

County of Monterey

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



Meeting Minutes

Monday, August 19, 2024

12:00 PM

**Director Deidre Sullivan will be appearing remotely from Catalina Island
Marine Institute 1 Toyon Bay Rd. Avalon, CA 90704**

**Join via Zoom at <https://montereycty.zoom.us/j/99769079850> or in-
person at: 168 W. Alisal, 1st Flr., Salinas CA - BOS 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 Ballie
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@countyofmonterey.gov <mailto:WRAPubliccomment@countyofmonterey.gov> 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 culquiera de los números a continuación:

- +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**

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@countyofmonterey.gov mailto:WRAPubliccomment@countyofmonterey.gov 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

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

Absent: None

Public Comments on Closed Session Items

John Tilley

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)(2), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.

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 1:05 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

Consent Calendar

Upon Motion by Director Mark Gonzalez and Second by John Baillie the Board approved the Consent Calendar.

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

Noes: None

Absent: None

Abstained: None

Recused: None

2. Approve the Action Minutes of July 15, 2024.

Attachments: [Draft BOD Minutes July 15, 2024](#)

3. Approve Amendment No. 1 to the Agreement for Services with Graniterock Company to increase the dollar amount by \$215,000 for a total contract not to exceed \$315,000 for Post Winter Storm 2023 Cleanup and Repairs at the Salinas River Diversion Facility; and authorizing the General Manager to execute the Amendment. (Staff: Peter Vannerus)

Attachments: [Board Report](#)
 [Original Contract](#)
 [Amendment No. 1](#)
 [Board Order](#)

Action Items

4. Consider receiving the July 22, 2024, GPP Analytics Water Recycling Agreement Expense Audit (Audit). (Staff Presenting: Ara Azhderian)

Attachments: [Board Report](#)
[Water Recycling Agreement Expense Audit Report Packet](#)
[Amended and Restated Water Recycling Agreement and Amendments](#)
[Board Order](#)

Upon Motion by Director Ken Ekelund and Second by Mark Gonzalez the Board received the July 22, 2024, GPP Analytics Water Recycling Agreement Expense Audit (Audit).

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

Noes: None

Absent: None

Abstained: None

Director Comments: Mike Scattini, Ken Ekelund, Mike LeBarre, Mark Gonzalez, Jason Smith

Public Comments: Tamsen McNarie (Monterey One Water), Norm Groot

5. Consider approving Amendment No. 1 to the Agreement for Services with TCB Industrial, Inc., to increase the dollar amount by \$265,000 for a total contract amount not-to-exceed \$365,000 to refurbish Unit 2 for the Nacimiento Dam Hydroelectric Power Plant, and to provide power plant repair services as needed; and authorize the General Manager to execute the amendment. (Staff Presenting: Manuel Saavedra)

Attachments: [Board Report](#)
[Amendment No.1](#)
[Original Agreement for Services](#)
[TCB Industrial Inc., Amd 1 PPT](#)
[Board Order](#)

Upon Motion by Director John Baillie and Second by Mark Gonzalez the Board approved Amendment No. 1 to the Agreement for Services with TCB Industrial, Inc., to increase the dollar amount by \$265,000 for a total contract amount not-to-exceed \$365,000 to refurbish Unit 2 for the Nacimiento Dam Hydroelectric Power Plant, and to provide power plant repair services as needed; and authorize the General Manager to execute the amendment.

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

Noes: None

Absent: None

Abstained: None

Director Comments: John Baillie, Mark Gonzalez, Ken Ekelund

Public Comments: None

6. Consider recommending that the Board of Supervisors of the Monterey County Water Resources Agency:

- a. Approve and authorize the General Manager of the Water Resources Agency to accept donation of monitoring wells DA-1 valued at \$436,645.33, DA-3 valued at \$475,954.24, and ISW-1 valued at \$163,352.19 from the Salinas Valley Basin Groundwater Sustainability Agency;
- b. Authorize the General Manager of the Water Resources Agency to enter into Agreements to Convey Ownership in Monitoring Wells DA-1, DA-3, and ISW-1; and
- c. Authorize the Water Resources Agency to use monitoring wells DA-1, DA-3, and ISW-1 for implementation of its Groundwater Monitoring Program. (Staff Presenting: Amy Woodrow)

Attachments: [Board Report](#)
[Well Location Maps](#)
[Well Completion Reports](#)
[Agreements to Convey Ownership](#)
[Board Order](#)

