

# **Monterey County**

*Monterey County Government Center  
Board Chamber  
168 W. Alisal St.  
Salinas, CA 93901*



## **Action Minutes - Draft**

**Monday, October 16, 2017**

**12:00 PM**

### **Water Resources Agency Board of Directors**

*Chair, Mark Gonzalez  
Vice-Chair, Deidre Sullivan  
Glen Dupree  
Ken Ekelund  
Claude Hoover  
Richard Ortiz  
Mike Scattini  
Mike LeBarre  
Vacancy*

### **Call to Order**

**Present** 8 - Vice Chair Richard Ortiz, Director Ken Ekelund, Director Mark Gonzalez, Director Claude Hoover, Director John Huerta, Director Mike Scattini, Director Deidre Sullivan, and Director Glen Dupree

### **Public Comments on Closed Session Items**

**None**

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

Pursuant to Government Code Section 54956.9 the Board will confer with Legal Counsel regarding two matters of anticipated litigation:

1. Claim of Dobler & Sons, LLC
2. Claim of JAL Berry Farms, LLC.

*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**

The Board recessed to Close Session at 12:04 p.m. Director LeBarre recused himself from Item No. 2: Claim of JAL Berry Farms, LLC.  
There was no reportable action taken in Closed Session.

### **Reconvene Meeting at 1:00 p.m.**

At this time the Vice-Chair moved Addenda Item No.15 to Agenda Item No.10: "Recommend that the Monterey County Water Resources Agency Board of Supervisors approve a Compensation Agreement regarding the proposed transfer of property at 300 Pacific St., Monterey, CA from the Successor Agency of the County of Monterey Redevelopment Agency to the City of Monterey; and Authorize the County Administrative office to sign the Compensation Agreement".

### **Pledge of Allegiance**

### **Election of Chair**

2. Consider options for filling the chair vacancy resulting from the resignation of David Hart:

1. Elect a new chair to fill the seat for the remainder of the year; or
2. Elect Vice-chair Mark Gonzalez to the chair position for the remainder of the year and then elect a new vice chair; or
3. Allow Vice-chair Mark Gonzalez to be Acting Chair. If he shall miss any meetings, a Chair shall be appointed for that meeting.

Upon Motion by Director Ekelund and Second by Director LeBarre, the Board of Directors unanimously elected Vice-Chair Mark Gonzalez to the Chair position for the remainder of the year and then elected Director Sullivan to the position of Vice Chair.

### **Public Comment**

None

### **Ceremonial Resolutions**

3. Adopt a Resolution of Commendation for Bret Ogden for completion of 38 years of service to the Monterey County Water Resources Agency

**Attachments:**     [Resolution Ogden](#)

Upon Motion by Director Ekelund and Second by Director Ortiz, the Board unanimously adopted a Resolution of Commendation for Bret Ogden for completion of 38 years of service to the Monterey County Water Resources Agency.

4. Adopt a Resolution of Commendation for Rob Johnson for completion of 28 years of service to the Monterey County Water Resources Agency

**Attachments:**     [Resolution](#)

Upon Motion by Director Ortiz and Second by Director LeBarre, the Board unanimously adopted a Resolution of Commendation for Rob Johnson for completion of 28 years of service to the Monterey County Water Resources Agency.

5. Adopt a Resolution of Commendation for David H. Hart for completion of 10 years of dedicated service to the Monterey County Water Resources Agency

**Attachments:**     [Resolution for David Hart](#)

Upon Motion by Director Ortiz and Second by Director LeBarre, the Board unanimously adopted a Resolution of Commendation for David H. Hart for completion of 10 years of dedicated service the Monterey County Water Resources Agency.

### **Consent Calendar**

**Upon Motion by Director Dupree and Second by Director Ortiz, the Board unanimously approved the Consent Calendar.**

6. Approve a Notice of Completion for the 2017 Castroville Seawater Intrusion Project (CSIP) Well Destruction Project; and, authorize the General Manager to execute and record the Notice at the Monterey County Recorder's Office.  
  
