County of Monterey

1441 Schilling Place
Saffron Room
Salinas, CA 93901

Meeting Agenda

Wednesday, February 1, 2023

10:00 AM

IMPORTANT COVID-19 NOTICE ON PAGE 2-4
AVISO IMPORTANTE SOBRE COVID-19 EN LA PAGINA 2-4

Water Resources Agency Planning Committee

Deidre Sullivan, Chair
Ken Ekelund
Mark Gonzalez
Matthew Simis

IMPORTANT NOTICE REGARDING COVID 19 AND PARTICIPATION IN THE PLANNING COMMITTEE MEETING

In order to minimize the spread of the COVID 19 virus, please do the following:

To participate in this Planning Committee meeting, the public are invited to observe and address the Committee telephonically or electronically. Instructions for public participation are below:

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https://montereycty.zoom.us/j/95511982423

OR to participate by phone call any of these numbers below:
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Enter this Meeting ID number: 955 1198 2423, PASSWORD: 884853 when prompted. Please note there is no Participant Code, you will just hit # again after the recording prompts you.
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8. El Presidente y / o Secretario pueden establecer reglas razonables según sea necesario para llevar a cabo la reunión de manera ordenada.

Call to Order

Roll Call

Public Comment

Committee Member Comments

Consent Calendar

1. Approve the Action Minutes of the Planning Committee Meeting held on November 9, 2022.

Attachments: Draft Planning Minutes November 9, 2022

Staff Reports

2. Receive and Review the MCWRA Board of Directors Financial Workshop Summary Report

Attachments: Financial Workshop Summary Report

3. Review the MCWRA Board of Directors Bylaws

Attachments: MCWRA Bylaws amended 5.20.19

4. Receive updates on the HCP and LEHCP

Calendar

5. Set next meeting date and discuss future agenda items

Adjournment

County of Monterey

Board Report

Legistar File Number: WRAPL 23-006

Item No.1

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

February 01, 2023

Introduced: 1/25/2023
Version: 1

Current Status: Draft
Matter Type: WRA Planning Item

Approve the Action Minutes of the Planning Committee Meeting held on November 9, 2022.

County of Monterey

1441 Schilling Place
Saffron Room
Salinas, CA 93901

Meeting Minutes

Wednesday, November 9, 2022

10:00 AM

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Water Resources Agency Planning Committee

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8. El Presidente y / o Secretario pueden establecer reglas razonables según sea necesario para llevar a cabo la reunión de manera ordenada.

Call to Order

The meeting was called to order at 10:01 a.m.

Roll Call

Present: Deidre Sullivan, Ken Ekelund, Mark Gonzalez, Matthew Simis
Absent: None

Public Comment

None

Committee Member Comments

None

Consent Calendar

Upon Motion by Mark Gonzalez, Second by Matt Simis the Committee approved the Minutes of the Planning Committee held on November 9, 2022.

Ayes: Deidre Sullivan, Ken Ekelund, Mark Gonzalez, Matthew Simis
Noes: None
Absent: None

1. Approve the Action Minutes of the Planning Committee Meeting held on October 5, 2022.

Attachments: Draft Planning Mintues October 5, 2022

Scheduled Items

Scheduled Item was pulled from Agenda; No Action needed Per County Counsel.

2. Support recommending that the Board of Directors of the Monterey County Water Resources Agency recommend that the Board of Supervisors of the Monterey County Water Resources Agency approve Ordinance No. _____ amending Ordinance No. 03790 concerning the destruction of groundwater wells in MCWRA's Zone 2B.

Attachments: Board Report
Ordinance 3790 Proposed Amendments (redline)

Staff Reports

3. Financial Workshop

Attachments: Dec 22 Draft Financial Worshop Agenda

Calendar

4. Set next meeting date and discuss future agenda items

Adjournment

The meeting was adjourned at 11:19 a.m.

