



EXHIBIT 1-A

**DRAFT MINUTES
Special and Regular Meeting
Board of Directors**

Monterey Peninsula Water Management District

Monday, March 15, 2021 at 5:00 PM

*Pursuant to Governor Newsom's Executive Orders N-29-20 and N-33-20,
the meeting was conducted with virtual participation via Zoom.*

CLOSED SESSION AT 5:00 PM

The meeting was called to order at 5:00 pm by Chair Edwards.

Directors Present via Zoom:

Alvin Edwards, Chair, Division 1
Karen Paull, Vice-Chair, Division 4
George Riley, Division 2
Safwat Malek, Division 3
Amy Anderson, Division 5
Mary Adams, Monterey County Board of Supervisors Rep.
Clyde Roberson, Mayoral Representative

Directors Absent: None

General Manager present: David J. Stoldt

District Counsel present: David Laredo, Esq. with De Lay and Laredo

No Changes.

District Counsel Laredo read out the matter on the Closed Session agenda.

No public comment was directed to the board during Oral Communications.

CALL TO ORDER

ROLL CALL

**ADDITIONS AND CORRECTIONS TO
AGENDA BY DISTRICT COUNSEL**

CLOSED SESSION

**CS
1 Pursuant to Government Code
§54956.9(c), the board will confer with
district counsel to review one matter of
potential/anticipated litigation.**

ORAL COMMUNICATIONS

RECESS TO CLOSED SESSION

REGULAR SESSION AT 6:00 PM

The meeting was called to order at 6:02 pm by Chair Edwards.

CALL TO ORDER

Directors Present Via Zoom:

Alvin Edwards, Chair- Division 1
Karen Paull, Vice-Chair- Division 4
George Riley, Division 2
Safwat Malek, Division 3
Amy Anderson, Division 5
Mary Adams, Monterey County Board of Supervisors Rep.
Clyde Roberson, Mayoral Representative

ROLL CALL

Directors Absent: None

General Manager present: David J. Stoldt

District Counsel present: David Laredo, Esq. with De Lay and Laredo

The assembly recited the Pledge of Allegiance

PLEDGE OF ALLEGIANCE

Chair Edwards requested for Oral Communications to be added to the agenda and placed before the Consent Calendar and after Additions and Corrections.

ADDITIONS AND CORRECTIONS TO AGENDA

No public comment was made prior to board approval.

A motion was made by Director Edwards and second by Director Riley to add in Oral Communications. The motion passed unanimously on a roll-call vote of 7-Ayes (Edwards, Paull, Riley, Malek, Anderson, Adams and Roberson), 0-Noes and 0-Absent

ORAL COMMUNICATIONS

The following comments were directed to the Board during Oral Communications.

(a) **Anna Thompson:** Thompson questioned Cal-Ams pursuits in claiming that it is the only viable solution, their influence over the community in convincing concerned citizens that they care about the health of the Carmel River and in meeting our water demands. She acknowledges that there are some overlapping functions between Cal-Am and the district and ask the board to seek out a way whereby Cal-Am may purchase the water produced by Pure Water Monterey expansion. In addition, asked if Cal-Am or the rate-payers would be responsible for the damage caused by the proposed desalination.

Chair Edwards acknowledged Director Riley’s request to pull Item No. 1 from the Consent Calendar to allow for a separate vote and for further discussion with district staff. No further requests were received by the board to pull items off of the consent calendar.

CONSENT CALENDAR

No public was received for Items No. 2, 3 and 4 on the

Consent Calendar.

A motion was made by Director Adams and second by Director Malek to approve Consent Calendar Items No. 2, 3 and 4. The motion passed unanimously on a roll-call vote of 7-Ayes (Edwards, Paull, Riley, Malek, Anderson, Adams and Roberson), 0-Noes and 0-Absent.

No public comment was received for Item No. 1

A motion was made by Director Riley and second by Director Anderson to approve Item No. 1. The motion passed unanimously on a roll-call vote of 7-Ayes (Edwards, Paull, Riley, Malek, Anderson, Adams and Roberson), 0-Noes and 0-Absent.

