

This meeting has been noticed according to the Brown Act rules. The Board of Directors meets regularly on the third Monday of each month, except in January and February. The meetings begin at 6:00 PM, unless otherwise noted.



Version 1

AGENDA

Special and Regular Meeting

Board of Directors

Monterey Peninsula Water Management District

Monday, May 15, 2023 at 5:00 p.m. [PST]

Meeting Location: MPWMD – Main Conference Room
5 Harris Court, Building G, Monterey, CA 93940
[Hybrid: In-Person and via Zoom]

To Join by Zoom, please click the link below:

<https://mpwmd-net.zoom.us/j/81906239158?pwd=MHpLYmJkTGZER3RYVVRITmRyRHlXZz09>

Or join at: <https://zoom.us/>

Webinar ID: 819 0623 9158

Passcode: 05152023

To Participate by Phone: (669) 900-9128

For detailed instructions on how to connect to the meeting, please see page 5 of this agenda.

This agenda was posted at the District website (www.mpwmd.net) and at 5 Harris Court, Bldg. G, Monterey, California on Thursday, May 11, 2023. Staff notes will be available on the District web site at <http://www.mpwmd.net/who-we-are/board-of-directors/bod-meeting-agendas-calendar/> by 5:00 P.M. on Thursday, May 11, 2023

CLOSED SESSION AT 5:00 P.M.

CALL TO ORDER / ROLL CALL

Board of Directors

Mary L. Adams, Chair – Monterey County Board of Supervisors Representative
Amy Anderson, Vice Chair – Division 5
Alvin Edwards – Division 1
George Riley – Division 2
Marc Eisenhart – Division 3
Karen Paull – Division 4
Ian Oglesby – Mayoral Representative

General Manager

David J. Stoldt

Mission Statement

Sustainably manage and augment the water resources of the Monterey Peninsula to meet the needs of its residents and businesses while protecting, restoring, and enhancing its natural and human environments.

Vision Statement

Model ethical, responsible, and responsive governance in pursuit of our mission.

Board's Goals and Objectives

Are available online at: <https://www.mpwmd.net/who-we-are/mission-vision-goals/>

ADDITIONS AND CORRECTIONS ON THE CLOSED SESSION AGENDA BY DISTRICT COUNSEL – District Counsel will announce agenda corrections and proposed additions, which may be acted on by the Directors as provided in Sections 54954.2 of the California Government Code.

PUBLIC COMMENT ON THE CLOSED SESSION AGENDA – *Members of the public may address the Board on the item or items listed on the Closed Session agenda.*

CLOSED SESSION – *As permitted by Government Code Section 54956.9 et seq., the Board may recess to closed session to consider specific matters dealing with pending or threatened litigation, certain personnel matters or certain property acquisition matters.*

CS 1. *Intentionally Left Blank*

CS 2. *Intentionally Left Blank*

CS 3. *Intentionally Left Blank*

RECESS TO CLOSED SESSION

Any Closed Session Items not completed may be continued to after the end of all open session items.

REGULAR SESSION AT 6:00 P.M.

CALL TO ORDER / ROLL CALL

PLEDGE OF ALLEGIANCE

ADDITIONS AND CORRECTIONS TO THE AGENDA – *The General Manager will announce agenda corrections and proposed additions, which may be acted on by the Board as provided in Sections 54954.2 of the California Government Code.*

ORAL COMMUNICATIONS – *Anyone wishing to address the Board on Consent Calendar, Information Items, Closed Session items, or matters not listed on the agenda may do so only during Oral Communications. Please limit your comment to three (3) minutes. The public may comment on all other items at the time they are presented to the Board.*

CONSENT CALENDAR - *The Consent Calendar consists of routine items for which staff has prepared a recommendation. Approval of the Consent Calendar ratifies the staff recommendation. Consent Calendar items may be pulled for separate consideration at the request of a member of the public, or a member of the Board. Following adoption of the remaining Consent Calendar items, staff will give a brief presentation on the pulled item. Members of the public are requested to limit individual comment on pulled Consent Items to three (3) minutes. Unless noted with double asterisks “**”, Consent Calendar items do not constitute a project as defined by CEQA Guidelines section 15378.*