County of Monterey

Board Report

Legistar File Number: WRAPL 23-003

Item No.2

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

February 01, 2023

Introduced: 1/25/2023
Version: 1

Current Status: Draft
Matter Type: WRA Planning Item

Receive and Review the MCWRA Board of Directors Financial Workshop Summary Report



Monterey County Water Resources Agency

Financial Workshop

Held December 9, 2022

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Workshop Report

The Monterey County Water Resources Agency (MCWRA) held a financial workshop with the Board of Directors and senior staff from 1:00 P.M. to 5:00 P.M on Friday, December 9, 2022, at the Laguna Seca Hospitality Pavilion. The workshop provided an opportunity for members of the Board and MCWRA staff to review short & mid-term financial forecasts, review projects identified in the Projects and Programs of Agency's current Strategic Plan and discuss resource issues going forward. This report contains a summary of the workshop results.

Agenda

- Welcome and Introductions (call to order by the Chair)
- Celebrating Success
- Receive project updates & highlights
- Review of planned projects and 5-year financial forecasts of Fund 111, 116 and 131/132/134.
- Discussions of "What does success look like in 5 years"

Workshop Participants

Board of Directors

- John Baillie, Chair
- Mike LeBarr, Vice Chair
- Ken Ekeland
- Mark Gonzalez
- Mike Scattini
- Matthew Simis
- Deidre Sullivan

Board of Supervisors

- Yuri Anderson Chief of Staff to Supervisor Wendy Root-Askew

MCWRA Staff Participants

- Brent Buche, General Manager
- Kelly Donlon, County Counsel

- Chris Moss
- Shaunna Murray
- Jessell Fenley
- Nan Kim
- Mark Foxworthy
- Manuel Saavedra
- Jason Demers
- Jennifer Bodensteiner
- Tam Voss
- Peter Kwiek
- Eva Gonzales
- Tanya Lewis
- Luis Alejandre
- Peter Vannerus
- Amy Woodrow
- Tom Shepherd

Public Members

- Lew Bauman
- George Fontes
- Tom Virsik
- Norm Groot
- Marc Kelley

Celebrating Successes

Brent Buche, General Manager, highlighted successes of the Agency during the past year. The list below captures the successes that were mentioned.

- 75th year of the Agency (1947 – 2022)
- Post COVID Transition from Remote Working to a Hybrid Workplace
- Proposition 1 Grant (Protection of Domestic Drinking Water Supplies for the Lower Salinas Valley)
- $6.1M Earmark from the State for Nacimiento Dam
- PRFMA transition getting close to completion
- Replacement and operation of a CSIP supplemental well
- Completion of a draft Low Effect HCP for Salinas River Lagoon Sandbar Management Activities
- Continuing education, training, and new certifications/licensures for Agency staff: Professional Geologist, Professional Engineer, Geologist in Training, Class A Driver's License, Crane Operators Certification

- Upgrades of Lighting, cameras, and emergency communication at the dams.
- Investment in Agency Lands to protect watersheds and reduce trespassing
- Streamlined processes for addressing external requests.
- Development and adoption of an Interim Operations Plan for the Reservoirs to provide supplemental winter flows to facilitate fish passage and pilot alternate operations for consideration in the HCP.
- Completed the Carr Lake restoration project on Alisal Creek to increase bank stability and reduce sedimentation in the channel.
- Increased collaboration with the City of Salinas
- A grant for homeless encampment cleanup & the Rec Ditch restoration
- Piloting of the Industrial Wastewater Treatment Facility as source water for CSIP.

Review of Projects in Focus

Staff provided presentations of five projects.

Agency Positions

- Jessell Fenley provided overview of Agency's positions. FY23 Adopted Budget includes 51 FTE authorized, of which 43.5 FTE is funded. There are seven funded positions to be filled.

Hydroelectric Plant 12-Year History of Revenue and Expenditures

- Chris Moss provided revenue and expenditure summary of the hydro-electronic power plant. Over 12 years, the plant produced 1.80M net income, which includes $1.58M transferred to support projects of Agency's other funds.

Hydroelectric Plant Unit 2 Upgrade Evaluation Status

- Manuel Saavedra present evaluation status of Hydroelectric Plant Unit 2. The Agency is evaluating feasibility to upgrade Unit 2 with improved efficiency and performance

Nacimiento Dam Projects - $6.163M State Funding

- Chris Moss provided updates to State's $6.163M allocation to support Nacimiento Dam Maintenance Project with eight sub-projects. Currently the Agency is working to develop a funding agreement with the State. The agreement will be brought to Finance Committee,

Board of Directors, and Board of Supervisors for recommendations and approval.

