



MONTEREY COUNTY WATER RESOURCES AGENCY

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

BOARD OF DIRECTORS

BOARD OF DIRECTORS:

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

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, September 28, 2015 @ 1:00 P.M.

REGULAR BOARD OF DIRECTORS MEETING

MINUTES

1. CALL TO ORDER/ESTABLISH QUORUM

Director called the meeting to order @ 12:08 PM and a quorum was established.

Directors Present: Hoover (@ 12:09 PM), Scattini, Ekelund, Hart, Ortiz and Sullivan

Directors Absent: Gonzalez, Huerta

2. PUBLIC COMMENTS ON CLOSED SESSION ITEMS – None.

3. ADJOURN TO CLOSED SESSION @ 12:09 PM

4. RECONVENE MEETING/RE-ESTABLISH QUORUM @ 1:05 PM

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

5. PLEDGE OF ALLEGIANCE

6. PUBLIC COMMENTS – Tom Virsik (submitted letter re: USBOR – Salinas and Carmel River Basins Study).

7. PRESENTATION: Update on the Disbursement of the Cal Am Settlement Monies provided by David E. Chardavoyne, General Manager.

8. CONSENT CALENDAR

- A. Approve the **Action** Minutes of the following meetings: Regular BOD Meetings: September 22, 2014; October 27, 2014; January 26, 2015; February 23, 2015; March 23, 2015; April 27, 2015; June 22, 2015; July 27, 2015; August 24, 2015. Special Joint BOD/BOS Meetings: October 28, 2014; December 9, 2014; February 10, 2015; March 24, 2015.
- B. Approve purchase orders/contracts in excess of \$500 and credit card purchases over \$500 in August 2015.
- C. Approve and recommend that the Monterey County Water Resources Agency Board of Supervisors approve Amendment No. 3 to the Memorandum of Understanding Regarding Source Waters and Water Recycling, dated 8 October 2014, extending its term to not later than December 31, 2015; and, request the Chair of the Monterey County Water Resources Agency Board of Supervisors to execute Amendment No. 3 to the Memorandum of Understanding Regarding Source Waters and Water Recycling

ACTION: On motion and second of Directors Hoover and Ortiz, approved Item A on the Consent Calendar.

VOTE: **Ayes: Directors Hoover, Scattini, Hart, Ortiz and Sullivan.**
 Nos: None
 Abstain: Director Ekelund

ACTION: On motion and second of Directors Hart and Ekelund, approved Items B and C on the Consent Calendar.

Vote: Unanimous by those members present.

9. ACTION ITEMS

- A. Adopt a Resolution of Commendation to honor Silvio Bernardi for eight years of dedicated service as the District 2 representative on the Monterey County Water Resources Agency Board of Directors.

David Chardavoyne, General Manager, presented the Resolution to Silvio Bernardi.

Public Comments: Richard Boyer, North County resident.

ACTION: On motion and second of Directors Ekelund and Hart, adopted a Resolution of Commendation to honor Silvio Bernardi for eight years of dedicated service as the District 2 representative on the Monterey County Water Resources Agency Board of Directors.

VOTE: Unanimous by those Directors present.

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- B. Consider receiving the *Preliminary Engineering Design Report for Control of Non-Winter Drainage at Carr Lake*.

Germán Criollo, Associate Water Resources Hydrologist, presented this item for consideration by the Board.

Public Comments: Norm Groot, Monterey County Farm Bureau; Mr. Ken Hagashi; and, Mr. Kent Habino.

ACTION: On motion and second of Directors Hart and Sullivan, received the Preliminary Engineering Design Report for Control of Non-Winter Drainage at Carr Lake. Directed Staff to: assist in cleaning sediment from North Main Street culvert; contact City of Salinas regarding the possibility of pumping water into sanitary

sewer trunk line; investigate securing water permits on Natividad Creek backflow device;

VOTE: Unanimous by those Directors present.

C. Consider providing a letter of support for the Big Sur Land Trust to purchase a portion of Carr Lake; and, provide direction to Staff.

Rob Johnson, Deputy General Manager, presented this item for consideration by the Board.