1. Consider Adoption of Minutes of the Special Board Meeting on Monday, April 3, 2023 and Regular Board Meeting on Monday, April 17, 2023
2. Consider Adoption of Treasurer’s Report for March 2023
3. Consider Adoption of Resolution No. 2023 – 06 – Amending Fees And Charges Table – Rule 60
4. Receive and File Third Quarter Financial Activity Report for Fiscal Year 2022-2023
5. Consider Approval of Third Quarter Fiscal Year 2022-2023 Investment Report
6. Consider Approval of Expenditure to Amend Contract with ETech Consulting, LLC for Functionality Improvements to the Accela Water Demand Division Database
7. Consider Recommendation to Authorize the General Manager to Enter into a Contract with Radiant Landscaping, Inc. to Provide Landscape Maintenance Services

GENERAL MANAGER’S REPORT

8. Status Report on California American Water Compliance with State Water Resources Control Board Order 2016-0016 and Seaside Groundwater Basin Adjudication Decision (*Verbal Report*)
9. Update on Water Supply Projects (*Verbal Report*)

- 10. Overview of the FEMA / CAL Office of Emergency Services Reimbursement Process / Outcomes
- 11. Request Input of District Website

REPORT FROM DISTRICT COUNSEL

- 12. Update on Pending Litigation
- 13. Reportable Action from Closed Session on Monday, May 15, 2023

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

- 14. Oral Reports on Activities of County, Cities, Other Agencies/Committees/Associations

PUBLIC HEARING – *Public Comment will be received. Please limit your comments to three (3) minutes per item.*

- 15. Receive and Confirm Water Supply Forecast for Period of May 1, 2023 -- September 30, 2024 – and Consider Adopting Resolution 2023 - 07 to Amend Rationing Table XV-4

[CEQA Compliance: Notice of Exemption, CEQA, Article 19, Section 15301 (Class 1) ESA Compliance: Consistent with the September 2001 and February 2009 Conservation Agreements between the National Marine Fisheries Service and California American Water to minimize take of listed steelhead in the Carmel River and Consistent with SWRCB WR Order Nos. 95-10, 98-04, 2002-0002, and 2016-0016.]

Recommended Action: The Board will receive a report on the available water supply and determine whether water-rationing triggers have been met and consider adoption of Resolution 2023 – 07.

INFORMATIONAL ITEMS/STAFF REPORTS - *The public may address the Board on Information Items and Staff Reports during the Oral Communications portion of the meeting. Please limit your comments to three minutes.*

- 16. Report on Activity/Progress on Contracts Over \$25,000
- 17. Status Report on Measure J / Rule 19.8 Phase II Spending
- 18. Letters Received
- 19. Committee Reports
- 20. Monthly Allocation Report
- 21. Water Conservation Program Report
- 22. Carmel River Fishery Report for April 2023
- 23. Monthly Water Supply and California American Water Production Report
 [Exempt from environmental review per SWRCB Order Nos. 95-10 and 2016-0016, and the Seaside Basin Groundwater Basin adjudication decision, as amended and Section 15268 of the California Environmental Quality Act (CEQA) Guidelines, as a ministerial project; Exempt from Section 15307, Actions by Regulatory Agencies for Protection of Natural Resources]

ADJOURNMENT

Board Meeting Schedule			
Thursday, May 25, 2023	<i>Special - Budget Workshop</i>	6:00 p.m.	<i>Hybrid</i>
Tuesday, June 20, 2023	<i>Regular- Budget Adoption</i>	6:00 p.m.	<i>Hybrid</i>
Monday, July 17, 2023	<i>Regular</i>	6:00 p.m.	<i>Hybrid</i>
<i>Hybrid: In-Person at the District Main Conference Room and via Zoom- Teleconferencing Means.</i>			

