

**SEASIDE GROUNDWATER BASIN WATERMASTER  
REGULAR MEETING MINUTES**

**Wednesday, May 4, 2022 Via Zoom Teleconference**

**I. CALL TO ORDER** – The meeting was called to order at 2:03pm

**II. ROLL CALL**

Coastal Subarea Landowner – Director Paul Bruno – Chair  
City of Del Rey Oaks – Council Member John Gaglioti  
Laguna Seca Subarea Landowner – Director Wesley Leith  
California American Water (CAW) – Director Christopher Cook  
City of Monterey – Council Member Dan Albert – Vice Chair  
Monterey Peninsula Water Management District (MPWMD) – Director George Riley  
Monterey County/Monterey County Water Resources Agency – Supervisor Wendy Root Askew  
City of Seaside – Mayor Ian Oglesby  
**Absent:** City of Sand City – Mayor Mary Ann Carbone

**Others Present:** Robert Jaques, Watermaster Technical Program Manager (TPM)  
Laura Paxton, Watermaster Administrative Officer (AO)  
Jonathan Lear, MPWMD  
Chris Campbell, Watermaster Legal Counsel  
Lorrie Muriel, Mission Memorial Park  
Steve Gurnee, Mission Memorial Park Legal Counsel  
Alvin Edwards, Chair, MPWMD Board of Directors  
Tim O’Halloran, Engineering Manager, CAW  
Evan Jacobs, President, CAW  
Yuri Anderson, Chief of Staff, Office of Supervisor Askew  
Susan Schiavone  
Michael Paxton, Assistant AO

**III. PUBLIC COMMUNICATIONS** – None

**IV. REVIEW OF AGENDA** – It was determined that a closed session was not appropriate or required.

**V. CONSENT CALENDAR**

- A.** Consider Adopting Watermaster Resolution 22-02 finding that continuing Covid pandemic state of emergency declared by Governor Newsom directly impacts ability of board to meet safely in person
- B.** Consider Approving Minutes of Regular Board meeting held January 5, 2022
- C.** Consider Approving Summary of Payments made December 2021 through April 2022 in the amount of \$123,577.90
- D.** Consider Approving Fiscal Year 2022 Financial Reports through March 31, 2022

Director Bruno noted item V.C. summary of payments presented were through March not April.  
Director Leith disapproved of Item A and requested it be pulled for separate vote.

**It was moved by Council Member Dan Albert and seconded by Council Member Gaglioti to approve the consent calendar items B, C, and D with the correction to the Summary of Payments. Director Bruno – Aye; Mayor Oglesby – Aye; Director Cook – Aye; Director Riley – Aye; Director Leith – Aye; Council Member Albert – Aye; Council Member Gaglioti – Aye; Supervisor Askew – Aye. Motion carried 8-0.**

**It was moved by Supervisor Askew and seconded by Council Member Albert to approve Item A Resolution 22-02 of the consent calendar. Director Bruno – Aye; Mayor Oglesby – Aye; Director Cook – Aye; Director Riley – Aye; Director Leith – Nay; Council Member Albert – Aye; Council Member Gaglioti – Aye; Supervisor Askew – Aye. Motion carried 7-1.**

**VI. ORAL PRESENTATION – None**

**VII. NEW BUSINESS**

- A. Consider Setting Policy / Revisions to Watermaster Rules and Regulations Regarding Replenishment Assessment Review.** AO Paxton reviewed her transmittal then referred the issue to Watermaster legal counsel Chris Campbell. Mr. Campbell reviewed his submitted opinion that the Watermaster board, not solely the court, has authority to make determinations in matters of its actions or decisions. The authority was codified in proposed amended revised Watermaster Rules and Regulations. The board was also asked to approve non-substantive editorial changes to the Watermaster Rules and Regulations.

**It was moved by Director Riley and seconded by Council Member Albert to approve the amended revised Watermaster Rules and Regulations with removal of the word “promptly” in section 16.2 to read “The Watermaster Board will place the matter...” and to approve the non-substantive editorial changes. Director Bruno – Aye; Mayor Oglesby – Aye; Director Cook – Aye; Director Riley – Aye; Director Leith – Aye; Council Member Albert – Aye; Council Member Gaglioti – Aye; Supervisor Askew – Aye. Motion carried 8-0.**

**VIII. OLD BUSINESS**

- A. Consider Making a Determination Regarding Mission Memorial Park (Alderwood) 2021 Over Production Replenishment Assessment Fee.** AO Paxton reviewed the item transmittal. The Watermaster board is authorized to review the Mission Memorial Park (MMP) appeal of its 2021 replenishment assessment fee and render a determination based on the revised Rules and Regulations approved in the previous item. The board heard from Watermaster Legal Counsel Campbell, MMP Manager Lorrie Muriel, and MMP Legal Counsel Steve Gurnee on details of what led to the inadvertent 2021 over production and actions now being taken to avoid any future over production. Directors Bruno and Leith felt the circumstances presented by MMP and the party’s past substantial under production of its allocation since inception of Watermaster warranted consideration. Both felt the fee, if exacted, should be redirected to MMP to cover its water saving expenditures. Director Bruno requested staff send to each Watermaster party on an annual basis a description of Watermaster, the party’s assigned production allocation, and the over-production fee schedule.

