

Board of Supervisors of the Monterey County Water Resources Agency

168 West Alisal Street, 1st Floor Salinas, CA 93901 831.755.5066

Upon motion of Supervisor Parker, seconded by Supervisor Alejo and carried by those members present, the Board of Supervisors hereby:

Board Order

Approved the Board of Supervisors of the Monterey County Water Resources Agency Action Meeting Minutes for the following dates:

Tuesday, July 14, 2015	Tuesday, July 28, 2015	Tuesday, September 29, 2015
Tuesday, June 27, 2017	Tuesday, August 29, 2017	Tuesday, September 19, 2017
Tuesday, September 26, 2017		

PASSED AND ADOPTED this 14th day of November 2017, by the following vote, to wit:

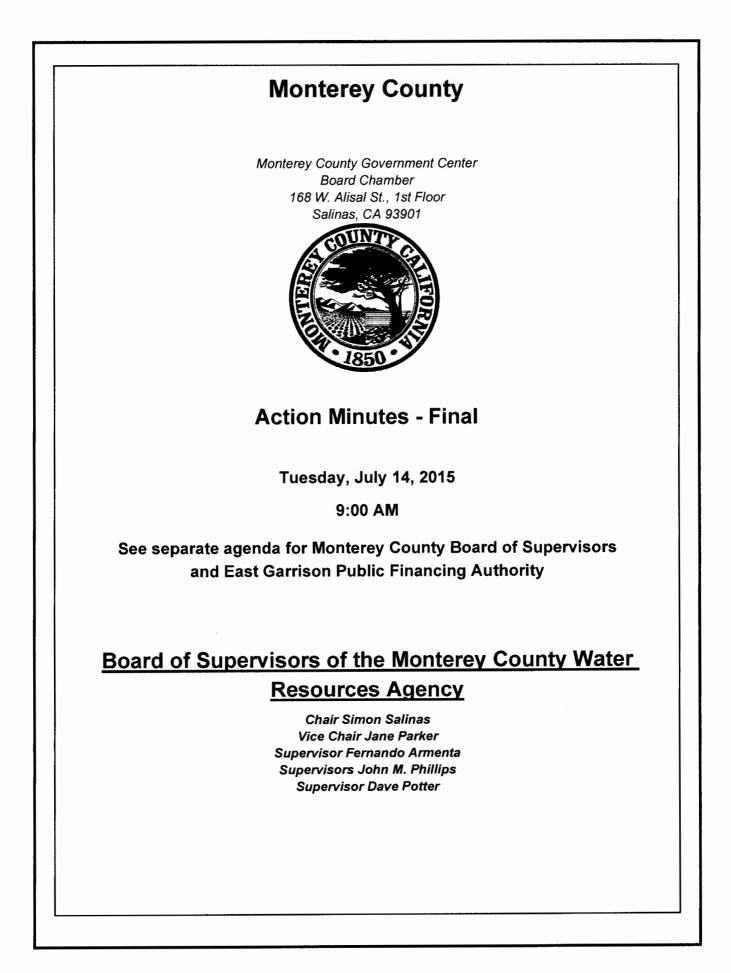
Supervisors Alejo, Phillips, Salinas, Parker and Adams AYES: NOES: None **ABSENT:** None

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 80 for the meeting November 14, 2017.

Dated: November 28, 2017 File ID: MIN 17-092

Gail T. Borkowski, Clerk of the Board of Supervisors County of Monterey, State of California

By Donise Hancock Deputy



9:00 A.M. - Called to Order

The meeting was called to order by Chair Salinas.

Roll Call

- Present 4 Supervisor Simón Salinas, Supervisor Dave Potter, Supervisor Fernando Armenta, and Supervisor Jane Parker
- Absent 1 Supervisor John M. Phillips

Additions and Corrections for Closed Session

There were no additions or corrections to Closed Session.

Closed Session

1.

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

a. Pursuant to Government Code sections 54956.9(d)(2) and 54956.9(d)(4), the Board will confer with legal counsel regarding one matter of significant exposure to litigation and/or potential initiation of litigation.

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

a. Pursuant to Government Code sections 54956.9(d)(2) and 54956.9(d)(4), the Board will confer with legal counsel regarding one matter of significant exposure to litigation and/or potential initiation of litigation. CLOSED SESSION REPORT: There were no reportable actions taken on item 1. a.

10:30 A.M. - Reconvened

Roll Call

Present 5 - Supervisor Simón Salinas, Supervisor Dave Potter, Supervisor Fernando Armenta, Supervisor Jane Parker, and Supervisor John M. Phillips

Additions and Corrections

There were no additions or corrections.

Public Comment

There was no public comment.

Consent Calendar

2.

