

Monterey County

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



Action Minutes - Final

Monday, June 17, 2019

12:00 PM

Water Resources Agency Board of Directors

Call to Order at 12:00 P.M.

Present 7 - Director Richard Ortiz, Director Ken Ekelund, Director Mark Gonzalez,
Director Mike LeBarre, Director John Baillie, Director Jason Smith, and
Director Matthew Simis

Absent 2 - Director Mike Scattini, and Director Deidre Sullivan

Public Comments on Closed Session Items

None

1. Closed Session under Government Code section 54950, relating to the following item:
 - a. Pursuant to Government Code section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:

Salinas Valley Water Coalition v. Monterey County Water Resources Agency,
Board of Supervisors of Monterey County, et al. (Monterey County Superior
Court case no. 17CV000157)
 - b. Pursuant to Government Code section 54957(b)(1), the Board of Directors 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.

County Counsel reported that there were no reportable actions taken in Closed Session.

Present 7 - Director Richard Ortiz, Director Ken Ekelund, Director Mark Gonzalez,
Director Mike LeBarre, Director John Baillie, Director Jason Smith, and
Director Matthew Simis

Absent 2 - Director Mike Scattini, and Director Deidre Sullivan

Pledge of Allegiance

Public Comment

None

Consent Calendar

Upon Motion by Director Baillie and Second by Director Ortiz, the Board approved the Consent Calendar, with the exception of Agenda Item No. 5 which was pulled for further discussion by Director Ekelund.

Ayes: Directors Gonzalez, Ekelund, Ortiz, LeBarre, Baillie, Smith and Simis

Noes: None

Absent: Directors Sullivan and Scattini

2. Approve the Action Minutes of May 20, 2019.

Attachments: [Draft Action Minutes May 20 2019](#)

3. Recommend that the Monterey County Water Resources Agency Board of Supervisors approve an amendment to Article XI Monterey County Water Resources Agency Fees to update land use fee descriptions and levy new fees for reimbursement to the Monterey County Water Resources Agency.

Attachments: [Board Report](#)
[Article XI Amendment clean version](#)
[Article XI Amendment with markups](#)
[WRA/RMA Memorandum of Understanding](#)
[Public Hearing Notification](#)
[Board Order](#)

4. Approve Amendment No. 5 to the Master Energy Services Agreement with Viasyn, Inc. to extend the Agreement period through June 30, 2020, Fiscal Year 2019 -20 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. 5](#)
[Agreement and Amendments 1-4](#)
[Board Order](#)

5. Recommend that the Monterey County Water Resources Agency Board of Supervisors:
- a. Approve Amendment No. 4 to the San Antonio Grazing Lease 2 with Joseph E. Botts to include the County of Monterey Resource Management Agency as a co-lessee to the Lease solely for the purposes of and only with respect to the

- rights and covenants established by Amendment No. 4; and
b. Authorize the Interim General Manager to execute the Amendment.

Attachments: [Board Report](#)
 [Amendment No. 4](#)
 [Amendment No. 3](#)
 [Amendment No. 2](#)
 [Amendment No. 1](#)
 [Grazing Lease](#)
 [Exhibit I](#)
 [Board Order](#)

Upon Motion by Director Ekelund and Second by Director Mike LeBarre the Board recommended that the Monterey County Water Resources Agency Board of Supervisors:

- a. Approve Amendment No. 4 to the San Antonio Grazing Lease 2 with Joseph E. Botts to include the County of Monterey Resource Management Agency as a co-lessee to the Lease solely for the purposes of and only with respect to the rights and covenants established by Amendment No. 4; and
b. Authorize the Interim General Manager to execute the Amendment.

Ayes: Directors Gonzalez, Ekelund, Ortiz, LeBarre, Baillie, Smith and Simis

Noes: None

Absent: Directors Sullivan and Scattini

6. Receive an update on the Monterey Peninsula, Carmel Bay and South Monterey Bay Integrated Regional Water Management Regional Water Management Group and authorize the General Manager to sign the amended Memorandum of Understanding.

Attachments: [Board Report](#)
 [Memorandum of Understanding](#)
 [Board Order](#)

Scheduled Items

7. Consider recommending that the Monterey County Water Resources Agency Board of Supervisors:
- a. Approve Amendment No. 1 to the Amended and Restated Water Recycling Agreement with Monterey One Water for a time extension related to the Conditions Precedent for the New Source Water Facilities; and
b. Request the Chair of the Monterey County Water Resources Agency Board of Supervisors to execute the Amendment.

