



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

Monday June 22, 2015 @ 1:00 P.M.

REGULAR BOARD OF DIRECTORS MEETING

MINUTES

1. CALL TO ORDER/ESTABLISH QUORUM

Chair Hoover called the meeting to order @ 12:00 PM and a quorum was established.

Directors Present: Hoover, Scattini (arrived @ 12:02 PM), Ekelund, Gonzalez, Hart, Huerta, Ortiz

Directors Absent: Bernardi and Sullivan were absent

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).

b) 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 two matters of significant exposure to litigation.

3. ADJOURN TO CLOSED SESSION @ 12:02 PM)

4. RECONVENE MEETING/RE-ESTABLISH QUORUM (@ 1:10 P.M.)

(Mike Scattini rejoined the meeting @ 1:18 PM after Closed Session.)

Deputy County Counsel stated there were no reportable actions taken in Closed Session.

5. PLEDGE OF ALLEGIANCE (led by Director Mark Gonzalez)

6. PUBLIC COMMENTS - None

*(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. PRESENTATION – Schilling Place Update: Mr. Steve Morgan

Mr. Morgan presented a PowerPoint presentation regarding Schilling Place.

8. CONSENT CALENDAR

- A. Approve purchase orders/contracts in excess of \$500 and credit card purchases over \$500 in April/May 2015.
- B. Ratify a Resolution declaring the official intent of the Monterey County Water Resources Agency to reimburse certain expenditures from proceeds of indebtedness, including expenses reimbursed by the County of Monterey, relating to the Interlake Tunnel Project.
- C. Approve and recommend that the Monterey County Water Resources Agency Board of Supervisors hold a Public Hearing on June 23, 2015 @ 10:30 AM to consider adopting the Fiscal Year 2015-16 benefit assessment rates for Zones 1, 1A, 8, 9, 12 and 17.
- D. Approve and recommend that the Monterey County Water Resources Agency Board of Supervisors hold a Public Hearing on June 23, 2015 @ 10:30 AM to consider adopting assessment rate charges with no rate increases for Zones 2B, 2Y, and 2Z; the Castroville Seawater Intrusion Project (CSIP); and, the Salinas Valley Reclamation Project (SVRP) for Fiscal Year 2015-2016.
- E. Approve and recommend that the Monterey County Water Resources Agency Board of Supervisors hold a Public Hearing on June 23, 2015 @ 10:30 AM to consider adopting Zone 2C assessment charges for FY 2015-2016.
- F. Approve the revised Memorandum of Understanding (MOU), dated June 2, 2015, between the Monterey County Water Resources Agency and the California Military Department for conducting fisheries field work at Camp Roberts; and, authorize the General Manager to execute the MOU.
- G. Approve the Memorandum of Understanding (MOU) between the Monterey County Water Resources Agency, The Nature Conservancy, the Resource Conservation District of Monterey County and the Grower-Shipper Association, Monterey County for advancing the implementation of the Salinas River Stream Maintenance Program, Phases I & II; and, authorize the General Manager to execute the MOU.

ACTION: On motion and second of Directors Ortiz and Huerta, approved Consent Calendar.

VOTE: Unanimous by those Directors present.

9. ACTION ITEMS

- A. Consider receiving a Project Status Report on the Interlake Tunnel Project and Spillway Modification Project prior to a future request for approval of Amendment No. 1 to the Second

Reimbursement and Funding Agreement between the County of Monterey and the Monterey County Water Resources Agency.

David Chardavoyne, General Manager, presented presented this item for consideration. (PowerPoint presentation)

Public Comments: Steve Shimek, Nancy Isakson and Norm Groot.

ACTION: On motion and second of Directors Huerta and Gonzalez respectively.

VOTE: Unanimous by those Directors present.

- B. Consider approving and recommending that the Monterey County Water Resources Agency Board of Supervisors approve Amendment No. 1 to the Second Reimbursement and Funding Agreement between the County of Monterey and the Monterey County Water Resources Agency; and, authorize the General Manager to execute the Amendment. This Amendment solely extends the term from June 30, 2015 to September 30, 2015.

Cathy Paladini, Finance Manager, presented this item for consideration.

Public Comments: Norm Groot, Dale Huss and Steve Shimek.

ACTION: On motion and second of Directors Ekelund and Gonzalez respectively.

VOTE: Unanimous by those Directors present.