Approve Amendment No. 2 to the Memorandum of Understanding Regarding Source Waters and Water Recycling, dated October 8, 2014, extending its term to not later than September 30, 2015; and, request the Chair of the Monterey County Water Resources Agency Board of Supervisors to execute Amendment No. 2 to the Memorandum of Understanding Regarding Source Waters and Water Recycling.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to approve Amendment No. 2 to the Memorandum of Understanding Regarding Source Waters and Water Recycling, dated October 8, 2014, extending its term to not later than September 30, 2015; and, request the Chair of the Monterey County Water Resources Agency Board of Supervisors to execute Amendment No. 2 to the Memorandum of Understanding Regarding Source Waters and Water Recycling. ALL AYES

<u>Adjournment</u>

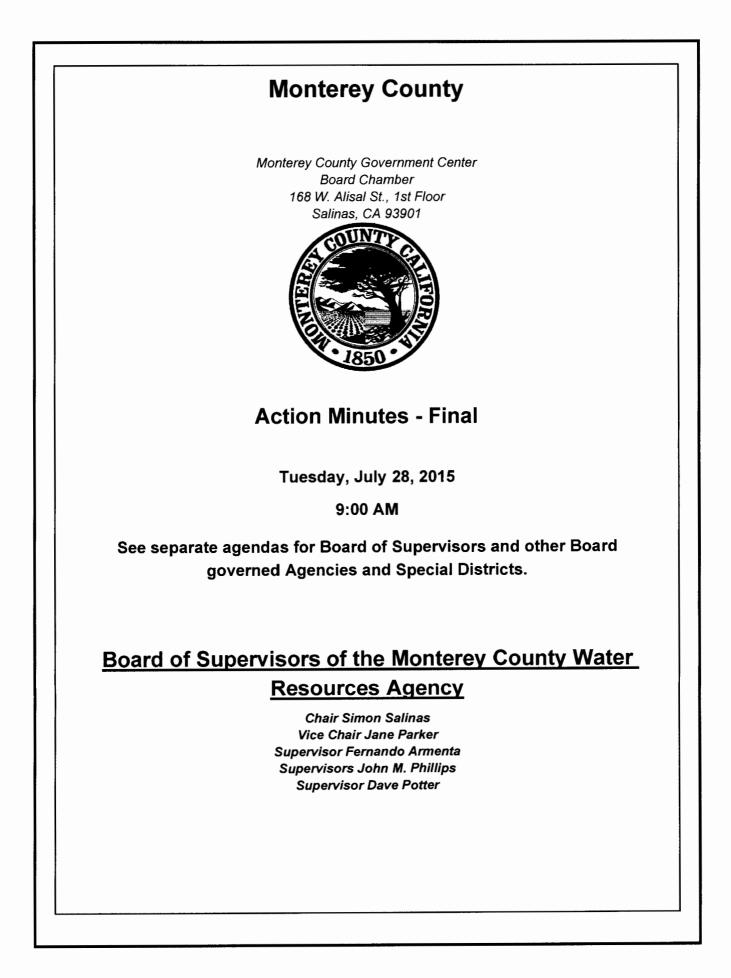
APPROVED:

/ s/ Mary L. Adams

MARY L. ADAMS, CHAIR BOARD OF SUPERVISORS

ATTEST: BY: / s/ Gail T. Borkowski GAIL T. BORKOWSKI

CLERK OF THE BOARD APPROVED ON November 14, 2017



9:00 A.M. - Call to Order

The meeting was called to order by Chair Salinas.

Roll Call

Present 5 - Supervisor Simón Salinas, Supervisor Fernando Armenta, Supervisor Jane Parker, Supervisor John M. Phillips, and Supervisor Dave Potter

Additions and Corrections for Closed Session

There were no additions or corrections to the agenda.

Closed Session

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.

CLOSED SESSION REPORT: The Board took no reportable action on item 1.a.

10:30 A.M. - Reconvene

Roll Call

Present 5 - Supervisor Simón Salinas, Supervisor Fernando Armenta, Supervisor Jane Parker, Supervisor John M. Phillips, and Supervisor Dave Potter

Approval of Consent Calendar

2.

1.

Approve and ratify the Annual Joint Funding Agreement between the Monterey County Water Resources Agency and the United States Geological Survey for stream gaging work in Monterey County in the amount of \$158,050; and, ratify execution by the General Manager of the Joint Funding Agreement for the term November 1, 2014 and October 31, 2015 (Water Year 2014-15).

A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to approve and ratify the Annual Joint Funding Agreement between the Monterey County Water Resources Agency and the United States Geological Survey for stream gaging work in Monterey County in the amount of \$158,050; and, ratify execution by the General Manager of the Joint Funding Agreement for the term November 1, 2014 and October 31, 2015 (Water Year 2014-15). ALL AYES

3.

Approve the Monterey County Water Resources Agency Draft Action Meeting

Minutes for. Tuesday, February 10, 2015, Tuesday, March 17, 2015 and Tuesday, May 12, 2015.

