

# Monterey County

*Monterey County Government Center  
Board Chamber  
168 W. Alisal St.  
Salinas, CA 93901*



## Meeting Agenda - Final-revised

**Monday, November 20, 2017**

**12:00 PM**

### **Water Resources Agency Board of Directors**

*Chair, Mark Gonzalez  
Vice-Chair, Deidre Sullivan  
Glen Dupree  
Ken Ekelund  
Claude Hoover  
Richard Ortiz  
Mike Scattini  
Mike LeBarre  
Vacancy*

## **Call to Order**

### **Public Comments on Closed Session Items**

1. Closed Session under Government Code section 54950, relating to the following items:
  - A. Pursuant to Government Code Section 54956.9 the Board will confer with Legal Counsel regarding two matters of anticipated litigation:
    1. Claim of Dobler & Sons, LLC
    2. Claim of JAL Berry Farms, LLC.
  - B. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the General Manager of the Agency.

*Note: Continuance of Closed Session to be held at the conclusion of the Board's Regular Agenda, or at any other time during the course of the meeting announced by the Chairperson of the Board. The public may comment on Closed Session items prior to the Board's recess to Closed Session.*

### **Recess to Closed Session**

### **Reconvene Meeting at 1:00 P.M.**

### **Pledge of Allegiance**

### **Public Comment**

### **Presentations**

### **Consent Calendar**

2. Approve the Action Minutes of September 18, 2017 and October 16, 2017

**Attachments:** [Draft Action Minutes September 18, 2017](#)

[Draft Action Minutes October 16, 2017](#)

3. Accept the Monterey County Water Resources Agency (MCWRA) First Quarter Financial Status Report through September 30, 2017.

**Attachments:** [Board Report](#)  
[Fund 111 Administration Summary](#)  
[Financial Summary](#)  
[Board Order](#)

4. Adopt a resolution authorizing and directing the General Manager to apply for grant funding from the California Department of Water Resources to complete the migration of the Monterey County Flood Warning System from ALERT to ALERT2.

**Attachments:** [Board Report](#)  
[Resolution](#)

5. Consider approving and recommending that the Water Resources Agency Board of Supervisors:

Authorize the Auditor-Controller to amend the Amend the Water Resources Agency FY 2017-18 Adopted Budget for Fund 116 Administration (116-9300-8267-WRA006) by increasing revenue and appropriations by \$500,000 financed by unassigned fund balance in Fund 116 BSA 3101.

**Attachments:** [Board Report](#)  
[Budget Revision #3](#)  
[Summary of Budget Revision #3](#)  
[Board Order](#)

6. Approve Amendment No. 1 to the Agreement for Services with Quinn Company in the amount of \$30,000 to provide maintenance services to heavy equipment owned by MCWRA; and authorize the General Manager to execute the amendment.

**Attachments:** [Board Report](#)  
[Amendment No. 1](#)  
[Agreement for Services](#)  
[Board Order](#)

### **Scheduled Matters**

7. Consider receiving a report by the Chair on the appointment of an ad hoc nominating committee consisting of a chairperson and two directors to nominate candidates for Chair and Vice Chair of the Board of Directors, to be elected at the January 15, 2018 Directors meeting.

**Attachments:** [Board Report](#)  
[Board Order](#)

8. Consider recommending that the Monterey County Water Resources Agency Board

of Supervisors, upon approval as to form by County Counsel:

- a. Accept the Notice of Completion for the Project for installation and construction of channel improvements known as the Bryant Canyon Channel Improvement Project performed by UCP Soledad, LLC.; and
- b. Authorize the General Manager of Monterey County Water Resources Agency to execute and record within ten days with the County Recorder a Notice of Completion for said aforementioned public work pursuant to the provisions of California Civil Code Section 9204; and
- c. Accept from UCP Soledad LLC, a Certificate of Acceptance for the completed channel improvements known as the Bryant Canyon Channel Improvement Project for the purpose of operations and maintenance; and
- d. Accept a Warranty Security held by the Hanover Insurance Company, Maintenance Bond No. 1053486 in the amount of \$354,220 for a period of one year following the acceptance by the Monterey County Water Resources Agency Board of Supervisors and filing of the Notice of Completion of the work and Improvements against any defective work or labor done or defective materials furnished; and
- e. Approve the release of Security Bond for Faithful Performance and for Payment held by the Philadelphia Indemnity Insurance Company, No. PB03010403806 in the amount of \$1,948,210 and \$885,550 respectively, after the passage of time for recording claims or liens; and
- f. Authorize the Chair to execute the Certificate of Acceptance and Consent to Recordation; and
- g. Authorize and direct the Clerk of the Board to submit the executed Certificate of Acceptance to the County Recorder.