Attachments: [Board Report](#)
 [Amendment No. 1](#)
 [Amended & Restated Water Recycling Agreement](#)
 [Board Order](#)

Upon Motion by Director LeBarre and Second by Director Baillie, the Board recommended that the Water Resources Agency Board of Supervisors:

- a. Approve Amendment No. 1 to the Amended and Restated Water Recycling Agreement with Monterey One Water for a time extension related to the Conditions Precedent for the New Source Water Facilities; and
- b. Request the Chair of the Monterey County Water Resources Agency Board of Supervisors to execute the Amendment.

Public Comment: Norm Groot

Ayes: Directors Gonzalez, Ekelund, Ortiz, LeBarre, Baillie, Smith and Simis
Noes: None
Absent: Directors Sullivan and Scattini

8. Consider receiving a report on the Nacimiento Dam 7th Federal Energy Regulatory Commission Part 12D Safety Inspection Report findings and recommendations.

Attachments: [Board Report](#)

Upon Motion by Director Ortiz and Second by Director Baillie the Board received a report on the Nacimiento Dam 7th Federal Energy Regulatory Commission Part 12D Safety Inspection Report.

Public Comment: Norm Groot

Ayes: Directors Gonzalez, Ekelund, Ortiz, LeBarre, Baillie, Smith and Simis
Noes: None
Absent: Directors Sullivan and Scattini

9. Consider receiving a report on the Agency Owner's Dam Safety Program External Audit.

Attachments: [Board Report](#)

Upon Motion by Director LeBarre and Second by Director Ekelund the Board received a report on the Agency Owner's Dam Safety Program External Audit.

Ayes: Directors Gonzalez, Ekelund, Ortiz, LeBarre, Baillie, Smith and Simis
Noes: None
Absent: Directors Sullivan and Scattini

10. a. Consider approving Amendment No. 7 to the Professional Services Agreement with AECOM Technical Services, Inc., in the amount of \$381,990 for services as follows:
1. \$53,310 to provide annual safety surveillance and performance evaluation of San Antonio Dam for FY 2019-20;

2. \$66,100 to provide San Antonio Dam low-level conduit access hatch design services;
 3. \$143,280 to provide Nacimiento Dam spillway plunge pool erosion evaluation and recommend improvements;
 4. \$119,300 to provide Nacimiento Dam flow control energy dissipating low-level outlet design services; and
- b. Authorize the Interim General manager to Execute the Amendment.

Attachments: [Board Report](#)
 [Amendment No. 7 with Exhibits](#)
 [Amendment No. 6](#)
 [Amendment No. 5](#)
 [Amendment No. 4](#)
 [Amendment No. 3](#)
 [Amendment No. 2](#)
 [Amendment No. 1](#)
 [Professional Services Agreement](#)
 [Board Order](#)

Upon Motion by Director LeBarre and Second by Director Baillie the Board approved Amendment No. 7 to the Professional Services Agreement with AECOM Technical Services, Inc., in the amount of \$381,990 for services as follows: 1. \$53,310 to provide annual safety surveillance and performance evaluation of San Antonio Dam for FY 2019-20; 2. \$66,100 to provide San Antonio Dam low-level conduit access hatch design services; 3. \$143,280 to provide Nacimiento Dam spillway plunge pool erosion evaluation and recommend improvements; 4. \$119,300 to provide Nacimiento Dam flow control energy dissipating low-level outlet design services; and
b. Authorize the Interim General Manager to Execute the Amendment.

Public Comment: Norm Groot

Ayes: Directors Gonzalez, Ekelund, Ortiz, LeBarre, Baillie, Smith and Simis

Noes: None

Absent: Directors Sullivan and Scattini

Key Information and Calendar of Events

General Manager's Report

- 11.
- Organizational Chart
 - Integrated Coastal Monitoring Plan Update
 - Interlake Tunnel Update
 - Other

Public Comment: Norm Groot

Committee Reports

Information Items

12.

Information Items:

1. Reservoir Release Update
2. Well Permit Application Activities Update
3. San Antonio Spillway Project
4. Monterey County Draft Lakes Operations Plan

Attachments: [Reservoir Release Update](#)
[Well Permits Application Activities Update](#)
[San Antonio Spillway Project](#)
[Monterey County Draft Lakes Operation Plan](#)

Board of Directors Comments

Adjournment

The Board adjourned at 3:12 p.m.