

# Monterey County

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



## Meeting Agenda - Final-Revised

**Monday, June 15, 2020**

**12:00 PM**

### Water Resources Agency Board of Directors

*Chair Richard Ortiz  
Vice-Chair John Baillie  
Mark Gonzalez  
Deidre Sullivan  
Ken Ekelund  
Mike Scattini  
Mike LeBarre  
Jason Smith  
Matt Simis*

### **Important Notice Regarding COVID-19**

**Pursuant to Governor Newsom's Executive Order No. N-25-20, any or all Directors may participate in the meeting by telephone or video conference.**

**Based on guidance from the California Department of Public Health and the California Governor's Office, in order to minimize the spread of the COVID 19 virus, please do the following:**

- 1. 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](http://monterey.granicus.com/ViewPublisher.php?view_id=19) or <http://www.mgtvonline.com/>**
  
- 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, May 15, 2020. Please submit your comment to the Secretary of the Board at [WRAPubliccomment@co.monterey.ca.us](mailto: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. If you are watching the live stream of the Board meeting and wish to make either a general public comment for items not on the day's agenda or to comment on a specific agenda item as it is being heard, please submit your comment, limited to 250 words or less, to the Secretary of the Board at [WRAPubliccomment@co.monterey.ca.us](mailto: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). Every effort will be made to read your comment into the record, but some comments may not be read due to time limitations. Comments received after an agenda item will be made part of the record if received prior to the end of the meeting.**
  
- 4. For ZOOM participation please join by computer audio at: <https://montereycty.zoom.us/j/93606825689>  
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: 936 0682 5689 when prompted. Please note there is no Participant Code, you will just hit # 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.

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

#### **Aviso Importante Sobre COVID-19**

De acuerdo a la orden ejecutiva No. N-25-20 del Gobernador Newsom, todos y cada uno de los Directores pueden participar en la reunión por teléfono o videoconferencia.

Basado en la guía del Departamento de Salud del Estado de California (California Department of Public Health) y de la Oficina del Gobernador, para minimizar la propagación del virus COVID 19, por favor haga lo siguiente:

1. 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](http://monterey.granicus.com/ViewPublisher.php?view_id=19) o <http://www.mgtvonline.com/>

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. del Viernes 15 de mayo del 2020. Envíe su comentario al Secretario de la junta al correo electrónico [WRAPubliccomment@co.monterey.ca.us](mailto: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. Si usted está observando la transmisión de la reunión de la Junta en vivo y desea hacer un comentario público general para artículos que no son parte de la agenda del día o para comentar en un artículo específico de la agenda mientras se está escuchando, envíe su comentario, con un límite de 250 palabras o menos, al Secretario de la Junta al correo electrónico [WRAPubliccomment@co.monterey.ca.us](mailto:WRAPubliccomment@co.monterey.ca.us) <mailto:WRAPubliccomment@co.monterey.ca.us> Para ayudar al Secretario a identificar el artículo de la agenda del día 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, al Artículo No. 10). Se hará todo lo posible para leer su comentario y hacerlo parte del registro de la Junta, pero algunos comentarios pueden no leerse debido a limitaciones de tiempo. Cualquier comentario recibido después del artículo de la agenda se hará parte del registro de la reunión si es recibido antes de que termine la reunión.

4. Para participar for ZOOM, por favor únase for audio de computadora por:  
<https://montereycty.zoom.us/j/93606825689>

**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)

**Call to Order at 12:00 P.M.**

**Public Comments on Closed Session Items**

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

1. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:

*California-American Water Company, et al. v. Marina Coast Water District, et al.*, (San Francisco County Superior Court Case No. CGC 15-546632).

2. 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.*

**Recess to Closed Session**

**Reconvene Meeting at 1:00 P.M.**

**Pledge of Allegiance**

**Public Comment**

**Consent Calendar**

2. Approve the Action Minutes of May 18, 2020

**Attachments:** [Draft Action Minutes May 18, 2020](#)

3. Approve Amendment No. 3 to the Agreement with Salinas Pump Company to extend the Agreement period through June 30, 2022 to provide well and pump maintenance, repair services and well logging services for the Castroville Seawater Intrusion Project (CSIP); and authorize the General Manager to execute Amendment No. 3

**Attachments:** [Board Report](#)  
[Amendment No. 3](#)  
[Amendment No. 2](#)  
[Amendment No. 1](#)  
[Salinas Pump Company Agreement](#)  
[Board Order](#)

4. Approve Change Order No. 6 to the contract with Graniterock Company for Nacimiento Dam spillway repair work to increase the contract amount by \$9,517.00; and authorize the General Manager to execute the Change Order.

