



FINAL MINUTES
Regular Meeting
Board of Directors
Monterey Peninsula Water Management District
July 21, 2014

The meeting was called to order at 7:05 p.m. in the Water Management District conference room.

CALL TO ORDER/ROLL CALL

Directors Present:

David Potter – Chair, Monterey County Board of Supervisors Representative
Bill Thayer – Vice Chair, Division 2 (participated by telephone)
Brenda Lewis – Division 1
Kristi Markey – Division 3
David Pendergrass – Mayoral Representative

Directors Absent:

Jeanne Byrne – Division 4
Robert S. Brower – Division 5

General Manager present: David J. Stoldt

District Counsel present: David Laredo

The assembly recited the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

No comments were directed to the Board during Oral Communications.

ORAL COMMUNICATIONS

On a motion by Markey and second of Lewis, the Consent Calendar was approved with the exception of Items 3 and 5 that were pulled for separate consideration. The motion was approved on a unanimous roll-call vote of 5 – 0 by Markey, Lewis, Thayer, Pendergrass and Potter. Byrne and Brower were absent for the vote.

CONSENT CALENDAR

Approved.

1. **Consider Adoption of Minutes of the June 23, 2014 Regular Board Meeting**

Approved.

2. **Consider Receipt of Final Los Padres Dam and Reservoir Long-Term Strategic and Short-Term Tactical Plan**

Refer to Action Item 24.

3. **Consider Policy on Preparation of Committee Meeting Minutes**

Approved.

Markey made a motion that was seconded by Pendergrass to adopt Resolution 2014-14, and authorize staff to update the Rules and Regulations so that any mention of a fee or charge conforms to the amended table. The motion was approved on a unanimous roll-call vote by Markey, Pendergrass, Lewis, Thayer and Potter. Brower and Byrne were absent for the vote.

Approved.

Approved.

Approved.

General Manager Stoldt presented the report. A summary is on file at the Water Management District office and website. His presentation included an overview of emergency water conservation regulations adopted by the State of California, that will be in effect on August 1, 2014. He also reviewed water conservation rules already in effect within the Water Management District boundaries, and the seven stages of the Water Management District's Conservation and Standby Rationing Plan.

No report.

District Counsel Laredo reported that he provided the Board with a status report on agenda items 3.A and 3.B. The Board provided direction to Counsel. No reportable action was taken.

4. Consider Adoption of Resolution No 2014-13 to Obtain Credit Line with Rabobank, N.A.

5. Consider Adoption of Resolution 2014-14 Amending Fees and Charges Table – Rule 60

6. Authorize Expenditure of Budgeted Funds for Software Maintenance Agreements

7. Consider Adoption of Amendments to Rule 24, Table 2: Non-Residential Water use Factors

8. Consider Approval of May 2014 Treasurer's Report

GENERAL MANAGER'S REPORT

9. Status Report on California American Water Compliance with State Water Resources Control Board Order 2009-0060 and Seaside Groundwater Basin Adjudication Decision

10. Update on Development of Water Supply Projects

ATTORNEY'S REPORT

- 11. Report on 6:30 PM Closed Session**
- 3. Conference with Legal Counsel – Existing Litigation (Gov. Code 54956.9 (a))
 - A. Monterey Peninsula Taxpayers Association v. MPWMD, Monterey County Superior Court Case #M123512
 - B. Application of California American Water to the California Public Utilities Commission (App. No. 13-07-002) 2013 General Rate Case

No reports were presented.

Pendergrass offered a motion that was seconded by Lewis, to approve the Negative Declaration for Ordinance No. 161 and adopt the ordinance. The motion was approved on a unanimous roll-call vote of 5 - 0 by Pendergrass, Lewis, Markey, Potter and Thayer. Brower and Byrne were absent for the vote.

The following comments were received during the public comment period on this item. (1) **Nelson Vega** asked for clarification of the following: if a building does have documented water use, a sub-meter could be installed as long as estimated water use does not exceed previous use on the site. Mr. Stoldt encouraged Mr. Vega to discuss his building plans with Water Demand Division personnel. (2) **Bob Massaro**, representing the Monterey Commercial Property Owners Association, stated that the Association strongly supports the ordinance. (3) **Anthony Davi, Sr.**, asked if installation of sub-meters could be used to improve a site that has an existing quantified water use. Stoldt responded that each request must be reviewed by Water Management District staff, before a determination on installation of sub-meters can be made.

On a motion by Markey and second of Pendergrass, the first reading of Ordinance No. 162 was approved on a unanimous vote of 5 – 0 by Markey, Pendergrass, Lewis, Thayer and Potter. Brower and Bryne were absent for the vote.

Public Comment. **Devon Lincoln**, an attorney with Lozano Smith representing several school districts, spoke in support of the ordinance. She expressed appreciation to the Water Management District for developing the proposed regulations.

On a motion by Pendergrass and second of Lewis, the Board agreed that the procedure for preparation of committee minutes should continue without modification. The motion was approved unanimously on a vote of 5 – 0 by Pendergrass, Lewis, Markey, Potter and Thayer. Brower and Byrne were absent for the vote. No comments were directed to the Board during the public comment period on this item.

Pendergrass offered a motion that was seconded by Lewis, to authorize an expenditure of \$75,000 for

DIRECTORS' REPORTS (INCLUDING AB 1234 REPORTS ON TRIPS, CONFERENCE ATTENDANCE AND MEETINGS)

12. **Oral Reports on Activities of County, Cities, Other Agencies/Committees/Associations**

PUBLIC HEARINGS

13. **Consider Second Reading and Adoption of Ordinance No. 161 – An Ordinance of the Board of Directors of the Monterey Peninsula Water Management District Amending Rule 23-A-1-i Regarding Sub-Metering**

14. **Consider First Reading of Ordinance No. 162 -- Amending the Water Permit Process for Primary and Secondary Public School Districts**

ACTION ITEMS

15. **Consider Policy on Preparation of Committee Meeting Minutes**

24. **Consider Approval of Reserve Funding for Drought Response**

drought related outreach from the Flood and Drought Reserve. The motion was approved unanimously on a vote of 5 – 0 by Pendergrass, Lewis, Markey, Potter and Thayer. Brower and Byrne were absent for the vote.

In response to a question from the Board of Directors, Eric Sabolsice, General Manager of California American Water, Coastal Division, stated that the source of an ongoing water leak in the City of Carmel appeared to be groundwater, and was likely not from the Cal-Am distribution system. Cal-Am continues to search for the source of the leak. He stated that the leak rate for the Monterey system was less than 5 percent.

There was no discussion of the Informational Items/Staff Reports.

The meeting was adjourned at 7:55 pm.

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INFORMATIONAL ITEMS/STAFF REPORTS

16. Letters Received
17. Committee Report
18. Carmel River Fishery for May 2014
19. Water Conservation Program Report
20. Monthly Allocation Report
21. Monthly Water Supply and California American Water Production Report
22. Quarterly Carmel River Riparian Corridor Management Program Report
23. Quarterly Water Use Credit Transfer Status Report

ADJOURNMENT


Arlene M. Tavani, Deputy District Secretary