

# **County of Monterey**

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



## **Meeting Minutes**

**Monday, March 18, 2024**

**8:30 AM**

**ADDENDUM SUPPLEMENTAL - FORMATTING CORRECTIONS**

**SPECIAL MEETING**

### **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](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:**

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**+1 346 248 7799 US (Houston)**  
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**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@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.**

**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](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:**

**+1 669 900 6833 US (San Jose)**  
**+1 346 248 7799 US (Houston)**  
**+1 312 626 6799 US (Chicago)**  
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**+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@co.monterey.ca.us](mailto:WRAPubliccomment@co.monterey.ca.us) <mailto:WRAPubliccomment@co.monterey.ca.us> 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 8:30 A.M.**

The meeting was called to order at 8:31a.m.

**Roll Call**

Present: Mike LeBarre, Matt Simis, Mark Gonzalez, Deidre Sullivan, Ken Ekelund, Mike Scattini, Jason Smith(arrived at 8:32a.m.), John Baillie, Marvin Borzini (arrived at 8:32a.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), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.
  - b. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance evaluation for the General Manager.
  - c. Pursuant to Government Code Section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
    1. *American Family Connect Property and Casualty, et al. v. County of Monterey, et al.* (Monterey County Superior Court Case No. 24CV000215)

2. *Stephen Ray Acosta, et al. v. County of Monterey, et al.*  
(Monterey County Superior Court Case No. 24CV000428)

3. *Mario Gonzalez, et al. v. State of California, et al.*  
(Santa Cruz Superior Court Case No. 23CV03022)

d. Pursuant to Government Code section 54956.8, the Board will confer with real property negotiators:

Property: Recycled Industrial Wastewater

Agency Negotiator(s): Ara Azhderian, General Manager

Negotiating Parties: City of Salinas and Monterey One Water

Under Negotiation: Price and terms.

*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 9:30 A.M.**

The meeting reconvened at 9:32a.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**

2. Hold a workshop to review the Monterey County Water Resources Agency Fiscal Year 2024 - 25 Requested Budget and provide direction to staff:
  - Introduction. (Presenter: Ara Azhderian)
  - FY25 Budget Review (Presenter: Nan Kyung Kim)
  - Status on the Nacimiento Dam Hydroelectric Power Plant.  
(Presenter: Manuel Saavedra & Elise Ramirez)
  - Monterey County Water Recycling Projects Budget.

(Presenter: Pete Vannerus & Jason Demers)

- Safety of Dams Regulatory Requirements. (Presenter: Elise Ramirez & Mark Foxworthy)
- Recapitulation and Next Steps. (Presenter: Ara Azhderian)

**Attachments:**     [FY25 Budget Book](#)  
                              [WRA FY25 Budget Review PPT](#)  
                              [FY25 Budget Augmentation Requests](#)

**Board of Directors Comments:** Mike Scattini, John Baillie, Mark Gonzalez, Mike LeBarre, Ken Ekelund, Jason Smith, Kelly Donlon

**Public Comments:** Nancy Isakson, Christopher Bunn, Marieke Desmond

3. Update on the expansion and enhancement of the Agency's Groundwater Extraction Management Systems (GEMS).(Presenter: Ara Azhderian)

**Attachments:**     [SVB-WRA GEMS Update PPT](#)

**Board of Directors Comments:** Mike LeBarre, Mike Scattini, Deidre Sullivan, Mark Gonzalez

**Public Comments:** None

### **Consent Calendar**

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

**Ayes:** Mike Lebarre, Matt Simis, Deidre Sullivan, Mike Scattini, John Baille, Mark Gonzalez, Marvin Borzini

**Noes:** None

**Absent:** Ken Ekelund, Jason Smith

**Abstained:** None

**Recused:** None

4. Approve the Action Minutes of February 20, 2024, and Special Board of Directors Meeting Action Minutes of February 7, 2024.

**Attachments:**     [Draft BOD Minutes February 20, 2024](#)  
                              [Draft SPECIAL BOD Minutes February 7, 2024](#)

5. Approve Amendment No. 2 of the Agreement for Professional Services with GEI Consultants, Inc, in the amount of \$70,000 for engineering design & project management services for storm damage repair design and implementation of the Nacimiento Dam Hydro-plant's South Access Road; and authorizing the General Manager to execute the amendment. (Staff: Mark Foxworthy)

**Attachments:**     [Board Report](#)  
                              [Amendment No. 2 - GEI Consultants, Inc. \(Storm Repairs\)](#)  
                              [Agreement for Professional Services](#)  
                              [Amendment No. 1](#)  
                              [Board Order](#)

6. Approve an Agreement for Services with Industrial Machine Shop for a new contract for \$250,000 for: electrical motor repair and rebuilding, well pump and equipment inspection, rebuilding, machining, as well as fabrication services for the Recycle Water Project Facilities; and authorize the General Manager to execute the agreement. (Staff: Peter Vannerus)

**Attachments:**     [Board Report](#)  
                              [Agreement for Services with IMS](#)  
                              [Board Order](#)

7. Recommend that the Monterey County Water Resources Agency Board of Supervisors approve and authorize the General Manager of the Monterey County Water Resources Agency to accept a donation of funding for chain link fencing valued at \$4,500 from Cypress Creek Apartments.  
(Staff: Mallory Roberts)

**Attachments:**     [Board Report](#)  
                              [Letter to Cypress Creek Apartments](#)  
                              [Letter Fence Work Cypress Creek Ownership](#)  
                              [Before and After Photos](#)  
                              [Board Order](#)

8. Approve an Intellectual Property Rights Transfer Agreement with the Grower-Shipper Association of Central California, Inc. for an updated flood model of the Salinas River, and authorize the General Manager to execute the Agreement. (Staff: Ara Azhderian)

**Attachments:**     [Board Report](#)  
                              [Intellectual Property Transfer Agreement \(GS signed\)](#)  
                              [Board Order](#)

**12:00 P.M. - Recess to Lunch to Closed Session.**

**No Reportable Items from Closed Session.**

**1:00 P.M. - Reconvene**

**The meeting reconvened at 1:06 p.m.**

**Key Information and Calendar of Events**

9. March, April and May 2024 Calendars.

**Attachments:**     [March 2024](#)  
                              [April 2024](#)  
                              [May 2024](#)

**General Manager's Report**

- 10.
- Personnel Update
  - Monterey One Reconciliation
  - Carmel River Flood Model Update Funding
  - Other

**Committee Reports**

11. Committee Agenda's and Cancellation Notices for February and March 2024:
- Water Resources Agency Reservoir Operations Advisory Committee
  - Water Resources Agency Personnel and Administration Committee
  - Water Resources Finance Committee
  - Water Resources Agency Basin Management Advisory Committee
  - Water Resources Planning Committee

**Attachments:**     [Final ResOps Agenda February 29, 2024](#)  
[Personnel & Administration March Cancellation Notice](#)  
[Final Finance Agenda March 1, 2024](#)  
[BMAC March Cancellation Notice](#)  
[Final Planning Agenda March 6, 2024](#)

**Information Items**

12. Reservoir Storage and Release Update. (Staff: Joseph Klein, Peter Kwiek)

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

**Board of Directors Comments**

None

**Adjournment**

The meeting adjourned at 1:35 p.m.