**Attachments:** [Board Report](#)  
[Draft Notice of Completion](#)  
[Draft Certificate of Acceptance](#)  
[Board Order](#)

**9.** Consider approving and recommending that the Water Resources Agency Board of Supervisors:

- a. Authorize the Auditor-Contoller to amend the Water Resources Agency FY 2017-18 Adopted Budget to include the projected costs of repair and maintenance of the Castroville Seawater Intrusion Project (CSIP) Fund 131, and the Salinas River Diversion Facility (SRD) Fund 134; and
- b. Authorize the Auditor-Controller to amend the Agency's FY 2017-18 Adopted Budget for Fund 131 CSIP (131-9300-8267-WRA020-6613) by increasing appropriations in the amount of \$100,000 financed by unassigned fund balance in Fund 131 with BSA 3101; and
- c. Authorize the Auditor-Controller to amend the Agency's FY 2017-18 Adopted Budget for Fund 134 SRDF (134-9300-8267-WRA028-6613) by increasing

appropriations in the amount of \$210,000 financed by unassigned fund balance in Fund 134 with BSA 3101.

**Attachments:** [Board Report](#)  
[Capital Improvement Plan](#)  
[Budget Revision #2](#)  
[Summary of Budget Revision #2](#)  
[Board Order](#)

**10.** Consider approving and recommending that the Monterey County Water Resources Agency Board of Supervisors:

1. Approve the Annual Joint Funding Agreement with the United States Geological Survey for stream gaging work in Monterey County in the amount of \$165,850; and
2. Authorize the Auditor-Controller to amend the Water Resources Agency FY 2017-18 Adopted Budget for Fund 113 Countywide 113-9300-8267-WRA003 by increasing appropriations in the amount of \$32,000 financed by unassigned fund balance in Fund 113 BSA 3101; and
3. Authorize the Auditor-Controller to amend the Water Resources Agency FY 2017-18 Adopted Budget for Fund 116 Dam O&M 116-9300-8267-WRA006 by increasing appropriations in the amount of \$100,000 financed by unassigned fund balance in Fund 116 BSA 3101;
4. Authorize the Auditor-Controller to amend the Water Resources Agency FY 2017-18 Adopted Budget for Fund 122 Reclamation Ditch 122-9300-8267-WRA012 by increasing appropriations in the amount of \$20,000 financed by unassigned fund balance in Fund 122 BSA 3101; and
5. Authorize the Auditor-Controller to amend the Water Resources Agency FY 2017-18 Adopted Budget for Fund 123 Monterey Penn/Carmel Valley 123-9300-8267-WRA013 by increasing appropriations in the amount of \$9,000 financed by unassigned fund balance in Fund 123 BSA 3101; and
6. Authorize the Auditor-Controller to amend the Water Resources Agency FY 2017-18 Adopted Budget for Fund 124 San Lorenzo Creek 123-9300-8267-WRA014 by increasing appropriations in the amount of \$9,000 financed by unassigned fund balance in Fund 124 BSA 3101.

**Attachments:** [Board Report](#)  
[Joint Funding Agreement for WY 2017-18](#)  
[Budget Revision #4](#)  
[Summary of Budget Revision # 4](#)  
[Board Order](#)

**11.** Consider approving a Professional Services Agreement, as to form, with Martin Feeny, Consultant Hydrogeologist, in the amount of \$62,300 to develop an Integrated Coastal Monitoring and Reporting Plan to meet the terms of the Settlement

Agreement and Mutual Release between California American Water Company, the Monterey County Water Resources Agency, and the County of Monterey, execution date December 4th, 2012, subject to review and approval by County Counsel; and authorize the General Manager to execute the Agreement.

