

There were no comments made.

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

6. Closed Session:

A. Pursuant to Government Code 54956.9

Conference with Legal Counsel – Existing Litigation

- 1) City of Marina vs. RMC Lonestar [CEMEX], California-America Water Company, Marina Coast WD, et al Defendants, Monterey County Superior Court Case No. 20CV001387 (Complaint for Breach of Contract, Declaratory Relief under the Agency Act, and Tortious Interference with Existing Contract)
- 2) Marina Coast Water District vs California-American Water Company, Monterey County Water Resources Agency; and, California-American Water Company, Monterey County Water Resources Agency vs Marina Coast Water District, San Francisco Superior Court Case No. CGC-15-546632 (Complaint for Damages, Breach of Warranties, etc.)
- 3) Application of California-American Water Company to Obtain Approval of the Amended and Restate Water Purchase Agreement for the Pure Water Monterey Groundwater Replenishment Project, Update Supply and Demand Estimates for the Monterey Peninsula Water Supply Project, and Cost Recovery, before the California Public Utilities Commission, Application 21-11-024
- 4) City of Marina, Monterey Peninsula Water Management District, Marina Coast Water District, and Marina Coast Water District Groundwater Sustainability Agency v. California Coastal Commission, et al. (California American Water Company, Real Party in Interest), Monterey County Superior Court Case No. 22CV004063 (Petition for Writ of Mandate and Complaint for Declaratory and Injunctive Relief)
- 5) Marina Coast Water District, and Does 1-100 v, County of Monterey, Monterey County Board of Supervisors, and Does 101-110 (California-American Water Company, Real Party in Interest), Monterey County Superior Court Case No. 19CV003305 (Petition for Writ of Mandate and Complaint for Injunctive Relief); Sixth District Court of Appeals Case Nos. H049146 and H049170
- 6) Bay View Community DE, LLC; Bryan Taylor; Greg Carter; and Brooke Bilyeu vs Marina Coast Water District; Board of Directors of Marina Coast Water District; County of Monterey and Does 1-25, inclusive, Monterey County Superior Court Case No. 18CV000765 (Petition for Writ of Mandate or Administrative Mandate, and Complaint for Declaratory and Injunctive Relief and Breach of Contract)

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

Agenda Item 6 (continued):

- B. Pursuant to Government Code section 54956.9(d)(4)  
Conference with Legal Counsel – Initiation of Litigation  
Two Potential Cases
- C. Pursuant to Government Code 54956.8  
Conference with Real Property Negotiator  
Property: Corporation Yard  
Negotiating Parties: City of Marina and MCWD Negotiator - General Manager  
Under Negotiation: Price and Terms
- D. Pursuant to Government Code 54957  
Conference with Labor Negotiators  
Agency Designated Representative: General Manager  
Employee Organizations: MCWD Employee Association and Teamsters Local 890

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

7. Reportable Actions Taken During Closed Session:

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

8. Board Member Requests for Future Agenda Items:

Director Imamura requested an item to discuss cyber security.

9. Directors Comments:

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

10. Adjournment:

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

APPROVED:

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Jan Shriner, President

ATTEST:

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Paula Riso, Deputy Secretary

Marina Coast Water District  
Agenda Transmittal

**Agenda Item:** 6-A

**Meeting Date:** February 21, 2023

**Prepared By:** Derek Cray

**Approved By:** Remleh Scherzinger P.E.

**Agenda Title:** Adopt Resolution No. 2023-06 to Award a Contract to Calcon Systems Inc. for the 2023 Supervisory Control and Data Acquisition Upgrade Project Phase 1 and Amend the FY 2022-2023 Budget

**Staff Recommendation:** The Board of Directors to accept the proposal from the District's on-call Supervisory Control and Data Acquisition integrator Calcon Systems, Inc., in the amount of \$387,272.06, plus a 3% contingency for a total not-to-exceed of \$398,890.22, amend the 2022-2023 Budget, and authorize the General Manager to execute the contract and all necessary documents.

