Monterey County

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

Action Minutes - Final

Tuesday, February 20, 2018
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 at 12:00 p.m.

The meeting was called to order at 12:05 P.M.

Present 8 - Director Richard Ortiz, Director Ken Ekelund, Director Mark Gonzalez, Director Claude Hoover, Director Mike Scattini, Director Mike LeBarre, Director Deidre Sullivan, and Director Glen Dupree

Public Comments on Closed Session Items

There were no 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 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
      Salinas Valley Water Coalition v. Monterey County Water Resources Agency, Board of Supervisors of Monterey County, et al. (Monterey County Superior Court case no. 17CV000157)

   c. Pursuant to Government Code section 54956.9(d)(2), the Board of Directors will confer with legal counsel regarding one matter of significant exposure to litigation.

   d. Pursuant to Government Code Section 54956.8, the Board of Directors will confer regarding real property negotiations:
      Property: 72350 New Pleyto Road, Bradley, CA 93426;
      APN-424-061-018-000
      Agency Negotiators: David E Chardavoyne, Jesse J. Avila and Shaunna Murray
      Negotiating Party: SAC Wireless, LLC on behalf of Verizon
      Under Negotiation: Terms and price

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

The Board recessed to Closed Session at 12:06 P.M.

Reconvene Meeting at 1:00 p.m.

The meeting reconvened at 1:35 P.M. County Counsel reported that both Item a.1. Claim of Dobler & Sons, LLC and Item a.2. Claim of JAL Berry Farms, LLC were continued to the March Board of Directors meeting. There were no reportable actions on Items b through d.

Pledge of Allegiance

Public Comment

None

Consent Calendar

Upon Motion by Director LeBarre and Second by Director Hoover the Board approved the Consent Calendar, with the exception of Item No. 4, which was pulled for discussion by Director Ortiz.

Ayes: Directors Gonzalez, Sullivan, Dupree, Ekelund, Hoover, Ortiz, Scattini, and Lebarre
Noes: None
Absent: None

2. Approve the Action Minutes of January 29, 2018

Attachments: Action Minutes


Attachments: Board Report
Fund 111
Finance Summary
Board Order

4. Approve the Monterey County Water Supply Project Mediation Services Cost Sharing Agreement
Upon Motion by Director Ortiz and Second by Director Ekelund, the Board approved the Monterey County Water Supply Project Mediation Services Cost Sharing Agreement.

Ayes: Directors Gonzalez, Sullivan, Dupree, Ekelund, Hoover, Ortiz, Scattini, and Lebarre
Noes: None
Absent: None

4.(a)

Recommend that the Monterey County Water Resources Agency Board of Supervisors, upon approval as to form by County Counsel:
a. Approve a Drainage and Flood Control Systems Agreement for each subdivision phase of the Pebble Beach Company project including Areas J, K, and L; and
b. Authorize the Chair to execute a Drainage and Flood Control Systems Agreement for each subdivision phase of the Pebble Beach Company project including Areas J, K, and L, by and among, the Monterey County Water Resources Agency, and the Pebble Beach Company.

(MOVED FROM SCHEDULED MATTERS ITEM NO. 8 TO CONSENT CALENDAR)

Scheduled Matters

5.

Consider approving Amendment No. 4 to the Agreement for Services with Industrial Machine Shop, Inc., in the amount of $150,000 to provide repair, fabrication and machining services of components for facilities and projects owned and managed by MCWRA; and, authorizing the General Manager to execute the agreement.
7. Consider recommending that the Monterey County Water Resources Agency Board of Supervisors approve a Quitclaim Deed for an eighty-foot-wide Easement near Bryant Canyon Road in Soledad; and, authorize the General Manager to execute the Quitclaim Deed upon approval as to form by County Counsel.
Upon Motion by Director Lebarre and Second by Director Ekelund the Board approved a Quitclaim Deed for an eighty-foot-wide Easement near Bryant Canyon Rd. in Soledad; and, authorized the General Manager to execute the quitclaim deed upon approval as to form by County Counsel.

Ayes: Directors Gonzalez, Sullivan, Dupree, Ekelund, Hoover, Ortiz, Scattini, and Lebarre
Noes: None
Absent: None

9. Consider authorizing the Monterey County Water Resources Agency to negotiate Memoranda of Understanding to provide technical and professional support to the Salinas Valley Basin Groundwater Sustainability Agency and its consultants.

Upon Motion by Director Ekelund and Second By Director Sullivan the Board authorized the Monterey County Water Resources Agency to negotiate Memoranda of Understanding to provide technical and professional support to the Salinas Valley Basin Groundwater Sustainability Agency and its consultants.

Ayes: Directors Gonzalez, Sullivan, Dupree, Ekelund, Hoover, Ortiz, Scattini, and Lebarre
Noes: None
Absent: None

10. Consider amending the Nacimiento Dam Operation Policy

Upon Motion by Director Ortiz and Second by Director Dupree the Board amended the Nacimiento Dam Operations Policy.

Ayes: Directors Gonzalez, Dupree, Ekelund, Ortiz and Scattini
Noes: Directors Hoover and LeBarre
Abstain: Director Sullivan
Absent: None

Public Comment:
Nancy isakson, Curtis Weeks, Pam Silkwood
Key Information and Calendar of Events

General Manager's Report

Cathy Paladini, Deputy General Manager, provided the report. Subjects included Status of Dams, CSIP Referral, Status of Pure Water Monterey, White Bass Meeting and Settlement Discussion.

Committee Reports

There were no Committee reports.

Information Items

11. Information Items:

1. Well Permit Application Activities
2. Reservoir Release Update
3. Development Services Report
4. NMFS Winter Releases (*Added per Addendum*)

Attachments:  Well Permit Application Activities
               Reservoir Release Update
               Development Services Report
               NMFS Winter Releases

Public Comment: Steve McIntyre, Nancy Isakson

Correspondence

12. Correspondence:

1. Letter dated January 22, 2018 from Layne Long, City Manager, City of Marina
   Re: 2018 Tax Allocation Refunding Bonds Subordination

2. Letter dated January 23, 2018 from Erik J. Malvick, Acting Chief, Design Engineering Branch, Division of Safety of Dams to Mr. David Chardavoyne, General Manager
   Re: Nacimiento Dam, No. 1008, San Luis Obispo County

3. Letter dated February 12, 2018 from Norman C. Groot, Executive Director, Farm Bureau Monterey to Mr. David Chardavoyne, General Manager
   Re: Reservoir Operations Manual Revisions

Attachments: Correspondence
Board of Directors Comments

Director Ortiz requested that an item be placed on the March 19, 2018 Board Agenda to appoint an ad hoc committee to review the Agency By-Laws.

Adjournment

The meeting adjourned at 3:53 P.M.

AMENDMENT:

Monterey County Water Resources Agency Board of Directors Agenda Item No. 8 under Scheduled Matters has been amended and placed in the Consent Calendar as Item No. 4(a):

Consider recommending

Recommend that the Monterey County Water Resources Agency Board of Supervisors, upon approval as to form by County Counsel: Approve a Drainage and Flood Control Systems Agreement for each subdivision phase of the Pebble Beach Company project including Areas J, K, and L; and Authorize the Chair to execute a Drainage and Flood Control Systems Agreement for each subdivision phase of the Pebble Beach Company project including Areas J, K, and L, by and among, the Monterey County Water Resources Agency, and the Pebble Beach Company.

ADDENDUM:

Monterey County Water Resources Agency Board of Directors Addendum for Tuesday, February 20, 2018.

Addition to Information Items:

4. NMFS Winter Releases