

County of Monterey

*Board of Supervisors Chambers
168 W. Alisal St 1st Flr,
Salinas, CA 93901*



Meeting Minutes

Monday, June 17, 2024

12:00 PM

**REVISED AGENDA - ADDENDUM/SUPPLEMENTAL : Join via Zoom at
<https://montereycty.zoom.us/j/99769079850>**

**or in- person at: 168 W. Alisal, 1st Floor, Salinas CA - Board of
Supervisors Chambers**

Water Resources Agency Board of Directors

*Mike LeBarre, Chair
Matt Simis, Vice Chair
Mark Gonzalez
Deidre Sullivan
Ken Ekelund
Mike Scattini
Jason Smith
John Baillie
Marvin Borzini*

Participation in meetings:

You may attend the Board of Directors meeting through the following methods:

- 1. You may attend in person**
- 2. Attend via Zoom (info below) or observe the live stream of the Board of Directors meetings at http://monterey.granicus.com/ViewPublisher.php?view_id=19 or <http://www.mgtvonline.com/>**
- 3. For ZOOM participation please join by computer audio at: <https://montereycty.zoom.us/j/99769079850>**

OR to participate by phone call any of these numbers below:

- +1 669 900 6833 US (San Jose)**
- +1 346 248 7799 US (Houston)**
- +1 312 626 6799 US (Chicago)**
- +1 929 205 6099 US (New York)**
- +1 253 215 8782 US**
- +1 301 715 8592 US**

Enter this Meeting ID number: 997 6907 9850 when prompted. Please note there is no Participant Code, you will just press # again after the recording prompts you.

You will be placed in the meeting as an attendee; when you are ready to make a public comment if joined by computer audio please Raise your Hand; and by phone please push *9 on your keypad.

PLEASE NOTE: IF ALL BOARD MEMBERS ARE PRESENT IN PERSON, PUBLIC PARTICIPATION BY ZOOM IS FOR CONVENIENCE ONLY AND IS NOT REQUIRED BY LAW. IF THE ZOOM FEED IS LOST FOR ANY REASON, THE BOARD OF DIRECTORS MEETING MAY BE PAUSED WHILE A FIX IS ATTEMPTED BUT THE MEETING MAY CONTINUE AT THE DISCRETION OF THE CHAIRPERSON.

- 4. If you choose not to attend the Board of Directors meeting but wish to make a comment on a specific agenda item, please submit your comment via email by 5:00 p.m. on the Friday before the meeting.. Please submit your comment to the Secretary of the Board at WRAPubliccomment@co.monterey.ca.us In an effort to assist the Secretary in identifying the agenda item relating to your public comment please indicate in the Subject Line, the meeting body (i.e. Board of Directors Agenda) and item number (i.e. Item No. 10). Your comment will be placed into the record at the Board meeting.**

Participacion en Reuniones:

Puede asistir a la reunion de la Junta Directiva a traves de los siguientes metodos:

- 1. Podar asistir personalmente a la reunion; o,**
- 2. Asistir por Zoom (informacion a continuacion), que observe la transmisión de la reunión de la Junta Directiva en vivo por http://monterey.granicus.com/ViewPublisher.php?view_id=19 o <http://www.mgtvonline.com/>**
- 3. Para participar for ZOOM, por favor únase for audio de computadora por:**
[https://montereycty.zoom.us/j/997 6907 9850](https://montereycty.zoom.us/j/99769079850)

O para participar for teléfono, llame a cualquiera de los números a continuación:

+1 669 900 6833 US (San Jose)
+1 346 248 7799 US (Houston)
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+1 253 215 8782 US
+1 301 715 8592 US

Cuando se le solicite, ingrese este número de reunión: 997 6907 9850. Por favor tenga en cuenta que no hay código de participante, simplemente presione # nuevamente después de que la grabación se lo indique.

Se le colocará en la reunion como asistente; cuando desee hacer un comentario público si esta unido por la computadora utilice la opción de levantar la mano en el chat de la pantalla; o por teléfono presione *9 en su teclado.

TENGA EN CUENTA: SI TODOS LOS MIEMBROS DE LA JUNTA ESTÁN PRESENTES EN PERSONA, LA PARTICIPACIÓN PÚBLICA DE ZOOM ES SOLO POR CONVENIENCIA Y NO ES REQUERIDA POR LA LEY. SI EL FEED DE ZOOM SE PIERDE POR CUALQUIER MOTIVO, LA REUNIÓN DE LA JUNTA DIRECTIVA PUEDE PAUSARSE MIENTRAS SE INTENTA UNA SOLUCIÓN, PERO LA REUNIÓN PUEDE CONTINUAR A DISCRECIÓN DEL PRESIDENTE.