A motion was made by Supervisor Jane Parker, seconded by Supervisor John M. Phillips to approve the Monterey County Water Resources Agency Draft Action Meeting Minutes for. Tuesday, February 10, 2015, Tuesday, March 17, 2015 and Tuesday, May 12, 2015. ALL AYES

Adjournment

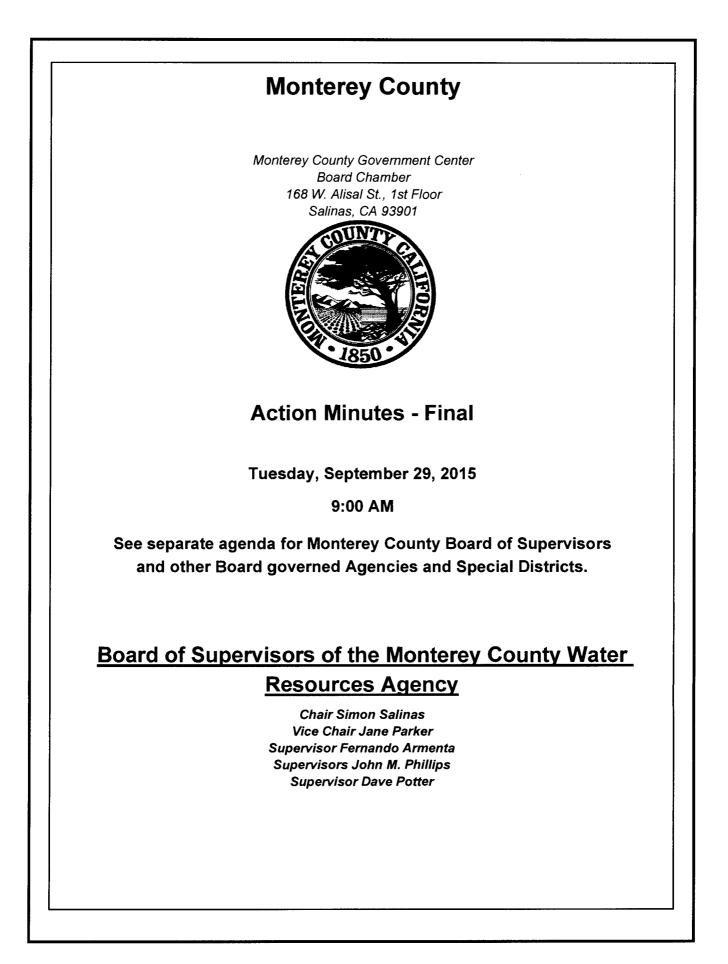
APPROVED:

/ s/ Mary L. Adams

MARY L. ADAMS, CHAIR BOARD OF SUPERVISORS

ATTEST:

BY: / s/ Gail T. Borkowski



<u>9:00 A.M. - Call to Order</u>

The meeting was called to order by Chair Salinas.

Roll Call

Present 5 - Supervisor Simón Salinas, Supervisor Fernando Armenta, Supervisor Jane Parker, Supervisor John M. Phillips, and Supervisor Dave Potter

Additions and Corrections for Closed Session:

There were no additions or corrections to Closed Session.

Closed Session

0.1

Pursuant to Government Code section 54956.9(d)(2), relating to the following item:

 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. (ADDED VIA ADDENDUM)

CLOSED SESSION REPORT: The Board took no reportable action on item 0.1.a.

<u>10:30 A.M. - Reconvene</u>

Roll Call

Present 5 - Supervisor Simón Salinas, Supervisor Fernando Armenta, Supervisor Jane Parker, Supervisor John M. Phillips, and Supervisor Dave Potter

Public Comment

There were no public comments.

Consent Calendar

1. Approve the Monterey County Water Resources Agency Draft Action Meeting Minutes for Tuesday, March 24, 2015.

A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to approve the Monterey County Water Resources Agency Draft Action Meeting Minutes for Tuesday, March 24, 2015. ALL AYES

2. Approve the Draft Action Meeting Minutes for the Special Joint Meeting of the Monterey County Board of Supervisors, the Board of Supervisors of the Water Resources Agency & the Water Resources Agency Board of Directors for Tuesday, October 21, 2014, Tuesday, December 9, 2014, Tuesday, February 10, 2015 and Tuesday, April 7, 2015 A motion was made by Supervisor John M. Phillips, seconded by Supervisor Fernando Armenta to approve the Draft Action Meeting Minutes for the Special Joint Meeting of the Monterey County Board of Supervisors, the Board of Supervisors of the Water Resources Agency & the Water Resources Agency Board of Directors for Tuesday, October 21, 2014, Tuesday, December 9, 2014, Tuesday, February 10, 2015 and Tuesday, April 7, 2015. ALL AYES

Approve the Special Joint Meeting of the Board of Supervisors of the Monterey County Water Resources Agency and the Monterey County Water Resources Agency Board of Directors Draft Action Meeting Minutes for Tuesday, April 7, 2015.

