

County of Monterey

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



Meeting Minutes

Monday, October 21, 2024

12:00 PM

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 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@countyofmonterey.gov or <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 cualquiera de los números a continuación:

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+1 253 215 8782 US
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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 12:01 p.m.

Roll Call

Present: Mike LeBarre, Matt Simis, Mark Gonzalez, Deidre Sullivan, Ken Ekelund, Mike Scattini (arrived at 12:06 p.m.), Jason Smith (arrived at 12:50 p.m.), John Baillie, Marvin Borzini (arrived at 12:04 p.m.).

Absent: None

Public Comments on Closed Session Items

None.

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 two matters of significant exposure to litigation and the potential initiation of 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.

Recess to Closed Session

Reconvene Meeting at 1:00 P.M.

The meeting reconvened at 1:03 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

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

Public Comments: None.

2. San Antonio Spillway Replacement Project Update. (Staff Presenting: Elise Harden)

Consent Calendar

Upon Motion by Director John Baillie and Second by Ken Ekelund 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

3. Approve the Action Minutes of September 16, 2024.

Attachments: [Draft BOD Minutes September 16, 2024](#)

4. Approve Amendment No. 7 to the Agreement for Professional Services with AECOM Technical Services, Inc. and adjust the Fee Schedule of the Agreement to increase hourly labor rates according to the direct labor rate schedule; and authorize the General Manager to execute the amendment. (Staff: Guillermo Alvarez)

Attachments: [Board Report](#)
 [AECOM Amendment No.7](#)
 [Agreement for Professional Services](#)
 [Amendment Nos. 1, 2, 3, 4, 5 and 6](#)
 [Board Order](#)

5. a. Adopt a resolution authorizing the Monterey County Water Resources Agency to enter into an agreement with the United States Department of the Interior - Bureau of Reclamation to receive \$400,00 in funding for the Enhancing Predictive Tools and Operational Strategies for the Nacimiento and San Antonio Dams and Reservoirs project;
- b. Authorizing the Monterey County Water Resources Agency General Manager, or designee, to execute the agreement and up to two term extension amendments thereto, and to submit any required documents, invoices, and reports required to obtain federal funds on behalf of the Monterey County Water Resources Agency. (Staff: Peter Kwiek)

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

Action Items

6. Consider approving an Agreement for Services with Don Chapin Company for an amount not to exceed \$126,000 for work related to the repair of a damaged section of culvert at the Blanco drainage ditch. (Staff Presenting: Jason Demers)

Attachments: [Board Report](#)
 [Don Chapin Agreement - Blanco Culvert](#)
 [Board Order](#)
 [Chapin Agreement for Blanco Drain Repair PPT](#)

Upon Motion by Director John Baillie and Second by Deidre Sullivan the Board approved an Agreement for Services with Don Chapin Company for an amount not to exceed \$126,000 for work related to the repair of a damaged section of culvert at the Blanco drainage ditch.

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, Mike LeBarre

Public Comments: None

7. Consider:
- a. Approving Amendment No. 1 to the Professional Services Agreement with McMillen Inc. to increase the dollar amount by \$27,260 for a total contract amount not to exceed \$461,760 for

- work related to the San Antonio Spillway Replacement Project;
- b. Authorizing a Professional Services Agreement with McMillen Inc. in the amount of \$1,445,000 to provide engineering design services for the San Antonio Spillway Replacement Project; and
 - c. Authorizing the General Manager to execute the agreements.
- (Staff Presenting: Elise Harden)

Attachments: [Board Report](#)
 [2023 McMillen PSA](#)
 [Amendment No. 1](#)
 [2024 McMillen PSA](#)
 [Board Order](#)

Upon Motion by Director Jason Smith and Second by Mark Gonzalez the Board approved Amendment No. 1 to the Professional Services Agreement with McMillen Inc. to increase the dollar amount by \$27,260 for a total contract amount not to exceed \$461,760 for work related to the San Antonio Spillway Replacement Project;

- b. Authorizing a Professional Services Agreement with McMillen Inc. in the amount of \$1,445,000 to provide engineering design services for the San Antonio Spillway Replacement Project; and
- c. Authorizing the General Manager to execute the agreements.

