



MONTEREY COUNTY WATER RESOURCES AGENCY

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BOARD OF DIRECTORS

BOARD OF DIRECTORS:

David Hart, Chair
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Claude Hoover
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Deidre Sullivan
Abby Taylor-Silva

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Robert Johnson, Deputy General Manager
Brent Buche, Deputy General Manager
Cathy Paladini, Finance Manager
Wini Chambliss, Clerk to the Board
Jesse Avila, Deputy County Counsel

SPECIAL BOARD OF DIRECTORS MEETING

Monday, February 29, 2016

REVISED AGENDA

(Action Items 9B, 9D and 9E were added February 25, 2016 and will be considered in the order listed on this Agenda. Added items are in red, emboldened, italicized and double underlined)

CLOSED SESSION @ 12:00 P.M.

Staff reports relative to the agenda items listed below will be available for public review on the Agency's website by 7:00 PM by Thursday, February 25, 2016 and at the Monterey County Water Resources Agency (Agency), 893 Blanco Circle, Salinas. If additional documents are produced by the Agency and provided to a majority of the Board regarding any item on the agenda after staff reports have been distributed, they will be available at the Agency during normal business hours and posted on the Agency website at http://www.mcwra.co.monterey.ca.us/BOD/BOD/AgendaCurrent_n.htm. For additional information, please contact Wini Chambliss, Clerk to the Board, at (831) 755-4896.

If requested, the agenda and associated documents shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals with a disability requiring a modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may make these requests to Wini Chambliss, Clerk to the Board, at (831) 755-4896. Please notify the Clerk to the Board at least 72 hours in advance to ensure availability of appropriate equipment.

1. CALL TO ORDER/ESTABLISH QUORUM FOR CLOSED SESSION – 12:00 P.M.

2. PUBLIC COMMENTS ON CLOSED SESSION ITEMS

Closed Session under Government Code section 54950, relating to the following items:

- a) Conference with Legal Counsel – Significant Exposure to Litigation
Pursuant to Government Code section 54956.9(d)(2), the Board of Directors will confer with legal counsel regarding one matter of significant exposure to litigation.

3. ADJOURN TO CLOSED SESSION

4. RECONVENE MEETING/RE-ESTABLISH QUORUM (at 1:00 P.M.)

5. PLEDGE OF ALLEGIANCE

6. PUBLIC COMMENTS

(Limited to three minutes per speaker on matters within Monterey County Water Resources Agency jurisdiction and not listed on the agenda. Members of the Public will have the opportunity to ask questions or make statements on agenda items as they are considered by the Board.)

7. PRESENTATIONS: 7

- A. Deep Aquifer – Mr. Howard Franklin
B. Interlake Tunnel and Spillway Modification Projects Update re: PLA Negotiations – Mr. David E. Chardavoyne

8. CONSENT CALENDAR 9

- A. Approve the Action Minutes of the Regular Board of Directors meeting on January 25, 2015. 11
B. Approve purchase orders/contracts in excess of \$500 and credit card purchases over \$500. 17
C. Ratify approval and recommend that the Monterey County Water Resources Agency Board of Supervisors ratify approval of the Subordination request of the Successor Agency to the Community Development Agency of the City of King. 19
D. Accept the Monterey County Water Resources Agency Second Quarter Financial Status report through December 31, 2015. 27
E. Approve the purchase of a Ford F250 Pickup Truck in accordance with the approved Light Vehicle Replacement Plan for FY 15/16 at a cost of \$30,250; and, authorize the General Manager to execute any and all documents required for the purchase. 31
F. Receive the Annual Report for the Salinas River Stream Maintenance Program, Phase 1 35

