



## PAJARO VALLEY WATER MANAGEMENT AGENCY

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Board of Directors Meeting  
June 17, 2020, 5:30 p.m.

Teleconference

### BOARD MEETING MINUTES

1. **Call to Order:** The Regular Board Meeting of Pajaro Valley Water Management Agency was called to order at 5:30 p.m. by Chair Newell, via teleconference.

2. **Roll call of the PV WATER Directors:**

Board Members Present: Newell, Culbertson, Zamora, Bussey, Bannister, Broz

Board Members Absent: None

Staff Members Present: Brian Lockwood, General Manager (GM)  
Laura R. Taay, Board Secretary  
Marcus Mendiola, Water Conservation and Outreach Specialist (WCOS)

Others Present: Tony Condotti, Agency Counsel (AC)  
Andrew Ramos, Agency Special Counsel (AC)  
Lou Carella, Consultant, Carollo Engineers  
Larry Freeman, Consultant  
Paul Friedlander, Consultant, Carollo Engineers  
Jill Hamilton, Consultant, ESA  
Kim Hein, Consultant, Jacobs Engineering  
Rosemarie Imazio, Public  
Michelaina Johnson, UCSC Grad Student  
Tony Lazaro, Public  
Laura Moran, Public  
Tom Rider, Public  
Pete Rude, Jacobs Engineering  
Vivian Underhill, PhD, UCSC

3. **Pledge of Allegiance**

4. **Closed Session – 3 Items:**

a. **Conference with Real Property Negotiators  
(Cal. Gov't Code §54956.8)**

**Property Owners:** Marchisio, Michael C., Trustee; Yopez, Rigoberto; Lazaro, Tony & Liza; Banovac Braycovich Family Ltd. Partnership; Gomez, Taurino & Maria; De Sieyes Bros LLC; Diffenbaugh Family Farms, LLC.; Lukrich, John; Lipanovich Tony J & Mary Trust; Noma, Glen & Pamela, Trustees and Murakami, Brian, Trustee; Hiramine, Mashiko & Yoko;

John; Capurro, Frank W. Successor Trustee, & Sherer, Paul A., & Scherer, John R.; Maragoni, Jessie, Trustee; Pajaro Valley Public Cemetery; Vasquez, David & Elia; Roman Catholic Bishop of Monterey; Harryman, Fay Allen & Janice C.

**Property APNs:** 051-101-03, 07, 10, 11, 12, 13, 15, 18, 19, 20, 22, 24, 47, 50, 54, 77; 051-441-01, 02, 04, 07, 10, 11, 12, 20, 22, 24, 27, 28; 051-651-01, 04, 05

**Agency Negotiator:** Brian Lockwood and Tony Condotti

**Negotiating Parties:** Agency and Owners

**Under Negotiation:** Price, Terms of Payment, or Both

**b. Conference with Legal Counsel – Existing Litigation**

(Cal. Gov’t Code §54956.9)

**Name of Case:** College Lake Water Right Application (SWRCB No. A032881)

**c. Public Employment/Conference with Labor Negotiators**

(Cal. Govt. Code §§54957, 54957.6)

**Title:** General Manager

**Agency designated representative(s):** Chair and Vice-Chair; General Counsel

**Unrepresented employee:** General Manager

**Open Session Resumed at 7:25 P.M.**

5. **Report on Closed Session:** AC Condotti reported that the Board discussed items 4a, 4b, & 4c. No reportable action. Item 4c will be discussed in Item 12D of agenda.
6. **Oral Communications:** None
7. **Director Comments:** None
8. **Counsel Report:** AC Condotti reported Gov. Newsom issued a new executive order that extends time period for teleconference board and committee meetings for 60 days. PV Water’s Board of Director’s meeting on August 19, 2020 could be the last teleconference meeting unless changed again by executive order.
9. **General Manager Report:** GM Lockwood reported on the US Census, reading a letter from Christina Granados, U.S. Census Bureau, regarding the importance of completing for the 2020 Census.
10. **Consent Agenda**
  - A. Approval of May 20, 2020 Board Meeting Minutes
  - B. Approval of Financial Reports
  - C. Approval of Resolution 2020-05, Ordering an Election and Requesting Monterey, San Benito and Santa Cruz Counties to Conduct the Election, and Requesting Consolidation of the Election
  - D. Approval of Resolution 2020-06 Certifying Compliance with State Law with Respect to the Levying of General and Special Taxes, Assessments, and Property-Related Fees and Charges (Management Fees)
  - E. Approval of Resolution 2020-07 Updating the Cash Reserve Policy for Fiscal Year 2020-2021
  - F. Approval of Resolution 2020-08 Adopting the Procurement Policy
  - G. Approval of Resolution 2020-09 Designating the General Manager, or Designee, as the Authorized Representative to File an Application and Execute Agreements for a Proposition 1 Storm Water Grant Program Round 2

- H. Approval of Second Amendment to Agreement with Carollo Engineers, Inc. for Basin Management Plan Program Management Services, extending the term date through December 31, 2021
- I. Approval of First Amendment to Agreement with Mike Podlech, Aquatic Ecologist, for College Lake Fisheries Support Services, 1) Extending the term end date through June 30, 2021, and 2) Supplementing the original scope of work to add preparation of a steelhead monitoring plan and an invasive species management plan, in an amount not to exceed \$15,120

GM Lockwood gave a brief description of items A thru I.