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: None

Public Comments: None

Key Information and Calendar of Events

Board of Directors Comments: John Baillie

Public Comments: None. .

8. October, November, and December 2024 Calendars.

Attachments: [October 2024](#)
 [November 2024](#)
 [December 2024](#)

General Manager's Report

Board of Directors Comments: John Baillie, Mike LeBarre.

Public Comments: None.

9.
 - Personnel
 - Dam Safety Funding

- Castroville Seawater Intrusion Project, Growers Workshop
- Strategic Planning Update
- Other

Committee Reports

Board of Directors Comments: Mike Scattini.

Public Comments: None.

10. Committee Agenda's and Cancellation Notices for September and October 2024:
- Water Resources Agency Reservoir Operations Advisory Committee
 - 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: [Final ResOps Agenda September 26, 2024](#)
 [Final BMAC Agenda October 2, 2024](#)
 [Planning October Cancellation Notice](#)
 [P&A Oct. Cancellation Notice](#)
 [Final Finance Agenda October 4, 2024](#)
 [Final JBL Agenda October 17, 2024](#)

Information Items

11. Reservoir Storage and Release Update. (Staff: Joseph Klein)

Attachments: [Reservoir Storage Release Update Report](#)

Correspondence

12. 1. Letter dated October 8, 2024, to Erik Ekdahl, Deputy Director Division of Water Rights, State Water Resources Control Board from Grower -Shipper Association of Central California, RE: Opposition to Shandon - San Juan Water District Amended Applications to Appropriate Water (A033189, A033190).
2. Letter dated October 8, 2024, to Board of Directors, Shandon - San Juan Water District from Chair Glenn Church Board of Supervisors of the County of Monterey, Board of Supervisors of the Monterey County Water Resources Agency, RE: Shandon - San Juan Water District Amended Applications A033189 and A033190.

3. Letter dated October 8, 2024, to Erik Ekdahl, Deputy Director Division of Water Rights, State Water Resources Control Board from Chair Glenn Church Board of Supervisors of the County of Monterey, Board of Supervisors of the Monterey County Water Resources Agency, RE: Shandon - San Juan Water District Amended Applications A033189 and A033190.
4. Letter dated October 9, 2024, to Erik Ekdahl, Deputy Director Division of Water Rights, State Water Resources Control Board from Christopher Bunn, Salinas Basin Water Alliance RE: Shandon - San Juan Water District Amended Applications to Appropriate Water A033189 and A033190.
5. Memorandum dated September 9, 2024, to Board of Directors, Salinas Valley Basin Groundwater Sustainability Agency (SVBGSA), Piret Harmon, General Manager, SVBGSA from Anthony Brown, Principal -in-charge, Robert H. Abrams, Senior Consultant, Aquilogic, Inc RE: Comments on Deep Aquifers Study Final Report.
6. Letter dated October 16, 2024, to Piret Harmon, General Manager, Salinas Valley Basin Groundwater Sustainability Agency from Tiffany Canez, Hydrogeologist; Derrik Williams, Principal Hydrogeologist, Montgomery & Associates RE: Response to Aquilogic Comment letter on the Salinas Valley Deep Aquifers Study Final Report.

Attachments:

[Ltr GSA to SWRCBD re Opp to Shandon 10.08.24](#)

[Ltr KLD to BoD re Shandon San Juan Water Dis 10.08.24](#)

[Ltr KLD to SWRCBD re Opp to Shandon 10.08.24](#)

[Ltr SBWA to SWRCBD re Opp to Shandon San Juan 10.09.24](#)

[aquilogic Memo to SVBGSA RE Deep Aquifers Study 09.09.24](#)

[Ltr Montgomery Assoc. to SVBGSA RE Memo Deep Aquifers Study 10.16.24](#)

Board of Directors Comments

Mark Gonzalez

Adjournment

The meeting adjourned at 1:55 p.m.