**It was moved by Council Member Albert and seconded by Council Member Gaglioti to approve reducing the \$58,114.34 2021 Mission Memorial Park over production replenishment assessment to \$25,000 payable over time and require submission of an action plan on how Mission Memorial Park will avoid future over production. Director Bruno – Nay; Mayor Oglesby – Aye; Director Cook – Aye; Director Riley – Aye; Director Leith – Nay; Council Member Albert – Aye; Council Member Gaglioti – Aye; Supervisor Askew – Aye. Motion carried 6-2.**

**IX. OTHER NEW BUSINESS**

There was no other new business.

## **X. COMMITTEE REPORTS**

### **A. TECHNICAL ADVISORY COMMITTEE (TAC)**

- i. *Discuss/Consider further Watermaster input on the Final Draft Groundwater Sustainability Plan for the Monterey Subbasin.* TPM Jaques gave highlights from his transmittal.

Supervisor Askew left the meeting at 3:56 p.m.

**It was moved by Council Member Gaglioti and seconded by Mayor Oglesby for Watermaster to submit a letter to the Department of Water Resources developed by TPM Jaques and Director Gaglioti that captures Jaques' comments and concisely frames Watermaster's intent in actively participating with other basins to achieve sustainability for all. Director Bruno – Aye; Mayor Oglesby – Aye; Director Cook – Aye; Director Riley – Aye; Director Leith – Aye; Council Member Albert – Aye; Council Member Gaglioti – Aye; Motion carried 7-0.**

### **B. PUBLIC AWARENESS COMMITTEE**

- i. *Consider approving the addition of a Public Awareness Page to the Watermaster website at a cost not to exceed \$3,000 and authorize a transfer from the Administrative Fund Reserve.* Ms. Paxton reviewed the item transmittal.

**It was moved by Director Riley and seconded by Director Cook to approve the addition of a Public Awareness page to the Watermaster website at a cost not to exceed \$3,000 and authorize a transfer from the Administrative Fund Reserve. Director Bruno – Aye; Mayor Oglesby – Aye; Director Cook – Aye; Director Riley – Aye; Director Leith – Aye; Council Member Albert – Aye; Council Member Gaglioti – Aye; Motion carried 7-0.**

- ii. *Consider Ratifying Montgomery & Associates Request for Services (RFS) No. 2022-03 for \$5,000 issued by AO Paxton for Public Awareness Committee Scope of Work and authorize payment from the Administrative Fund Reserve.* Ms. Paxton reviewed the item transmittal.

**It was moved by Director Riley and seconded by Director Cook to approve the ratification of Montgomery & Associates RFS No. 2022-03 not to exceed \$5,000 for development of a Watermaster Public Awareness Committee PowerPoint public presentation and authorize payment from the Administrative Fund Reserve. Director Bruno – Aye; Mayor Oglesby – Aye; Director Cook – Aye; Director Riley – Aye; Director Leith – Aye; Council Member Albert – Aye; Council Member Gaglioti – Aye; Motion carried 7-0.**

## **XI. CLOSED SESSION**

No closed session was held.

## **XII. INFORMATIONAL REPORTS (No Action Required)**

- A. Minutes of January 11 and draft minutes of the February 8, 2022 Watermaster Public Awareness Committee Meeting
- B. Technical Advisory Committee (TAC) meeting minutes January 12 and March 9, 2022 (review on website at <https://www.seasidebasinwatermaster.org/sbwmARC.html>)
- C. Watermaster Report of Production second quarter Water Year 2022 (Jan 1, 2022 – Mar 31, 2022)
- D. Correspondence from Watermaster to Bureau of Reclamation in support of Pure Water Monterey Expansion Project
- E. Update on Security National Guaranty litigation and status of well repair

**XIII. DIRECTOR'S REPORTS**

**XIV. STAFF COMMENTS**

AO Paxton advised the Pure Water Monterey 2021 Annual Summary Report, and correspondence involving CAW, Monterey One Water, and MPWMD referencing the Watermaster Storage and Recovery Agreement with CAW/MPWMD will be posted for reference to the Watermaster website.

AO Paxton suggested a location to hold in-person Watermaster board meetings be investigated. Council Member Albert will contact Monterey Salinas Transit for possible use of that agency's meeting room.

**XV. NEXT REGULAR MEETING DATE**

- A. The next regular meeting date was set for **June 1, 2022 - 2:00 P.M.**

**XVI. ADJOURNMENT** – Chair Bruno adjourned the meeting at 4:19pm