- 4. Si prefiere no asistir a la reunión de la Junta Directiva pero desea hacer un comentario sobre algún tema específico de la agenda, por favor envíe su comentario por correo electrónico antes de las 5:00 p.m. el Viernes antes de la reunion.. Envíe su comentario al Secretario de la junta al correo electronico WRAPubliccomment@co.monterey.ca.us <mailto:WRAPubliccomment@co.monterey.ca.us> Para ayudar al Secretario a idenficar el**

artículo de la agenda relacionado con su comentario, por favor indique en la línea de asunto del correo electrónico el cuerpo de la reunión (es decir, la Agenda de la Junta Directiva) y el número de artículo (es decir, el Artículo No. 10). Su comentario se colocará en el registro de la reunión de esta Junta.

NOTE: All agenda titles related to numbered agenda items are live web links. Click on the title to be directed to corresponding Board Report.

PUBLIC COMMENT: Members of the public may address comments to the Board concerning each agenda item. The timing of public comment shall be at the discretion of the Chair.

THE BOARD RECESSES FOR CLOSED SESSION AGENDA ITEMS: Closed Session may be held at the conclusion of the Board's Agenda, or at any other time during the course of the meeting, before or after the scheduled time, announced by the Chairperson of the Board. The public may comment on Closed Session items prior to the Board's recess to Closed Session.

Call to Order at 12:00 P.M.

The meeting was called to order at 12:00 p.m.

Roll Call

Present: Mike LeBarre, Matt Simis, Mark Gonzalez, Ken Ekelund, Mike Scattini (12:01pm), Jason Smith, John Baillie, Marvin Borzini
Absent: Deidre Sullivan

Public Comments on Closed Session Items

None

Recess to Closed Session

1. Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54956.9(d)(2) and (d)(4), the Board will confer with legal counsel regarding one matter of significant exposure to litigation and the potential initiation of litigation.
 - b. Pursuant to Government Code Section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
 1. *Nacimiento Regional Water Management Advisory Committee v. Monterey County Water Resources Agency, et al.* (San Luis Obispo Superior Case No. 19CVP-0010)
 2. *American Family Connect Property and Casualty, et al. v. County of Monterey, et al.*

(Monterey County Superior Court "MCSC" Case No. 24CV000215)

3. Stephen Ray Acosta, et al. v. County of Monterey, et al. (MCSC Case No. 24CV000428)

4. Sonia Corrales, et al. v. State of California, et al. (Santa Cruz Superior Court Case No. 23CV03022)

5. Clint Miller Farms, Inc. et al. v. State of California, et al. (MCSC Case No. 24CV001269)

6. Willoughby Farms, Inc. v. Monterey County Water Resources Agency, et al. (MCSC Case No. 24CV000904)

7. Rosa Isela Gonzalez, et al. v. Monterey County, et al. (MCSC Case No. 24CV000848)

8. Mario Gonzalez, et al. v. State of California, et al. (MCSC Case No. 23CV004194)

9. Ojani Benjamin Calderon, et al. v. County of Monterey (MCSC Case No. 24CV000421)

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

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.

Reconvene Meeting at 1:00 P.M.

The meeting reconvened at 1:07 p.m.

Pledge of Allegiance

ADDITIONS AND CORRECTIONS BY CLERK: The Clerk of the Board will announce agenda corrections and proposed additions, which may acted on by the Board as provided in Sections 54954.2 of the California Government Code.

Public Comment

None

Presentations

2. Presentation on the Deep Aquifers Study. (Staff Presenting: Amy Woodrow)

Attachments: [Board Report](#)
 [Presentation Deep Aquifers Study](#)
 [Deep Aquifers Funding Agreement](#)

Board of Directors Comments: Mike LeBarre, Ken Ekelund, Mike Scattini, John Baillie, Jason Smith, Mark Gonzalez

Public Comment: Nancy Isakson, Christopher Bunn

Consent Calendar

Upon Motion by Director Matt Simis and Second by Mark Gonzalez the Board approved the Consent Calendar.

Ayes: Mike Lebarre, Matt Simis, Mark Gonzalez, Ken Ekelund, Mike Scattini, Jason Smith John Baille, Marvin Borzini

Noes: None

Absent: Deidre Sullivan

Abstained: None

Recused: None

3. Approve the Action Minutes of May 20, 2024.

Attachments: [Draft BOD Minutes May 20, 2024](#)

4. Receive the Monterey County Water Resources Agency FY 2023-24 Financial Status Report through March 31, 2024. (Staff: Nan Kyung Kim)

Attachments: [Board Report](#)
 [FY24 Financial Status Report thru March 31, 2024](#)
 [Board Order](#)

5. Approve Amendment No. 1 to the Agreement for Services with Michael Frederick Paving to extend the agreement to June 30, 2027, and increase the dollar amount by \$200,000 for a total contract amount not to exceed \$280,000 for on call work at Agency facilities or on Agency lands; and authorize the General Manager to execute the amendment. (Staff: Jason Demers)

