



# Monterey County

Monterey County  
Government Center  
Board Chamber  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

## Action Minutes - Final Water Resources Agency Board of Directors

*Chair David Hart*  
*Vice Chair Richard Ortiz*  
*Ken Ekelund*  
*Mark Gonzalez*  
*Claude Hoover*  
*John Huerta*  
*Mike Scattini*  
*Deidre Sullivan*  
*Vacant Position*

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Monday, September 19, 2016

1:00 PM

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### **Call to Order/Establish Quorum for Closed Session @ 12:20 PM**

*A quorum was established.*

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

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

1. Closed Session under Government Code section 54950, relating to the following items:
  - a. Conference with Legal Counsel - Existing Litigation  
Pursuant to Government Code section 54956.9(d)(1), the Board of Directors will confer with legal counsel regarding existing litigation: Successor Agency to the Redevelopment Agency of the County of Monterey v. Cohen (State Department of Finance), Sacramento Superior Court case no. 34-2016-800002403.
  - b. Conference with Legal Counsel - Significant Exposure to Litigation  
Pursuant to Government Code section 54956.9(d)(2), the Board of Directors will confer with legal counsel regarding one matter of significant exposure to litigation.

### **Adjourn to Closed Session**

### **Reconvene Meeting/Re-Establish Quorum (no earlier than 1:00 PM)**

### **Pledge of Allegiance**

### **Public Comments**

## **Presentations**

2.                   A. ICON Air Presentation - Mr. Karl Higgins  
  
                      B. Nacimiento Dam Low Level Outlet Works - Mr. Chris Moss

## **Consent Calendar**

3.                   Approve Action Minutes of the Regular Board of Directors meeting held on July 25, 2016.  
  
                      **A motion was made by John Huerta, seconded by Vice Chair Richard Ortiz, that the Action Minutes of the July 25, 2016 Regular Board meeting be approved on the Consent Calendar.**  
                      **Vote: ALL AYES (Motion Carried)**
4.                   Approve Purchase Orders/Contracts and Credit Card Purchases in Excess of \$500 for June 2016.  
  
                      **A motion was made by John Huerta, seconded by Vice Chair Richard Ortiz, that the Purchase Orders and Contracts in excess of \$500 for June 2016 be approved on the Consent Calendar.**  
                      **Vote: ALL AYES (Motion Carried)**
5.                   Approve FY 2016-2016 Consultants' Expenditures for June 2016.  
  
                      **A motion was made by John Huerta, seconded by Ken Ekelund, that the FY 2016-17 Consultants' Expenditures for June 2016 be approved on the Consent Calendar.**  
                      **Vote: ALL AYES (Motion Carried)**
6.                   Ratify the Monterey County Water Resources Agency's response to the Monterey County Civil Grand Jury 2016 Report, "Striving for Sustainability."  
  
                      **A motion was made by John Huerta, seconded by Vice Chair Richard Ortiz, that ratification of the Monterey County Water Resources Agency's response to the Monterey County Civil Grand Jury 2016 Report, "Striving for Sustainability" be approved on the Consent Calendar.**  
                      **Vote: ALL AYES (Motion Carried)**
7.                   Approve and recommend that the Monterey County Water Resources Agency Board of Supervisors adopt an Amendment to the Conflict of Interest Code for the Monterey County Water Resources Agency.  
  
                      **A motion was made by John Huerta, seconded by Vice Chair Richard Ortiz, that the MCWRA Board of Directors approve and recommend that the MCWRA Agency Board of Supervisors adopt an Amendment to the Conflict of Interest Code for the Monterey County Water Resources Agency be approved on the Consent Agenda.**  
                      **Vote: ALL AYES (MOTION CARRIED)**

### Action Items

8. Consider receiving a report on a draft “Nacimiento and San Antonio Reservoir Joint Operations Guidance Manual” written and presented by the Salinas Valley Water Coalition to Agency and National Marine Fisheries Service staff; and, providing direction to Staff  
  
**By consensus the Directors received the report and directed Staff to continue Ad Hoc committee meetings for the remainder of this year considering all information necessary to develop a comprehensive Reservoir Operations Manual; and, schedule a meeting with NOAA Fisheries as soon as possible.**
9. Consider receiving a status update on the Monterey County Water Resources Agency FY 2015-16 year-end financials and recommend an appropriate action for staff to close the FY 2015-16 year-end period.  
  
