

County of Monterey

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



Meeting Minutes

Monday, May 20, 2024

12:00 PM

Water Resources Agency Board of Directors

*Mike LeBarre, Chair
Matt Simis, Vice Chair
Mark Gonzalez
Deidre Sullivan
Ken Ekelund
Mike Scattini
Jason Smith
John Ballie
Marvin Borzini*

Participation in meetings:

You may attend the Board of Directors meeting through the following methods:

- 1. You may attend in person**
- 2. Attend via Zoom (info below) or observe the live stream of the Board of Directors meetings at http://monterey.granicus.com/ViewPublisher.php?view_id=19 or <http://www.mgtvonline.com/>**
- 3. For ZOOM participation please join by computer audio at: <https://montereycty.zoom.us/j/99769079850>**

OR to participate by phone call any of these numbers below:

**+1 669 900 6833 US (San Jose)
+1 346 248 7799 US (Houston)
+1 312 626 6799 US (Chicago)
+1 929 205 6099 US (New York)
+1 253 215 8782 US
+1 301 715 8592 US**

Enter this Meeting ID number: 997 6907 9850 when prompted. Please note there is no Participant Code, you will just press # again after the recording prompts you.

You will be placed in the meeting as an attendee; when you are ready to make a public comment if joined by computer audio please Raise your Hand; and by phone please push *9 on your keypad.

PLEASE NOTE: IF ALL BOARD MEMBERS ARE PRESENT IN PERSON, PUBLIC PARTICIPATION BY ZOOM IS FOR CONVENIENCE ONLY AND IS NOT REQUIRED BY LAW. IF THE ZOOM FEED IS LOST FOR ANY REASON, THE BOARD OF DIRECTORS MEETING MAY BE PAUSED WHILE A FIX IS ATTEMPTED BUT THE MEETING MAY CONTINUE AT THE DISCRETION OF THE CHAIRPERSON.

- 4. If you choose not to attend the Board of Directors meeting but wish to make a comment on a specific agenda item, please submit your comment via email by 5:00 p.m. on the Friday before the meeting.. Please submit your comment to the Secretary of the Board at WRAPubliccomment@co.monterey.ca.us In an effort to assist the Secretary in identifying the agenda item relating to your public comment please indicate in the Subject Line, the meeting body (i.e. Board of Directors Agenda) and item number (i.e. Item No. 10). Your comment will be placed into the record at the Board meeting.**

Participacion en Reuniones:

Puede asistir a la reunion de la Junta Directiva a traves de los siguientes metodos:

- 1. Podar asistir personalmente a la reunion; o,**
- 2. Asistir por Zoom (informacion a continuacion), que observe la transmisión de la reunión de la Junta Directiva en vivo por http://monterey.granicus.com/ViewPublisher.php?view_id=19 o <http://www.mgtvonline.com/>**
- 3. Para participar for ZOOM, por favor únase for audio de computadora por:
[https://montereycty.zoom.us/j/997 6907 9850](https://montereycty.zoom.us/j/99769079850)**

O para participar for teléfono, llame a cualquiera de los números a continuación:

**+1 669 900 6833 US (San Jose)
+1 346 248 7799 US (Houston)
+1 312 626 6799 US (Chicago)
+1 929 205 6099 US (New York)
+1 253 215 8782 US
+1 301 715 8592 US**

Cuando se le solicite, ingrese este número de reunión: 997 6907 9850. Por favor tenga en cuenta que no hay código de participante, simplemente presione # nuevamente después de que la grabación se lo indique.

Se le colocará en la reunion como asistente; cuando desee hacer un comentario público si esta unido por la computadora utilice la opción de levantar la mano en el chat de la pantalla; o por teléfono presione *9 en su teclado.

TENGA EN CUENTA: SI TODOS LOS MIEMBROS DE LA JUNTA ESTÁN PRESENTES EN PERSONA, LA PARTICIPACIÓN PÚBLICA DE ZOOM ES SOLO POR CONVENIENCIA Y NO ES REQUERIDA POR LA LEY. SI EL FEED DE ZOOM SE PIERDE POR CUALQUIER MOTIVO, LA REUNIÓN DE LA JUNTA DIRECTIVA PUEDE PAUSARSE MIENTRAS SE INTENTA UNA SOLUCIÓN, PERO LA REUNIÓN PUEDE CONTINUAR A DISCRECIÓN DEL PRESIDENTE.

- 4. Si prefiere no asistir a la reunión de la Junta Directiva pero desea hacer un comentario sobre algún tema específico de la agenda, por favor envíe su comentario por correo electrónico antes de las 5:00 p.m. el Viernes antes de la reunion.. Envíe su comentario al Secretario de la junta al correo electronico WRAPubliccomment@co.monterey.ca.us <mailto:WRAPubliccomment@co.monterey.ca.us> Para ayudar al Secretario a idenficar el**

artículo de la agenda relacionado con su comentario, por favor indique en la línea de asunto del correo electrónico el cuerpo de la reunión (es decir, la Agenda de la Junta Directiva) y el número de artículo (es decir, el Artículo No. 10). Su comentario se colocará en el registro de la reunión de esta Junta.