**Attachments:**     [Board Report](#)  
                                 [Notice of Completion](#)  
                                 [Board Order](#)
7. Consider approving an agreement with Donald Gillett, Raymond Gillett, David Gillett and Beverly Gillett, Trustee, Exemption Trust, 1995 Lombardi Revocable Trust (successor in interest to Janice Grim Trustee for the Grim Family Trust), (collectively referred to as the "Landowners") to provide access to the United States Geological Survey gage, "Nacimiento River below Sapaque Creek, near Bryson, California" for the annual amount of \$3,330 for the following ten years; and authorizing the General Manager to execute the agreement.  
  
**Attachments:**     [Board Report](#)  
                                 [Amended and re-stated Agreement](#)  
                                 [Board Order](#)
8. Consider approving Amendment No. 1 to the Professional Services Agreement with OneRain, Inc. to extend the terms of the Agreement through December 31, 2018; and, authorize the General Manager to execute the Amendment.  
  
**Attachments:**     [Board Report](#)  
                                 [Amendment No. 1 to PSA](#)  
                                 [Professional Services Agreement](#)  
                                 [Board Order](#)

### **Scheduled Matters**

9. Consider recommending that the Monterey County Water Resources Agency Board of Supervisors:
  - a. Authorize the General Manager to enter into a letter of intent to engage Raymond James & Associates, Inc. on usual and customary terms, and subject to approval by County Counsel, to refund the Agency's 2008 Salinas Valley Water Project Bonds to generate savings of approximately \$8.551 million in gross cash flow (\$4.460 million present value); and
  - b. Declare the Agency's intent to use the refunding savings to finance the Agency's aging infrastructure at Nacimiento and San Antonio Reservoir/Dams; and
  - c. Adopt a resolution of intent declaring the official intent of the Agency to reimburse certain expenditures from proceeds of refunding indebtedness.



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

Upon motion by Director Ortiz and Second by Director Ekelund the Board unanimously recommended that the Monterey County Water Resources Agency Board of Supervisors:

- a. Authorize the General Manager to enter into a letter of intent to engage Raymond James & Associates, Inc. on usual and customary terms, and subject to approval by County Counsel, to refund the Agency's 2008 Salinas Valley Water Project Bonds to generate savings of approximately \$8.551 million in gross cash flow (\$4.460 million present value); and
- b. Declare the Agency's intent to use the refunding savings to finance the Agency's aging infrastructure at Nacimiento and San Antonio Reservoir/Dams; and
- c. Adopt a resolution of intent declaring the official intent of the Agency to reimburse certain expenditures from proceeds of refunding indebtedness.

10.

Consider approving and recommending that the Water Resources Agency Board of Supervisors:

- a. Authorize the Auditor-Controller to amend the Water Resources Agency FY 2017-18 Adopted Budget to include the projected costs of repair and maintenance of the Castroville Seawater Intrusion Project (CSIP) Fund 131, the Salinas Valley Reclamation Project (SVRP) Fund 132, and the Salinas River Diversion Facility (SRD) Fund 134; and
- b. Authorize the Auditor-Controller to amend the Agency's FY 2017-18 Adopted Budget for Fund 131 CSIP (131-9300-8267-WRA020-6613) by increasing appropriations in the amount of \$100,000 financed by unassigned fund balance in Fund 131 with BSA 3101; and
- c. Authorize the Auditor-Controller to amend the Agency's FY 2017-18 Adopted Budget for Fund 132 SVRP (132-9300-8267-WRA021-6613) by increasing appropriations in the amount of \$163,000 financed by unassigned fund balance in Fund 132 with BSA 3101; and
- d. Authorize the Auditor-Controller to amend the Agency's FY 2017-18 Adopted Budget for Fund 134 SRDF (134-9300-8267-WRA028-6613) ) by increasing appropriations in the amount of \$210,000 financed by unassigned fund balance in Fund 134 with BSA 3101. **(REMOVED VIA SUPPLEMENTAL AGENDA)**

**Attachments:**     [Board Report](#)  
                              [Capital Improvement Plan](#)  
                              [Summary of 2017-18 Budget Rev. #2](#)  
                              [Budget Revision #2](#)  
                              [Board Order](#)

Agenda Item 10 was removed per the Addendum.