**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 Marina Coast Water District (District) operates the water and wastewater for Central Marina and the Ord Communities. The District's water system (# CA2710017) is regulated by the State Water Resources Control Board, Division of Drinking Water, and the wastewater collection system is regulated under State Water Resources Control Board Statewide General Discharge Requirements Order No. 2006-0003-DWQ.

The District's Operations and Maintenance Department maintains all of the District's water and wastewater facilities. All the District's pump stations have a programmable logical controller (PLC), Human Machine Interface (HMI), and radio that allow the sites to run remotely in auto as well as to communicate with each other and the Supervisory Control and Data Acquisition (SCADA) Master. The SCADA master is the hub that gathers all of the District's water, sewer, and recycled water pumps, tanks, and lift station information and provides a graphical user interface (GUI) that the operations staff can use to gather critical information and control the systems. SCADA is one of the most critical components to any water and wastewater entity, as it operates as the eyes and ears of all stations twenty-four hours a day. The ability to control the system in a remote nature is critical, as the District's service area and topography span a large distance. Along with controlling the system, SCADA gives the operators the ability to bring real-time data into a database that can be used to interpret system performance to better optimize the system or troubleshoot failures quickly.

**Discussion/Analysis:**

Because of the amount of work necessary to make the needed improvements to the District's SCADA system, coupled with the required support needed from the Operations team for the project, the work is being brought in two phases. The phasing proposed will reduce the immediate burden to the Operations team, while putting into place the required infrastructure to allow for Phase Two. Phase One of the SCADA project will result in a new GUI, redundant communications, and enhanced/updated circuitry. These upgrades will allow more operator control and optimization of the system, along with an easy-to-use layout that will reduce the system's learning curve and enhance overall awareness on the systems. A future Phase Two of the

project will likely include additional sewer metering, power monitoring, infrastructure security, and sewer pressure monitoring. Phase One of this project will set forth the backbone requirements for the future Phase Two, as a robust communication system and new screen layout is necessary to complete the full project.

A new GUI is critical as the current system of graphics is outdated. For example, the current schema doesn't provide for rapid operator visualization of key components and alarms in the system. Further, some of the current functions are buried deep through several layers within the application, making them difficult for the operations staff to find. With the new GUI, each well, tank, booster, and sewer lift station would receive its own dedicated page in the system. Each page will have all of the pertinent data available so that the operator can easily access it and visually interpret at any given time what the systems are doing, without having to first decipher where the information is located within the system. Also, with the SCADA platform upgrades, the historian client, which provides all the key trending abilities, will be embedded directly into each SCADA application so the operator can easily gather the historical data. Currently, that information resides on a separate server, and the operator must find each tag and create their own trends.

Another key component of Phase One is the addition of a redundant means of communication back to the SCADA master. Currently, due to the topography, the SCADA master does not "talk" directly to most water infrastructure sites, in addition to some sewer sites. Also, due to the control scheme of the water system, stations must talk back and forth directly with each other instead of directly to the SCADA master. Therefore, the pump stations and wells use several other locations as repeaters to ultimately transmit information back to the SCADA master systems. If a radio link is lost for any reason, the District cannot observe, get critical alarms, or control the system remotely. This can result in a potentially dangerous situation that could lead to water loss, overflowing water tanks, or sewer overflows. Similar scenarios, as discussed above, have occurred on several occasions, with the most recent one causing a total loss of the water communications network on November 17, 2022, and a similar incident which occurred the following night. During the November 17th event, the Operations staff worked throughout the night in order to manually operate and monitor the system to ensure the entire system was pumping and maintaining adequate volume and pressure. A similar mass outage happened on the sewer system in 2022 when the master radio system malfunctioned, which left the operations staff in the dark as to system operations. During that event, almost the entire department had to stop normal operations in order to physically inspect all of the critical sewer lift stations and stay onsite until the communication network was restored.