Public Comments: Rachel Saunders, Big Sur Land Trust; Ken Higashi; Nancy Isakson, Salinas Valley Water Coalition; Norm Groot; Rich Boyer; Kent Hibino.

ACTION: On motion and second of Directors Ortiz and Hart, denied a letter of support for the Big Sur Land Trust to purchase a portion of Carr Lake. Motion was not carried.

**VOTE: Yes – Directors Hoover, Scattini, Ortiz and Hart
No – Directors Ekelund and Sullivan**

D. Consider receiving a report regarding the Monterey County Water Resources Agency Winter Storm Preparedness activities; and, providing direction to Staff.

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

Public Comments: Margie Kay, North County resident; Rich Boyer.

ACTION: On motion and second of Directors Ekelund and Ortiz, received a report regarding the Monterey County Water Resources Agency Winter Storm Preparedness activities; and, directed Staff to prepare a budget presentation at the next meeting for regarding options for the Agency to be prepared for this winter's projected storm.

VOTE: Unanimous by those Directors present.

ACTION On motion and second of Mike Scattini and Hart, directed Staff to provide a Flood Mitigation Plan at the October 2015 Board meeting to be implemented during winter months.

VOTE Unanimous by those Directors present.

The Clerk to the Board informed Directors that County Counsel researched the Agency Act and informed Staff of the Agency's Bylaws Section V. Meetings 5.04 Section Majority Vote: Actions of the Board shall be by a majority vote of Board members present and voting on the issue. A member who abstains from any vote shall be counted for the purpose of determining whether a quorum is present, but the vote of such abstaining members shall not be counted either for or against a measure in determining whether a majority vote has been obtained. As such Action Item 9C was carried and the Directors denied a letter of support for the Big Sur Land Trust to purchase a portion of Carr Lake.

Director Hart left the dais at 3:13 PM and returned at 3:15 PM.

Director Claude Hoover left the dais at 3:18 PM and returned at 3:20 PM.

E. Consider receiving a report regarding the Greater Monterey County Integrated Regional Water Management Plan, proposed Proposition 1 funding distributions.

Rob Johnson, Deputy General Manager, presented this item for consideration by the Board.

Director Sullivan left the meeting at 3:29 PM.

Public Comments: None.

ACTION: On motion and second of Directors Ekelund and Ortiz, received a report regarding the Greater Monterey County Integrated Regional Water Management Plan, proposed Proposition 1 funding distributions; and, provided conditional approval to participate in cooperative allocation of grant money.

VOTE: Unanimous by those Directors present. (Sullivan absent)

Director Ekelund left the dais at 3:42 PM and returned at 3:45 PM.

- F. Consider approving and recommending that the Monterey County Water Resources Agency Board of Supervisors approve Amendment No. 2 to the Second Reimbursement and Funding Agreement between the County of Monterey and the Monterey County Water Resources Agency for the Interlake Tunnel Project; and, authorizing the General Manager to execute Amendment No. 2 the Monterey County Water Resources Agency's Community Engagement Plan.

David Chardavoyne, General Manager, presented this item for consideration by the Board.

Public Comments: Nancy Isakson.

ACTION: On motion and second of Directors Ortiz and Hart, approved and recommended that the Monterey County Water Resources Agency Board of Supervisors approve Amendment No. 2 to the Second Reimbursement and Funding Agreement between the County of Monterey and the Monterey County Water Resources Agency for the Interlake Tunnel Project; and, authorizing the General Manager to execute Amendment No. 2 the Monterey County Water Resources Agency's Community Engagement Plan.

VOTE: Unanimous by those Directors present. (Sullivan absent)

- G. Consider approving and recommending that the Monterey County Water Resources Agency Board of Supervisors approve a Third 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, substantially in the form of Agreement attached and subject to approval by County Counsel.

David Chardavoyne, General Manager, presented this item for consideration by the Board.

Public Comments: None.

ACTION: On motion and second of Directors Ortiz and Hart, approved and recommended that the Monterey County Water Resources Agency Board of Supervisors approve a Third 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, substantially in the form of Agreement attached and subject to approval by County Counsel.