> A motion was made by Supervisor Dave Potter, seconded by Supervisor Fernando Armenta to approve the Special Joint Meeting of the Board of Supervisors of the Monterey County Water Resources Agency and the Monterey County Water Resources Agency Board of Directors Draft Action Meeting Minutes for Tuesday, April 7, 2015. ALL AYES

<u>Appointments</u>

4.

3.

Appoint Grower-Shipper Association representative to the Monterey County Water Resources Agency Board of Directors (Abby Taylor-Silva or Brett Harrell) - term ending December 31, 2018 (Full Board). (ADDED VIA ADDENDUM)

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Dave Potter to appoint Grower-Shipper Association representative to the Monterey County Water Resources Agency Board of Directors Abby Taylor-Silva, term ending December 31, 2018 (Full Board). (ADDED VIA ADDENDUM) ALL AYES

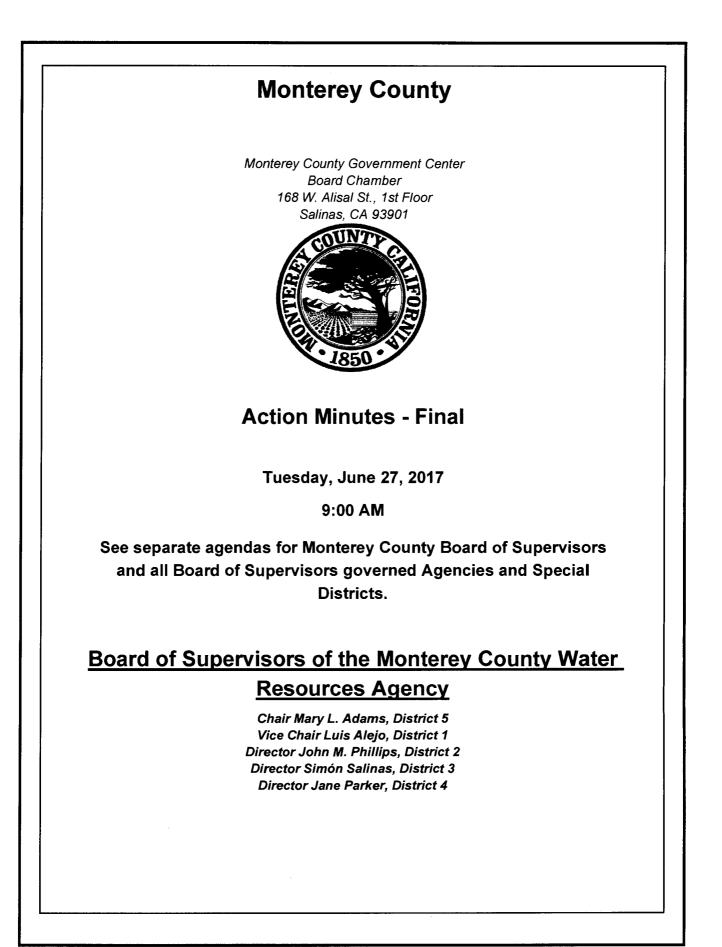
Adjournment

APPROVED:

/ s/ Mary L. Adams

MARY L. ADAMS, CHAIR BOARD OF SUPERVISORS

ATTEST: BY: / s/ Gail T. Borkowski



9:00 A.M. - Called to Order

The meeting was called to order by Chair Adams.

Roll Call

Present 5 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips, Supervisor Simón Salinas, and Supervisor Jane Parker

Closed Session

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.

CLOSED SESSION REPORT: The Board conferred with counsel and took no reportable action on item 1.a.

10:00 A.M. - Reconvened

Roll Call

Present 5 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips, Supervisor Simón Salinas, and Supervisor Jane Parker

Public Comment

There were no public comments.

Consent Calendar

2.

Approve and adopt the Fiscal Year 2017-18 Budget for the Monterey County Water Resources Agency.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to adopt Resolution No. 17-213 approving and adopting the Fiscal Year 2017-18 Budget for the Monterey County Water Resources Agency. ALL AYES

3. Approve Amendment No. 6 to the Professional Services Agreement with FISHBIO Corporation, for an extension of time to June 30, 2018; and, authorize the General Manager to execute the Amendment.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to approve Amendment No. 6 to the Professional Services