Approved

Confirmed and Ratified the Appointment of Melodie Chrislock representing Division 3 to serve a two-year term on the Ordinance No. 152 Oversight Panel

Adopted

Authorized the General Manager to renew the annual internet license with GardenSoft for the Monterey County Water Wise Landscaping software at the budgeted cost of \$5,000.00

David J. Stoldt, General Manager (GM) responded to questions from board members and presented via MS PowerPoint Presentation: Status Report on Cal-Am Compliance with SWRCB Orders and Seaside Basin Decision as of March 1, 2021. *A copy of the presentation is on file at the District office and can be viewed on the district website.*

GM Stoldt explained the actual v. target production tables covering the period from October – January Water Year (WY) 2021 for (1) Monterey Peninsula Water Resource System primarily from withdrawals from the Carmel River and the Seaside Groundwater Basin in comparison to WY2020 Actual and (2) Water Projects and Rights from ASR Recovery, Table 13, Pure Water Monterey and Sand City and (3) Production for Customer Service for Cal-AM for the last five (5) months has a difference of 136 acre feet below from WY2020. GM Stoldt provided an overview of the daily and monthly recorded rainfall for WY2021 at the San Clemente Rain Gage: *Monthly*- reported that has not been significant change from the prior month and (2) *Daily*- reported that the gage has received a half an inch. GM Stoldt covered the estimated unimpaired

1. **Consider Adoption of Minutes from the January 25, 2021 Regular Meeting**
2. **Confirm Appointments to Ordinance No. 152 Oversight Panel**
3. **Consider Adoption of Treasurer's Report for January 2021**
4. **Consider Approval of Purchase of Annual Internet License for Water Wise Gardening in Monterey County**
5. **GENERAL MANAGER'S REPORT
Status Report on California American Water Compliance with State Water Resources Control Board Order 2016-0016 and Seaside Groundwater Basin Adjudication Decision.**

Carmel River Flow at Sleepy Hollow WEIR (WY2021) noting that both January and February, 2021 was significantly below average and it is starting off in the same manner for March, 2021.

David J. Stoldt, General Manager provided the board an overview of Water Demand Charts previously presented at the Water Demand Committee meeting on Thursday, March 4, 2021. GM Stoldt highlights from his presentations include:

- (1) Water Demand by Use- Water Year (WY) 2019-20: 69% of demand is coming from multifamily residential and single-family residential use.
- (2) Water Demand by Jurisdiction WY2019-20: Provided an overview of use by the various incorporated and unincorporated parts of the county.
- (3) Total Water Demand – Last Two (2) Decades: Noted that the drought ended circa 2015 and the total demand for water thereafter has been under 10K Acre Feet (AF) in total demand and may be attributed to high efficiency conservation efforts.
- (4) Maximum Month Demand Since 2007- AF: Since 2015 and normally high peak months such as July/August has remained steady and under 1K AF.
- (5) Residential and Non-Residential Use- Last Two (2) Year: Provided an overview of use by residential and non-residential and the COVID-19 impacts.
- (6) Residential and Non-Residential Use as a Percentage (WY2019 & 2020): Provided an overview and side by side comparison of WY2019 and WY2020 and noted the COVID-19 effect.

GM Stoldt provided the board with an update on Water Supply Projects and the following points were made:

- (1) Item No. 13 is a matter on today's agenda for approving funding that could lead to certification of Pure Water Monterey (PWM). PWM- First Phase moving along with the addition of Deep Well No. 3 and 4.
- (2) Desalination Project: Cal-Am submitted a 118 page letter to the California Coastal Commission to address the incomplete notification.
- (3) ASR Chemical Building Project: Wrapping up and cleaning up the ASR Project. As for ASR Well No. 1, it is almost complete and waiting for a part.

GM Stoldt summarized his staff report and answered questions from the board in regards to the Application to the State Water Resources Board for relief from Condition 2 of the Cease and Desist Order for purposes of facilitating housing construction in the near-term. Stoldt informed the board that the cover letter and applications went to the State Water Resources Control Board and a call for letters of support/flyer went out to the six (6) incorporated cities, California American Water, LandWatch Monterey County, the Monterey Bay Economic Partnership and the United Way just to name a few.

6. Update on Development of Water Supply Projects

7. Update on Water for Housing Initiative

District Counsel Laredo reported out from the Closed Session meeting on March 15, 2021 at 5:00 PM and noted that a status report and general direction was provided to the board surrounding the circumstances. In addition, the board provided general direction to district counsel and staff and no reportable action was taken during closed session.

Chair Edwards acknowledged Mayor Roberson’s effort on garnering support from local Peninsula Area Mayors on supporting the District’s Water for Housing Initiative and Cover Letter/Application to the State Water Resources Control Board.

Mayor/Director Roberson commented and read a letter signed by the following mayors: Alison Kerr of the City of Del Rey Oaks; Dave Potter of Carmel-by-the-Sea; Ian Oglesby of the City of Seaside and Clyde Roberson of the City of Monterey.

Chair Edwards informed the board and members of the public that the MPWMD Board of Director’s will meet on Friday, March 12, 2021 and Friday, March 26, 2021 at 9:00 am for the Board Strategic Planning Sessions.

