Action Minutes - Final

Tuesday, November 6, 2012
9:00 AM

See separate agenda for Monterey County Board of Supervisors

Board of Supervisors of the Monterey County Water Resources Agency
9:00 A.M. - Call to Order

Roll Call

Present  5 - Supervisor Dave Potter, Supervisor Fernando Armenta, Supervisor Louis R. Calcagno, Supervisor Simón Salinas, and Supervisor Jane Parker

Public Comment

There was no public comment.

Closed Session

1. Closed Session under Government Code section 54950, relating to the following items:

   a. Pursuant to Government Code section 54956.9(a), the Board will confer with legal counsel regarding existing litigation:
      (1) In the Matter of the Application of California-American Water Company (Application 04-09-019)
      (2) Ag Land Trust v. Monterey County Water Resources Agency, et al. (Monterey County Superior Court case no. M110691)
      (3) Application of California-American Water Company (U210W) for Approval of the Monterey Peninsula Water Supply Project: Application 12-04-019
      (4) California-American Water Company v. Marina Coast Water District, et al. (Monterey County Superior Court case no. M120053)

   b. Pursuant to Government Code section 54956.9(c), the Board will confer with legal counsel regarding one matter of potential initiation of litigation.

   c. Pursuant to Government Code section 54956.9(b), the Board will confer with legal counsel regarding one matter of significant exposure to litigation.

CLOSED SESSION REPORT: The Board took no reportable actions on items 1.a through c.

Additions and Corrections

Due to the need for immediate consideration by the Board of matters which arose after the posting of today's agenda, as provided in Section 54954.2 of the California Government Code the Board is asked to make the following additions and corrections:

Remove from Closed Session and add to Consent Calendar
2. a. Authorize the Auditor-Controller to amend the Monterey County Water
Resources Agency’s Fiscal Year 2012-2013 Fund 112 (Pajaro Levee Fund) budget to recognize the projected receipt of Prop 50 grant revenues and provide for an increase in appropriations to fund the Pajaro River Bench Excavation Project Phase 1;

b. Increase appropriation in Fund 112 (Pajaro Levee Fund), Dept. 9300, Unit 8267, Appropriation Unit WRA002, Account 7551 (Construction in Progress) by $1,116,500 (4/5th vote required); and

c. Increase revenue in Fund 112 (Pajaro Levee Fund), Dept. 9300, Unit 8267, Appropriation Unit WRA002, Account 5020 (Grants-State Aid-Construction Capital) by $1,116,500 (4/5th vote required). (ADDED VIA ADDENDUM)

3. a. Approve an agreement between the Monterey County Water Resources Agency and San Luis Obispo County concerning disputed ALERT and USGS charges that reflects changes in the Continuing Disputes section and modifications to the Temporary Construction Easement; and,

b. Authorize the Chair of the Monterey County Water Resources Agency Board of Supervisors to sign the agreement. (ADDED VIA ADDENDUM)

Consent Calendar

2. a. Authorize the Auditor-Controller to amend the Monterey County Water Resources Agency’s Fiscal Year 2012-2013 Fund 112 (Pajaro Levee Fund) budget to recognize the projected receipt of Prop 50 grant revenues and provide for an increase in appropriations to fund the Pajaro River Bench Excavation Project Phase 1.

b. Increase appropriation in Fund 112 (Pajaro Levee Fund), Dept. 9300, Unit 8267, Appropriation Unit WRA002, Account 7551 (Construction in Progress) by $1,116,500 (4/5th vote required); and,

c. Increase revenue in Fund 112 (Pajaro Levee Fund), Dept. 9300, Unit 8267, Appropriation Unit WRA002, Account 5020 (Grants-State Aid-Construction Capital) by $1,116,500 (4/5th vote required). (ADDED VIA ADDENDUM)

Approved

3. a. Approve an agreement between the Monterey County Water Resources Agency and San Luis Obispo County concerning disputed ALERT and USGS charges that reflects changes in the Continuing Disputes section and modifications to the Temporary Construction Easement; and,

b. Authorize the Chair of the Monterey County Water Resources Agency Board of Supervisors to sign the agreement. (ADDED VIA ADDENDUM)

Approved - Agreement No. A-12345

Adjournment
APPROVED:

/s/ Fernando Armenta
DAVE POTTER, CHAIR
BOARD OF SUPERVISORS

ATTEST:

BY: /s/ Gail T. Borkowski
GAIL T. BORKOWSKI
CLERK OF THE BOARD
Approved February 7, 2013