^{1.}

Agreement with FISHBIO Corporation (A-13437), for an extension of time to June 30, 2018; and, authorize the General Manager to execute the Amendment. ALL AYES

a. Approve the Water Resources Agency FY 2016-17 budget amendment to increase revenue and appropriations in the amount of \$80,000 for Fund 130-Nacimiento Hydro-Electric Operations and Maintenance and \$25,000 for Fund 122-Zone 9 Reclamation Ditch to pay invoices as a result of the unexpected flooding that occurred in the Winter of 2017; and

b. Authorize the Auditor-Controller to amend the Monterey County Water Resources Agency's FY 2016-17 Adopted Budget and increase revenue and appropriations by \$80,000 in Fund 930-8267-130-Naci Hydro-Electric Operations and Maintenance, WRA 022 financed by unassigned fund balance in Fund 930-8267-130-Naci Hydro-Electric Operations and Maintenance-WRA 022 (4/5th vote required);

c. Authorize the Auditor-Controller to amend the Monterey County Water Resources Agency's FY 2016-17 Adopted Budget and increase revenue and appropriations by \$25,000 in Fund 930-8267-122-Zone 9 Reclamation Ditch, WRA 012 financed by unassigned fund balance in Fund 930-8267-122-Zone 9 Reclamation Ditch-WRA 012 (4/5th vote required).

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Simón Salinas to:

a. Approve the Water Resources Agency FY 2016-17 budget amendment to increase revenue and appropriations in the amount of \$80,000 for Fund 130-Nacimiento Hydro-Electric Operations and Maintenance and \$25,000 for Fund 122-Zone 9 Reclamation Ditch to pay invoices as a result of the unexpected flooding that occurred in the Winter of 2017; and

b. Authorize the Auditor-Controller to amend the Monterey County Water Resources Agency's FY 2016-17 Adopted Budget and increase revenue and appropriations by \$80,000 in Fund 930-8267-130-Naci Hydro-Electric Operations and Maintenance, WRA 022 financed by unassigned fund balance in Fund 930-8267-130-Naci Hydro-Electric Operations and Maintenance-WRA 022 (4/5th vote required);

c. Authorize the Auditor-Controller to amend the Monterey County Water Resources Agency's FY 2016-17 Adopted Budget and increase revenue and appropriations by \$25,000 in Fund 930-8267-122-Zone 9 Reclamation Ditch, WRA 012 financed by unassigned fund balance in Fund 930-8267-122-Zone 9 Reclamation Ditch-WRA 012 (4/5th vote required). ALL AYES

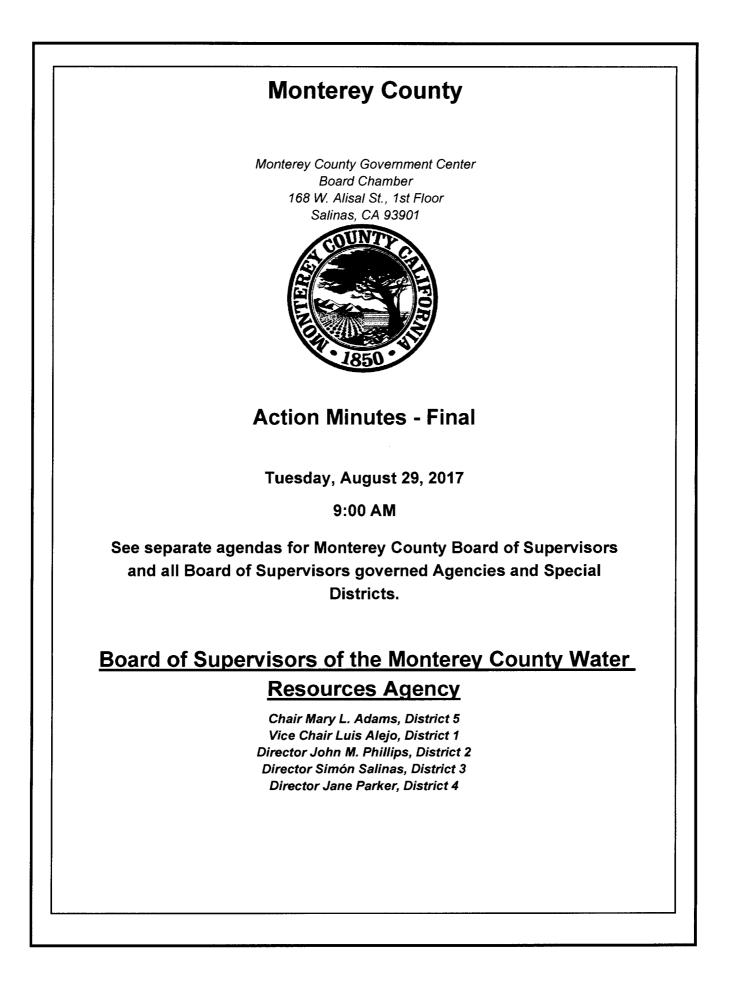
Adjournment

APPROVED:

/ s/ Mary L. Adams

MARY L. ADAMS, CHAIR BOARD OF SUPERVISORS

ATTEST: BY: / s/ Gail T. Borkowski



9:00 A.M. - Called to Order

The meeting was called to order by Chair Adams.

Roll Call

Present	4 -	Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M.
		Phillips, and Supervisor Jane Parker
Absent	1 -	Supervisor Simón Salinas

Additions and Corrections to Closed Session:

There were no additions or corrections to Closed Session.

