

FINAL MINUTES
Continued Meeting and Closed Session
Board of Directors
Monterey Peninsula Water Management District
7:00 PM, April 5, 2010

The meeting was called to order at 7:05 PM in the District Conference Room.

CALL TO ORDER/ROLL CALL

Directors Present:

Regina Doyle, Chair -- Division 4
Alvin Edwards – Division 1
Judi Lehman – Division 2
Kristi Markey – Division 3
David Pendergrass – Mayoral Representative
David Potter – Monterey County Board of Supervisors

Directors Absent: Bob Brower, Vice Chair – Division 5

General Manager present: Darby Fuerst

District Counsel present: David C. Laredo

The assembly recited the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

No comments were directed to the Board during Oral Communications.

ORAL COMMUNICATIONS

Director Doyle offered a motion that was seconded by Director Edwards to reconsider action taken by the Board at the March 25, 2010, Closed Session regarding California American Water Company Applications to the Public Utilities Commission Nos. A.04-09-019 and A.09-04-015. The motion was approved on a vote of 4 – 2. Directors Doyle, Edwards, Lehman and Markey. Directors Pendergrass and Potter were opposed. Director Brower was absent.

ACTION ITEMS

1. Review and reconsideration of Monterey Peninsula Water Management District's position relating to CPUC A.04-09-019 (Coastal Water Project and Regional Desalination Project proceedings) and CPUC A.09-04-015 (Joint Motion for Expedited Approval of Reimbursement Agreement)

On a motion by Director Markey and second of Director Edwards, the Board voted to rescind the decision to withdraw the objection on the reimbursement agreement; and also to maintain the ability to ask questions. Directors are to submit questions or issues to Mr. Laredo on April 6, 2010 for presentation to the PUC.

On a motion by Director Edwards and second by Director Markey, the motion was amended to state that the District will support the position of the Division of Rate Payer Advocates. The amended motion was adopted on a vote of 4 – 2. Directors Doyle, Edwards, Lehman, and Markey voted in favor of the motion. Directors Potter and Pendergrass were opposed.

The following comments were received during the public comment period on this item. (1) **Julie Engle**, urged the Board to reconsider its previous decision to support the settlement agreement. (2) **Roger Dolan**, a consultant/engineer and member of the Carmel Valley Association Water Committee, asked the Board to delay any action on the settlement agreement until a public meeting is scheduled to review the settlement agreement and associated documents. (3) **Ralph Rubio**, Mayor of Seaside, thanked the Board for supporting the settlement agreements. He asked that the Board not reconsider their previous action to support the project. (4) **Dan Presser**, asked the Board to reconsider its previous decision to support the settlement agreement. (5) **David Dilworth**, representing Helping Our Peninsula's Environment, requested that the Board reconsider its previous decision to support the settlement agreement and vote no on the agreement. (6) **Ron Chesshire**, a resident of Monterey, asked that the Board not reconsider its decision to support the settlement agreement. (7) **Libby Downey**, representing City of Monterey Mayor, Chuck Della Sala, requested that the Board not reconsider its prior decision to support the Settlement Agreement. (8) **Paul Bruno**, asked that the Board not reconsider its previous decision to support the settlement agreement. (9) **Rita Delassio**, Chair of the Sierra Club, Ventana Chapter, requested that the Board reconsider its previous decision to support the settlement agreement. (10) **Terrance Zito**, a resident of Pacific Grove, urged the Board to allow more public review of the agreements, and determine if they offer protection to rate payers within the District. (11) **Kevan Stone**, Government Affairs Director for the Monterey County Association of Realtors, requested that the Board not reconsider its previous decision to support the settlement agreement. (12) **Todd Norgaard**, representing the Carmel Valley Association, urged the Board to initiate a step-by-step process in determining financing for the project. (13) **Nancy Pratt**, resident of Carmel Valley, requested that the Board reconsider its previous decision to support the water purchase agreement. (14) **Lorin Letendre**, representing the Carmel Point and Lagoon Preservation Association, asked that the Board not reconsider its previous decision to support the settlement agreement. (15) **Darby Moss Worth**, resident of Carmel Valley, urged the Board to not reconsider their previous decision to support the settlement agreement. (16) **Janet Brennan** stated that the Board was being asked to consider the terms of the water purchase agreement, not the merits of the Regional Water Supply Project. (17) **Clive Sanders**, President of the Carmel River Watershed Conservancy, spoke in support of the water purchase agreement. He stated that the threat of the State Water Resources Control Board Cease and Desist Order is the reason to move ahead with the agreements, even if they are flawed. (18) **Manual Fierro**, a resident of Monterey, requested that the Board not reconsider its previous decision to support the settlement agreement. (19) **George**

Riley, representing Citizens for Public Water (CPW), stated that CPW considers the Regional Water Project to be a success because three public agencies are involved in development of the project. (20) **George Riley**, speaking for himself, stated that public ownership will result in a lower cost project. He urged the Board to not allow a quest for perfection to prevent the benefits of this project from being realized.

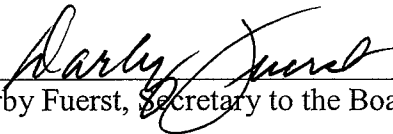
The Board did not meet in closed session.

ADJOURN TO CLOSED SESSION
Conference with Legal Counsel – Existing
Litigation (Gov. Code 54946.9 (a))

- A. Application of California American Water Company to the Public Utilities Commission Application No. 04-09-019 – Coastal Water Project
- B. Application of California American Water Company to PUC Application No. 10-01-012— Mitigation Cost Reimbursement

The meeting was adjourned at 9:30 PM.

Adjourn



Darby Fuerst, Secretary to the Board