

County of Monterey

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



Meeting Minutes

Monday, September 16, 2024

12:00 PM

**REVISED AGENDA - ADDENDUM/SUPPLEMENTAL: 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 <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:

- +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 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.

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 12:02 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, John Baillie, Marvin Borzini.
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.
 - b. 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)
 - c. Pursuant to Government Code section 54956.9(e)(3), the Board will confer with legal counsel regarding a claim from Ed Borchard & Sons, LLC against the Monterey County 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.

The meeting reconvened at 1:07 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 August 19, 2024.

Attachments: [Draft BOD Minutes August 19, 2024](#)

3. Approve the Agreement for Taxing Entity Compensation (“Master Tax Agreement”) with the City of Seaside for distributions of the net unrestricted proceeds from future sales of the properties identified in a Long-Range Property Management Plan of the Redevelopment Agency of the City of Seaside; and authorize the General Manager to execute the Agreement. (Staff: Nan Kyung Kim)

Attachments: [Board Report](#)
[Master Taxing Agreement](#)
[Agreement for Taxing Entity Compensation](#)
[Agreement for Taxing Entity Compensation](#)
[Board Order](#)

4. Approve Amendment No. 7 to the Professional Services Agreement with McMillen, Inc., (formerly McMillen Jacobs Associates dba McMillen) to extend the term of the agreement to June 30, 2025 to provide preliminary engineering and design services for the Interlake Tunnel and San Antonio Spillway Modification Project; and authorize the General Manager to execute the Amendment. (Staff: Amy Woodrow)

Attachments: [Board Report](#)
[Original Contract](#)
[Amendment No. 7](#)
[Board Order](#)

5. Recommend that the Monterey County Water Resources Agency Board of Supervisors:
- a. Approve the transfer of three parcels located at 183 Soledad Street, Soledad California (APNs 022-026-001 and 022-026-002) between the City of Soledad, the Successor Agency to the Soledad Redevelopment Agency, and Soledad Unified School District;
 - b. Accept the Monterey County Water Resources Agency's shares of the net unrestricted proceeds from the sale of property; and
 - c. Authorize the General Manager to execute all necessary documents to effectuate the transfer of proceeds. (Staff: Nan Kyung Kim)

Attachments: [Board Report](#)
[WRA share of Net Unrestricted Proceeds of 183 Soledad St](#)
[Zone 2 share of Net Unrestricted Proceeds of 183 Soledad St](#)
[Zone 2A share of Net Unrestricted Proceeds of 183 Soledad St](#)
[Zone 8 share of Net Unrestricted Proceeds of 183 Soledad St](#)
[Board Order](#)

6. Approve the annual Joint Funding Agreement with the United States Geological Survey for streamgaging and reservoir elevation gaging work in Monterey County in the amount of \$230,060. (Staff: Peter Kwick)

Attachments: [Board Report](#)
[Agreement for Federal Fiscal Year 2024-25.](#)
[Board Order](#)

7. Recommend that the Monterey County Water Resources Agency Board of Supervisors:
- 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 \$266,955 in funding for the Nacimiento and San Antonio Watersheds Weather Modification project;

- b. Authorize a release of \$125,000 from the Compensated Absences Assignment BSA 116 3115 to use as matching funds; and
- c. Authorize 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: Amy Woodrow)

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

8. Approve Amendment No. 2 to the Professional Services Agreement with West Yost Associates, Inc. to extend the term of the agreement to December 31, 2024 to support an updated version of the Salinas Valley Historical Benefits Analysis; and authorize the General Manager to execute the Amendment. (Staff: Amy Woodrow)

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

Action Items

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

- a. **A Professional Services Agreement with Hollenbeck Consulting in the amount of \$75,000 to provide engineering support services for the San Antonio Dam Spillway Replacement Project;**
- b. **A Professional Services Agreement with Hollenbeck Consulting in the amount of \$250,000 to provide project management and engineering services for the Nacimiento Dam spillway, Nacimiento Dam spillway plunge pool, general services, and Interlake Tunnel 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

9. Consider:
 - a. Approving a Professional Services Agreement with Hollenbeck Consulting in the amount of \$75,000 to provide engineering support services for the San Antonio Dam Spillway Replacement Project;
 - b. Approving a Professional Services Agreement with Hollenbeck Consulting in the amount of

\$250,000 to provide project management and engineering services for the Nacimiento Dam spillway, Nacimiento Dam spillway plunge pool, general services, and Interlake Tunnel Project; and

- c. Authorizing the General Manager to execute the Agreements.

(Staff Presenting: Shaunna Murray)

Attachments: [Board Report](#)
 [Hollenbeck Consulting Agreement 2023](#)
 [Hollenbeck San Antonio 2024 PSA](#)
 [Hollenbeck Nacimiento 2024 PSA](#)
 [Board Order](#)

Key Information and Calendar of Events

10. September, October and November 2024 Calendars.

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

General Manager's Report

11.
 - Personnel
 - Dam Safety Funding
 - Other

Committee Reports

12. Committee Agenda's and Cancellation Notices for August and September 2024:
- Water Resources Agency Reservoir Operations Advisory Committee
 - Water Resources Agency Basin Management Advisory Committee Cancellation Notice
 - Water Resources Agency Planning Committee Cancellation Notice
 - Water Resources Personnel and Administration Committee Cancellation Notice
 - Water Resources Agency Finance Committee

Attachments: [Final ResOps Agenda August 29, 2024](#)
 [BMAC Sept. Cancellation Notice](#)
 [Planning Sept. Cancellation Notice](#)
 [P&A Sept. Cancellation Notice](#)
 [Final Finance Agenda Sept. 6, 2024](#)

Information Items

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

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

14. Monterey One Water Year to Date Financials (Preliminary) thru July 2024. (Staff: Nan Kyung Kim)

Attachments: [M1W YTD expenses thru 2024 07\(Preliminary\)](#)

Board of Directors Comments

John Baillie, Ken Ekelund, Mark Gonzalez.

Adjournment

The meeting adjourned at 1:33 p.m.

ADDENDUM/SUPPLEMENTAL

15. Water Resources Agency Board of Directors Addenda/Revision to Consent Calendar on September 16, 2024:

Receive the Monterey County Water Resources Agency FY 2023-24 Financial Status Report through June 30, 2024. (Staff: Nan Kyung Kim)

Attachments: [Board Report](#)
[FY24 Financial Status Report](#)
[Board Order](#)