**A motion was made by Ken Ekelund, seconded by John Huerta to approve the WRA FY 2015-16 year-end financials; and, directed Staff to close the FY 2015-16 year-end period.**  
**VOTE: ALL AYES (Motion Carried)**
10. Consider accepting and recommending that the Monterey County Water Resources Agency Board of Supervisors accept the Monterey County Water Resources Agency (MCWRA) Fourth Quarter Financial Status Report through June 30, 2016.  
  
**A motion was made by John Huerta, seconded by Richard Ortiz to accept the MCWRA 4th Quarter Financial Status Report through 6-30-16.**  
**VOTE: ALL AYES (Motion Carried)**
11. Consider adopting a Resolution amending the Bylaws of the Monterey County Water Resources Agency Board of Directors.  
  
**A motion was made by Ken Ekelund, seconded by John Huerta to adopt a Resolution amending the Bylaws of the MCWRA Board of Directors.**  
**VOTE: ALL AYES (Motion Carried)**
12. Consider approving a Professional Services Agreement with Towill, Inc., in the amount of \$120,113 to provide survey mapping services for the Interlake Tunnel and San Antonio Reservoir Spillway Modification Projects, and, authorizing the General Manager to execute the Agreement.  
  
**A motion was made by Richard Ortiz, seconded by Mark Gonzalez to approve a PSA with Towill, Inc., in the amount of \$120,113 to provide survey mapping services for the Interlake Tunnel and San Antonio Reservoir Spillway Modification Projects; and authorize the General Manager to execute the Agreement.**  
**VOTE: ALL AYES (Motion Carried)**
13. Consider approving:
  - a. A Professional Services Agreement with OneRain, Inc., in the amount of

\$142,177 to upgrade the central base stations, the radio repeaters, and the data concentrator of the Agency's flood warning system from Automated Local Evaluation in Real Time (ALERT) to ALERT2 technology and authorize the General Manager to execute the Agreement,

b. A recommendation that the Monterey County Water Resources Agency Board of Supervisors approve a Budget Amendment for the Monterey County Water Resources Agency's Fiscal Year 2016-2017 Adopted Budget for the ALERT Grant received June 2016; and,

c. A recommendation that the Monterey County Water Resources Agency Board of Supervisors authorize the Auditor-Controller to amend the Monterey County Water Resources Agency's FY 2016-17 Adopted Budget to increase appropriations by \$142,177 financed by unassigned fund balance in Fund 113 (4/5th vote required).

**A motion was made by Mark Gonzalez, seconded by Deidre Sullivan to approve: a) A PSA with OneRain, Inc., in the amount of \$142,177 to upgrade the central base stations, the radio repeaters, and the data concentrator of the Agency's flood warning system from ALERT to ALERT 2 technology; and, authorize the General Manager to execute the Agreement; b) A recommendation that the MCWRA BOS approve a Budget Amendment for the MCWRA's FY 2016-17 Adopted Budget for the ALERT Grant received June 2016; and. c) A recommendation that the MCWRA BOS authorize the Auditor-Controller to amend the MCWRA FY 2016-17 Adopted Budget to increase appropriations by \$142,177 financed by unassigned fund balance in Fund 113 (4/5th vote required).**

**VOTE: ALL AYES (Motion Carried)**

14. Receive a status update on the Salinas River Stream Maintenance Program.

**A motion was made that this WR General Agenda be received. ALL AYES**

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

15. October 2016 Board of Directors' Calendar

**Directors received information regarding the October 2016 Calendar.**

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

### **Committee Reports**

16. A. Basin Management Plan Committee: Richard Ortiz, Chair  
B. Finance Committee: Claude Hoover, Chair  
C. Personnel/Administration Committee: Mark Gonzalez, Chair  
D. Planning Committee: Deidre Sullivan, Chair  
E. Reservoir Operations Committee: David Hart, Chair

**Committee Chairs had nothing new to report.**

### **Information Items**

- 17.
- A. Monterey County Water Recycling Projects & Salinas Valley Water Project/Salinas River Surface Diversion Update
  - B. Reservoir Release Update
  - C. Well Permit Application Activities Update

