

REGULAR MEETING
Seaside Groundwater Basin Watermaster
December 6, 2006

MINUTES

I. CALL TO ORDER

Chairman Rubio called the meeting to order at 1:31 p.m. in the Seaside Community Center at Soper Field, 220 Coe Avenue, Seaside.

II. ROLL CALL

City of Seaside – Mayor Ralph Rubio, Chairman
Laguna Seca Subarea Landowner – Bob Costa, Vice Chairman
Monterey Peninsula Water Management District – Director Michelle Knight, Secretary
City of Monterey – Les Turnbeaugh (alternate)
City of Sand City – Mayor David Pendergrass
California American Water Co. – Steve Leonard
City of Del Rey Oaks – Mayor Joseph Russell
Coastal Subarea Landowner – Paul Bruno

Absent: Monterey County/Monterey County Water Resources Agency – Jerry Smith, District 4 Supervisor

III. APPROVAL OF MINUTES OF October 27, 2006 Special Meeting, November 1, 2006 Regular Meeting, and November 15, 2006 Special Meeting

There were no questions or comments from the Board.

Moved by Director Costa, seconded by Mayor Russell, and unanimously carried, to approve the Watermaster October 27, 2006 Special Meeting, November 1, 2006 Regular Meeting, and November 15, 2006 Special Meeting minutes.

IV. REVIEW OF AGENDA

There were no changes to the agenda.

V. PUBLIC PARTICIPATION/ORAL COMMUNICATIONS

There were no questions or comments from the public.

VI. CONSENT CALENDAR

CEO Dewey Evans clarified that the line item of professional services presented on the Request for Payment is for meeting attendance and minutes transcribing by a contracted firm.

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|---------------------------|------------|
| Contract Compensation—CEO | \$5,700.00 |
| Reimbursable—General | 2,137.40 |

**Moved by Director Leonard, seconded by Director Turnbeaugh,
and unanimously carried to approve the payment of bills.**

VII. OLD BUSINESS

1. COMMITTEE REPORTS

AD HOC ADMINISTRATIVE COMMITTEE

No current report.

AD HOC RULES AND REGULATIONS COMMITTEE

No current report.

TECHNICAL COMMITTEE

Groundwater Modeling Component of the Basin Monitoring and Management Program (BMMP)

Ms. Diana Ingersoll, Technical Committee chair, stated that Mr. Martin Feeney, facilitator for the groundwater modeling, met with technical specialists Terry Foreman, Gus Yates, Joe Scalmanini, Timothy Turbin, and a representative from HydroFocus on November 28, 2006, at 11 a.m. to discuss the modeling project. A draft report is expected from Mr. Feeney on December 17, 2006. Ms. Ingersoll will review the report and convene a Technical Committee meeting to review and finalize the report and bring the results back to the next Board meeting on January 3, 2007. The most comprehensive form of the final report possible will be provided to Board members for review prior to the January 3rd meeting. No additional meetings of the facilitator and specialists are required.

Director Turnbeaugh inquired as to whether he could sit on both the Technical Committee and the Watermaster Board without any conflict. Chair Rubio stated that it is not uncommon for board directors of various agencies to serve on committees of their board. Ms. Ingersoll requested that Director Turnbeaugh continue with the Technical Committee while serving as an alternate to the Board.

Program Management and Implementation of the BMMP

Ms. Ingersoll reported that she and Committee member Charles Kemp met with Monterey Peninsula Water Management District/Monterey County Water Resources Agency, Board-approved program managers, and, at a separate meeting, RBF Consulting, Board-approved program implementers, to negotiate scope of services and costs for each of the services. Results of those meetings will be presented under New Business.

VIII. NEW BUSINESS

1. Budget Amendment for Participation by Laguna Seca Subarea Selected Groundwater Specialist at Groundwater Modeling Meeting

CEO Evans related that the Laguna Seca Subarea parties requested to have groundwater specialist Mr. John L. Fio, Hydrofocus, Inc., sit in at the meeting facilitated by Martin Feeney on November 28, 2006. The cost brought back from that meeting for the additional participant is \$2,370.

Moved by Director Turnbeaugh, seconded by Mayor Russell, and unanimously carried, to direct the Technical Committee to clarify with Mr. Feeney the level of expertise of Mr. Fio of HydroFocus, and determine what services he rendered and recommend whether the Board should consider a budget amendment of \$2,370 to cover the cost of Mr. Fio's participation in the November 28, 2006 meeting.

2. Consider Award of Contract to Monterey Peninsula Water Management District/Monterey County Water Resources Agency for BMMP Project Management

After public input and Board discussion regarding the possible appearance of conflict of interest, Director Knight chose to recuse on this item, and asked that in the future, for consistency, any Board member associated with any agency contracting with the Board also recuse. Mr. John Fischer, Pacific Grove resident, suggested asking the Court how to handle this matter.

3. Consider Award of Contract to RBF Consulting for BMMP Project Implementation

Ms. Ingersoll submitted to the Board and public estimated budget and scope of services documents. She explained that the presentation of the recommended award of contract would combine both services, although the Board concurred to act on each separately. Ms. Ingersoll reported that five Technical Committee members reviewed the submitted proposals for services, and Committee members Ingersoll and Kemp, as instructed by the Board, prepared an estimated scope and budget for both services based on the proposals and meetings with the selected firms. She recommended that each contract be awarded on a maximum not-to-exceed basis since most program costs are not known at this point: The budget estimate includes primarily "soft" costs such as data gathering, report writing, and bid preparation; hard costs, with the exception of some computer hardware and software, are not included. Estimated total labor cost for both program management and implementation services is \$1,930,306.

The Board and public discussed the lack of funds available to cover the \$1.9 million cost of the scope and budget items proposed for management and implementation services. The rates presented in the estimated budget are honored through 2007 however costs may increase in an attempt to meet required project deadlines if delays in contracting occur.

Chair Rubio requested that the Budget Committee provide the Board a report of budget to actual revenue and expenditures monthly for the next several months, including project costs once awarded and implemented. Director Knight commended Ms. Ingersoll and Mr. Kemp for her tremendous effort in preparing and presenting the submitted budget documents.

Moved by Director Leonard, seconded by Director Bruno, and unanimously carried, to direct the Technical Committee and Budget Committee to hold a joint meeting to review the presented estimated budget hourly rates and scope of services to determine what level and degree of prioritized project tasks can be completed at a maximum cost of \$1 million, and to develop timely funding sources.

IX. STAFF INFORMATIONAL REPORTS

The Board received and reviewed the summary schedule of adopted financial assessments that will be billed after the December 6th meeting, to be paid on or before January 15, 2007, assuming Court approval on January 12, 2007.

X. DIRECTOR'S REPORTS

There were no reports from directors.

XI. NEXT REGULAR MEETING DATE – January 3, 2007, 1:30 P.M., SOPER FIELD, SEASIDE, CALIFORNIA.

XII. ADJOURNMENT

There being no further business, Chairman Rubio adjourned the meeting at 2:34 p.m.