Board Meeting Television and On-Line Broadcast Schedule

Television Broadcast	Viewing Area
Comcast Ch. 24 View live broadcast on meeting dates, and replays on Mondays, Tuesdays and Thursdays at 4:00 p.m.	All Peninsula Cities
Comcast Ch. 28 (Monterey County Government Channel) Replays only at 9:00 a.m. on Saturdays	Throughout the Monterey County Government Television viewing area.
Internet Broadcast	
AMP 1 View live broadcast on meeting dates, and replays on Mondays, Tuesdays, and Thursdays at 4:00 p.m. and at https://accessmediaproductions.org/ scroll to AMP 1 .	
Monterey County Government Channel Replays only at 9:00 a.m. on Saturdays at www.mgtvonline.com	
MPWMD YouTube Page – View live broadcast on meeting dates. Recording/Replays available five (5) days following meeting date - https://www.youtube.com/channel/UCg-2VgzLBmgV8AaSK67BBRg	

Accessibility

In accordance with Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), MPWMD will make a reasonable effort to provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. MPWMD will also make a reasonable effort to provide translation services upon request. Submit requests at least 48 hours prior to the scheduled meeting date/time: (1) Joel G. Pablo, Board Clerk by e-mail at joel@mpwmd.net, or at (831) 658-5652; and (2) Sara Reyes, Sr. Office Specialist by e-mail at sara@mpwmd.net or at (831) 658-5610.

Provide Public Comment at the Meeting

Attend In-Person

The Board meeting will be held in the Main Conference Room at **5 Harris Court, Building G, Monterey, CA 93942** and has limited seating capacity. Face coverings are encouraged, but not required. Please fill out a speaker card for each item you wish to speak on, and place in the speaker card box next to the Board Clerk.

Attend via Zoom: See below “Instructions for Connecting to the [Zoom Meeting](#)”

Submission of Public Comment via E-mail

Send comments to comments@mpwmd.net with one of the following subject lines "PUBLIC COMMENT ITEM #"^(insert the item number relevant to your comment) or “PUBLIC COMMENT – ORAL COMMUNICATIONS.” Staff will forward correspondence received to the Board. Correspondence is not read during public comment portion of the meeting. However, all written public comment received becomes part of the official record of the meeting and placed on the District’s website as part of the agenda packet for the meeting.

Submission of Written Public Comment

All documents submitted by the public must have no less than fifteen (15) copies to be received and distributed by the **Clerk** prior to the Meeting.

Document Distribution

In accordance with Government Code §54957.5, any materials of public record relating to an agenda item for a meeting of the Board of Directors that are provided to a majority of the members less than 72 hours before the

meeting will be made available at the District Office, 5 Harris Court, Building G., Monterey, CA, during normal business hours. Materials of public record that are distributed during the meeting shall be made available for public inspection at the meeting if prepared by the Board or a member of its legislative/advisory body, or the next business day after the meeting if prepared by some other person.

Instructions for Connecting to the **Zoom Meeting**

The public may remotely view and participate in the meeting to make public comment by computer, by phone or smart device.

Please log on or call in as early as possible to address any technical issues that may occur and ensure you do not miss the time to speak on the desired item. Follow these instructions to log into Zoom from your computer, smart device or telephone. (Your device must have audio capability to participate).

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<https://mpwmd-net.zoom.us/j/81906239158?pwd=MHpLYmJkTGZER3RYVXRITmRyRHIXZz09>

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1. Use the “raise hand” function to join the queue to speak on the current agenda item when the Chair calls the item for Public Comment.

COMPUTER / SMART DEVICE USERS: You can find the raise hand option under your participant name.

TELEPHONE USERS: The following commands can be entered using your phone’s dial pad:

- *6 – Toggle Mute / Unmute
- *9 – Raise Hand

2. Staff will call your name or the last four digits of your phones number when it is your time to speak.
3. You may state your name at the beginning of your remarks for the meeting minutes.
4. Speakers will have up to three (3) minutes to make their remarks. *The Chair may announce and limit time on public comment.*
5. You may log off or hang up after making your comments.

Refer to the Meeting Rules to review the complete Rules of Procedure for MPWMD Board and Committee Meetings:

<https://www.mpwmd.net/who-we-are/board-of-directors/meeting-rules-of-the-mpwmd/>

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