Phase One resolves these communication issues by adding redundancy to each pump station with a cellular modem. This modem is integrated into the radio network and would provide an automatic switchover should the radio communications go down. Additionally, alarms would be tied into both the radio and cellular and would warn the operations staff should a loss of communication from either pathway occur.

A future component within Phase Two of the upgrade would be the addition of sewer flow meters to all of the District's sewer lift stations. This flow monitoring would provide data for the District's sewer flow return water and key information for the Operations staff to troubleshoot pump failure and determine the systems' inflow and infiltration. As cutting in flow meters would require costly excavation of the site, installation of new vaults, and bypass pumping requirements, an alternative route is being sought out. Advances in clamp-on ultrasonic metering have come a long way and have proven to be very accurate. However, there is still a requirement for straight pipe lengths and distances between fittings, and most of our sites lack long straight runs in existing vaults. Therefore, within Phase One staff would like to try one meter at a site with the most difficult pipe layout to determine whether the meter will work without getting any signal interference. Should

this trial run prove successful, staff intends to build a fully metered sewer lift station component into Phase Two of the upgrade project.

Phase One consists of components beyond just meters, GUI, and communication. An entire Phase One project summary is listed below:

**Water:**

- SCADA master upgrades- All new graphics, new screens and layouts, new tags and clients.
- Integrating micro switches for pump control valves at wells 11, 35, and Marina Booster- Safety issues and control upgrades, and alarm notification and shutdowns.
- Chlorine flow pacing- The addition to allow for flow pacing and controlling the District's chlorine dosage remotely to maintain a residual in the system more accurately.
- Cellular radio backup- Redundancy for communications to pump stations and SCADA master.
- E Booster PLC upgrades- Existing input/output cards are no longer supported, and replacement parts are unavailable. Replacement is necessary to allow for repairs or additional programming. Failure of the current cards would result in the loss of the ability to remotely operate the site.
- Historian Server Cleanup- Cleanup of current tags, removal of unused tags, and addition of new tags.

**Sewer:**

- SCADA master upgrades- All new graphics, new screens and layouts, new tags and clients.
- Flow Meter additions and integration trial- A clamp-on ultrasonic flow meter will be utilized to determine the flow rate and totalizer of effluent from a sewer pump station.
- Cellular radio backup- Redundancy for communications to pump stations and SCADA master.

A major component of Phase One consists of programming and integration into the District's existing control logic and SCADA. As the District has a very complex system, the integrator must have complete knowledge of these system components. Failure of any pump site can result in boil water notices, loss of water, and sewer overflows. Calcon Systems Inc., the District's integrator, currently maintains the systems. Due to the highly-specialized nature of this work, Calcon has been the sole integrator to work on MCWD's SCADA and pump station programming over the last five years. They have improved the system tremendously and have worked very closely with the District's Operations staff to create a reliable, robust system. Calcon has advanced knowledge of the District's water and sewer system, including the complicated radio and telemetry network. Because Phase One requires extensive programming and integration, staff recommends that the Board award a sole source contract to Calcon Systems Inc. and approve the budget adjustment described below. All labor, equipment and services will come with a one-year warranty, and Calcon is ready to commence as soon as a notice to proceed is provided. The estimated Phase One completion time is four months, and payment will be made in a lump sum upon completion.

**Environmental Review Compliance:** None required.

**Legal Counsel Review:** Legal Counsel has reviewed the proposal and resolution.

**Climate Adaptation:** Having enhanced monitoring and redundant controls will help prevent unnecessary and emergency responses from the operations staff, thus reducing fuel consumption. The flow monitoring and redundant communication could prevent a sanitary sewer overflow which could cause potential harm to sensitive habitats and require extensive mitigation resulting in more vehicle traffic and increased carbon output.