The Deep Aquifers Study & Salinas Valley Cooperative

- Amy Woodrow presented overview of two projects that the Agency is collaborating with local GSAs : Deep Aquifers Study and Salinas Valley Cooperative

Five Year Financial Planning

Nan Kim presented five-year financial analysis forecasting revenue and expenditures of Fund 111, 116 and 131/132/134 through Fiscal Year 2027. The forecast includes projects and programs planned through Fiscal Year 2027, assuming historical average annual adjustment rates to expenditures and revenues.

Discussion – Fund 111

- Fund 111 Ad Valorem Taxes is contributing $550K to Salinas Valley Water Project Bond payments

Discussion – Fund 116

- A plan for Fiscal Year 2025 funding needs to be in place now
- Priorities are to be given to those projects that stake holders built.
- To consider following alternative funding sources:
    - Special taxes
    - Sale of Water
    - Charging Fees proportionate to water use
    - Prop 218 for High Priority Capital Projects
    - San Luis Obispo County contributions

Discussion – Fund 131/132/134

- Actual Pond 3 expenses from City of Salinas is still pending
- Stakeholders to pay Pond 3 expense
- Concerned over no plan for new wells was expressed, stating needing of wells as backup plan.
- Water Delivery Charges needs to increase Pong 3 expenses and cover funding gap of the funds.
- Prop 218 is not needed to increase Water Delivery Charges

Discussion of "What does success look like in 5 years"

The Board and staff had group discussions to define success of the Agency in 5 years and how to achieve it. Key discussion points are reported below.

Board Comments:

Finance:

- Financial reset is needed now, getting out in front of financial cliff
- The current Strategic Plan should be accomplished as scheduled
- Need additional funding:
  - Consider special tax & meters
- Spend more time looking for additional funding
- Continue to pursue Prop 218 for High Priority Capital Projects
- We have to better managing monies
- San Joaquin Valley model presented at Water Forum III is worth reviewing, it is a structure balanced budget.
- Value is water, people are not paying true cost on water, need to pay for water that they use.
- Monitor Well for water use, consider it as a bank. Prop 218 may be needed, people paying for water will lead to utilize water properly - pay for the water they use, otherwise, it leads to problems

Collaborations:

- Consider rejoining the Association of California Water Agencies (ACWA), communicating & collaborating with other agencies.
- Continue working with GSA, trainings, other projects continue to support ongoing water programs.
- Coming together as a region is more important now when more State funding opportunities are available. Working together through tough conversations regarding our water and success, being unified and ready to move will capitalize the opportunities.
- Seek support from Representatives Panetta & Laughlin & promote their support.
- Acknowledge regional differences and variances of solutions within the Salinas Valley area
- Take care of one problem at a time and take baby steps moving forward

Communications:

- Use data and improve data (more solid our data the better)
- Getting info out on what's happening and properly communicate

Staffing:

- Staff is core of expertise value of Agency

- Finding someone better than Brent to replace him.

Staff Comments:

- Staff take ownership of goals and objectives
- Prioritizing and trying to navigate current projects and programs
- Keeping updated regional solutions
- Committed team of staff
- Managing projects and programs based on available resources and can't take on more due to resources, only able to maintain status quo
- Limited flexibilities caused by Fund/Zone restrictions
- Staffing is so tight and don't have much to do extra things
- Needs much more extra capacity and need solutions to increase capability
- Success in securing grant opportunities has been increased and more grant fundings have been received, such as HCP grants Continued support from stakeholders and Board would be needed

Public Comments:

- Salinas Valley Coalitions hired firm to get grants of 6 million and working to garner a 160 million 80/80 Fed/State grant and expect progress considering Representative Rivas, the new speaker and Governor's appointment of someone in office for water related projects.
- Modeling was brought forward, who is paying for what, projects worked modeling done, agreement signed starting work on it 1st of 2023. If we are successful on that we can move forward.

Adjourn

The meeting was adjourned at 5:00 p.m.

