



MONTEREY COUNTY WATER RESOURCES AGENCY

893 BLANCO CIRCLE
SALINAS, CA 93901
(831) 755.4860
(831) 424.7935 FAX

BOARD OF DIRECTORS

BOARD OF DIRECTORS:

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Richard Ortiz
Deidre Sullivan

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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

Monday, August 24, 2015 @ 1:00 P.M.

REGULAR BOARD OF DIRECTORS MEETING

A G E N D A

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, August 20, 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.

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 – 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 existing litigation: (1) California-American Water Company and MCWRA v. Marina Coast Water District; RMC, San Francisco Superior Ct. Case No. CGC 15-546632; (2) California-American Water Company and MCWRA v. Marina Coast Water District; RMC, San Francisco Superior Ct. Case No. CGC-13-528312; (3) In the Matter of the Application of California- American Water Company, Cal. P.U.C. Application No. 13-05-017; and, (4) Marina Coast Water District v. California-American Water Company, A California Corporation, Monterey County Water Resources Agency, San Francisco County Superior Court Case No. CGC-15-547125.

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

4. RECONVENE MEETING/RE-ESTABLISH QUORUM (No earlier than 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. PRESENTATION

A. DeepWater Desal: An Oceanographic Solution to Produce Fresh Water – Mr. David Armanasco

8. CONSENT CALENDAR

A. Approve purchase orders/contracts in excess of \$500 and credit card purchases over \$500 in June/July 2015.

B. Approve a three-year Professional Services Agreement with OneRain, Inc., not to exceed \$19,440 (\$6,480 annually) for licensing of base station software; collection and storage of flood warning data to an online database; providing technical support and analysis of data to authorized users via a web-enabled device in support of the Agency's Automated Local Evaluation in Real Time (ALERT) flood warning system; and, authorize the General Manager to execute the Agreement.

C. Approve and recommend that the Monterey County Water Resources Agency Board of Supervisors approve Budget Amendment No. 2 authorizing the Auditor-Controller to amend the FY 2015-16 Adopted Budget, Department 9300, Unit 8267, Fund 303 (Rate Stabilization Reserve), Appropriation Unit WRA0025, Account 6613, to increase appropriations in the amount of \$500,000 financed by unassigned fund balance to pay the initial installment

identified in the Federal Cost Share Agreement (FCSA) executed by this Agency, U.S. Army Corps of Engineers (Corps), and Santa Cruz County Flood Control and Water Conservation District, to complete the General Reevaluation Report /Environmental Impact Statement (GRR) for the Pajaro River Flood Risk Reduction Project (4/5th vote required); and, request that said funds be transferred directly to the Corps \$250,000 as initial payment identified in the FCSA to complete the GRR for the Pajaro River Flood Risk Reduction Project.

D. Receive the *Salinas Valley Water Project Annual Flow Monitoring Report for Operational Season 2014*.

9. ACTION ITEMS

- A. Consider approving Amendment No. 1 to a Professional Services Agreement with Lux Environmental LLC in the amount of \$26,942 bringing the total not to exceed amount to \$31,810 for permitting services related to Phase II of the Salinas River Stream Maintenance Program; and, authorizing the General Manager to execute the Amendment.
- B. Consider approving a Professional Services Agreement with Salinas Pump Company in the amount of \$156,000 to provide well and pump maintenance and repair services, and well logging services for the Castroville Seawater Intrusion Project (CSIP) through June 30, 2018; and authorizing the General Manager to execute the Agreement.
- C. Consider approving and recommending that the Monterey County Water Resources Agency Board of Supervisors recognize the net previously received amount of \$644,290.05 from the California American Water Company (CAW) Line of Credit (Draws 1 and 2) all in accordance with the December 4, 2012 Settlement Agreement and Mutual Release among the Monterey County Water Resources Agency, CAW, and the County of Monterey, subject to final recommendations by the Auditor-Controller; and, authorizing the Auditor-Controller to amend FY 2015-15 Adopted Budget reallocating revenue of \$644,290.05 in Fund 425 to Assessment-Based Funds: 112, 113, 116, 119, 121, 122, 127, 131 and 134 as reimbursement of Regional Desalination Project costs incurred from those funds in Calendar Years 2009, 2010 and 2011, excluding conflict of interest costs and expenses (4/5th vote required).
- D. Consider approving and recommending that the Monterey County Water Resources Agency Board of Supervisors approve Budget Amendment No. 3 authorizing the Auditor-Controller to amend the Monterey County Water Resources Agency's FY 2015-16 Budget for various Funds due to Agency Agreement timing differences of expenditures between FY 2014-15 and FY 2015-16 in the following Agency Funds: 111, 113, 115, 116, 117, 121, 122, 124, 129, 130, 131, and 134 (4/5th vote required).
- E. Consider adoption of the *Monterey County Floodplain Management Plan 2014 Update*; and recommending adoption by the Monterey County Board of Supervisors.
- F. Consider approving the Monterey County Water Resources Agency's Community Engagement Plan.
- G. Consider approving the Personnel and Administration Committee recommendation to conduct Monterey County Water Resources Agency Standing Committee meetings at 1441 Schilling Place, Salinas for enhanced efficiency and effectiveness; and, recommending approval by the Monterey County Water Resources Agency Board of Supervisors.