**Financial Impact:**  Yes  No Funding Source/Recap: \$400,000 was budgeted this year for the project from Capital Replacement Reserves. While the project is within the original budgeted amount, a budget adjustment is still needed as the project was budgeted to only the water cost centers. Therefore, the following budget amendment is necessary to complete the project:

<b>Cost Center:</b>	<b>Original CIP amount (WD 2308)</b>	<b>Amendment Amount</b>	<b>Fund Transfer</b>	<b>Transfer Fund Balance</b>	<b>New Balance</b>
<b>Marina Water:</b>	\$200,000.00	No Amendment Needed	N/A	N/A	N/A
<b>Marina Sewer:</b>	\$0	\$29,099.98	Capital Replacement Reserves	\$404,687.09	\$375,587.11
<b>Ord Water:</b>	\$200,000.00	No Amendment Needed	N/A	N/A	N/A
<b>Ord Sewer:</b>	\$0	\$110,031.47	CIP-OS-0153 Misc. Lift Station Improvements	\$908,000.00	\$768,868.53

The following chart represents each cost center's percentage and the amount required for the project:

<b>Cost Center</b>	<b>Percentage of Grand Total</b>	<b>Total Amount Including Contingency</b>
<b>Marina Water</b>	21.29%	\$84,941.63
<b>Marina Sewer</b>	7.30%	\$29,099.98
<b>Ord Water</b>	43.83%	\$174,817.12
<b>Ord Sewer</b>	27.58%	\$110,031.49
<b>Grand Total</b>	100%	\$398,890.22

**Other Considerations:** None

**Material Included for Information/Consideration:** Resolution No. 2023-06; and, a copy of the Calcon Systems Inc. SCADA upgrade proposal.

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

Board Action

Motion By \_\_\_\_\_ Seconded By \_\_\_\_\_ No Action Taken \_\_\_\_\_

Ayes \_\_\_\_\_ Abstained \_\_\_\_\_

Noes \_\_\_\_\_ Absent \_\_\_\_\_

February 21, 2023

Resolution No. 2023 - 06  
Resolution of the Board of Directors  
Marina Coast Water District  
Award the Contract to Calcon Systems, Inc. for the  
2023 Supervisory Control and Data Acquisition Upgrade Project Phase 1,  
and Amend the FY 2022-2023 Budget

RESOLVED by the Board of Directors ("Directors") of the Marina Coast Water District ("District"), at a regular meeting duly called and held on February 21, 2023 via a video conference pursuant to Governor Newsom's Executive Order N-29-20, as follows:

WHEREAS, the District potable water system is regulated under the State Water Resources Control Board, Division of Drinking Water, Permit No. CA2710017; and,

WHEREAS, the District's wastewater collection system is regulated under State Water Resources Control Board Statewide General Discharge Requirements Order No. 2006-0003-DWQ; and,

WHEREAS, the District's water and sewer pump stations are critical in providing water and sewer services; and,

WHEREAS, the Districts has seven active wells, five water booster stations, eight potable storage reservoirs, one recycle water reservoir, and twenty sewer lift stations; and,

WHEREAS, each of the sites above has independent, custom-coded control logic and complicated radio networking paths; and,

WHEREAS, the District's Supervisory Control and Data Acquisition (SCADA) is a critical component with high-security measures that control and gather data from all the pump stations and tanks; and,

WHEREAS, Calcon Systems, Inc. has been the District's sole integrator for the last five years and is currently in contract as the District's on-call SCADA and Motor Control Center contractor; and,

WHEREAS, the need for an extensive SCADA upgrade has grown to provide additional redundancy and reliability in both water and sewer service; and,

WHEREAS, the original budget for the project was \$400,000 between the water cost centers; and,

WHEREAS, a budget adjustment is necessary to award the project in its entirety.

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

1. Adopt Resolution No. 2023-06 to award a sole source contract for goods and services to Calcon Systems, Inc. for the amount of \$387,272.06, plus a 3% contingency for a total not-to-exceed of \$398,890.22.

