

**REGULAR MEETING MINUTES**  
Seaside Groundwater Basin Watermaster (Watermaster)  
*December 3, 2014*

**I. CALL TO ORDER** – Chair Bruno called the meeting to order at 2:00 p.m.

**II. ROLL CALL**

Coastal Subarea Landowner – Director Paul Bruno, Chair  
California American Water (CAW) – Director Eric Sabolsice  
City of Seaside – Mayor Ralph Rubio  
City of Monterey – Director Libby Downey  
Laguna Seca Subarea Landowner – Director Bob Costa  
City of Sand City – Mayor David Pendergrass  
Monterey Peninsula Water Management District – Director Robert Brower

Absent: City of Del Rey Oaks – Mayor Jerry Edelen  
Monterey County/Monterey County Water Resources Agency – Supervisor Dave Potter

**III. APPROVAL OF MINUTES**

**It was moved by Mayor Rubio, seconded by Director Sabolsice, and carried to approve the minutes of the Watermaster Regular and Special Meetings held October 1, 2014 with corrections to the Special Meeting minutes as noted. Director Downey abstained having not attended the meeting.**

**IV. REVIEW OF AGENDA**

There were no requested changes to the agenda.

**V. PUBLIC PARTICIPATION/ORAL COMMUNICATIONS**

George Riley, Public Water Now, stated his organization is questioning the arrangement between the County and CAW for payment of \$3.4 in debt the County incurred for the defunct Regional Water Project.

**VI. CONSENT CALENDAR**

- A.** Consider Approval of Summary for Payments made from October 1 through November 30, 2014 totaling **\$25,645.00**
- B.** Consider Approving Fiscal Year 2014 Financial Reports through November 30, 2014

**Moved by Director Brower, seconded by Mayor Rubio, and unanimously carried, to approve the consent calendar as presented.**

**VII. ORAL PRESENTATION - None**

**VIII. OLD BUSINESS**

- A.** The board reviewed the proposed cost of \$20,000 - \$25,000 for Mr. Russ McGlothlin of the law firm Brownstein, Hyatt, Farber, and Schreck to file a tri-part motion with the Court to hear Watermaster issues involving updating the Court on community needs and management of collective resources with respect to Monterey Peninsula water supply matters; seeking relief from the triennial reduction effective October 1, 2014; and notifying the Court of Laguna Seca Subarea

modeling results. The Budget and Finance Committee met on November 6<sup>th</sup> and recommended that if the board chooses to pursue retaining legal counsel, an additional Administrative Fund assessment be levied on appropriate parties to fund an increase in the Administrative Fund budget to cover the cost. Moreover, the Committee had informal discussion regarding whether Replenishment Assessment penalties have been correctly calculated and suggested Watermaster not approach the Court for a stay of triennial reduction in pumping effective October 1, 2014 until it is determined to what degree penalties are incurred, if at all, using the current or an alternative method of calculation. Staff estimated approximately a month was needed to arrange meetings to assess calculation protocols. Lori Girard, legal counsel for CAW suggested the board consider approving the Administrative Fund budget adjustment at today's meeting and plan for legal counsel to file a motion updating the Court next year.

**Moved by Mayor Rubio, seconded by Mayor Pendergrass, and unanimously carried to approve an addition of \$25,000 to the Administrative Fund budget for retention of legal services, and portion Administrative Fund assessments on CAW, City of Seaside, and City of Sand City at 83%, 14.4% and 2.6% respectively to fund the increase.**

## **IX. NEW BUSINESS**

### **A. COMMITTEE REPORTS**

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

- a. The Executive Summary of the 2014 Seawater Intrusion Analysis Report (SIAR) is included in the Board agenda packet. The complete SIAR is posted on the Watermaster website at <http://www.seasidebasinwatermaster.org>. Georgina King of Hydrometrics Water Resources, Inc. joined the meeting by teleconference and gave an overview of the proposed SIAR with Technical Project Manager, Robert Jaques presenting slides in conjunction for the board.

**Moved by Director Sabolsice, seconded by Director Costa, and unanimously carried to approve the 2014 Seawater Intrusion Analysis Report as presented.**

- b. Technical Project Manager, Robert Jaques highlighted the proposed amendment adding \$1,000 to the MPWMD RFS No. 2015-01 for performance of additional water quality monitoring of a well with high chloride level readings. The transfer of \$1,000 from the Monitoring and Management Contingency line item to MPWMD RFS No. 2015-01 would fund the amendment.

**Moved by Mayor Rubio, seconded by Director Sabolsice, and unanimously carried to approve an amendment to the MPWMD RFS No. 2015-01 allocating \$1,000 from the 2015 Monitoring and Management Contingency Fund for performance of additional water quality monitoring.**

- c. Technical Project Manager, Robert Jaques presented the Professional Services Agreement (PSA) and Request for Services No. 2014-01 with Todd Groundwater to perform a peer review of groundwater modeling work performed by HydroMetrics Water Resources, Inc. with a cost not to exceed \$25,420.00. Mr. Gus Yates of Todd Groundwater joined the meeting by teleconference and gave an overview of the proposed peer review scope with Technical Project Manager,

Robert Jaques presenting slides in conjunction for the board. Director Bruno requested and Mr. Yates consented, to strive to perform the peer review in approximately 10 weeks instead of the noted 15 weeks. The cost of peer review will be funded from the 2014 Contingency Fund.

**Moved by Director Brower, seconded by Mayor Rubio, and unanimously carried to approve the Professional Services Agreement and RFS No. 2014-01 with Todd Groundwater for a cost not to exceed \$25,420 to be expended from the 2014 Contingency Fund.**

**B. Availability of Artificial Replenishment Water (Water Year 2015 Allocation attached)**

**Moved by Mayor Rubio, seconded by Director Brower, and unanimously carried to approve the Declaration of No Artificial Replenishment Water Available for Water Year 2015.**

- C. Technical Project Manager, Robert Jaques presented the proposed body of the Watermaster Annual Report for Water Year 2014 reflecting input from the TAC. The complete draft version is posted on the Watermaster website at <http://www.seasidebasinwatermaster.org>. Lori Girard, CAW legal counsel addressed the board highlighting edits submitted by CAW that were approved by City of Seaside Attorney Russ McGlothlin. The section C edit altered by Watermaster staff was not reflective of what CAW had intended and was not what had been approved by Mr. McGlothlin; Director Bruno suggested wording “552.38 acre-feet was delivered to City of Seaside by Marina Coast Water District, 540 acre-feet of which City of Seaside was given credit as in-lieu replenishment under the In-lieu Replenishment Program.”

**Moved by Mayor Rubio, seconded by Director Costa, and unanimously carried to approve the Annual Report to Court for Water Year 2014 with the edits presented and the rewording of Section C as noted by Director Bruno.**

**X.INFORMATIONAL REPORTS (No Action Required)**

- A. Timeline Schedule of Milestone Dates (Critical date monitoring)
- B. Technical Advisory Committee (TAC) meeting minutes from November 12, 2014 meeting.

**XI. DIRECTORS’ REPORTS – None**

**XII.EXECUTIVE OFFICER COMMENTS – Next TAC meeting will be held January 14, 2015.**

**XIII. NEXT MEETING DATE – The next meeting of the Watermaster board will be held January 7, 2014 at the Monterey Regional Water Pollution Control Agency (MRWPCA) Board meeting room at 5 Harris Court, Building "D" on Ryan Ranch in Monterey at 2:41 p.m.**

**XIV. There being no further business, Chair Bruno adjourned the meeting at 3:12 p.m.**