County of Monterey

Board Report

Legistar File Number: WRAPL 23-005

Item No.3

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

February 01, 2023

Introduced: 1/25/2023
Version: 1

Current Status: Draft
Matter Type: WRA Planning Item

Review the MCWRA Board of Directors Bylaws

BYLAWS

MONTEREY COUNTY WATER RESOURCES AGENCY
BOARD OF DIRECTORS
(As amended 5/20/19)

I. PURPOSE AND AUTHORITY.

1.01. Authority. These bylaws are adopted pursuant to the Monterey County Water Resources Agency Act, as amended by the statutes of 1991, Chapter 1130 (West's California Water Code, Appendix, Chapter 52; hereinafter "Agency Act"), and pursuant to Monterey County Water Resources Agency Ordinance No. 3559.

1.02. Purpose. The purpose of these bylaws is to establish procedures for the conduct of meetings of the Monterey County Water Resources Agency Board of Directors and to provide guidelines for the other activities of the Board of Directors.

1.03. Relations between Board and Staff. The purpose of the Board of Directors is to set policy for implementation by the General Manager and Staff. The Board will adopt a hands-off policy regarding day-to-day management as that is the duty of the General Manager. Board members shall direct requests of Staff to the General Manager.

II. MEMBERS.

2.01. Number and Appointment. There are nine members on the Board of Directors. The members are appointed by the Monterey County Water Resources Agency Board of Supervisors.

2.02. Duties. The Board of Directors shall perform the duties delegated to them by the Monterey County Water Resources Agency Act and by Ordinance No. 3559.

2.03. Vacancies and Removal of Directors. A vacancy occurs on the Board of Directors when a Director resigns or dies or when the position is declared vacant by the Supervisors, on the recommendation of the Directors due to the incumbent Directors' incapacity or failure to attend meetings. A vacancy shall be filled by appointment in the same manner as the appointment of the original holder of the office. If a Board member is absent from three consecutive meetings of the Board or its committees, the Personnel/Administration Committee shall review the matter within 30 days and determine whether it should be heard by the full Board. The Board may, based on the recommendation of the Personnel/Administration Committee, by resolution, recommend to the Board of Supervisors that the Board of Supervisors declare a vacancy and appoint a replacement Director.

2.04. Compensation.

(a) Each member of the Board of Directors of the Monterey County Water Resources Agency appointed pursuant to the Monterey County Water Resources Agency Act shall receive compensation for his or her services at the rate of $100.00 for each meeting attended by such Director. A meeting shall be a regular or special meeting of the Board of Directors, a meeting of any of the standing committees or additional committees, or any meeting so designated as such by the Chair.

(b) In addition, the Directors shall be reimbursed for actual necessary expenses incurred in the performance of official business of the Agency pursuant to assignment of the Board of Directors consistent with the reimbursement schedules and policies of the County of Monterey.

2.05. Conflicts of Interest. No Board member shall participate in any matter which comes before the Board of Directors, or in any matter in which he or she is required to act in his or her capacity as a Board member, when the Board member has or may have a direct or indirect economic interest which may be affected as a result of such action, unless such participation is otherwise required or permitted by law. No Board member shall undertake any employment, activity, or economic enterprise for compensation which is inconsistent, incompatible, in conflict with or inimical to his or her duties as a Board member. Board members shall comply with the conflict of interest code to be adopted by the Board.

2.06. Notice to Directors. Whenever written notice is required by these bylaws to be given or delivered when the notice is left at the Directors' residence or usual place of business by personal messenger, when the notice is sent to the Director via fax transmittal to the fax number given to the Agency by the Director, or five days after the notice is deposited in the U.S. mail, first class postage prepaid, properly addressed to the Director.

2.07. Authority of Director to speak for the Board or Agency. No director will speak on behalf of the Board of Directors in any public forum unless expressly authorized to do so by the Board of Directors. No director will speak on behalf of the Agency in any public forum unless expressly authorized to do so by the Board of Supervisors.

III. OFFICERS.

3.01. List of Officers. The officers of the Board shall be the Chair, Vice-Chair, and Secretary.

3.02. Qualification, Selection, and Term. Each Chair and Vice-Chair shall be members of the Board of Directors. The General Manager of the Agency shall be the Secretary for the Board but shall not vote at Board meetings. The Chair and Vice-Chair shall be elected by the Board at the Board's first meeting of January 2019, and shall serve for a period of one year or until a successor has been duly elected. The Chair and Vice Chair shall serve for a period of two years beginning January

2020. The Chair and Vice Chair shall be elected by the Board at the Board's first meeting of January 2020 or until a successor has been elected. The Board shall elect the Chair and Vice Chair at the Board's first meeting of January every subsequent even year thereafter. A Board member shall not simultaneously hold more than one office. At the last regular meeting of the year when the Chair's and Vice Chair's terms end, the Chair shall appoint an ad hoc nominating committee consisting of a chairperson and two directors. The Chair shall be an ex-officio member.