2. Amend the budget with the following amounts into the SCADA Improvement project WD-2308:
  - i. \$29,099.98 from Capital Replacement Reserves, Central Marina Sewer
  - ii. \$110,031.47 from CIP-OS-0153, Ord Sewer
3. Authorize the General Manager to execute the 2023 SCADA Upgrade Phase 1 Project contract and direct 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 February 21, 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. 2023-06 adopted February 21, 2023.

\_\_\_\_\_  
Remleh Scherzinger, Secretary



February 9, 2023

Marina Coast Water District  
2840 4th Avenue  
Marina, CA 93933

Attention: Derek Cray, Operations and Maintenance Manager

**Subject: SCADA Upgrade Proposal**

Mr. Cray,

Calcon Systems is pleased to offer this quotation for the upgrade project we discussed, with each scope item listed below.

If you or your team have any questions, please contact me any time.

Thank you for considering Calcon Systems for this project.

Best Regards,

*Ryan Smith*

Ryan Smith  
**Calcon Systems, Inc.**  
Cell (925) 570-5122  
E-mail [rsmith@calcon.com](mailto:rsmith@calcon.com)  
License C-10 No. 508284 | UL File No. E303943



## Contents

CONTENTS	2
WATER SITES	3
SCADA Upgrade	3
Valve micro switch integration for Well 11, Watkins Gate Well, and Marina Booster	3
Cl2 Flow Pacing at Wells 10, 11, and Intermediate Reservoir	4
Historian maintenance and tag changes	4
Cellular telemetry for tank, booster, and well sites	4
E Booster station PLC upgrade	4
Summary by cost center (Water sites)	5
SEWER SITES	6
SCADA Upgrade	6
Flow meter for install at pump station – trial run at one location	6
Cellular telemetry for sewer sites	7
Summary by cost center (Sewer sites)	7
SUMMARY	8
Water	8
Sewer	8
Terms	8



## Water Sites

### 1 SCADA Upgrade

- Create a new version of the MCWD Water SCADA application
- Migrate/update to latest version of SCADA software
- New platform design, update resolution of application, new navigation design and screen layout architecture.
- Create new device/equipment templates (booster pumps, well pumps, tanks, etc.)
- Create new screen layouts with more intuitive and detailed controls, better and consistent color schemes and graphics sizing
- Create new well, reservoir, and booster pump detail screens that are consistently laid out for better operator understanding and usability.
- New alarms, trends, totals/runtimes, communications screens
- Insert Historian trending into main application, while maintaining HGL trends
- Updated graphics and functionality for a more modern application.
- Removal of old and unused screens from many years previous
- Tag database cleanup, remove old tags and renaming of tags for consistency
- Scripts cleanup, remove old scripts that are unused or broken
- Cleanup Win-911 tags and changes to sync with new/modified tag database
- Install new application, testing and cutover
- Set up client applications for Ops
- Add SCADA alarms for rate of change for tank levels, independent of PLC

Line item price	\$ 88,587.00
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### 2 Valve micro switch integration for Well 11, Watkins Gate Well, and Marina Booster

- Integrate Micro switches into PLC/HMI/SCADA with alarms, for wells 11, WG, and Marina Booster.
- Micro switches to be installed by MCWD, we will provide integration and wiring terminations, and pull in wire.
- PLC and HMI programming, SCADA programming including graphics and alarms and shutdowns.
- Change Marina Booster start logic to call from PLC/HOA and use Microswitch for feedback.

Line item price	\$ 14,099.46
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3 CI2 Flow Pacing at Wells 10, 11, and Intermediate Reservoir

- Flow pacing of chlorine pumps at 10, 11, and IR with the ability to change the dosing rate via SCADA. We will add hard-coded min and max values to the PLC to prevent putting too much chlorine into the system, and add additional password protection for the set points. Flow pace off well flow meters and trim off of chlorine flow meter with On/Off ability.
- Wiring to dosing pumps for dosing rate control.
- PLC and HMI programming, SCADA programming including graphics and alarms.
- PLC programming for IR PLC for set points comms to well PLCs.
- On-site programming of PLCs, startup, and testing. Demonstration and testing with operators.