Upon Motion by Director Jason Smith and Second by John Baillie the Board recommended that the Board of Supervisors of the Monterey County Water Resources Agency:

- a. Approve and authorize the General Manager of the Water Resources Agency to accept donation of monitoring wells DA-1 valued at \$436,645.33, DA-3 valued at \$475,954.24, and ISW-1 valued at \$163,352.19 from the Salinas Valley Basin Groundwater Sustainability Agency;
- b. Authorize the General Manager of the Water Resources Agency to enter into Agreements to Convey Ownership in Monitoring Wells DA-1, DA-3, and ISW-1; and
- c. Authorize the Water Resources Agency to use monitoring wells DA-1, DA- 3, and ISW-1 for implementation of its Groundwater Monitoring Program.

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

Noes: None

Absent: None

Abstained: None

Director Comments: John Baillie, Mark Gonzalez, Ken Ekelund, Matt Simis, Mike Scattini

Public Comments: None

7. Consider recommending that the Board of Supervisors of the Monterey County Water Resources Agency:
 - a. Repeal Ordinance Numbers 3660, 3717, and 3718 and adopt a new ordinance to affirm the Water Resources Agency’s authority to monitor groundwater within the County, to potentially provide service to other entities with groundwater management responsibilities upon request, and to implement a groundwater monitoring program regulatory fee;
 - b. Adopt a resolution implementing a Groundwater Monitoring Program Manual; and
 - c. Provide direction to staff as appropriate.

California Environmental Quality Act (“CEQA”) action: Find that adoption of this ordinance and resolution is categorically exempt pursuant to Section 15306 of the CEQA Guidelines as data collection, and no exceptions pursuant to Section 15300.2 can be made. (Staff Presenting: Ara Azhderian)

Attachments: [Board Report](#)
[Well Registration Reporting Ordinance 8.19.24](#)
[Groundwater Monitoring Program Manual 2024.08.12](#)
[Groundwater Monitoring Regulatory Program PPT](#)
[Board Order](#)

Upon Motion by Director Ken Ekelund and Second by Jason Smith the Board recommended that the Board of Supervisors of the Monterey County Water Resources Agency:

- a. Repeal Ordinance Numbers 3660, 3717, and 3718 and adopt a new ordinance to affirm the Water Resources Agency’s authority to monitor groundwater within the County, to potentially provide service to other entities with groundwater management responsibilities upon request, and to implement a groundwater monitoring program regulatory fee;
- b. Adopt a resolution implementing a Groundwater Monitoring Program Manual; and
- c. Provide direction to staff as appropriate.

California Environmental Quality Act (“CEQA”) action: Find that adoption of this ordinance and resolution is categorically exempt pursuant to Section 15306 of the CEQA Guidelines as data collection, and no exceptions pursuant to Section 15300.2 can be made. (Staff Presenting: Ara Azhderian)

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

Noes: None

Absent: None

Abstained: None

Director Comments: John Baillie, Mike LeBarre

Public Comments: Piret Harmon (SVBGSA), Norm Groot, Thomas Virsik, Nancy Isakson

Key Information and Calendar of Events

8. August, September and October 2024 Calendars.

Attachments: [August 2024](#)
[September 2024](#)
[October 2024](#)

General Manager's Report

Director's Comments: Mike LeBarre, Mark Gonzalez, Ken Ekelund.

Public Comment: None

9.
 - Personnel
 - Dam Safety Funding
 - Association of California Water Agencies
 - Regulatory/Legislative Activities
 - Other

Committee Reports

10. Committee Agenda's and Cancellation Notices for July and August 2024:
- Water Resources Agency Reservoir Operations Advisory Committee Cancellation Notice
 - Water Resources Agency Basin Management Advisory Committee
 - Water Resources Agency Planning Committee Cancellation Notice
 - Water Resources Personnel and Administration Committee Cancellation Notice
 - Water Resources Agency Finance Committee
 - Joint Water Resources/Board of Supervisors Leadership Committee

Attachments: [ResOps Cancellation Notice July 25, 2024](#)
[Final BMAC Agenda August 7, 2024](#)
[Planning August Cancellation Notice](#)
[P&A August Cancellation Notice](#)
[Final REVISED Finance Agenda August 2, 2024](#)
[Final JBL Agenda August 15, 2024](#)

Information Items

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

Attachments: [Reservoir Storage Release Report](#)

Board of Directors Comments

Jason Smith, John Baillie, Mike Scattini.

Adjournment

The meeting adjourned at 3:23 p.m.