

SEASIDE GROUNDWATER BASIN WATERMASTER INITIAL MEETING AGENDA

Wednesday, February 22, 2006, 9:30 a.m.
Sopher Field, 220 Coe Avenue
City of Seaside, California

CALL TO ORDER

INTRODUCTION OF REPRESENTATIVES TO WATERMASTER

The Watermaster consists of nine representatives. California American Water, City of Seaside, City of Sand City, City of Monterey, City of Del Rey Oaks, Monterey Peninsula Water Management District, Monterey County Water Resources Agency may each appoint one representative. The landowner group may appoint one representative from the Coastal subarea and one representative from the Laguna Seca subarea.

REVIEW OF AGENDA

If there are any items that arose after the 72-hour posting deadline, this is the point in the meeting where a vote may be taken to add the item to the agenda, pursuant to the requirements of Government Code section 54954.2(b). [A 2/3 majority vote is required.]

AGREEMENT BY REPRESENTATIVES TO PROCEED WITH IMPLEMENTATION OF TENTATIVE DECISION

Purpose: The purpose of this item is to receive concurrence by the representatives to the Watermaster that it is appropriate to proceed with the implementation of the Tentative Decision issued by Judge Randall in the case of *California American Water v. City of Seaside, et al.*, Case No. M66343. If an action is taken in the affirmative at this meeting, then the Watermaster will need to ratify all actions taken at the first meeting held after final Judgment is entered.

Recommendation: It is recommended that the representatives concur with the immediate implementation of the Tentative Decision, subject to ratification once final Judgment is entered.

ORGANIZATION OF THE WATERMASTER

Nomination and election of:

1. Chairperson
2. Vice-Chairperson

SELECTION OF SECRETARY AND TREASURER

PUBLIC PARTICIPATION/ORAL COMMUNICATION

Oral communications is on each meeting agenda in order to provide members of the public an opportunity to address the Watermaster on matters within its jurisdiction. Matters not appearing on the agenda will not receive action at this meeting but may be set for a future meeting. Presentations will be limited to three minutes or as otherwise established by the Watermaster. In order that the speaker may be identified in the minutes of the meeting, it is helpful if speakers state their names. Oral communications are now open.

NEW BUSINESS

CONSIDER CONTRACTING FOR SERVICES OF AN ADMINISTRATOR TO THE WATERMASTER

Purpose: The Watermaster is responsible for assisting the Court in the administration and enforcement of the Tentative Decision. This item is to consider contracting for services of an Administrator who would report to the Watermaster to ensure compliance with the administrative duties set forth in the Tentative Decision.

Recommendation: It is recommended that the Chairperson appoint an ad hoc committee:

1. To develop a scope of work and qualifications for the position of Administrator;

2. To develop a short-list of interested and qualified candidates for selection by Watermaster.

APPOINTMENT OF LEGAL COMMITTEE

Purpose: To advise the Watermaster on legal issues pertaining to the administration and enforcement of the Tentative Decision.

Recommendation: It is recommended that initially a committee made up of attorneys for each respective representative to the Watermaster be formed for the purpose of advising the Watermaster on legal matters arising from the administration of the Tentative Decision. Legal fees should be the responsibility of the respective representatives and not the responsibility of the Watermaster, unless or until such time as a budget is developed that includes legal costs.

ESTABLISHMENT OF REGULAR MEETING DATE, TIME AND PLACE

Purpose: As required by the Tentative Decision, the Watermaster must establish a date, time and place for regular meetings of the Watermaster.

Recommendation: It is recommended that the Watermaster establish a schedule for regular meetings and determine the location of such meetings.

RULES AND REGULATIONS

Purpose: The Tentative Decision requires the Watermaster to establish rules and regulations of procedures.

Recommendation: It is recommended that the Chairperson appoint an ad hoc committee to develop a set of rules and regulations for adoption by the Watermaster.

AUTHORIZE COLLECTION OF ADMINISTRATIVE BUDGET ASSESSMENT

Purpose: The Tentative Decision establishes an Administrative Budget Assessment of \$100,000 to be assessed against the following producers in accordance with set percentages: California American, 83%; City of Seaside, 14.4%; City of Sand City, 2.6%.

Recommendation: It is recommended that the Watermaster authorize the collection within thirty (30) days of the Administrative Budget Assessment.

AUTHORIZE COLLECTION OF MONITORING AND MANAGEMENT BUDGET ASSESSMENT

Purpose: The Tentative Decision establishes a Budget Assessment for the Monitoring and Management Plan of \$200,000 to be assessed initially against the following producers in accordance with set percentages: California American, 91%; City of Seaside, 7%; Granite Rock Company, 1%; and D.B.O. Development No. 27, 1%. In addition, the Tentative Decision establishes a one-time payment in accordance with the above percentages of \$1,000,000 for implementation of the Monitoring and Management Plan.

Recommendation: It is recommended that the Watermaster authorize the collection within thirty (30) days of the \$200,000 Budget Assessment for Monitoring and Management Plan. It is further recommended that the Chairperson defer collection of the initial one-time payment for implementation until such time as the Monitoring and Management Plan has been prepared and adopted by the Watermaster.

ESTABLISHMENT OF REPLENISHMENT ASSESSMENT

Purpose: The Tentative Decision requires that the Watermaster establish and levy Replenishment Assessments for over-production from the Seaside Groundwater Basin.

Recommendation: It is recommended that the Chairperson form an ad hoc committee to develop proposed Replenishment Assessments for adoption by the Watermaster. The ad hoc committee will also provide information that supports the proposed Replenishment Assessments.

ESTABLISHMENT OF TECHNICAL COMMITTEE

Purpose: The Tentative Decision establishes a number of technical items to be accomplished by the Watermaster within one year, or sooner. To comply with the Tentative Decision the Watermaster will require the assistance of qualified engineers.

Recommendation: It is recommended that a committee made up of engineers appointed by each respective representative to the Watermaster be formed for the purpose of advising the Watermaster on technical issues. Costs associated with the work of the committee will be borne by the respective representatives with engineers on the committee unless the work has been approved in advance and is part of the budget of the Watermaster.

ESTABLISHMENT OF A BUDGET AND FINANCE COMMITTEE

Purpose: An annual budget for the Watermaster must be developed as required by the Tentative Decision.

Recommendation: It is recommended that a standing Budget and Finance Committee be established. A representative of California American Water, City of Seaside and City of Sand City will be members of the Finance Committee, along with such other representatives as the Chairperson appoints.

AUTHORIZE DEVELOPMENT OF MONITORING AND MANAGEMENT PLAN

Purpose: Within sixty (60) days, the Watermaster must prepare a Monitoring and Management Plan.

Recommendation: It is recommended that the Watermaster authorize the Technical Committee to develop a proposed Monitoring and Management Plan for adoption by the Watermaster.

ADJOURNMENT