

# **Monterey County**

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



## **Action Minutes - Final**

**Monday, June 18, 2018**

**12:00 PM**

**Water Resources Agency Board of Directors**

**Call to Order at 12:00 P.M.**

**Present** 6 - Director Richard Ortiz, Director Ken Ekelund, Director Mark Gonzalez,  
Director Mike LeBarre, Director Deidre Sullivan, and Director Glen Dupree  
**Absent** 1 - Director Mike Scattini

**Public Comments on Closed Sessions Items**

**None**

1. Closed Session under Government Code section 54950, relating to the following items:
  - a. Pursuant to Government Code Section 54956.9 the Board will confer with Legal Counsel regarding one matter of pending litigation:  
Steve Bruhn v. Monterey County Water Resources Agency, et al, San Luis Obispo Superior Court

*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.

**Pledge of Allegiance**

**Public Comment**

**None**

**Consent Calendar**

Upon Motion by Director Ortiz and Second by Director LeBarre, the Board approved the Consent Calendar with the exception of Items 7 and 8 which were pulled for discussion.

**Ayes:** Directors Gonzalez, Sullivan, Dupree, Ekelund, Hoover, Ortiz and LeBarre

**Noes:** None

**Absent:** Director Scattini

2. Approve the Minutes of May 21, 2018.

**Attachments:**     [Action Minutes May 21, 2018](#)

3. Approve a Notice of Completion for the repair of the ZO pipeline of the Castroville Seawater Intrusion Project; and authorize the General Manager to execute and record the Notice of Completion at the Monterey County Recorder's Office.

**Attachments:**     [Board Report](#)  
                          [Notice of Completion](#)  
                          [Board Order](#)

4. Approve Amendment No. 1 to the Agreement for Professional Services with GEI Consultants, Inc. for no-cost time extension and scope of work clarification; and authorize the General Manager to execute the Amendment.

**Attachments:**     [Board Report](#)  
                          [Amendment #1](#)  
                          [Exhibit C-Scope of Work](#)  
                          [Agreement](#)  
                          [Board Order](#)

5. Approve an agreement with Management Partners, retro-active to August 17, 2017, in the amount of \$9,900 for the preparation and facilitation of the November 2017 Strategic Planning Workshop.

**Attachments:**     [Management Partners Agreement](#)  
                          [Management Partners Proposal](#)  
                          [Board Order](#)

6. Approve a Notice of Completion for the Salinas River Diversion Facility Access Road and Drainage Channel Maintenance Project; and authorize the General Manager to execute and record the Notice of Completion at the Monterey County Recorder's Office.

**Attachments:**     [Board Report](#)  
                          [Notice of Completion](#)  
                          [Board Order](#)

7. Approve and recommend that the Monterey County Water Resources Agency Board of Supervisors:
- a. Approve Amendment No. 7 to the Professional Services Agreement with FISHBIO Corporation, for an extension of time to June 30, 2019 and increase contract amount by \$300,000; and
  - b. Authorize the General Manager to execute the Amendment.

**Attachments:**    [Board Report](#)  
                              [Amendment No. 7](#)  
                              [Amendments No. 1-6](#)  
                              [Agreement for Services](#)  
                              [Board Order](#)

Upon Motion by Director Dupree and Second by Director Sullivan the Board approved and recommended that the Monterey County Water Resources Agency Board of Supervisors:

- a. Approve Amendment No. 7 to the Professional Services Agreement with FISHBIO Corporation, for an extension of time to June 30, 2019 and increase contract amount by \$300,000; and
- b. Authorize the General Manager to execute the Amendment.

**Ayes:** Directors Gonzalez, Sullivan, Dupree, Ekelund, Hoover, Ortiz and LeBarre

**Noes:** None

**Absent:** Director Scattini

8. Approve Amendment No. 4 to the Master Energy Services Agreement with Viasyn, Inc. to extend the Agreement period through June 30, 2019, Fiscal Year 2018 -19, continue to provide energy scheduling coordination services and provide financial settlements for the Nacimiento Hydroelectric Facility under its Power Purchase Agreement; and authorize the General Manager to execute the Amendment.

**Attachments:**    [Board Report](#)  
                              [Amendment No. 3](#)  
                              [Amendment No. 2](#)  
                              [Amendment No. 1](#)  
                              [Agreement](#)  
                              [Board Order](#)

Upon Motion by Director Ortiz and Second by Director LeBarre the Board approved Amendment No. 4 to the Master Energy Services Agreement with Viasyn, Inc. to extend the Agreement period through June 30, 2019, Fiscal Year 2018 -19, continue to provide energy scheduling coordination services and provide financial settlements for the Nacimiento Hydroelectric Facility under its Power Purchase Agreement; and authorized the General Manager to execute the Amendment.

**Ayes:** Directors Gonzalez, Sullivan, Dupree, Ekelund, Hoover, Ortiz and LeBarre

**Noes:** None

**Absent:** Director Scattini

9. Approve Amendment No. 1 to the Professional Services Agreement with OneRain, Inc. to extend the terms of the Agreement through July 31, 2021; and to provide

technical support associated with the Contrail Base Station software installed on two computer servers hosted by Monterey County; and authorize the General Manager to execute the Amendment.

**Attachments:**     [Board Report](#)  
                              [Amendment No. 1](#)  
                              [Agreement](#)  
                              [Board Order](#)

### **Scheduled Matters**

10. Consider approving Amendment No. 5 to the Professional Services Agreement with AECOM Technical Services, Inc., in the amount of \$53,830 to provide safety surveillance and performance evaluation of San Antonio Dam and inundation map development for Nacimiento Dam; and, authorize the General Manager to execute the Amendment.

