

Monterey County

*Monterey County Government Center
Board Chamber
168 W. Alisal St. 1st Floor
Salinas, CA 93901*



Action Minutes - Final

Tuesday, October 9, 2012

9:00 AM

See separate agenda for Monterey County Board of Supervisors

**Board of Supervisors of the Monterey County Water
Resources Agency**

Call to Order

The meeting was called to order by Vice Chair Armenta.

Roll Call

Present 4 - Supervisor Fernando Armenta, Supervisor Louis R. Calcagno, Supervisor Jane Parker, and Supervisor Simón Salinas
Absent 1 - Supervisor Dave Potter

Public Comment

There were no public comments.

Additions and Corrections to Closed Session

Due to the need for immediate consideration by the Board of matters which arose after the posting of today's agenda, as provided in Section 54954.2 of the California Government Code the Board of Supervisors of the Monterey County Water Resources Agency is asked to make the following additions:

Added Under Closed Session

Pursuant to Government Code section 54954.2 (b) (2), the Board of Supervisors will consider meeting in closed session regarding the following matters (2/3 vote required) due to the need to take immediate action on matters coming to the attention of the Agency subsequent to the regular posting of the agenda:

1. Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation:
 - (4) Pursuant to Government Code section 54956.9 (a) (existing litigation) – Coastkeeper v. Monterey County Water Resources Agency, Monterey County Superior Court case no. M108858.
 - (5) Pursuant to Government Code section 54956.9 (a) (existing litigation) – California American Water Company v. Marina Coast Water District et al., Monterey County Superior Court case no. M120053.A motion was made by Supervisor Jane Parker, seconded by Supervisor Simón Salinas. 4-0 (Supervisor Potter Absent)

Closed Session

1. Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation:
 - (1) In the Matter of the Application of California-American Water Company

(Application 04-09-019)

(2) Ag Land Trust v. Monterey County Water Resources Agency, et al.
(Monterey County Superior Court case no. M110691)

(3) Application of California-American Water Company (U210W) for
Approval of the Monterey Peninsula Water Supply Project: Application
12-04-019

(4) Pursuant to Government Code section 54956.9 (a) (existing litigation) -
Coastkeeper v. Monterey County Water Resources Agency, Monterey County
Superior Court case no. M108858.

(5) Pursuant to Government Code section 54956.9 (a) (existing litigation) -
California American Water Company v. Marina Coast Water District et al.,
Monterey County Superior Court case no. M120053.

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

c. Pursuant to Government Code section 54956.9(c), the Board will confer
with legal counsel regarding one matter of potential initiation of litigation.

d. Pursuant to Government Code section 54956, the Board will provide a
performance evaluation for the Water Resources Agency Interim General
Manager. (REVISED VIA SUPPLEMENTAL)

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

**a. Pursuant to Government Code section 54956.9(a), the Board will confer with
legal counsel regarding existing litigation:**

**(1) In the Matter of the Application of California-American Water Company
(Application 04-09-019)**

**(2) Ag Land Trust v. Monterey County Water Resources Agency, et al.
(Monterey County Superior Court case no. M110691)**

**(3) Application of California-American Water Company (U210W) for Approval of
the Monterey Peninsula Water Supply Project: Application 12-04-019**

**(4) Pursuant to Government Code section 54956.9 (a) (existing litigation) –
Coastkeeper v. Monterey County Water Resources Agency, Monterey County
Superior Court case no. M108858.**

**(5) Pursuant to Government Code section 54956.9 (a) (existing litigation) –
California American Water Company v. Marina Coast Water District et al.,
Monterey County Superior Court case no. M120053.**

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

c. Pursuant to Government Code section 54956.9(c), the Board will confer with

legal counsel regarding one matter of potential initiation of litigation.

d. Pursuant to Government Code section 54956, the Board will provide a performance evaluation for the Water Resources Agency General Manager.
CLOSED SESSION REPORT: The Board took no reportable actions on items 1.a. through c.

Adjournment

APPROVED:

**FERNANDO ARMENTA, CHAIR
BOARD OF SUPERVISORS**

ATTEST:

**BY: _____
GAIL T. BORKOWSKI
CLERK OF THE BOARD**