Attachments: [Board Report](#)
 [Original Agreement for Services](#)
 [Amendment No. 1 - Michael Frederick Paving](#)
 [Board Order](#)

6. Approve Amendment No. 2 to the Agreement for Services with the Resource Conservation District of Monterey County to extend the agreement to June 30, 2027, and increase the dollar amount by \$217,000 for a total contract amount not to exceed \$315,000 for services towards the administration of and compliance with Salinas River Stream Maintenance Program 404 and 401 permits; and authorize the General Manager to execute the agreement. (Staff: Jennifer Bodensteiner)

Attachments: [Board Report](#)
 [Amendment No. 2](#)
 [Amendment No.1](#)
 [Executed Resource Conservation District \(Salinas River Stream Maintenance\)](#)
 [Portions WRA Strategic Plan 2020](#)
 [Board Order](#)

7. Authorize three years of fleet management services for light duty vehicles, in accordance with the approved Enterprise Fleet Management, Inc Master Lease Agreement, for a total amount not to exceed \$765,000. (Staff: Peter Vannerus)

Attachments: [Board Report](#)
 [Enterprise Master Lease Agreement](#)
 [Board Order](#)

8. Approve Amendment No. 1 to the Professional Services Agreement with West Yost for a time extension to June 30, 2024 to continue services related to the hydrologic and flood control benefit analyses necessary to develop an updated Salinas Valley Historical Benefits Analysis report; and authorize the General Manager to execute Amendment No. 1. (Staff: Amy Woodrow)

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

Action Items

Upon Motion by Director Ken Ekelund and Second by Jason Smith the Board authorized the General Manager to enter into Amendment No. 2 to the Subgrant Agreement between the Salinas Valley Basin Groundwater Sustainability Agency and Monterey County Water Resources Agency, Related to Grant Agreement Number 4600014638 Sustainable Groundwater Management Act Implementation Grant, to decrease the subgrant eligible fund amount by \$341,00 for a total contract amount not to exceed \$3,480,000; and revise the work plan.

Ayes: Mike LeBarre, Matt Simis, Mark Gonzalez, Ken Ekelund, Mike Scattini, Jason Smith, John Baillie, Marvin Borzini

Noes: None

Absent: Deidre Sullivan

Abstained: None

9. Consider authorizing the General Manager to enter into Amendment No. 2 to the Subgrant Agreement between the Salinas Valley Basin Groundwater Sustainability Agency and Monterey County Water Resources Agency, related to Grant Agreement Number 4600014638 Sustainable Groundwater Management Act Implementation Grant, to decrease the subgrant eligible fund amount by \$341,000 for a total contract amount not to exceed \$3,480,000; and revise the work plan.
(Staff Presenting: Shaunna Murray)

Attachments: [Board Report](#)
 [Board Order 22-56 Subgrant with SVBGSA](#)
 [Original Subgrant Agreement with SVBGSA](#)
 [Subgrant Agreement Amendment No. 1](#)
 [MCWRA letter requesting Amendment No. 2](#)
 [Board Order](#)

Key Information and Calendar of Events

10. June, July and August 2024 Calendars.

Attachments: [June 2024](#)
 [July 2024](#)
 [August 2024](#)

General Manager's Report

11.
 - Personnel
 - Dam Safety Funding
 - GEMS Expansion
 - Monterey One Water Reconciliation
 - Association of California Water Agencies
 - Regulatory/Legislative Activities
 - Other

Committee Reports

12. Committee Agenda's and Cancellation Notices for May and June 2024:
- Water Resources Agency Reservoir Operations Advisory Committee
 - Joint Water Resources/Board of Supervisor Leadership Reschedule Notice
 - Water Resources Agency Basin Management Advisory Cancellation Notice
 - Water Resources Agency Planning Committee
 - Water Resources Personnel and Administration Committee
 - Water Resources Agency Finance Committee

Attachments: [Final ResOps May 30, 2024 Agenda](#)
 [JBL Reschedule Notice June 2024](#)
 [BMAC June 5, 2024 Cancellation Notice](#)
 [Final Planning Agenda June 5, 2024](#)
 [Final REVISED P&A Agenda June 7, 2024](#)
 [Final Finance Agenda June 7, 2024](#)

Information Items

13. Reservoir Storage and Release Update. (Staff: Peter Kwiek)

Attachments: [Reservoir Storage Release Update](#)

Board of Directors Comments

Ken Ekelund, Jason Smith, Matt Simis, Mark Gonzalez, John Baillie, Mike LeBarre

Adjournment

ADDENDA/SUPPLEMENTAL

14. Water Resources Agency Board of Directors Addenda/Revision to Presentations on June 17, 2024:

Presentation on the San Antonio Spillway Replacement Project. (Staff Presenting: Elise Ramirez)

Board of Directors Comments: Ken Ekelund, Mark Gonzalez, Mike LeBarre