3.03. Duties of Chair. The Chair shall preside at all meetings of the Board; be an *ex officio* member of all committees; execute contracts, correspondence, conveyances, and other written instruments as authorized by the Board; and appoint chairpersons and members of Board committees.

3.04. Duties of Vice-Chair. The Vice-Chair shall, in the absence of the Chair, assume the duties of the Chair and perform such reasonable duties as may be required by the Board or the Chair of the Board.

3.05. Duties of Secretary. The Secretary shall be responsible for maintaining Board meeting minutes and other records that may from time to time be required by the Boards' activities, and shall perform such reasonable duties as may be required by the Board or Chair of the Board. The Secretary may delegate the actual performance of the tasks necessary to fulfill these duties.

3.06. Vacancies and Removal of Officers. A vacancy in any office shall be filled by nomination and election by the Board of Directors as soon as it is reasonably possible. Officers may be removed by a majority vote of the Board of Directors for failure to perform the duties of the office or for malfeasance in office.

IV. COMMITTEES.

4.01. Appointment and Terms of Committees. The Board Chair shall appoint members of the Board committees, and the Chair and Vice Chair of each Board committee. Appointments are for one year. Members of the public may be appointed as members of advisory, ad hoc, or special committees by the Board of Directors, and if so appointed, shall have the right to vote only at committee meetings. Members of committees may be re-appointed for succeeding terms, without limitation. The Board Chair shall be an *ex officio* member of all committees with the right to vote.

4.02. Standing Committees. The Directors shall maintain the following standing committees: Finance Committee, Personnel/Administration Committee, and Planning Committee. Standing committees shall be comprised of Board members.

(a) Finance Committee. The Finance Committee consists of three Board members and the Board Chair. The Finance Committee assists in establishing and enhancing valid business and financial management systems. It annually reviews and recommends the budget, and each month it reviews the Agency's financial performance under the adopted budget. The committee acts as the

audit committee for the Board of Directors and makes recommendations on capital expenditures. The committee reviews the financial aspects of projects proposed to be implemented by the Agency, reviews charges proposed to be levied by the Agency (including, but not limited to, standby charges, and assessments), and may recommend revisions to the Agency's accounting system.

(b). Planning Committee. The Planning Committee consists of three Board members and the Board Chair. The Planning Committee shall help to develop short- and long-range plans for the Agency with respect to all activities in which the Agency is involved or might become involved. The Planning Committee helps to screen, evaluate, and prioritize projects and programs considered for implementation by the Agency, and reviews the Agency's ongoing projects and programs.

(c) Personnel/Administration Committee. The Personnel/Administration Committee consists of three Board members and the Board Chair. The Personnel/Administration Committee reviews Agency personnel matters, and governmental affairs.

4.03. Advisory and Ad-Hoc Committees. The Chair may appoint, with the approval of the Board of Directors, advisory or ad-hoc committees as the need arises, and define the mission and duties thereof. The following advisory committees are hereby confirmed and recognized:

(a) Reservoir Operations Advisory Committee. The Reservoir Operations Advisory Committee reviews all matters pertaining to Nacimiento and San Antonio Reservoirs. The Reservoir Operations Advisory Committee consists of three Board members, the Board Chair, and non-Director members. The Chair shall appoint non-Director members to the Reservoir Operations Advisory Committee as follows: one representative of a Salinas Valley City; one representative each of the Pressure, East Side, Forebay, and Upper Valley groundwater subareas; three members of the public at large; and one representative each from the San Luis Obispo County Public Works Department, Monterey County Parks Department, the Lakes resort concessionaire, Nacimiento Regional Water Management Advisory Committee, and the Salinas River Channel Coalition.