Closed Session

1.

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

a. Pursuant to Government Code section 54956.9(e)(3), the Board will confer with legal counsel regarding liability claims against the Monterey County Water Resources Agency. (1) JAL Berry Farms, LLC (2) Dobler & Sons, LLC

b. Pursuant to Government Code section 54956.9(d)(2), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.

CLOSED SESSION REPORT: The Board took no reportable actions on items 1.a. and b.

1:30 P.M. - Reconvened - Monterey County Water Resources Agency

Roll Call

- Present 4 Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips, and Supervisor Jane Parker Absent 1 - Supervisor Simón Salinas

Additions and Corrections

There were no additions or corrections to the agenda.

Public Comment

Bill Lipe.

2.

3.

Consent Calendar

Approve the Monterey County Board of Supervisors of the Water Resources Agency Draft Action Meeting Minutes for the following dates: Tuesday, April 11, 2017, Tuesday, May 2, 2017, Tuesday, May 16, 2017, Tuesday, May 23, 2017, Thursday, June 8, 2017 and Tuesday, June 13, 2017.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips to approve the Monterey County Board of Supervisors of the Water Resources Agency Action Meeting Minutes for the following dates: Tuesday, April 11, 2017, Tuesday, May 2, 2017, Tuesday, May 16, 2017, Tuesday, May 23, 2017, Thursday, June 8, 2017 and Tuesday, June 13, 2017. 4-0 (Supervisor Salinas Absent)

Approve the Monterey County Board of Supervisors of the Water Resources Agency Draft Action Meeting Minutes for the following dates: Tuesday, February 26, 2013, Tuesday, December 3, 2013, Tuesday, December 17, 2013, Tuesday, June 24, 2014, Tuesday, July 8, 2014, Tuesday, July 22, 2014, Tuesday, September 30, 2014 and Tuesday, November 4, 2014.

Public comment: Bill Lipe; Nancy Isakson.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips to approve the Monterey County Board of Supervisors of the Water Resources Agency Action Meeting Minutes for the following dates: Tuesday, February 26, 2013, Tuesday, December 3, 2013, Tuesday, December 17, 2013, Tuesday, June 24, 2014, Tuesday, July 8, 2014, Tuesday, July 22, 2014, Tuesday, September 30, 2014 and Tuesday, November 4, 2014. 4-0 (Supervisor Salinas Absent)

Approve the Special Joint Board of Supervisors of the Water Resources Agency and the Water Resources Agency Board of Directors Draft Action Meeting Minutes for Tuesday, October 28, 2014.

Public comment: Bill Lipe, Nancy Isakson.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips to Approve the Special Joint Board of Supervisors of the Water Resources Agency and the Water Resources Agency Board of Directors Action Meeting Minutes for Tuesday, October 28, 2014. 4-0 (Supervisor Salinas Absent)

1:30 P.M. - Scheduled Matters

5.

4.

Consider adopting a Resolution to:

a. Approve proposed grazing lease and lease bid forms and public bid notice for grazing lands located at and around San Antonio and Nacimiento Reservoirs;

- b. Approve Agency grazing lease contract and program fees;
- c. Direct the Clerk of the Board of Supervisors to advertise for bids; and,
- d. Authorize the General Manager of the Agency to modify the grazing lease and

bid forms lease, subject to approval as to form by the County Counsel.

Public comment: Bill Lipe.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips to adopt Resolution No. 17-298 to:

a. Approve proposed grazing lease and lease bid forms and public bid notice for grazing lands located at and around San Antonio and Nacimiento Reservoirs;

b. Approve Agency grazing lease contract and program fees;

c. Direct the Clerk of the Board of Supervisors to advertise for bids; and,

d. Authorize the General Manager of the Agency to modify the grazing lease and bid forms lease, subject to approval as to form by the County Counsel. 4-0 (Supervisor Salinas Absent)

Consider receiving an update on the status of the Salinas Valley Water Project Biological Opinion and need for a Habitat Conservation Plan (HCP); and approve the initiation of an HCP process.

Public comment: Bill Lipe.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips to receive an update on the status of the Salinas Valley Water Project Biological Opinion and need for a Habitat Conservation Plan (HCP); and approve the initiation of an HCP process. 4-0 (Supervisor Salinas Absent)

<u>Adjournment</u>

6.