VOTE: Unanimous by those Directors present.

H. Consider approving and recommending that the Monterey County Water Resources Agency Board of Supervisors approve: 1) Authorizing the General Manager to negotiate and, subject to County Counsel review, execute a Funding Agreement, among the City of Salinas; County of Monterey; Monterey County Farm Bureau; Grower-Shipper Association; and, Salinas Valley Water Coalition to fund a facilitator in establishment of a Groundwater Sustainability Agency in an amount not to exceed \$30,000 for the Monterey County Water Resources Agency; and, 2) Authorizing the expenditure of \$30,000 for facilitator services to establish a Groundwater Sustainability Agency.

David Chardavoyne, General Manager, presented this item for consideration by the Board.

Public Comments: Nancy Isakson; Tom Virsik.

ACTION: On motion and second of Directors Ekelund and Hart , approved and recommended that the Monterey County Water Resources Agency Board of Supervisors approve: 1) Authorizing the General Manager to negotiate and, subject to County Counsel review, execute a Funding Agreement, among the City of Salinas; County of Monterey; Monterey County Farm Bureau; Grower-Shipper Association; and, Salinas Valley Water Coalition to fund a facilitator in establishment of a Groundwater Sustainability Agency in an amount not to exceed \$30,000 for the Monterey County Water Resources Agency; and, 2) Authorizing the expenditure of \$30,000 for facilitator services to establish a Groundwater Sustainability Agency.

VOTE: Unanimous by those Directors present.

General Manager Chardavoyne stated he received communication from Gary Petersen in the City of Salinas, who indicated the amount each entity would be required to pay is \$43,750. The General Manager requested the amount indicated in the day's action be revised to \$43,750. County Counsel advised that according to the Brown Act, the Directors cannot approve an amount greater than that published on the Board Agenda without providing sufficient notice to the public.

(Director Ortiz left the dais at 4:12 PM and returned at 4:19 PM.)

(Director Scattini left the dais at 4:25 PM and there was no longer a quorum to conduct Agency business.)

County Counsel recommended postponing the next item to the next meeting due to lack of a quorum.

I. Consider approving a Professional Services Agreement with JDH Corrosion Consultants, Inc. in the amount of \$36,235 to provide testing and evaluation services, training and as-needed corrosion engineering consultation services for the Castroville Seawater Intrusion Project (CSIP) and Salinas River Diversion Facility (SRDF) through June 30, 2017; and, authorizing the General Manager to execute the Agreement.

ACTION: This item was continued to the October 2015 meeting due to the lack of a quorum.

10. KEY INFORMATION AND CALENDAR OF EVENTS – There were no changes for the October 2015 calendar.

11. GENERAL MANAGER'S REPORT

David Chardavoyne provided an update on the following:

- a) Amended and Restated Recycled Water Agreement with PCA;
- b) Meeting with Supervisor Phillips and Salinas re: Russell Road flooding;

- c) Meeting with Supervisor Phillips and former Supervisor Calcagno re: Moro Cojo;
- d) Interviews for Associate Water Resources Hydrologist positions;
- e) Presentation to Central Coast Regional Water Quality Control Board;
- f) Upcoming meeting in Santa Cruz re: Salinas River Lagoon Sandbar Management; and,
- g) Strategic Planning Workshop plans – last year’s facilitator unavailable for date selected.

Public Comments: Nancy Isakson re: updates on Water Right Permit #11043; comments regarding Floodplain Management Plan; and, Comprehensive Salinas Valley Basin Sustainability Program.

12. COMMITTEE REPORTS – Planning Committee: next meeting dedicated to planning for Strategic Planning Workshop. Requested report on “Next Steps” on last year’s Strategic Planning Workshop document.

13. INFORMATION ITEMS – Directors had no comments on Information Items.

14. CORRESPONDENCE

15. BOARD OF DIRECTORS’ COMMENTS

16. ADJOURNMENT @ 4:43 PM.

SUBMITTED BY: Wini Chambliss
APPROVED ON: October 26, 2015

Wini Chambliss