Line item price	\$ 28,879.26
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4 Historian maintenance and tag changes

- Rename tag descriptions in Historian with operator-friendly information for better understandability and usability for the operations staff. Work with Operations staff on descriptions.

Line item price	\$ 4,080.00
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5 Cellular telemetry for tank, booster, and well sites

- Add cellular modems at each tank, booster and well site for an alternative SCADA communication path to the existing radio communications.
- Includes installation of cellular hardware, connections to PLC systems, configuration of modems/networking, and SCADA communication path configuration, startup and testing.
- Add graphics and alarms to let you know when radio or cellular fails on HMI and SCADA.
- Cellular service charges and SIM cards are to be provided and paid by MCWD.

Line item price	\$ 83,962.32
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6 E Booster station PLC upgrade

- Replace existing PLC I/O at E Booster.
- Control panel design changes and updated drawings.
- Installation of hardware, and coordination with MCWD operations staff to minimize downtime and run equipment in manual mode to maintain station functionality.
- Programming of PLC, startup and testing.

Line item price	\$ 32,584.92
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Water sites, total project price	\$ 252,192.96
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Summary by cost center (Water sites)

Ord sites	\$ 169,725.35
Marina sites	\$ 82,467.61
Water sites, total project price	\$ 252,192.96



## Sewer Sites

### 1 SCADA Upgrade

- Create a new version of the MCWD Sewer SCADA application
- Migrate/update to latest version of SCADA software
- New platform design, update resolution of application, new navigation design and screen layout architecture.
- Create new device/equipment/station templates
- Create new screen layouts with more intuitive and detailed controls, better and consistent color schemes and graphics sizing
- Create new pump station site detail screens that are consistently laid out for better operator understanding and usability.
- New alarms, trends, totals/runtimes, communications screens
- Insert Historian trending into main application, while maintaining HGL trends
- Updated graphics and functionality for a more modern application.
- Removal of old and unused screens from many years previous
- Tag database cleanup, remove old tags and renaming of tags for consistency
- Scripts cleanup, remove old scripts that are unused or broken
- Cleanup Win-911 tags and changes to sync with new/modified tag database
- Install new application, testing and cutover
- Set up client applications for Ops
- Add Wonderware alarms for rate of change for wetwell levels, independent of PLC

Line item price	\$ 29,645.28
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### 2 Flow meter for install at pump station – trial run at one location

- Install a test clamp-on flow meter (for up to 12" pipe) at a pump station of the District's choice, and integrate into SCADA and site HMI.
- On-site work at the pump station site.
- Existing pipe in vault to be used with clamp on flow meter.
- PLC programming, add to HMI, add to SCADA program, including flow alarms for each site.
- Startup and testing

Line item price	\$ 3,800.00
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3 Cellular telemetry for sewer sites

- Add cellular modems at each sewer site, including each lift station and the flume flow meter site for an alternative SCADA communication path to the existing radio communications.
- Includes installation of cellular hardware, connections to PLC systems, configuration of modems/networking, and SCADA communication path configuration, startup and testing.
- Add graphics and alarms to let you know when radio or cellular fails on HMI and SCADA.
- Cellular service charges and SIM cards are to be provided and paid by MCWD.

Line item price	\$ 101,633.82
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Sewer sites, total project price	\$ 135,079.10
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Summary by cost center (Sewer sites)

Ord sites	\$ 106,826.69
Marina sites	\$ 28,252.41
Sewer sites, total project price	\$ 135,079.10



## Summary

### Water

Ord sites	\$ 169,725.35
Marina sites	\$ 82,467.61
Water sites, total project price	\$ 252,192.96

### Sewer

Ord sites	\$ 106,826.69
Marina sites	\$ 28,252.41
Sewer sites, total project price	\$ 135,079.10

### Terms

- This quotation is valid for 60-days.
- Warranty: 1-year parts and labor.
- Payment Terms: Net-30 days.

