Meeting Agenda - Final-revised

Tuesday, March 22, 2016

9:00 AM

See separate agendas for Monterey County Board of Supervisors and Boronda County Sanitation District.

Board of Supervisors of the Monterey County Water Resources Agency

Chair Jane Parker - District 4
Vice Chair Dave Potter - District 5
Supervisor Fernando Armenta - District 1
Supervisor Simón Salinas - District 3
Supervisor John M. Phillips - District 2
9:00 A.M. - Call to Order

Roll Call

Public Comment

This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board of Supervisors. Board members may respond briefly to the statement made or questions posed. They may ask a question for clarification; make a referral to staff for factual information or request staff to report back to the Board at a future meeting.

Additions and Corrections

The Clerk of the Board will announce agenda corrections and proposed additions, which may be acted on by the Board as provided in Sections 54954.2 of the California Government Code. The public may comment on Closed Session items prior to the Board's recess to Closed Session.

Closed Session

1. Closed Session under Government Code section 54950, relating to the following items:

   a. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:

   (1) Property: Tri-Counties Club, Inc. (“Cullen Site” vicinity of lease 3B) at Lake Nacimiento, San Luis Obispo County

   Agency Negotiators: David E. Chardavoyne, General Manager, MCWRA; Brent Buche, Deputy General Manager, MCWRA; Jesse Avila, Deputy County Counsel

   Negotiating Parties: Randall Tognazzini, Tri-Counties Club, Inc.

   Under negotiation: Price and Terms

   (2) Property: Grazing Lease 3B at Lake Nacimiento, San Luis Obispo County

   Agency Negotiators: David E. Chardavoyne, General Manager, MCWRA; Brent Buche, Deputy General Manager, MCWRA; Jesse Avila, Deputy County Counsel

   Negotiating Parties: Darren Shetler, Four Seasons Livestock, LLC

   Under negotiation: Price and Terms (REMOVED VIA SUPPLEMENTAL)

   b. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding two matters of potential initiation of litigation. (REMOVED VIA SUPPLEMENTAL)
c. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:

(1) Marina Coast Water District v. California Coastal Commission, et al. (Court of Appeal, Sixth District case no. CV180839) (ADDED VIA ADDENDUM)

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.

1:30 P.M. - Reconvene

Roll Call

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Consent Calendar

2. Approve Amendment No.1 to the Specialized Advisory and Transactional Attorney Services Agreement with Burke, Williams & Sorensen, LLP, in the amount of $134,400, effective July 1, 2015 through completion of project, to perform tasks and assignments relating to the Interlake Tunnel and Spillway Modification Projects, and Tunnel-related matters; and, authorize the General Manager to execute the Amendment to the Agreement.

Attachments:
- Board Report
- Corrected Executed Board Order
- Burke,Williams,SorensenLLP_Agreement
- Amendment 1 Burke Williams Sorensen Agmt
- Executed MCWRA Board Order

3. a. Approve a Professional Services Agreement with Raftelis Financial Consultants, Inc., commencing with the signing of the Agreement through and including June 30, 2017, with the option to extend the Agreement for one additional year, in the amount of $110,360, to conduct a cost of service analysis and prepare a five-year financial plan in conjunction with a review of the Agency’s current assessments and water rate structure, subject to County Counsel approval of the Agreement;

b. Authorize the General Manager to execute the Agreement, substantially in the form of Agreement attached and subject to approval by County Counsel; and
c. Authorize the Auditor-Controller to amend the Monterey County Resource Agency’s FY 2015-16 Adopted Budget by increasing appropriations by...
$13,795 financed by unassigned fund balance in the following Funds: 112-Pajaro Appropriations Unit WRA002; 116-2CA (Admin Appropriations Unit WRA 006; 121-Soledad Storm Drain Appropriations Unit WRA011; 122-Reclamation Ditch Appropriations Unit WRA 012; 124-San Lorenzo Creek Appropriations Unit WRA014; 127-Moro Cojo Slough Appropriations Unit WRA 017; 131-CSIP Appropriations Unit WRA 020; and, 132-SVRP Appropriations Unit WRA021 (4/5th vote required). (REMOVED VIA SUPPLEMENTAL)

**Attachments:** Board Report
- Raftelis Financial Consulting Services Proposal
- Request for Proposals for Financial Consulting Services
- Raftelis Professional Services Agreement
- Executed MCWRA Board Order

**1:30 P.M. - Scheduled Matters**

4. Consider receiving:
   a. An update on negotiations for a Project Labor Agreement related to the Interlake Tunnel and Spillway Modification Projects; and,
   b. A Delivery Approach Decision Matrix

   **Attachments:** Board Report
   - PLA Negotiations Update_3_1_16_WRAG 16_010.pdf
   - Delivery Approach Decision Matrix

5. Consider adopting a Resolution initiating a jurisdictional basin boundary modification request for the Paso Robles Area Subbasin of the Salinas Valley Groundwater Basin.

   **Attachments:** Board Report
   - Resolution No. 16-R01
   - Proposed Basin Boundary Modification Map
   - PowerPoint

6. Approve Amendment No. 1 to the Third Reimbursement and Funding Agreement between the County of Monterey and the Monterey County Water Resources Agency, in the amount of $630,585, for further services on the Interlake Tunnel and Spillway Modification Projects, substantially in the form attached and subject to approval by County Counsel; and, authorizing the General Manager to execute the Amendment.
Attachments:  Board Report
First Amendment to Third Reimbursement Funding Agreement
Third Reimbursement Funding Agreement
Second Reimbursement & Funding Agreement
Reimbursement and Funding Agreement
ITP Cumulative Cash Flow Proposed Budget
Executed MCWRA Board Order

Adjournment

Monterey County Water Resources Agency Addenda/Supplemental, for March 22, 2016


ADDENDA

Addition to Closed Session
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      (1) Marina Coast Water District v. California Coastal Commission, et al. (Court of Appeal, Sixth District case no. CV180839)

SUPPLEMENTAL

Removed from Closed Session
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          Brent Buche, Deputy General Manager, MCWRA; Jesse Avila, Deputy County Counsel
          Negotiating Parties: Randall Tognazzini, Tri-Counties Club, Inc.
          Under negotiation: Price and Terms
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   Negotiating Parties: Darren Shetler, Four Seasons Livestock, LLC
   Under negotiation: Price and Terms

b. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding two matters of potential initiation of litigation.

### Removed from Consent Calendar

3. a. Approve a Professional Services Agreement with Raftelis Financial Consultants, Inc., commencing with the signing of the Agreement through and including June 30, 2017, with the option to extend the Agreement for one additional year, in the amount of $110,360, to conduct a cost of service analysis and prepare a five-year financial plan in conjunction with a review of the Agency’s current assessments and water rate structure, subject to County Counsel approval of the Agreement;

b. Authorize the General Manager to execute the Agreement, substantially in the form of Agreement attached and subject to approval by County Counsel; and

c. Authorize the Auditor-Controller to amend the Monterey County Resource Agency’s FY 2015-16 Adopted Budget by increasing appropriations by $13,795 financed by unassigned fund balance in the following Funds: 112-Pajaro Appropriations Unit WRA002; 116-2CAdmin Appropriations Unit WRA 006; 121 Soledad Storm Drain Appropriations Unit WRA011; 122-Reclamation Ditch Appropriations Unit WRA 012; 124-San Lorenzo Creek Appropriations Unit WRA014; 127-Moro Cojo Slough Appropriations Unit WRA 017; 131-CSIP Appropriations Unit WRA 020; and, 132-SVRP Appropriations Unit WRA021 (4/5th vote required).