11. Consider receiving a report "*Recommendations to Address the Expansion of Seawater Intrusion in the Salinas Valley Groundwater Basin*" and provide direction to staff with respect to presented recommendations, and/or other guidance, in order to implement measures intended to slow or halt the further expansion of seawater intrusion.
- Attachments:** [Board Report](#)  
[Recommendations to Address SWI in the SVGB Oct2017](#)
- Upon Motion by Director Ortiz and Second by Director Ekelund the Board unanimously received the report "Recommendations to Address the Expansion of Seawater Intrusion in the Salinas Valley Groundwater Basin"; and directed Staff to develop an online forum to provide access for public comment; post the report on the Agency website; provide scoping cost of deep aquifer investigation; make the report and presentation available on the Agency website and begin outreach to the public.
- Public Comment:** Dale Huss, John Baillie, Christopher Bunn, Eric Tynan, Abby Taylor-Silva and Tom Virsik
12. a. Consider recommending that the Monterey County Water Resources Agency Board of Supervisors Approve a Compensation Agreement regarding the proposed transfer of property at 300 Pacific Street, Monterey, CA from the Successor Agency of the County of Monterey Redevelopment Agency to the City of Monterey; and
- b. Authorize the County Administrative Officer to sign the Compensation Agreement.
- Attachments:** [Board Report](#)  
[Board Order](#)  
[Agreement](#)
- Upon Motion by Director Ekelund and Second by Director Ortiz the Board unanimously recommended that the Monterey County Water Resources Agency Board of Supervisors approve a Compensation Agreement regarding the proposed transfer of property at 300 Pacific Street, Monterey, CA from the Successor Agency of the County of Monterey Redevelopment Agency to the City of Monterey; and b. Authorize the County Administrative Officer to sign the Compensation Agreement.

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

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

The General Manager reported on the following topics: Pajaro River Project; White Bass Issue; Letter from Farm Bureau regarding the GSA; Staffing issues

### **Committee Reports**

Director Sullivan reported for the Planning Committee regarding the upcoming Strategic Planning Meeting. There were no other committee reports.

### **Information Items**

**13.** Information Items:

1. Well Permit Application Activities
2. Reservoir Release Update
3. Land Use & Construction Permit Report
4. Salinas Valley Water Conditions for the Fourth Quarter of Water Year 2016-2017

**Attachments:**     [Information Items](#)

### **Correspondence**

**14.** Correspondence:

1. Letter dated September 25, 2017 from Chair, David Hart to Honorable Mary L. Adams, Chair, Monterey County Water Resources Agency Board of Supervisors  
Re: Resignation from Agency Board of Directors
2. Letter dated September 29, 2017 from Wade Horton, Directors of Public Works, San Luis Obispo County Flood Control and Water Conservation District to Monterey County Water Resources Agency  
Re: Application for Membership in Monterey County Water Resources Agency Reservoir Operations Advisory Committee

**Attachments:**     [Correspondence](#)

### **Board of Directors Comments**

### **Adjournment**

The Board adjourned at 3:35 p.m.

### **Addenda for October 16, 2017**

**15.** Monterey County Water Resources Agency Board of Directors Addendum agenda for Monday, October 16, 2017

## **ADDENDUM**

### Remove from Agenda:

**Agendas Item No. 10 has been removed from the Agenda.**

### Addition to Scheduled Matters

12. a. Recommend that the Monterey County Water Resources Agency Board of Supervisors Approve a Compensation Agreement regarding the proposed transfer of property at 300 Pacific Street, Monterey, CA from the Successor Agency of the County of Monterey Redevelopment Agency to the City of Monterey; and
- b. Authorize the County Administrative Officer to sign the Compensation Agreement.