

County of Monterey

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



Meeting Agenda

Monday, December 19, 2022

12:00 PM

**IMPORTANT COVID-19 NOTICE ON PAGE 2-4
AVISO IMPORTANTE SOBRE COVID-19 EN LA PAGINA 2-4
Water Resources Agency Board of Directors**

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

Important Notice Regarding COVID-19

In order to minimize the spread of the COVID 19 virus, please do the following:

1. While the meeting room remain open, you are strongly encouraged to 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/>

If you attend the Board of Directors meeting in person, you will be required to maintain appropriate social distancing, i.e., maintain a 6-foot distance between yourself and other individuals.

2. 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.

**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.

Aviso Importante Sobre COVID-19

Para minimizar la propagación del virus COVID 19, haga lo siguiente:

1. Mientras la sala de reuniones permanezca abierta, se le recomienda firmemente 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/>

Si asiste a la reunión de la Junta de la Directiva en persona, se le pedirá que mantenga un distanciamiento social apropiado, es decir, mantenga una distancia de 6 pies entre usted y otras personas.

2. 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 electrónico WRAPubliccomment@co.monterey.ca.us <mailto:WRAPubliccomment@co.monterey.ca.us> Para ayudar al Secretario a identificar 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.

3. Para participar for ZOOM, por favor únase for audio de computadora por:
<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)
+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 reunión 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.

Call to Order at 12:00 P.M.

Roll Call

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(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 54957(b)(1), the Board will confer regarding recruitment for the position of General Manager for the Water Resources Agency.

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

Reconvene Meeting at 1:00 P.M.

Pledge of Allegiance

Public Comment

Consent Calendar

2. Approve the Action Minutes of November 21, 2022.

Attachments: [Draft BOD Minutes November 21, 2022](#)

3. Find, pursuant to AB 361 and in order for the Monterey County Water Resources Agency Board of Directors and its standing subcommittees (Personnel & Administration, Finance, and Planning) to continue to meet remotely, that the COVID-19 pandemic state of emergency declared by Governor Newsom is still in effect; the Board and subcommittees have reconsidered the circumstances of the state of emergency; and the Monterey County Health Officer continues to recommend social distancing measures for meetings of the legislative bodies.

Attachments: [Board Report](#)
[Board Order](#)

4. Receive the Monterey County Water Resources Agency FY 2022-23 First Quarter Financial Status Report through September 30, 2022.

Attachments: [Board Report](#)
[FY23 Q1 Financial Status Report](#)
[Board Order](#)

5. Approve an Agreement with Maggiora Bros. Drilling, Inc. in the amount of \$215,720 to construct two new dedicated monitoring wells in the 180-Foot and 400-Foot Aquifers; and authorize the General Manager to execute the Agreement.

Attachments: [Board Report](#)
[180Ft 400Ft DMW Agreement](#)
[Board Order](#)

6. Approve Amendment No.6 to the Professional Services Agreement with McMillen Jacobs Associates for a term extension from December 31, 2022, to June 30, 2024 for the continued design of the Interlake Tunnel and Spillway Modification Project.

Attachments: [Board Report](#)
[Amendment No's. 1-5 \(McMillen Jacobs\)](#)
[Amendment No. 6 \(McMillen Jacobs\)](#)
[Agreement for Professional Services](#)
[Board Order](#)

Scheduled Items

7. (a) Discuss a proposed draft ordinance that would amend Ordinance No. 03790 to remove the Monterey County Water Resources Agency as the entity responsible for bearing the cost of destruction of certain wells in the Castroville Seawater Intrusion Project service area (Zone 2B), and
(b) Provide direction to staff as appropriate.

Attachments: [Board Report](#)
[Proposed Ordinance No. _____ \(tracked changes\)](#)

8. Consider authorizing the General Manager to sign the Well Management and Monitoring Agreement with Yuki Farms Limited Partnership III and The Thomas M. Bunn Family LLC resolving Yuki Farms Limited Partnership III's January 20, 2021 appeal challenging the Monterey County Water Resources Agency's decision to reclassify well 14S/02E-15P01 from standby to abandoned for eventual destruction as part of the Protection of Domestic Drinking Water Supplies for the Lower Salinas Valley project.

Attachments: [Board Report](#)
[Well Management and Monitoring Agreement](#)
[Board Order](#)

Key Information and Calendar of Events

9. December, January and February 2023 Calendars

Attachments: [December 2022](#)
[January 2023](#)
[February 2023](#)

General Manager's Report

- 10.
- COVID-19 Update
 - Personnel Update
 - Prop. 1 Grant Update
 - Pajaro Update
 - Strategic Planning Update
 - Other

Committee Reports

Information Items

11. Information Items:
1. Reservoir Release and Storage Update
 2. Well Permit Applications Update

Attachments: [Reservoir Storage Release Update](#)
[Well Permit Application Update](#)

Correspondence

- 12.
1. Letter dated November 17, 2022 to John Baillie, Chair, Monterey County Water Resources Agency Board of Directors, from Thomas S. Virsik Attorney at Law RE: Ordinance 3790 Amendment
 2. Letter dated November 18, 2022 Brent Buche, General Manager, Monterey County Water Resources Agency, from Sharon K. Tapia, Division Manager, Division of Safety and Dams RE: San Antonio Dam Spillway Replacement

Attachments: [Virsik Letter Ordinance 3790 Amendment](#)
[DSOD Letter San Antonio Spillway Replacement](#)

Board of Directors Comments

Adjournment