**Attachments:** [Board Report](#)  
[Settlement Agreement](#)  
[Professional Services Agreement](#)  
[Exhibit A Scope of Work](#)  
[Board Order](#)

12. Consider approving a Financing Agreement, as to form, with California American Water Company for the Integrated Coastal Monitoring and Reporting Plan, per the terms of the Settlement Agreement and Mutual Release between California American Water Company, the Monterey County Water Resources Agency, and the County of Monterey, execution date December 4th, 2012, subject to review and approval by County Counsel; and authorize the General Manager to execute the Agreement.

**Attachments:** [Board Report](#)  
[Financing Agreement](#)  
[Board Order](#)

13. Consider approving, in concept, the leasing of land for a wireless communication site near Lake San Antonio; and authorize the General Manager to execute a non-binding letter of intent with Sac Wireless; and authorize the General Manager to negotiate a Lease Agreement for subsequent Board of Directors approval.

**Attachments:** [Board Report](#)  
[Board Order](#)

14. Consider recommending that the Monterey County Water Resources Agency Board of Supervisors adopt a resolution authorizing and directing the General Manager to determine the probable compensation due to any private property owner for actual damage to property, and for substantial interference with its possession and use, as a result of Agency access to conduct soil and water testing, boring and related Geotechnical Studies.

**Attachments:** [Board Report](#)  
[Resolution 16 R-03](#)  
[Resolution](#)

15. Consider receiving an update on direction given October 16, 2017 by the Monterey County Water Resources Agency Board of Directors; and November 14, 2017 by the Board of Supervisors of the Monterey County Water Resources Agency with respect to recommendations presented in the report "*Recommendations to Address*

*the Expansion of Seawater Intrusion in the Salinas Valley Groundwater Basin”.*

**Attachments:** [Board Report](#)  
[Board Order](#)

**15(a)** Consider Approving a set of Agency objectives for the annual performance evaluation of the General Manager, in accordance with Section 62 of the Monterey County Water Resources Agency Act.

**Attachments:** [Board Report](#)  
[List of Key Priorities](#)  
[Board Order](#)

## **Key Information and Calendar of Events**

### **General Manager's Report**

### **Committee Reports**

### **Information Items**

**16.** Information Items:

1. Well Permit Application Activities
2. Reservoir Release Update
3. Development Services Report
4. Quarterly Water Conditions Report Erratum and Update
5. SVWP Annual Flow Monitoring Report for Operations Season 2016

**Attachments:** [Well Permit Application Activities Update](#)  
[Reservoir Release Update](#)  
[Development Services Report](#)  
[Quarterly Water Conditions Report Erratum and Update](#)  
[SVWP Annual Flow Monitoring Report 2016](#)

### **Correspondence**

**17.** Correspondence:

1. Letter dated October 20, 2017 from Jack Diehl, Private Property Owners Laek Access Association to Brent Buche, Deputy General Manager  
Re: Boat Launching Facility near Running Deer Ranch
2. Letter dated October 30, 2017 from David E. Chardavoyne, General Manager to Mr. Zaffar Eusuff, California Department of Water Resources, Financial Assistance

Branch

Re: Support for the Salinas Valley Basin Groundwater Sustainability Plans

3. Letter dated November 7, 2017 from Robert A. Roach, Assistant Agricultural Commissioner, on behalf of the Agricultural Advisory Committee to Chairwoman Mary Adams, District 5

Re: Agricultural Advisory Committee Appointment to the Monterey County Water Resources Agency Board of Directors

**Attachments:** [Correspondence](#)

## **Board of Directors Comments**

### **Adjournment**

Monterey County Water Resources Agency Board of Directors Addenda for Monday, November 20, 2017.

## **ADDENDA**

### **1. Addition to Closed Session:**

B. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the General Manager of the Agency.

### **2. Addition to Scheduled Matters:**

15(a). Consider approving a set of Agency objectives for the annual performance evaluation of the General Manager, in accordance with Section 62 of the Monterey County Water Resources Agency Act.