(b) Basin Management Advisory Committee. The Basin Management (BMP) Advisory Committee reviews all matter concerning basin management. The Basin Management Advisory Committee consists of three Board members and non-Director members. The Chair shall appoint non-Director members to the Basin Management Advisory Committee as follows: one representative each of the Pressure, East Side, Forebay, and Upper Valley groundwater subareas; and three members of the public at large.

4.04. Additional Committees. The Directors may by majority vote establish additional committees from time to time, including standing committees and special committees.

4.05. Staff Assistance to Committees. Water Resources Agency Staff shall provide assistance to all committees of the Directors, at the request of the committee or the Board.

4.06. Role of Committees. The role of each committee is limited to the matters expressly assigned to the committee by these bylaws or by resolution of the Board of Directors, together with

all matters necessarily incidental thereto. Except as otherwise expressly provided in these bylaws or by resolution of the Board of Directors, the committee does not make binding decisions on those matters. Rather, the committee makes recommendations to the Board of Directors on those matters that are to be considered by the Board of Directors.

V. MEETINGS.

5.01. Conduct of Meetings. All meetings of the Board shall be subject to the provisions of the Ralph M. Brown Act (Government Code sections 54950, *et seq.*) ("Brown Act"), the Agency Act, and these bylaws. If any inconsistency exists between the provisions of the Brown Act and these bylaws, the provisions of the Brown Act shall control.

5.02. Regular Meetings . Time and Place. The Board of Directors will establish a regular meeting date and time, which shall be not less than once each month, and shall establish a regular place for holding such meetings. Committees of the board shall meet as frequently as is necessary to fulfill the committee's duties, but in any event, not less than quarterly. Notice and posting of agendas for regular meetings shall be pursuant to the provisions of the Brown Act.

5.03. Special Meetings. Special meetings may be called by the Board Chair at any time for a specific, announced purpose. At the request of any three Board members, the Board Chair shall call such a special meeting. Written notice of a special meeting shall be delivered to all Board members at least 48 hours in advance of any meeting. Attendance at a special meeting by any Director amounts to a waiver of any defect in the giving of notice to such Director, unless at the meeting the Director specifically objects to the holding of the meeting on the grounds of such defect. Notice and posting of agendas for special meetings shall be pursuant to the provisions of the Brown Act.

5.04. Quorum. No action shall be taken by the Board or by a committee unless a quorum is present at the meeting, except as otherwise provided herein or as allowed under *Roberts Rules of Order*. For Board of Directors meetings, a quorum shall be five members. For committees, a quorum shall be 50% of all the members of the committee, including at least one Board member.

5.05. Majority Vote. Actions of the Board shall be by a majority vote of Board members present and voting on the issue. If a Director is recused or prohibited from voting due to an actual or perceived conflict of interest under the California Political Reform Act (Government Code section 8700, *et seq.*) or Government Code section 1090, *et seq.*, the Director shall leave the dais and the Board chambers, and his or her presence shall not be counted towards a quorum. If the recusal of a Director on a certain item will upset the quorum, such item shall be trailed to the end of the meeting and continued to a future meeting when a quorum can be obtained. The presence of any Director who otherwise abstains from voting shall be counted for purposes of determining a quorum, but the vote of such abstaining members shall not be counted either for or against a measure in determining whether a majority vote has been obtained.

5.06. Minutes. A record of proceedings of all minutes of the Board of Directors and of

committees of the Board shall be kept on file with the Agency.

5.07. Public Meetings. All meetings of the Board of Directors shall be open to the public, unless otherwise provided by law.

5.08. Voting. Voting on all motions and resolutions of the Board of Directors shall be by voice vote, calling for ayes and noes, except that if any member of the Board or the Secretary requests a roll call vote, either before or after the voice vote is taken, then the vote shall be by roll call.

5.09. Agendas of Regular Meetings. At least 72 hours before regular meetings, an agenda shall be posted at the Directors regular place of posting that contains a brief description of each item of business to be transacted or discussed at the meeting.

5.10. Time for Public Comment.

(a) The Chair shall provide an opportunity for members of the public to address the Directors on any agenda item of interest to the public, before or during the Directors consideration of the item. The Chair may limit the time allowed for each person to speak. Public participation need not be allowed on discussions of procedural issues, such as continuances, the order in which agenda items will be considered, and the like, and public participation need not be allowed on items which are presented by Staff to the Directors for information only.