9. ACTION ITEMS 89

- A. Consider approving the appointment of an ad hoc By Laws committee. 91

- B. Consider approving and recommending that the Monterey County Water Resources Agency Board of Supervisors: i) Approve a Professional Services Agreement with Raftelis Financial Consultants, Inc., in the amount of \$110,360, to conduct a cost of service analysis and prepare a five-year financial plan in conjunction with a review of the Agency's current assessments and water rate structure, subject to County Counsel approval of the Agreement; ii) Request that Monterey County reimburse the Agency for the Professional Services Agreement with Raftelis Financial Consultants, Inc.; iii) Authorize the General Manager to execute the Agreement, substantially in the form of Agreement attached and subject to approval by County Counsel; and, iv) Authorize the Auditor-Controller to amend the Monterey County Resource Agency's FY 2015-16 Adopted Budget by increasing appropriations by \$13,795 financed by unassigned fund balance in the following Funds: 112-Pajaro Appropriations Unit WRA002; 116-2CAdmin Appropriations Unit WRA 006; 121 Soledad Storm Drain Appropriations Unit WRA011; 122-Reclamation Ditch Appropriations Unit WRA 012; 124-San Lorenzo Creek Appropriations Unit WRA014; 127-Moro Cojo Slough Appropriations Unit WRA 017; 131-CSIP Appropriations Unit WRA 020; and, 132-SVRP Appropriations Unit WRA021 (4/5th vote required). ... 97**
- C. Consider recommendations to the Board of Supervisors of the Monterey County Water Resources Agency relating to Tri-Counties Club, Inc. and real property at Lake Nacimiento (San Luis Obispo County) to: i) authorize negotiations for the either the sale, lease, or lot line adjustment relating to real property (Cullen site) between the Agency and Tri-Counties; ii) authorize negotiations for either the license or lease or sublease of a 72 acre portion of property under leases 3A and 3B, among the Agency, Tri-Counties, and lessees of leases 3A and 3B; and, iii) accept or reject the invitation to negotiate an agreement between the Agency and Tri-Counties for the furnishing of water to lessees of the Agency. 185
- D. Consider approving and recommending that the Monterey County Water Resources Agency Board of Supervisors approve Amendment No. 1 to the Third Reimbursement and Funding Agreement between the County of Monterey and the Monterey County Water Resources Agency, in the amount of \$630,585, for further services on the Interlake Tunnel and Spillway Modification Projects, substantially in the form attached and subject to approval by County Counsel; and, authorizing the General Manager to execute the Amendment.. 189**
- E. Consider approving and recommending that the Monterey County Water Resources Agency Board of Supervisors approve Amendment No. 1 in the amount of \$154,400 for a Specialized Advisory and Transactional Attorney Services Agreement with Burke, Williams & Sorensen, LLP to perform tasks and assignments relating to the Interlake Tunnel and Spillway Modification Projects, and Tunnel-related matters; and, authorizing the General Manager to execute the Amendment to the Agreement. 229**
- F. Consider receiving a report on the Salinas River Lagoon, including necessary tasks to pursue permits for sandbar management activities for 2016-2021; and, providing direction to Staff regarding funding those activities. 251
- G. Consider receiving an update on the Sustainable Groundwater Management Act Basin Boundary adjustment requests; and, providing direction to Staff. 253

H.	Consider recommending that the Monterey County Board of Supervisors reinsert language in the Monterey County Legislative Program supporting a robust state-wide vessel tracking system to assist with preventing Dreissenid Mussels from infesting Lakes Nacimiento and San Antonio; and, providing direction to Staff.	255
I.	Consider receiving an update on the completion of the Strategic Planning Session process; and, providing direction to Staff.	259
J.	Consider receiving an update on the Water Right Permit #11043 extension request. .	263
10.	KEY INFORMATION AND CALENDAR OF EVENTS	
11.	GENERAL MANAGER’S REPORT	
12.	COMMITTEE REPORTS	
	A. Basin Management Plan Committee: Richard Ortiz, Chair	
	B. Finance Committee: Claude Hoover, Chair	
	C. Personnel/Administration Committee: Mark Gonzalez, Chair	
	D. Planning Committee: Deidre Sullivan, Chair	
	E. Reservoir Operations Committee: David Hart, Chair	
13.	INFORMATION ITEMS	277
	A. Development Review	279
	B. Reservoir Release Update	281
	C. Well Permit Application Activities Update	283
	D. Monterey County Water Recycling Projects and Salinas River Diversion Facility Operations Update	287
	E. July – December 2015 Travel, Training & Food Expense Report	293
14.	CORRESPONDENCE	299
	A. Letter dated December 14, 2015 from Tori White: Acting Chief, Regulatory Division – Department of the Army, U.S. Army Corps of Engineers Re: Department of the Army Authorization for the Moss Landing Tide Gate Repair Project	301
	B. Letter dated January 27, 2016 from Sandra Kreutzburg, Public Land Management Specialist – California State Lands Commission Re: Jurisdictional Determination for the Salinas River Lagoon Sandbar Management Project, at the Mouth of the Salinas River, Monterey County	335

C. Letter dated February 9, 2016 from Nicole Goehring, Government Affairs Director –
Associated Builders and Constructors, Inc.
Re: Oppose: Project Labor Agreement for construction of Interlake Tunnel and Spillway
Modification Projects 337

15. BOARD OF DIRECTORS' COMMENTS

16. ADJOURNMENT