- H. Consider receiving an update on the status of Monterey County Water Resources Agency's August 12, 2015 correspondence to National Marine Fisheries Service regarding release increase options from Nacimiento Reservoir; and, providing direction to Staff.
- I. Consider receiving an update on a fish survey of San Antonio River below San Antonio Dam; providing Agency staff direction with regard to reducing San Antonio Reservoir to 644.9 feet (dead pool) in order to perform essential deferred maintenance if the action will not result in a "take" of threatened or endangered species, or a violation of the California and Federal Endangered Species Acts or other state or federal law; and, authorizing the General Manager to execute Agreements up to \$60,000 if needed to complete fishery mitigation work.

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

- E. Development Review
- F. Monterey County Water Recycling Projects & Salinas Valley Water Project/Salinas River Surface Diversion Update
- G. Reservoir Release Update
- H. Well Permit Application Activities Update
- I. Assignment of issues raised within the Salinas Valley Water Coalition Letter dated June 29, 2015

14. CORRESPONDENCE

- A. Letter dated June 24, 2015 from Roy E. Wright, Deputy Associate Administrator for Insurance and Mitigation – U.S. Department of Homeland Security, FEMA
Re: Results of National Flood Insurance Program (NFIP) Community Rating System (CRS) field verification findings
- B. Letter dated June 30, 2015 from Mark Fogelman - Friedman & Springwater LLP
Re: Marina Coast Water District's demand for payment
- C. Letter dated July 24, 2015 from MCWRA to California Environmental Protection Agency
Re: 2015 Governor's Environmental and Economic Leadership Awards
- D. Letter dated July 29, 2015 from Michael G. Waggoner, Chief – Department of Water Resources, Division of Safety of Dams
Re: Notice of Non-Receipt – Emergency Action Plan

- E. Letter dated August 3, 2015 from John Paasch, Chief – Department of Water Resources, Hydrology and Flood Operations Office
Re: 2015 Preseason Flood Coordination Meetings
- F. Letter dated August 4, 2015 from Alecia Van Atta, Acting Assistant Regional Administrator – United States Department of Commerce, National Oceanic and Atmospheric Administration
Re: Monterey County Water Resources Agency’s proposal for increasing stream flow releases from Nacimiento and San Antonio Reservoirs during summer 2015
- G. Letter dated August 4, 2015 from Wade Horton, Director of Public Works – San Luis Obispo County Department of Public Works
Re: Interest in exploring the opportunity to participate in the development of the Interlake Tunnel Project
- H. Letter dated August 10, 2015 from King City Council Members
Re: Requests for Permit Application for clearing vegetation and sedimentation in the Salinas River and the San Lorenzo Creek bordering the City of King
- I. Email dated Friday, August 07, 2015 4:19 PM to Brent Buche and Board of Directors
Re: Hendricks-Eyraud Easement

15. BOARD OF DIRECTORS’ COMMENTS

16. ADJOURNMENT