**Directors had no comments or concerns regarding the Information items.**

### **Correspondence**

- 18.
- A. Letter dated September 7, 2016 from Chair Jane Parker, Monterey County Board of Supervisors to The Honorable Edmund G. Brown, Jr.  
Re: SB 831 (Committee on Budget and Fiscal Review) - REQUEST FOR SIGNATURE, Monterey County Water Resources Agency: Lake Nacimiento and Lake San Antonio
  - B. Letter dated September 7, 2016 from Chair Jane Parker, Monterey County Board of Supervisors to The Honorable Bill Monning  
Re: Thank You for Efforts on SB 831 (Committee on Budget and Fiscal Review), Monterey County Water Resources Agency: Lake Nacimiento and Lake San Antonio
  - C. Letter dated September 7, 2016 from Chair Jane Parker, Monterey County Board of Supervisors to The Honorable Anthony Cannella  
Re: Thank You for Efforts on SB 831 (Committee on Budget and Fiscal Review), Monterey County Water Resources Agency: Lake Nacimiento and Lake San Antonio
  - D. Letter dated September 7, 2016 from Chair Jane Parker, Monterey County Board of Supervisors to The Honorable Luis Alejo  
Re: Thank You for Efforts on SB 831 (Committee on Budget and Fiscal Review), Monterey County Water Resources Agency: Lake Nacimiento and Lake San Antonio
  - E. Letter dated August 29 2016 from Gary Oetting, King City  
Re: Salinas river bed
  - F. Letter dated August 29, 2016 from Thomas S. Virsik, Law Offices of Patrick J. Maloney to Supervisor Jane Parker, Chair - Board of Supervisors of the Monterey County Water Resources Agency  
Re: August 30, 2016, Item 4, File WRAG 16-045
  - G. Letter dated August 29, 2016 from Nancy Isakson, President - Salinas Valley Water Coalition  
Re: Public Records Act Request - Construction, Repair and/or Maintenance of the Nacimiento Reservoir Documents
  - H. Letter dated August 22, 2016 from Norman C. Groot, Executive Director - Monterey County Farm Bureau  
Re: Request to Convene Emergency Board of Directors Meeting to Review Potential Reservoir Releases (letter dated August 1, 2016)
  - I. Letter dated August 22, 2016 from Monterey County Office of the County

- Counsel  
Re: Reconstruction of Structures Destroyed by Chimney Fire subject to 825 ft. Floodage Easement
- J. Letter dated August 22, 2016 from MCWRA to Supervisors Simón Salinas and Dave Potter  
Re: Response to Salinas Valley Water Coalition letter dated August 18, 2016 to Chair David Hart
- K. Letter dated August 18, 2016 from Nancy Isakson, President - Salinas Valley Water Coalition  
Re: Rescission of Request for Special Meeting to consider conservation releases
- L. Email dated August 3, 2016 at 4:06:20 PM PDT from Lawrence Hinkle, Mission Ranches/Seco Packing  
Re: Letter in support of increased reservoir releases - Mission Ranches
- M. Email dated August 2, 2016 at 6:55:05 AM PDT from Bob Martin, General Manager - Rio Farms  
Re: Letter re: Naci Res. Releases
- N. Letter dated August 1, 2016 from Norman C. Groot, Executive Director - Monterey County Farm Bureau  
Re: Request for Summer Reservoir Releases
- O. Letter dated August 1, 2016 from John Romans, Member - Mission Ranches LLC  
Re: Call for special MCWRA Board of Directors Meeting to increase reservoir releases
- P. Email dated August 1, 2016 4:01 PM from Steve McIntyre, President  
Re: Emergency Meeting MCWRA
- Q. Letter dated August 1, 2016 from Steve McIntyre, Manager - LDR and oasis Vineyards  
Re: Support of SVWC's Request for a Special Meeting to consider increasing reservoir releases
- R. Email dated August 1, 2016 at 12:00:39 PM PDT from Brad Rice, Salinas Land Company  
Re: Letter dated August 1, 2016 on behalf of Salinas Land Company, California Orchard Company & Smith-Monterey LLC supporting SVWC's Request for a Special Meeting to consider increasing reservoir releases
- S. Letter dated July 29, 2016 from Nancy Isakson, President - Salinas Valley Water Coalition  
Re: Request for Special MCWRA Board Meeting to consider increasing reservoir releases
- T. Letter dated July 25, 2016 from John Baillie, Jack T. Baillie Co., Inc.  
Re: Request to continue serving on the Reservoir Operations Committee

**Directors made no comments regarding Correspondence received.**

### **Board of Directors' Comments**

### **Adjournment @ 5:03 PM**