Jonathan Lear, Water Resources Manager answers questions from board members and presents via MS PowerPoint Presentation. *A copy of the presentation is available at the district office upon request and can be found on the district’s webpage.*

Public Comment: None

A motion was made by Director Roberson and second by Director Paull to adopt the April through June, 2021 Quarterly Water Supply Strategy and Budget. The motion passes unanimously on a vote of 7-Ayes (Edwards, Paull, Malek, Anderson, Roberson, Adams and Riley), 0-Noes and 0-Absent.

Suresh Prasad, Chief Financial Officer/Administrative Services Division Manager answers questions from board members and presents via MS PowerPoint Presentation. *A copy of the presentation is available at the district office upon request and can be found on the district’s webpage.*

The following comments were directed to the board for Item No. 10:

(a) **John Tilley:** Urged the board to consider the balance in respect to Pure Water Monterey and the operational costs to sustain the district. Also, informed the board that being successive in Measure J may be a risky proposition and may not occur.

REPORT FROM DISTRICT COUNSEL

8. **DIRECTORS’ REPORTS (INCLUDING AB 1234 REPORTS ON TRIPS, CONFERENCE ATTENDANCE AND MEETINGS)**
Oral Reports on Activities of County, Cities, Other Agencies/Committees/Associations

9. **PUBLIC HEARINGS**
Consider Adoption of April through June, 2021 Quarterly Water Supply Strategy and Budget

10. **ACTION ITEMS**
Consider Adoption of Mid-Year Fiscal Year 2020-2021 Budget Adjustment

A motion was made by Director Riley and second by Director Anderson to adopt the proposed mid-year budget adjustment for FY2020-21. The motion passes unanimously on a vote of 7-Ayes (Edwards, Paull, Malek, Anderson, Roberson, Adams and Riley), 0-Noes and 0-Absent.

GM Stoldt summarized his staff report and answered questions from the board.

Public Comment: None

A motion was made by Director Roberson and second by Director Paull to approve the district's Legislative Advocacy Plan for 2021. The motion passes unanimously on a vote of 7-Ayes (Edwards, Paull, Malek, Anderson, Roberson, Adams and Riley), 0-Noes and 0-Absent.

GM Stoldt summarized his staff report and answered questions from the board.

Public Comment: None

A motion was made by Director Paull and second by Director Adams to approve the approve Resolution No. 2021-02 approving a zero property tax transfer for the proposal to seek authorization to activate latent district powers and to adopt a Sphere of Influence Amendment and Annexation. The motion passes unanimously on a vote of 7-Ayes (Edwards, Paull, Malek, Anderson, Roberson, Adams and Riley), 0-Noes and 0-Absent.

GM Stoldt summarized his staff report and answered questions from the board.

The following comments were directed to the board for Item No. 13:

- (a) **Mike McCullough, Monterey One Water:** Appreciates the district's support and hopes the board will pass the matter. If approved, the matter will appear on the Recycled Water Committee agenda and for final approval at with the Monterey One Water Board of Director's on March 29, 2021.
- (b) **Margaret-Anne Coppernoll:** Appreciates the board's work on this to advance this matter.
- (c) **Susan Schiavone:** Expressed disappointment over additional monies spent, however supports the board and district in moving along with the project.
- (d) **Anna Thompson:** Concurs with Susan Schiavone and Margaret-Anne Coppernoll and ask for the matter to proceed so that it will be certified.

A motion was made by Director Edwards and second by Director Anderson to approve Amendment No. 5 to the Pure Water Monterey Cost Sharing Agreement and the expenditure of up to \$181,125 (including a 5%

11. Consider Approval of District Legislative Advocacy Plan for 2021

12. Consider Approval of Resolution 2021-02 for the Adoption of a Property Tax Transfer Agreement

13. Consider Approval of Amendment 5 to the Pure Water Monterey Cost Sharing Agreement

contingency) in support of qualifying an expansion of Pure Water Monterey for CEQA SEIR approval and source water modeling. The motion passes unanimously on a vote of 7-Ayes (Edwards, Paull, Malek, Anderson, Roberson, Adams and Riley), 0-Noes and 0-Absent.

There was no discussion of these items.

INFORMATIONAL ITEMS/STAFF REPORTS

- 14. Status Report on Measure J / Rule 19.8 Phase II Spending**
- 15. Report on Activity / Progress on Contracts Over \$25,000**
- 16. Letters Received**
- 17. Committee Reports**
- 18. Monthly Allocation Report**
- 19. Water Conservation Program Report**
- 20. Carmel River Fishery Report for February, 2021**
- 21. Monthly Water Supply and California American Water Production Report**

Chair Edwards adjourned the meeting at 7:48 PM.

ADJOURNMENT

Joel G. Pablo, Deputy District Secretary

Approved by the MPWMD Board of Director's
on Monday, May __, 2021.