

# Attachment 1

## REGULAR MEETING Seaside Groundwater Basin Watermaster May 17, 2006

### MINUTES

Chair Rubio called the meeting to order at 1:30 p.m. in the Oldemeyer Center, 986 Hilby Avenue, Seaside, CA

#### I. CALL TO ORDER

##### ***Board members present:***

City of Seaside: Mayor Ralph Rubio, Chairman  
Laguna Seca Subarea Landowner: Bob Costa, Vice Chairman  
Monterey Peninsula Water Management District: Director Michelle Knight, Secretary  
California American Water: Steve Leonard, Vice President/Manager  
Coastal Subarea Landowner—Paul Bruno  
City of Del Rey Oaks: Mayor Joe Russell  
City of Monterey: Mayor Dan Albert  
Les Ternbeau, Alternate  
City of Sand City: Mayor David Pendergrass  
Monterey County/Monterey County Water Resources: Curtis V. Weeks (Alternate)

##### ***Board Members absent:***

None

##### ***Administrator (Interim):***

Curtis Weeks, Monterey County Water Resources Agency  
Rose Lampo, Monterey County Water Resources Agency

On a motion by **Secretary Knight** and second by **Mayor Russell**, the Watermaster Board approved, by a unanimous voice vote, the draft minutes of the May 3, 2005 Watermaster meeting, as amended per Board discussion noted below.

#### II. APPROVAL OF MINUTES OF MAY 3, 2006

Vice-Chairman Costa proposed the following amendments to the draft minutes: a) correction to show motions made by Knight and Pendergrass for the approval of the Minutes of the May 3<sup>rd</sup> meeting of the Watermaster Board and the time of adjournment; (b) clarification of the “draft” or “final” rules and regulations document. After some discussion by the Board, it was reiterated that staff

submitted the rules and regulations document in “final” format for approval and adoption by the Board.

There were no public comments on this agenda item.

In response to Chairman Rubio’s inquiry, there were no changes to the agenda proposed by Board members.

There were no public comments on this agenda item.

Virginia Hines, counsel for Laguna Seca Resorts, inquired whether opportunity for public comment would be presented after each agenda item. The chair confirmed that public comment would be received by the Board at each agenda item.

John Fisher of Pacific Grove requested that Board members speak into the public address system so that the audience could hear the meeting in progress.

#### **AD HOC ADMINISTRATIVE COMMITTEE**

Mayor Russell reported that five applications for the Watermaster Administrator were received. Finalists will be contacted within the week for a final interview.

After committee review of the five applications, two were selected for the final interview process. The applicants were identified as Dewey Evans, former CFO for the City of Monterey; and the consultant team of Bob McKenzie and Nancy Isakson.

There were no public comments on this item.

#### **AD HOC RULES AND REGULATIONS COMMITTEE**

The Watermaster Board discussed and considered this item for action under New Business.

Jim Heisinger submitted to the Board a memorandum

### **III. REVIEW OF AGENDA**

### **IV. PUBLIC PARTICIPATION/ORAL COMMUNICATIONS**

### **V. OLD BUSINESS**

#### **COMMITTEE REPORTS**

detailing specific verbiage changes to the final draft of the rules and regulations. He recommended that the individual members review the recommended changes for further discussion and adoption under New Business.

There were no public comments on this item.

## **TECHNICAL COMMITTEE**

The Watermaster Board discussed and considered this item for action under New Business.

There were no public comments on this item.

## **BUDGET AND FINANCE COMMITTEE**

The Watermaster Board received an oral report and no action was taken on this agenda item.

Mr. Corpuz advised the Watermaster Board that development of the budget would resume when the Watermaster Administrator has been identified and brought on board.

There were no public comments on this item..

On a motion by **Curtis V. Weeks** with a second by **Director Leonard**, on a unanimous voice vote, the Watermaster Board received the presentation on the proposed approaches for the calculation and allocation of over-production assessments; directed that staff define and develop proposed assessments; directed staff to develop methodology for application of proposed assessments; directed the Technical Committee to develop methodology with public input and bring recommendations to the Watermaster Board; and, directed the City of Seaside to form a “legal committee” to review and collaborate on legal issues, and bring options and recommendations to the Watermaster Board for consideration and action.

The Board received a PowerPoint presentation by Russell McGlothlin, Hatch & Parent. Mr. McGlothlin fielded questions on three proposed

## **VI. NEW BUSINESS**

### **1. DISCUSS CALCULATION OF REPLENISHMENT ASSESSMENT PRODUCTION OVER NATURAL SAFE YIELD MEMORANDUM.**

approaches on the calculation and allocation of an over-production assessment.

Chair Rubio fielded questions and comments from the Board and the public regarding the proposed assessment methodologies and alternative proposed by Mr. McGlothlin.

Public comments were received by:

Dave Sweigert, counsel for DBO.  
Virginia Hines, counsel for Laguna Seca Resorts.  
Don Freeman, counsel for the City of Seaside.

On a motion by **Mayor Pendergrass** with a second by **Director Leonard**, on a unanimous vote, the Watermaster Board accepted the Committee report; directed staff to incorporate proposed verbiage changes to the rules and regulations; and requested the revised document be brought back to the Board for action at the next regular meeting.

**2. ADOPT RULES AND REGULATIONS OF THE SEASIDE GROUNDWATER BASIN WATERMASTER.**

There were no public comments on this item.

On a motion by **Curtis V. Weeks**, with a second by **Secretary Knight**, on a unanimous vote, the Watermaster Board, approved the Seaside Basin Monitoring and management Program; and recommended the California American Water prepare pleadings and submit to the courts, as amended.

**3. APPROVE THE SEASIDE BASIN MONITORING AND MANAGEMENT PROGRAM, AND DIRECT INTERIM ADMINISTRATOR TO FORWARD THE PROGRAM TO THE COURT.**

Diana Ingersoll, City of Seaside, presented the Seaside Basin Monitoring and Management Program document to the Board.

Chair Rubio fielded questions and comments from the Board and the public regarding proposed Seaside Basin Monitoring and management Program prepared by Diana Ingersoll, City of Seaside.

Public Comment:

Virginia Hines submitted a letter dated may 17, 2006 by Eric Robinson of Kronick, Moskovitz Tiedmann

& Girard, be entered into the record.

Sandra Dunn, Somach, Simmons & Dunn, suggested that pleadings be submitted to the court to identify expanded time frames. She volunteered to file documents to the court on behalf of the Watermaster Board.

Mr. Weeks announced that the next Watermaster meeting is scheduled for 1:30 p.m., on Wednesday, June 7, 2006, at the Seaside Community Center at Sofer Field, 220 Coe Avenue, Seaside.

Chair Rubio adjourned the meeting at 3:50 p.m.

**VII. NEXT MEETING DATE**

**VIII. ADJOURNMENT**