(b) The agenda for each regular meeting will include a regular time near the beginning of the agenda to receive public comment on items that are within the jurisdiction of the Directors and are not otherwise discussed at the meeting. The Directors are not required to respond to any issues raised during the public comment period, and may not take any action on such issues other than to refer the item to Staff or schedule action for a future agenda.

5.11. Non-agenda Items. The Directors may take no action on any item not previously placed on the agenda except in the following situations:

(a) The Directors determine by a majority vote that an emergency situation exists. An emergency situation means work stoppage or other activity which severely impairs health, safety, or both, or a crippling disaster which severely impairs public health, safety, or both.

(b) The Directors determine by a vote of at least two-thirds of the authorized number of Directors, or if less than two-thirds of the authorized number of members are present, that the need to take action arose after the agenda was posted.

(c) The item was continued from a prior meeting held less than five days before the current meeting, and the item was properly placed on the agenda for the previous meeting.

5.12. *Roberts Rules of Order*. Except as otherwise provided in these bylaws or in rules and

regulations adopted by the Directors, all meetings of the Directors shall be conducted pursuant to *Roberts Rules of Order.*

5.13. Hearing Procedure. All hearings shall be conducted by the Chair in the manner provided by law. All hearings of the Directors shall be open for public participation. When a proposal is being considered by the Directors, the public hearing will be opened when the Chair introduces the item for consideration by the Directors. The sequence of events relating to any proposal shall be as follows:

1. By reference to the agenda, the Chair announces the proposal to be heard or considered.
2. The General Manager or his or her designee presents the Staff report to the Directors.
3. The General Manager or his or her designee presents or summarizes any additional messages or communications regarding that proposal.
4. The Chair inquires if Directors have any questions of Staff.
5. The Board may ask all audience members who address the Board to volunteer their name and business or residence address before speaking; however, such information is not mandatory.
6. The Chair asks if there are any proponents in the audience who wish to be heard.
7. The proponents then may address the Board.
8. Following the proponents' remarks, the Chair asks for opponents to be heard.
9. The opponents then address the Board.
10. The Chair may ask for a brief period for rebuttal from proponents following opponents being heard.
11. After the public has been heard, the Chair will entertain a motion to close the public hearing.
12. Following successful passage of the motion to close the public hearing, the discussion will be limited to the Directors.
13. The hearing ends with an action to approve or deny the proposal by vote of the Board.
14. The Chair may alter the order specified above, if the Chair believes such change in the order would facilitate the hearing process.

5.14. Continuance and Adjournment. The Directors may continue any item to another meeting specified in the order of continuance, may adjourn any meeting without specifying a new meeting date, and may adjourn any meeting to a time and place specified in the order of adjournment. Less than a quorum may so continue an item or adjourn a meeting. If all members are absent from any meeting, the Secretary may so adjourn the meeting, and shall provide notice of any new meeting date and time as required by law.

VI. ADOPTION AND AMENDMENT OF BYLAWS.

6.01 These bylaws shall be adopted by resolution, approved by a majority of the Directors. The bylaws may be amended at any properly noticed meeting, by resolution approved by a majority of the Directors.

Upon motion by Director Ortiz, seconded by Director Ekelund, these bylaws were amended to read as above on **May 20, 2019**, by the following votes:

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

Attest: I certify that the within instrument is a true and complete copy of the original Bylaws of the Board of Directors of the Monterey County Water Resources Agency on file within this office.

Dated: May 20, 2019

Shauna Lorance
Interim General Manager

History: Adopted 12/19/91; amended 1/13/92, 9/14/92, 10/12/92, 10/26/92, 3/29/93, 5/9/94, 10/28/96, 4/25/16, 9/19/16, 11/19/18, and 5/20/19

County of Monterey

Board Report

Legistar File Number: WRAPL 23-004

Item No.4

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

February 01, 2023

Introduced: 1/25/2023

Version: 1

Current Status: Draft

Matter Type: WRA Planning Item

Receive updates on the HCP and LEHCP

County of Monterey

Board Report

Legistar File Number: WRAPL 23-007

Item No.5

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

February 01, 2023

Introduced: 1/25/2023
Version: 1

Current Status: Draft
Matter Type: WRA Planning Item

Set next meeting date and discuss future agenda items