- C. Consider approving and recommending that the Monterey County Water Resources Agency Board of Supervisors receive the Monterey County Water Resources Agency's Supplemental Funding Strategic Plan for pursuing grants and other funds for the Interlake Tunnel Project and other Agency Projects.

Robert Johnson, Deputy General Manager, presented this item for consideration.

Public Comments: None

ACTION: On motion and second of Directors Huerta and Ekelund respectively.

VOTE: Unanimous by those Directors present.

- D. Consider approving and recommending that Monterey County Water Resources Agency Board of Supervisors approve a Request for Proposals for financial consulting services for the Water Resources Agency.

Cathy Paladini, Finance Manager, presented this item for consideration.

Public Comments: Nancy Isakson.

ACTION: On motion and second of Directors Ekelund and Hart respectively.

VOTE: Unanimous by those Directors present.

- E. Consider approving Amendment No. 1 to the GSA with Industrial Machine Shop, Inc. in the amount of \$60,000 to provide repair, fabrication and machining services of components for facilities and projects owned and managed by MCWRA; encumbering \$40,000 from Fund 118 for the purpose of rebuilding an industrial pump; and, authorizing the General Manager to execute the Amendment.

Mark Foxworthy, Associate Water Resource Engineer, presented this item for consideration.

Public Comments: None

ACTION: On motion and second of Directors Hart and Gonzalez, the Board of Directors approved Amendment No. 1 to the General Services Agreement with Industrial Machine Shop, Inc. in the amount of \$60,000 to provide repair, fabrication and machining services of components for facilities and projects owned and managed by MCWRA; Encumbering \$40,000 from Fund 118 for the purpose of rebuilding an industrial pump; and, authorized the General Manager to execute the Amendment.

VOTE: Unanimous by those Directors present.

- F. Consider receiving a report updating ongoing hydrogeologic analysis of reservoir releases and Reservoir Operations Committee action regarding releases from Nacimiento Reservoir.

Chair Claude Hoover recused himself from this item and left the Board Room and the meeting.

German Criollo, Associate Hydrologist, and Howard Franklin, Senior Hydrologist, presented this item for consideration.

Public Comments: Dave Rosenthal, Delicato Vineyards; Mike Jones, Cal Water Company; Nancy Isakson, Salinas Valley Water Coalition; Tom Virsik; Jerry Riva; Dale Huss, Ocean Mist Farms; Elias Chavez; Norm Groot, Monterey County Farm Bureau; Steve Shimek, Monterey Coastkeepers; and, John Baillie.

ACTION: On motion and second by Directors Scattini and Ortiz respectively: Received the report updating ongoing hydrogeologic analysis of reservoir releases and the Reservoir Operations Committee's action regarding releases from Nacimiento Reservoir; Directed County Counsel to investigate if the Agency can release of up to 300 cfs and the issues surrounding the minimum 2 cfs flow to the lagoon and provide a legal opinion in regards thereto; Delegated the Reservoir Operations Committee to allow staff to make those releases if the legal opinions come in prior to its scheduled committee meeting on July 2, 2015; and, Directed staff to confer with NOAA regarding the same. If the legal opinion and information from NOAA is not available prior to the Reservoir Operations Committee meeting on July 2, 2015 a special Board of Directors meeting will be scheduled for July 6, 2015.

VOTE: Ayes: Directors Scattini, Ortiz, Hart, Gonzalez, Huerta
Nos: Director Ekelund
Absent: Directors Bernardi, Sullivan
Recused: Director Hoover

10. KEY INFORMATION AND CALENDAR OF EVENTS

11. GENERAL MANAGER'S REPORT

- a) Meeting with the Regional Board on April 28, 2015 re: Pure Water Monterey Project and the water increase for CSIP.
- b) The water rights applications for Blanco Rec Ditch and Tembladero
- c) Water Right #11043 Permit
- d) Monterey Peninsula visitation by SWRCB Board Member Doduc on May 29, 2015
- e) Boyle Litigation
- f) Sustainable Groundwater Management Act
- g) Meeting with State Water Resources Control Board and their Division of Toxic Substances

Public Comment: None.

12. COMMITTEE REPORTS

13. INFORMATION ITEMS

14. CORRESPONDENCE

15. BOARD OF DIRECTORS' COMMENTS

16. ADJOURNMENT @ 4:20 p.m.

SUBMITTED BY: Wini Chambliss

APPROVED ON: September 28, 2015

Wini Chambliss, Clerk to the Board