



MONTEREY COUNTY WATER RESOURCES AGENCY

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BOARD OF DIRECTORS

BOARD OF DIRECTORS:

Claude Hoover, Chair
Mike Scattini, Vice Chair
Silvio Bernardi
Ken Ekelund
Mark Gonzalez
David Hart
John Huerta
Richard Ortiz
Deidre Sullivan

STAFF:

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

Monday, February 23, 2015

REGULAR BOARD OF DIRECTORS MEETING

REVISED AGENDA (As of February 20, 2015)

Action Item B has been revised

Staff reports relative to the agenda items listed below will be available for public review on the Agency's website by 7:00 PM on Thursday, February 19, 2015 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.

1. CALL TO ORDER/ESTABLISH QUORUM – 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 – Existing Litigation
 Pursuant to Government Code section 54956.9(d)(1), the Board of Directors will confer with legal counsel regarding pending litigation: Monterey Coastkeeper v. Monterey County Water Resources Agency (Monterey County Superior Court case no. M108858); and, Monterey County Water Resources Agency, et al. v. Boyle Engineering Corporation, et al. (Santa Clara County Superior Court case no. 113-CV-250447).

3. ADJOURN TO CLOSED SESSION

4. RECONVENE MEETING/RE-ESTABLISH QUORUM (No earlier than 1:00 P.M.)

5. PLEDGE OF ALLEGIANCE

6. ELECTION OF OFFICERS

7. 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.)*

8. CONSENT CALENDAR 7

- A. Approve purchase orders/contracts in excess of \$500 and credit card purchases over \$500 in December 2014/January 2015. 9
- B. Receive the Monterey County Water Resources Agency (MCWRA) 2nd Quarterly Financial Status report through December 2014. 11
- C. Approve the Water Resources Agency’s FY 2014-15 Three-Year Forecast; and, recommend that the full Board approve its inclusion in Monterey County’s Countywide Three-Year Forecast FY 2014-15 through FY 2017-18 Report. 15

9. ACTION ITEMS 19

- A. Consider receiving the Annual Report for the Salinas River Stream Maintenance Program, Phase I. 21
- B. Consider approving authorizing the General Manager to negotiate and execute an agreement with The Nature Conservancy for an expenditure of up to \$75,000 to complete the necessary Two-Dimensional Flood Model for Phase 2 of the Salinas River Stream Maintenance Program, subject to approval as to form by County Counsel 25**
- C. Consider authorizing Agency staff to prepare an application to partner with the Bureau of Reclamation and local agencies in the WaterSMART Basin Study program and authorize the General Manager to submit a Letter of Interest to the Bureau of Reclamation. 29
- D. Consider receiving a report on the Salinas River Lagoon, Salinas River Lagoon Management Plan update, permitting needs for lagoon sandbar activities; and, provide direction to Staff.. 35

- E. Consider receiving information regarding California Department of Water Resources' Local Levee Assistance Program Grant Opportunity under Proposition 84 of 2008; and, provide direction to Staff on proceeding with the application. 37
- F. Consider approving and recommending that the Monterey County Water Resources Agency Board of Supervisors:
 - i. Approve a Second Reimbursement and Funding Agreement between the County of Monterey and the Monterey County Water Resources Agency for Preliminary Engineering and Design; Further Water Rights Analysis; Spillway Modification Feasibility; Technical Support to the Monterey County Water Resources Agency during design; Environmental Consulting Services; and Program Management for the Interlake Tunnel Project; and,
 - ii. Increase the amount reimbursable to the Agency to include the additional scope of work. 39
- G. Consider:
 - i. Approving and recommending that the Monterey County Water Resources Agency Board of Supervisors approve Amendment No. 3 to the Professional Services Agreement with EPC Consultants, Inc. updating the scope of work for the first phase of the Interlake Tunnel Project to include the Spillway Modification Feasibility Study and technical support to the Agency during design and environmental consulting work; and,
 - ii. Authorizing the General Manager to execute Amendment No. 3 to the Agreement.... 51
- H. Consider directing the General Manager to notify the Monterey Peninsula Water Management District and the Monterey Regional Water Pollution Control Agency that the proposed facilities for Source Waters and Water Recycling are acceptable, and the Parties to the October 8, 2014 Memorandum of Understanding should now focus on the Financial Plan and Agreement preparation for Phase I. 87
- I. Consider approving and recommending that the Monterey County Water Resources Agency Board of Supervisors:
 - i. Approve a Non-Exclusive Agreement for Specialized Attorney Services for the continued provision of legal services to the Agency for various transactional, advisory and pre-litigation matters; and,
 - ii. Approve the recommendation from the Monterey County Water Resources Agency Board of Supervisors authorizing the Water Resources Agency General Manager to execute the Agreement. 121

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 129**
 - A. Development Review 131
 - B. Monterey County Water Recycling Projects & Salinas Valley Water Project/Salinas River Surface Diversion Update 133
 - C. Reservoir Release Update 135
 - D. Well Permit Application Activities Update 137
 - E. Memorandum of Understanding Development Update for MOU Between Monterey County Water Resources Agency, The Nature Conservancy, Monterey County Resource Conservation District and Monterey County Grower-Shipper Association for the Salinas River Stream Maintenance Program 141
- 14. CORRESPONDENCE 147**
 - A. Letter dated January 28, 2015 from Randall Tognazzini, Representative of the boundary matters for Tri Counties Club
Re: Developing an Agreement regarding Grazing Lease 3B 149
 - B. Letter dated February 2, 2015 from MCWRA to Carl Holm, Acting RMA Director
Re: Emergency Repair to Moss Landing Road Flap Gates 153
 - C. Letter dated February 3, 2015 from Mayor Joe Gunter, City of Salinas
Re: City of Salinas Comments Regarding Formation of a Groundwater Sustainability Agency by the Monterey County Water Resources Agency 155
 - D. Letter dated January 6, 2015 from United States Department of the Interior, Bureau of Reclamation
Re: Castroville Seawater Intrusion Project Public Law (P.L.) 984 Loan – Repayment Contract No. 5-07-20-W1283 – Monterey County Water Resources Agency – California 157
 - E. Letter dated February 10, 2015 from MCWRA to Karen Hall - US Department of the Interior, Bureau of Reclamation
Re: Castroville Seawater Intrusion Project PL-984 Loan Repayment Contract No. 5-07-20-W1283 – Monterey County Water Resources Agency – Excess Lands for Period January 1, 2014 through December 31, 2014 161
 - F. Email dated Friday, February 13, 2015 10:07 AM from William Stevens – NOAA Federal
Re: Salinas Valley Tour 165
 - G. Letter dated February 18, 2015 from MCWRA to Charlton H. Bonham, Director – California Department of Fish and Wildlife
Re: Meeting Request – Assistance to Determine a Reasonable and Feasible Solution Related to White Bass as Associated with a Critical Water Storage Project in Monterey and San Luis Obispo Counties.
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- 15. BOARD OF DIRECTORS’ COMMENTS**
- 16. ADJOURNMENT**