NOTE: All agenda titles related to numbered agenda items are live web links. Click on the title to be directed to corresponding Board Report.

PUBLIC COMMENT: Members of the public may address comments to the Board concerning each agenda item. The timing of public comment shall be at the discretion of the Chair.

THE BOARD RECESSES FOR CLOSED SESSION AGENDA ITEMS: Closed Session may be held at the conclusion of the Board's Agenda, or at any other time during the course of the meeting, before or after the scheduled time, announced by the Chairperson of the Board. The public may comment on Closed Session items prior to the Board's recess to Closed Session.

Call to Order at 12:00 P.M.

The meeting was called to order at 12:00 p.m.

Roll Call

Present: Mike LeBarre (arrived at 12:07pm), Matt Simis, Mark Gonzalez, Deidre Sullivan, Ken Ekelund, Mike Scattini (12:07pm), Jason Smith, John Baillie, Marvin Borzini
Absent: None

Public Comments on Closed Session Items

None

1. Closed Session under Government Code section 54950, relating to the following items:
 - a. Pursuant to Government Code section 54956.9(d)(2) and (d)(4), the Board will confer with legal counsel regarding one matter of significant exposure to litigation and the potential initiation of litigation.
 - b. Pursuant to Government Code Section 54956.9(d)(1), the Board will confer with legal counsel regarding existing litigation:
 1. *Nacimiento Regional Water Management Advisory Committee v. Monterey County Water Resources Agency, et al.* (San Luis Obispo Superior Case No. 19CVP-0010)
 2. *City of Marina vs. RMC Lonestar, et al.*, (Monterey County Superior Case No. 20CV001387)
 - c. Pursuant to Government Code section 54957(b)(1), the Board will provide a performance

evaluation for the General Manager.

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.

The meeting reconvened at 1:05 p.m.

Pledge of Allegiance

ADDITIONS AND CORRECTIONS BY CLERK: The Clerk of the Board will announce agenda corrections and proposed additions, which may acted on by the Board as provided in Sections 54954.2 of the California Government Code.

Public Comment

None

Consent Calendar

Upon Motion by Director Mark Gonzalez and Second by John Baillie the Board approved the Consent Calendar.

Ayes: Mike Lebarre, Matt Simis, Mark Gonzalez, Deidre Sullivan, Ken Ekelund, Mike Scattini, Jason Smith John Baille, Marvin Borzini

Noes: None

Absent: None

Abstained: None

Recused: None

2. Approve the Action Minutes of April 15, 2024.

Attachments: [Draft BOD Minutes April 15, 2024](#)

3. Approve Change Order No. 12 to the contract with Graniterock Company for Nacimiento Dam spillway repair work to increase the contract amount by \$400,000; and authorizing the General Manager to execute the Change Order.
(Staff: Mark Foxworthy)

Attachments: [Board Report](#)
 [Change Order No.#12](#)
 [Change Orders Nos.#1 thru 11 Graniterock Contracts](#)
 [2017 Nacimiento Dam Spillway Emergency Repairs Contract](#)
 [Board Order](#)

4. Approve Amendment No. 2 to the Agreement for Services with Graniterock Company, Inc., by increasing the contract amount by \$20,000 for a total contract amount not to exceed \$115,000 to continue providing services as outlined in the original agreement; and authorize the General Manager to execute Amendment No. 2. (Staff: Shaunna Murray)

Attachments: [Board Report](#)
 [Amendment No. 2](#)
 [Amendment No. 1](#)
 [Original Graniterock Construction Agreement for Services](#)
 [Board Order](#)

5. Approve Amendment No. 2 to the Agreement for Services with Western Oilfields Supply dba Rain for Rent to extend the contract term to June 30, 2028, and increase the dollar amount by \$255,000 for a total contract amount not to exceed \$350,000 for providing labor, equipment, fuel, materials, and parts for projects including but not limited to: emergency pumping services at Agency pump stations, Recycled Water Facilities projects, and projects at other Agency Facilities; and authorize the General Manager to execute Amendment No. 2. (Staff: Peter Vannerus)

Attachments: [Board Report](#)
 [Original Agreement for Services](#)
 [Amendment No. 1](#)
 [Amendment No. 2](#)
 [Board Order](#)

Action Items

6. Consider receiving the 2024 Strategic Planning Workshop Update Report and provide direction to staff as appropriate. (Staff Presenting: Shaunna Murray)

Attachments: [Board Report](#)
 [MCWRA 2024 Strategic Planning Workshop Report](#)
 [Board Order](#)

Upon Motion by Director Ken Ekelund and Second by Jason Smith the Board received the 2024 Strategic Planning Workshop Update Report and provide direction to staff as appropriate.:

Ayes: Mike LeBarre, Matt Simis, Mark Gonzalez, Deidre Sullivan, Ken Ekelund, Mike Scattini,
Jason Smith John Baillie, Marvin Borzini