**Marina Coast Water District  
Agenda Transmittal**

**Agenda Item:** 6-B

**Meeting Date:** February 21, 2023

**Prepared By:** Roger Masuda, Legal Counsel

**Approved By:** Remleh Scherzinger P.E.

**Agenda Title:** Authorize Returning to Traditional Brown Act Requirements for Teleconference Attendance by Board Members

**Staff Recommendation:** The Board of Directors authorize returning to traditional Brown Act requirements for teleconference attendance by Board members, to begin March 1, 2023.

**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.*

On March 4, 2020, Governor Newsom issued a Proclamation of State of Emergency in response to the COVID-19 pandemic. Executive Order N-29-20 allowed bodies subject to the Brown Act to meet without a physical meeting location so long as various requirements were met, including providing the public the opportunity to observe and participate in the meeting telephonically or electronically. Executive Order No. N-08-21 extended the suspension of the Brown Act’s normal teleconferencing rules through September 30, 2021.

On September 16, 2021, Governor Newsom signed AB 361 amending Brown Act Government Code Section 54953, which took effect immediately. This legislation amended the Brown Act to allow Board members to participate in public board meeting via teleconference during a proclaimed state of emergency. The Board has been complying with AB 361 requirements instead of the Brown Act’s traditionally more restrictive teleconferencing requirements.

On December 13, 2022, the Board discussed AB 2449 and voted to table the item until the February 2023 meeting.

**Discussion/Analysis:** On September 13, 2022, California Governor Gavin Newsom signed into law Assembly Bill 2449 marking the latest development of the Brown Act in a post-pandemic world. AB 2449 amends Government Code Section 54953 and takes effect January 1, 2023. What AB 2449 did was to incorporate the traditional Brown Act teleconferencing requirements into Government Code Section 54953(b), incorporate AB 361 into Section 54953(e), and enact a new teleconferencing option as Section 54953(f).

Because the Governor has stated that he will repeal his state of COVID emergency effective February 28, 2023, Section 54953(e)(the incorporated AB 361 provisions) will no longer be in effect unless and until another a similar state of emergency is declared. Consequently, the Board may continue to use the “AB 361” remote meeting procedures until February 28, 2023. Before March 1, 2023, the Board needs to choose whether to follow the traditional Brown Act teleconferencing requirements (AB 2449 Section 54953(b)) or the new AB 2449 Section 54953(f) requirements starting March 1, 2023. The Board appears to have the option of switching between the two different requirements during the year.

## AB 2449 Remote Participation:

1. At least a quorum of the Board members must participate in person from a singular physical location clearly identified on the agenda, which location shall be open to the public and situated within the District's jurisdictional boundaries. The Board shall also provide remote public participation through either a two-way audiovisual platform or a two-way telephonic service and a live webcasting of the meeting.

Note that traditional Brown Act teleconferencing requirements allow for a quorum of the members to participate in person from multiple locations within the District's jurisdictional boundaries.

2. Section 54953(f)(1) of AB 2449 eliminates the traditional Brown Act's public notice and agenda posting and public access requirements at the Board member's remote location. However, AB 2449 limits a Board member's remote participation for only just cause or due to emergency circumstances as defined.

3. "Just cause"

Defined, Section (j)(2): Just cause means any of the following: (A) A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires member to participate remotely; (B) A contagious illness that prevents a member from attending in person; (C) A need related to a physical or mental disability; and (D) Travel while on official business of the legislative body or another state or local agency.

Where just cause is claimed, the Board member must notify the Board at the earliest opportunity as possible, including the start of a regular Board meeting. The notice must include a general description of the circumstances relating to their need to appear remotely at the given meeting.

4. "Emergency circumstances"

Defined, Section (j)(1): Emergency circumstances means a physical or family medical emergency that prevents a member from attending in person.

In the case of an emergency circumstances request, the Board member must provide a written general description of the circumstances relating to their need to appear remotely. The description generally need not exceed 20 words. The member shall not be required to disclose any medical diagnosis or disability or any legally exempt medical information.