APPROVED:

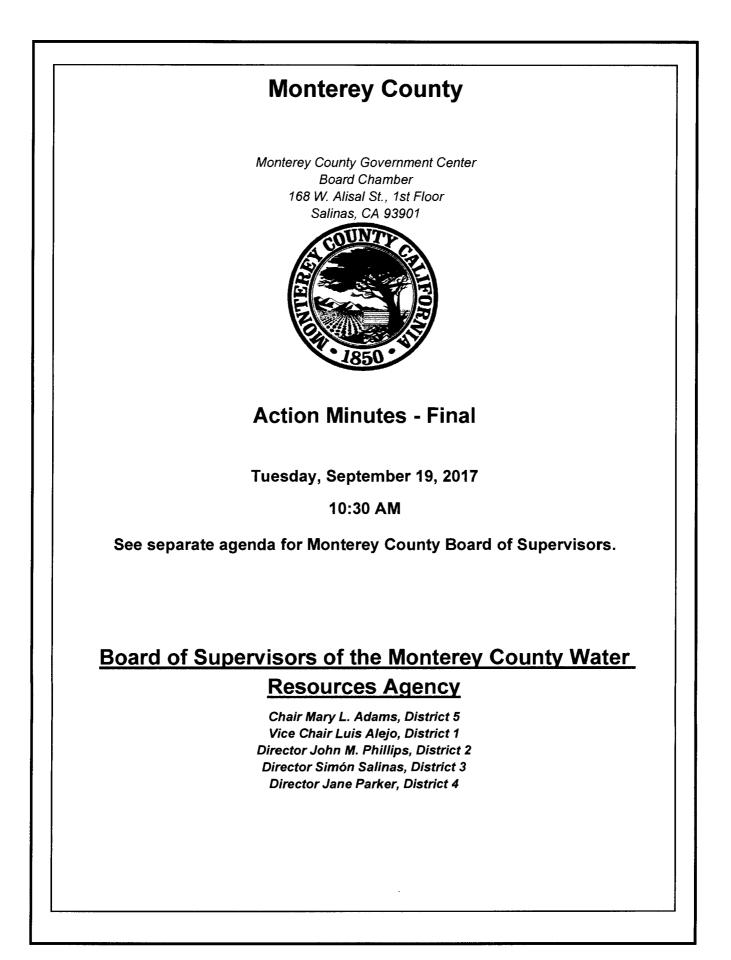
/ s/ Mary L. Adams

MARY L. ADAMS, CHAIR BOARD OF SUPERVISORS

ATTEST: BY: / s/ Gail T. Borkowski

GAIL T. BORKOWSKI CLERK OF THE BOARD APPROVED ON November 14, 2017

Monterey County



10:30 A.M. - Called to Order

The meeting was called to order by Chair Adams.

Roll Call

Present 5 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips, Supervisor Simón Salinas, and Supervisor Jane Parker

Public Comment

There were no public comments.

Consent Calendar

1.

a. Approve a budget amendment previously approved by the Water Resources Board of Supervisor on July 25, 2017- WRAG17-174- which requires additional clarification for the Auditor-Controller's Office to complete the accounting transaction for the Monterey County Water Resources Agency's FY 2016-17 Adopted Budget transferring the Rate Stabilization Reserve of \$1,500,000 from Fund 303 - Debt Service Fund Unassigned Fund Balance to Fund 131 CSIP Operating Fund balance; and

b. Authorize the Auditor-Controller's Office to amend the Water Resources Agency FY 2016-17 Adopted Budget for Fund 303 - CSIP Debt Service Fund to increase appropriation with object code 7614 Operating Transfer Out (303-9300-8267-WRA025-7614) for total of \$1,500,000 financed by Unassigned Fund Balance 303-3101. (4/5th vote required)

A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips to adopt Resolutio No. 17-330 to:

a. Approve a budget amendment previously approved by the Water Resources Board of Supervisor on July 25, 2017- WRAG17-174- which requires additional clarification for the Auditor-Controller's Office to complete the accounting transaction for the Monterey County Water Resources Agency's FY 2016-17 Adopted Budget transferring the Rate Stabilization Reserve of \$1,500,000 from Fund 303 - Debt Service Fund Unassigned Fund Balance to Fund 131 CSIP Operating Fund balance; and

b. Authorize the Auditor-Controller's Office to amend the Water Resources Agency FY 2016-17 Adopted Budget for Fund 303 - CSIP Debt Service Fund to increase appropriation with object code 7614 Operating Transfer Out (303-9300-8267-WRA025-7614) for total of \$1,500,000 financed by Unassigned Fund Balance 303-3101. (4/5th vote required) ALL AYES