Noes: None
Absent: None
Abstained: None

Board of Directors Comments: Deidre Sullivan, Ken Ekelund, Matt Simis, Mike LeBarre
Public Comments: None

7. Consider recommending that staff release the 2023 groundwater extraction data to the Salinas Valley Basin Groundwater Sustainability Agency or Marina Coast Water District Groundwater Sustainability Agency, upon request and consistent with existing Non-Disclosure Agreements, prior to publication of the Agency's 2023 Groundwater Extraction Annual Summary Report. (Staff Presenting: Amy Woodrow)

Attachments: [Board Report](#)
 [Non-Disclosure Agreement MCWRA-SVBGSA](#)
 [Non Disclosure Agreement MCWRA - MCWD GSA](#)
 [MOU \(MCWRA & SVBGSA\) With Amendments](#)
 [MOU - Marina Coast Water District GSA with amendments](#)
 [Board Order](#)

Upon Motion by Director Jason Smith and Second by Ken Ekelund the Board recommended that staff release the 2023 groundwater extraction data to the Salinas Valley Basin Groundwater Sustainability Agency or Marina Coast Water District Groundwater Sustainability Agency, upon request and consistent with existing Non-Disclosure Agreements, prior to publication of the Agency's 2023 Groundwater Extraction Annual Summary Report.

Ayes: Mike LeBarre, Matt Simis, Mark Gonzalez, Deidre Sullivan, Ken Ekelund, Jason Smith
Noes: Mike Scattini, Marvin Borzini
Absent: None
Abstained: John Baillie

Board of Directors Comments: Mike LeBarre, Jason Smith, John Baillie, Matt Simis, Ken Ekelund, Mike Scattini
Public Comments: Nancy Isakson, Thomas Virsik

8. Consider recommending that the Monterey County Water Resources Agency Board of Supervisors adopt the Salinas River Lagoon and Sandbar Management Low Effect Habitat Conservation Plan (LEHCP) and associated Incidental Take Permit PER8656461; and authorize the General Manager to implement the LEHCP. (Staff Presenting: Jason Demers)

Attachments: [Board Report](#)
 [Salinas Lagoon and Sandbar Mgmt LEHCP](#)
 [USFWS Cover Letter](#)
 [Federal Permit ESPER8656461](#)
 [Board Order](#)

Upon Motion by Director Ken Ekelund and Second by Mike Scattini the Board recommended that the Monterey County Water Resources Agency Board of Supervisors adopt the Salinas River Lagoon and Sandbar Management Low Effect Habitat Conservation Plan (LEHCP) and associated

Incidental Take Permit PER8656461; and authorize the General Manager to implement the LEHCP

Ayes: Mike LeBarre, Matt Simis, Mark Gonzalez, Deidre Sullivan, Ken Ekelund, Mike Scattini,
Jason Smith, John Baillie, Marvin Borzini

Noes: None

Absent: None

Abstained: None

Board of Directors Comments: John Baillie, Ken Ekelund, Deidre Sullivan, Mike Scattini

Public Comments: Norm Groot

Key Information and Calendar of Events

9. May, June and July 2024 Calendars.

Attachments: [May 2024](#)

[June 2024](#)

[July 2024](#)

General Manager's Report

Board of Directors Comments: Mike LeBarre, John Baillie

Public Comments: None

- 10.
- Personnel Update
 - Pajaro Levee 2023 Storm Repairs
 - San Antonio Spillway Replacement Design Alternatives Analysis
 - Salinas Valley Basin GSA Subgrant Amendment for Round 1 Implementation funds
 - GEMS Expansion
 - Monterey One Water Reconciliation
 - Other

Committee Reports

11. Committee Agenda's and Cancellation Notices for April and May 2024:
- Water Resources Agency Reservoir Operations Advisory Committee
 - Joint Water Resources/Board of Supervisor Leadership Committee
 - Water Resources Agency Basin Management Advisory Committee
 - Water Resources Agency Planning Committee
 - Water Resources Personnel and Administration Committee
 - Water Resources Agency Finance Committee

Attachments: [Final ResOps Agenda April 25, 2024](#)
 [Final JBL Agenda May 1, 2024](#)
 [BMAC Cancellation Notice May 1, 2024](#)
 [Planning Cancellation Notice May 1, 2024](#)
 [Final P&A Agenda May 3, 2024](#)
 [Final Finance Agenda May 3, 2024](#)

Information Items

12. Reservoir Storage and Release Update. (Staff: Peter Kwiek)

Attachments: [Reservoir Storage Release Update Report](#)

13. Salinas Valley Water Conditions Quarterly Update for Second Quarter of Water Year 2023-2024.
(Staff: Ethan Villalta, Guillermo Diaz-Moreno, Tamara Voss)

Attachments: [Salinas Valley Water Conditions for the Second Quarter of Water Year 2023-2024](#)

Board of Directors Comments

Mike Scattini, Ken Ekelund, Deidre Sullivan, John Baillie, Matt Simis, Mike LeBarre

Adjournment

The meeting adjourned at 2:39 p.m.