5. Member's Notice to Board

Both types of remote participation requests should be made at the earliest opportunity so that it can be included on the posted agenda. If the request is too late to be included on the posted agenda, then the Board may take action at the beginning of the meeting by the President publicly identifying the item and upon a two-thirds vote of the members in accordance with Government Code Section 54954.2(b)(2).

6. New Public Disclosure Requirement by Member (Subsection (f)(2)(B))

A Board member participating remotely must publicly disclose at the Board meeting before any action is taken, whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with any such individuals.

7. Use Limitations

Under Section 54953(f)(2)(i) of AB 2449, a Board member is limited to using a just cause request for not more than two meetings per calendar year. The “Omnibus” use limitation in Subsection (f)(3) limits the use of just cause or emergency circumstances for not more than 3 consecutive months or 20% of Board regular meetings within a calendar year. Subsection (f)(2)(i) does not specify whether the two meetings limitations apply to both regular and special Board meetings; however, Subsection (f)(3) only applies to regular meetings so unless Subsection (f)(2)(i) is clarified, the District will assume it only applies to regular meetings.

The traditional Brown Act teleconferencing requirement has no such use limitations.

**Environmental Review Compliance:** None required.

**Legal Counsel Review:** Legal Counsel advises that the Board has until February 28, 2023, to follow the AB 361 requirements, which becomes Section 54953(e) of AB 2449. After February 28, 2023, the Board has the option of either following the traditional Brown Act teleconferencing requirements (Section 54953(b) of AB 2449) or the new “Just cause/Emergency circumstances” requirements (Section 54953(f) of AB 2449).

**Climate Adaptation:** Not applicable.

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

**Other Considerations:** None.

**Material Included for Information/Consideration:** None.

**Action Required:**  Resolution  Motion  Review

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Board Action

Motion By \_\_\_\_\_ Seconded By \_\_\_\_\_ No Action Taken \_\_\_\_\_

Ayes \_\_\_\_\_ Abstained \_\_\_\_\_

Noes \_\_\_\_\_ Absent \_\_\_\_\_

**Marina Coast Water District  
Staff Report**

**Agenda Item:** 7-A

**Meeting Date:** February 21, 2023

**Prepared By:** Rose Gill

**Approved By:** Remleh Scherzinger P.E.

**Agenda Title:** Sexual Harassment Prevention Training Provided by Anthem EAP

**Staff Recommendation:** Staff recommends Sexual Harassment Prevention Training every two years as per state mandated training requirements.

**Background:** Assembly Bill (AB) 1661 requires local agency officials must complete sexual harassment prevention training, just like any other public employee. The training must occur within the first six (6) months of taking office or from date of hire and thereafter every two (2) years.

The training must be at least two (2) hours, include information regarding the federal and state statutes prohibiting harassment; the remedies available to victims of harassment; and practical examples to instruct the official in the prevention of sexual harassment, discrimination, and retaliation.

**Discussion/Analysis:** AB 1661 aims to create uniformity, to improve health and safety, and to establish clear rules with respect to appropriate conduct in the workplace. It is also the intent to minimize loss in revenue to local agencies associated with settlement claims for sexual harassment.

As a benefit of MCWD's Employee Assistance Program (EAP), the District receives up to eight (8) hours annually of complementary training for its employees on a wide variety of topics. The EAP contracts with the Anthem Blue Cross and they will be presenting tonight's workshop.

**Environmental Review Compliance:** None required.

**Legal Counsel Review:** None required.

**Climate Adaptation:** Not applicable.

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

**Other Considerations:** None.

**Material Included for Information/Consideration:** Harassment Training presentation.

**Action Required:**  Resolution  Motion  Review

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Board Action

Motion By \_\_\_\_\_ Seconded By \_\_\_\_\_ No Action Taken \_\_\_\_\_

Ayes \_\_\_\_\_ Abstained \_\_\_\_\_

Noes \_\_\_\_\_ Absent \_\_\_\_\_