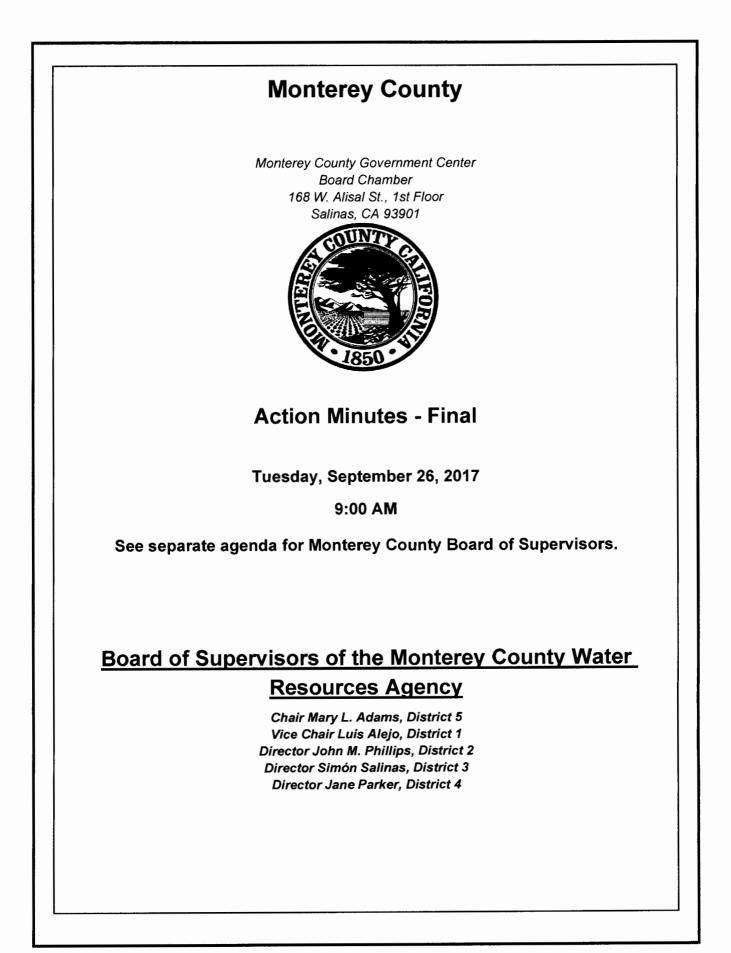
Adjournment

APPROVED:

/ s/ Mary L. Adams

MARY L. ADAMS, CHAIR BOARD OF SUPERVISORS

ATTEST: BY: _____Bail T. Borkowski



9:00 A.M. Called to Order

The meeting was called to order by Chair Adams.

Roll Call

Present 5 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips, Supervisor Simón Salinas, and Supervisor Jane Parker

Additions and Corrections to Closed Session

There were no additions or corrections to Closed Session.

Closed Session

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

a. Pursuant to Government Code section 54956.9(d)(4), the Board will confer with legal counsel regarding one matter of potential initiation of litigation.

CLOSED SESSION REPORT: The Board took no reportable action on item 1.a.

10:30 A.M. - Reconvened

Roll Call

Present 5 - Supervisor Mary L. Adams, Supervisor Luis Alejo, Supervisor John M. Phillips, Supervisor Simón Salinas, and Supervisor Jane Parker

Additions and Corrections

There were no additions or corrections to the agenda.

Public Comment

Bill Carrothers.

10:30 A.M. - Consent Calendar

1.

- a. Create a Board of Supervisors of the Monterey County Water Resources Agency Ad Hoc Committee to refine the WRA General Manager's strategic plans, goals, and objectives; and
- b. Appoint two members of the Board of Supervisors of the Monterey County Water Resources Agency to serve on the Ad Hoc Committee.

A motion was made by Supervisor John M. Phillips, seconded by Supervisor

Simón Salinas to:

a. Create a Board of Supervisors of the Monterey County Water Resources Agency Ad Hoc Committee to refine the WRA General Manager's strategic plans, goals, and objectives; and

b. Appoint Supervisor Mary L. Adams and Supervisor Simón Salinas of the Board of Supervisors of the Monterey County Water Resources Agency to serve on the Ad Hoc Committee. ALL AYES

10:30 A.M. - Scheduled Matters

3.

Consider authorizing the General Manager, subject to approval by County Counsel, to enter into standard agency time and materials construction contracts on an emergency basis for immediate repairs of the San Antonio Dam Spillway and the Nacimiento Dam Spillway for an amount not-to-exceed \$200,000 each; and authorize the General Manager to sign change orders to both contracts not-to-exceed in the aggregate \$100,000, for a total of all work not-to-exceed \$500,000.

A motion was made by Supervisor Luis Alejo, seconded by Supervisor John M. Phillips to adopt Resolution No. 17-382 authorizing the General Manager, subject to approval by County Counsel, to enter into standard agency time and materials construction contracts on an emergency basis for immediate repairs of the San Antonio Dam Spillway and the Nacimiento Dam Spillway for an amount not-to-exceed \$200,000 each; and authorize the General Manager to sign change orders to both contracts not-to-exceed in the aggregate \$100,000, for a total of all work not-to-exceed \$500,000. ALL AYES

Adjournment

APPROVED:

/ s/ Mary L. Adams

MARY L. ADAMS, CHAIR BOARD OF SUPERVISORS

ATTEST: BY: / s/ Gail T. Borkowski GAIL T. BORKOWSKI CLERK OF THE BOARD APPROVED ON November 14, 2017