**Attachments:** [Board Report](#)  
[Change Order No 6](#)  
[Change Orders No. 1,2,3,4,5](#)  
[Agreement](#)  
[Board Order](#)

5. Approve Amendment No. 6 to the Master Energy Services Agreement with VIASYN, Inc., to extend the Agreement period through June 30, 2021, Fiscal Year 2020-21 in order to provide continued energy scheduling coordination services and financial settlement for the Nacimiento Hydroelectric Facility under its Power Purchase Agreement; and authorize the Interim General Manager to execute the Amendment.

**Attachments:** [Board Report](#)  
[Amendment No. 6](#)  
[Amendments 1-5 and Agreement](#)  
[Board Order](#)

- 5a. Approve Amendment No. 1 to the Agreement for Services with Management Partners to extend the term of the Agreement to June 30, 2021 for a dollar increase of \$10,000.00, total contract amount not to exceed \$107,300.00; and authorize the General Manager to execute the Amendment.

**Attachments:** [Board Report](#)  
[Amendment No. 1](#)  
[Exhibit A](#)  
[Management Partners Agreement](#)  
[Board Order](#)

### **Scheduled Items**

6. a. Hold a public hearing to consider an appeal on assessment charges for Zone 2C, 2Y and 2Z for APN (Assessor's Parcel Number) 421-161-048-000 owned by

Steve Oliveira and Lynette Oliveira; and

- b. Adopt a Resolution to approve Monterey County Water Resources Agency's staff recommendation to uphold Zone 2C, 2Y, and 2Z assessment charges for APN 421-161-048-000 owned by Steve Oliveira and Lynette Oliveira.

**Attachments:** [Board Report](#)  
[January 15, 2020 Letter to Property Owners](#)  
[April 24, 2020 Letter to Property Owners](#)  
[Zone 2C, 2Y and 2Z map](#)  
[GPS Map of APN](#)  
[Resolution](#)

7. Consider receiving a report and recommending that the Monterey County Water Resources Agency Board of Supervisors:
  - a. Receive a status report on the Pajaro River Flood Risk Management Project ("Project"); and
  - b. Approve and authorize the Chair to sign the Section 221 MOU Agreement and Design Agreement between the Department of the Army and the joint non-federal sponsors (the Santa Cruz County Flood Control and Water Conservation District and Monterey County Water Resources Agency), and associated Certification Regarding Lobbying; and
  - c. Request a revolving short-term loan from the County of Monterey in the amount not to exceed \$1,000,000 at any one time, to cover the non-federal cost share of the Project through Fiscal Year 2021-2022.

**Attachments:** [Board Report](#)  
[DRAFT Design Agreement](#)  
[DRAFT Section 221 MOU for PPA](#)  
[Certification regarding Lobbying](#)  
[Board Order](#)

- 7a. Consider recommending a nominee from the Monterey County Water Resources Agency (MCWRA) Board of Directors or MCWRA staff for appointment to the Salinas Valley Basin Groundwater Sustainability Agency for consideration by the County of Monterey Board of Supervisors.

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

- 7b. Consider receiving a report on the increase in the Monterey County Water Resources Agency's County-Wide Cost Allocation Plan (COWCAP) cost of \$406,987 for FY 2020-21; and provide direction to staff on how to address the increase.

- Attachments:** [Board Report](#)  
[FY 2020-21 COWCAP](#)  
[COWCAP History](#)  
[Board Order](#)

## **Key Information and Calendar of Events**

### **General Manager's Report**

8.
  - COVID-19 Update
  - Personnel Update
  - Prop. 218 Update
  - Other

### **Committee Reports**

### **Information Items**

9. Information Items:  
1. Reservoir Release Update  
2. Well Permit Application Activities Update

- Attachments:** [Reservoir Release Update](#)  
[Well Permit Activities Update](#)

### **Board of Directors Comments**

### **Adjournment**

### **Addenda/Supplemental**

#### **Addenda:**

Monterey County Water Resources Agency Board of Directors Addenda for  
Monday, June 15, 2020

#### **Addition to Closed Session Items:**

1. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:  
*California-American Water Company, et al. v. Marina Coast Water District, et al.*, (San Francisco County Superior Court Case No. CGC 15-546632).

**Addition to Consent Items:**

5a. Approve Amendment No. 1 to the Agreement for Services with Management Partners to extend the term of the Agreement to June 30, 2021 for a dollar increase of \$10,000.00, total contract amount not to exceed \$107,300.00; and authorize the General Manager to execute the Amendment.

**Addition to Scheduled Items:**

7a. Consider recommending a nominee from the Monterey County Water Resources Agency (MCWRA) Board of Directors or MCWRA staff for appointment to the Salinas Valley Basin Groundwater Sustainability Agency for consideration by the County of Monterey Board of Supervisors.

7b. Consider receiving a report on the increase in the Monterey County Water Resources Agency's County-Wide Cost Allocation Plan (COWCAP) cost of \$406,987 for FY 2020-21; and provide direction to staff on how to address the increase.