**Attachments:**     [Board Report](#)  
                              [Exhibit A](#)  
                              [DSOD Letter re: Nacimiento Inundation Maps](#)  
                              [Amendment 5 with Exhibits I and J](#)  
                              [Professional Services Agreement](#)  
                              [Board Order](#)

Upon Motion by Director LeBarre and Second by Director Ortiz, the Board approved Amendment No. 5 to the Professional Services Agreement with AECOM Technical Services, Inc., in the amount of \$53,830 to provide safety surveillance and performance evaluation of San Antonio Dam and inundation map development for Nacimiento Dam; and authorized the General Manager to execute the Amendment.

**Ayes:** Directors Gonzalez, Sullivan, Dupree, Ekelund, Hoover, Ortiz and LeBarre

**Noes:** None

**Absent:** Director Scattini

11. Consider suspending Agency Land access until the Agency Land Access policy has been approved by the Agency Board of Directors.

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

Upon Motion by Director Ekelund and Second by Director Dupree the Board suspended all new requests to access Agency Land until either the Agency Land Access Policy is adopted or by January 1, 2019, whichever occurs first.

**Ayes:** Directors Gonzalez, Sullivan, Dupree, Ekelund, Hoover, Ortiz and LeBarre

Noes: None  
Absent: Director Scattini

**Public Comment:** Rick Boyer, Norm Groot, John Baillie

12. Consider approving an Agreement for Professional Services with GEI Consultants, Inc., in the amount of \$98,930 for the Nacimiento Dam and Hydroelectric Project 7th Independent Consultant's Safety Inspection and Report pursuant to Code of Federal Regulations Title 18, Part 12D (FERC), and spillway focused Potential Failure Mode Analysis; and authorize the General Manager to execute the Agreement.

**Attachments:**    [Board Report](#)  
                              [PSA - GEI Part12D & Spillway PFMA](#)  
                              [Exhibit A - Scope of Work](#)  
                              [Exhibit B - Payment Provisions PAGE 1 of 2](#)  
                              [Exhibit B - Payment Provisions PAGE 2 of 2](#)  
                              [Board Order](#)

**Upon Motion by Director LeBarre and Second by Director Sullivan the Board approved an Agreement for Professional Services with GEI Consultants, Inc., in the amount of \$98,930 for the Nacimiento Dam and Hydroelectric Project 7th Independent Consultant's Safety Inspection and Report pursuant to Code of Federal Regulations Title 18, Part 12D (FERC), and spillway focused Potential Failure Mode Analysis; and authorize the General Manager to execute the Agreement.**

**Ayes:** Directors Gonzalez, Sullivan, Dupree, Ekelund, Hoover, Ortiz and LeBarre  
**Noes:** None  
**Absent:** Director Scattini

- 12a. Consider recommending that the Monterey County Water Resources Agency Board of Supervisors approve, subject to Monterey County Water Resources Agency County Counsel approval, a revised Memorandum of Understanding between the Monterey County Water Resources Agency and the Salinas Valley Basin Groundwater Sustainability Agency (SVBGSA); to provide technical and professional support to the SVBGSA and its consultants in the development of a Groundwater Sustainability Plan.

**Attachments:**    [Board Report](#)  
                              [Draft MOU](#)  
                              [Memorandum of Understanding](#)  
                              [Resolution](#)  
                              [Board Order](#)

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

Supervisors approve, subject to Monterey County Water Agency County Counsel approval, a revised Memorandum of Understanding (MOU) between the Monterey County Water Resources Agency (Agency) and the Salinas Valley Basin Groundwater Sustainability Agency (SVBGSA); to provide technical and professional support to the SVBGSA and its consultants in the development of a Groundwater Sustainability Plan.

Ayes: Directors Gonzalez, Sullivan, Dupree, Ekelund, Hoover, Ortiz and LeBarre  
Noes: None  
Absent: Director Scattini

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

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

### **Committee Reports**

Director Sullivan reported for the Planning Committee regarding Management Partners.  
Director Gonzalez reported for the Personnel/Administration Committee regarding agency leases.  
No other reports provided.

## **Information Items**

### **13. Information Items:**

1. Well Permit Application Activities Update
2. Reservoir Release Update
3. Development Review Services Report

**Attachments:**     [Well Permit Application Activities Update](#)  
                              [Reservoir Release Update](#)  
                              [Development Services Report](#)

## **Correspondence**

### **14. Correspondence:**

- a. Letter dated May 18, 2018 from the Department of Water Resources to David Chardavoyne  
Re: Nacimiento Dam No. 1008 - Inundation Maps
- b. Letter dated May 21, 2018 from the Monterey Peninsula Water Management

District to Dave Chardavoyne  
Re: Annual Mitigation Report (2016-2017)

c. Letter dated May 31, 2018 from the Monterey County Agricultural  
Commissioner to Chair Luis Alejo  
Re: Agricultural Advisory Committee Nominations Monterey County Water  
Resources Agency Board of Directors

Attachments:      [Correspondence](#)

### **Board of Directors Comments**

Director Dupree reiterated his request for a response to the NRWAC Petition  
submitted in May 2018.

### **Adjournment**

The meeting adjourned at 2:08 p.m.

## **SUPPLEMENTAL AGENDA**

### **ADDENDUM:**

Monterey County Water Resources Agency Board of Directors Addendum for  
Monday, June 18, 2018

#### Addition to Scheduled Items:

12a.

Consider recommending that the Monterey County Water Resources Agency  
Board of Supervisors approve, subject to Monterey County Water Resources  
Agency County Counsel approval, a revised Memorandum of Understanding  
between the Monterey County Water Resources Agency and the Salinas Valley  
Basin Groundwater Sustainability Agency (SVBGSA); to provide technical and  
professional support to the SVBGSA and its consultants in the development of a  
Groundwater Sustainability Plan.