**Action:** Director Bussey moved to approve the Consent Agenda, with corrections to Item F, Procurement Policy, Section 2, subparagraph C: strike out “but only”; add a zero to third box: Amount, Materials Supplies – Contract Summary Table > \$10,000; seconded by Director Culbertson.

Motion carried by the following rollcall vote:

**AYES:** Newell, Culbertson, Zamora, Bussey, Bannister, Broz  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

**11. Informational Items**

- A. Received Basin Management Plan Implementation Update from GM Lockwood.  
 GM Lockwood provided an update then introduced Paul Friedlander, Carollo Engineers, who presented details on the College Lake Integrated Resources Management Project and Watsonville Slough System Managed Aquifer Recharge and Recovery Projects. Presentation posted at [www.pvwater.org](http://www.pvwater.org).

**12. Discussion and/or Action Items**

- A. Consider Adoption of Final Budget for Fiscal Year 2020-2021  
 The final budget for Fiscal Year 2020-2021 was brought to the Board for adoption. GM Lockwood recapped budget highlights that were presented in greater detail at the two prior meetings.

**Action:** Director Bannister moved to adopt the Final Budget for Fiscal Year 2020-2021; Seconded by Director Culbertson.

Motion carried by the following rollcall vote:

**AYES:** Newell, Culbertson, Zamora, Bussey, Bannister, Broz  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

- B. Consider Authorizing and Directing the General Manager to Complete, File, and Pursue the Water-Right Application for the Proposed Watsonville Slough System Managed Aquifer Recharge and Recovery Projects

GM Lockwood provided a brief summary of the proposed Project and then introduced AC Ramos, special counsel for water-rights. AC Ramos described the process to file the water-right

application for the WSS-MARR project. Application is requesting to divert up to 4,000 acre-feet per year from Struve Slough. Once the application has been processed with State Water Resource Control Board (SWRCB) staff, the SWRCB will provide public notice and an opportunity for comment and protests by both the public and public agencies. Agency staff will then work to respond to any comments and/or protests. The draft water-right application is available for review on the PV Water website. With a project of this size, the Pre-Hearing phase could take several years. PV Water will pay a \$61,850 filing fee with the SWRCB and an \$850 application review fee to the California Department of Fish and Wildlife. If approved by the Board, this authorization and direction will be for filing and pursuing the application only. No final decisions may be made until after the project specific Environmental Impact Report has been certified.

**Action:** Director Bannister moved for the Board to authorize and direct the General Manager to work with the Agency’s water-right attorney to complete, file and pursue the water-right application for the proposed Watsonville Slough System Managed Aquifer Recharge and Recovery Projects; Seconded by Director Bussey.

Motion carried by the following rollcall vote:

**AYES:** Newell, Culbertson, Zamora, Bannister, Bussey, Broz  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

- C. Consider Authorizing and Directing the General Manager to Issue a Request for Proposals for College Lake Integrated Resources Management Project, Design and Bid Period Services  
 GM reviewed the status and tentative schedule of the Project, the latter of which was developed to meet the requirements of a Proposition 1 Storm Water Grant that could provide as much \$10 million in funding if awarded. If authorized, the RFP would be issued on June 18, 2020, the deadline to submit proposals would be July 17, 2020, and interviews would be held on July 27 and / or July 30. Staff would work with the successful respondent to develop an agreement for Board consideration on August 19, 2020.

**Action:** Director Bannister moved for the Board to authorize and direct the General Manager to issue a Request for Proposals, in substantially the same form as the version attached, for College Lake Integrated Resources Management Project, Design and Bid Period Services; Seconded by Director Bussey.

Motion carried by the following rollcall vote:

**AYES:** Newell, Culbertson, Zamora, Bannister, Bussey, Broz  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

- D. Consider Approval of General Manager Employment Agreement  
 AC Condotti reported that he, the Board, and GM Lockwood met in closed session to discuss an Amendment (2020) to the General Manager’s Employment Agreement. Amendment 2020 would remove the term end date on the agreement, increase GM Lockwood’s salary by 5% effective July 1, and institute a biennial salary survey, beginning in 2021, “comparing the General

Manager's compensation to similarly situated agencies within the geographic region to determine compensation adequacy.”

**Action:** Director Bannister moved to approve Amendment (2020) to the General Manager's Employment Agreement; Seconded by Director Bussey.

Motion carried by the following rollcall vote:

**AYES:** Newell, Culbertson, Zamora, Bannister, Bussey, Broz  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

**13. Monthly Reports/Presentations**

- A. Facility Operations Report
  - 1. Received 2020 Supplemental Water Production Monthly Summary Report
- B. Board Committee Reports available at [www.pvwater.org](http://www.pvwater.org)
- C. Public Outreach Update

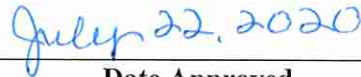
**14. Future Meetings**

- A. Project & Facility Operations Committee, Wednesday, June 24, 2020, 3:00 p.m., Teleconference
- B. Administrative/Finance Committee, Tuesday, July 14, 2020, 3:00 p.m., Teleconference
- C. Board of Directors, Wednesday, July 22, 2020, 7:00 p.m., City Council Chambers, Teleconference
- D. Project & Facility Operations Committee, Wednesday, July 29, 2020, 3:00 p.m., Teleconference

Adjourned at 8:49 p.m.



Laura R. Taay, Board Secretary



Date Approved