



Final Minutes  
Regular Meeting  
Board of Directors  
Monterey Peninsula Water Management District

**Meeting Location:** District Office, Main Conference Room  
5 Harris Court, Building G, Monterey, CA 93940

*Monday, April 17, 2023*

Chair Adams called the meeting to order at 6:00 p.m.

**CALL TO ORDER**

*Directors Present:*

Mary L. Adams, Chair – Monterey County Board of Supervisors Representative  
Amy Anderson, Vice Chair – Division 4  
Alvin Edwards – Division 1  
George T. Riley – Division 2  
Marc A. Eisenhart – Division 3 (*Appeared via Zoom*)  
Karen Paull – Division 4  
Ian Oglesby – Mayoral Representative

**ROLL CALL**

*Directors Absent:* None

*General Manager Present:* David J. Stoldt

*District Counsel Present:* David C. Laredo, Esq. with De Lay & Laredo

The assembly recited the Pledge of Allegiance.

**PLEDGE OF ALLEGIANCE**

David J. Stoldt, General Manager read two corrections to the agenda meeting materials as provided for by Sections 54954.2 of the California Government Code:

**ADDITIONS AND CORRECTIONS TO THE AGENDA**

1. Under Consent Calendar, Staff Report to Item No. 8; *under the heading entitled, "BACKGROUND"*

Strikeout May 19, 2023 and Insert March 19, 2023 and to read as "... On March 19, 2023 Raftelis provided an estimate of cost to be \$60,000 and completion by the end of May."

2. Under Informational Items, Staff Report to Item No. 17; *under the heading entitled, "EXHIBITS"*

Strikeout September 9, 2023 and insert September 9, 2022.

*No further corrections were read into the record by the General Manager.*

A motion was made by Director Riley with a second by Director Anderson to add the following corrections to the published agenda meeting materials:

1. Under Consent Calendar, Staff Report to Item No. 8; *under the heading entitled, "BACKGROUND"*

Strikeout May 19, 2023 and Insert March 19, 2023 and to read as "... On March 19, 2023 Raftelis provided an estimate of cost to be \$60,000 and completion by the end of May."

2. Under Informational Items, Staff Report to Item No. 17; *under the heading entitled, "EXHIBITS"*

Strikeout September 9, 2023 and insert September 9, 2022.

The motion passed on a roll-call vote of 7-Ayes (Edwards, Riley, Eisenhart, Paull, Anderson, Adams and Oglesby), 0-Noes and 0-Absent.

Chair Adams opened Oral Communications. *The following communications were directed to the Board:*

## ORAL COMMUNICATIONS

### Comments Made by Zoom:

1. Nina Beety: Informed and made the Board aware of correspondence sent and addressed to Evan Jacobs of Cal-Am with a courtesy copy to Jonathan Lear with the District on her request to obtain a report on various substances to include chemicals and microbes found in the local drinking water. She stated a response was provided by Jacobs who referred her to Dr. Wang for both a current and detailed report. She has yet to obtain said report, however has requested for the District and Cal-Am to post the report findings online.

*No further communications were directed to the Board.*

Chair Adams introduced the matter. Edwards requested to pull Item No. 8 for discussion. *No further items were pulled from the Consent Calendar.*

## CONSENT CALENDAR

Edwards thanked the District Attorney for promptly making a determination on Cal-Am's complaint alleging the District had committed a Brown Act violation that went unfounded. Oglesby concurred with Edwards comments and thanked District Counsel Laredo for his

lead on the matter.

A motion was offered by Director Edwards with a second by Director Paull to approve Consent Calendar Item Nos. 1 through 8. The motion passed by roll-call vote of 7-Ayes (Adams, Oglesby, Eisenhart, Anderson, Paull, Riley and Edwards), 0-Noes and 0-Absent.

Approved the meeting minutes of the Special and Regular Board Meeting on Monday, March 20, 2023; Special Board Meeting on Friday, March 24, 2023; and Special Board Meeting on Friday, March 31, 2023.

Adopted the February 2023 Treasurer’s Report and financial statements, and ratification of the disbursements made during the month.

Received and filed the District – Wide Annual Water Distribution System Production Summary Report for Water Year 2022.

Received and filed the District – Wide Annual Water Production Summary Report for Water Year 2022.

Received Fiscal Year 2021 – 2022 Mitigation Program Annual Report.

Authorized the General Manager to enter into a contract with Schaaf & Wheeler to provide drawing support services in an amount not-to-exceed \$30,000.

Approved an expenditure of budgeted funds for Water Conservation Equipment in an amount not-to-exceed \$13,000.

Rescinded Board action on Item No. 14-B made on Monday, March 20, 2023 AND Reauthorized the General Manager to approve additional funding for Raftelis Financial Consultant, Inc. in an amount not-to-exceed \$60,000.

David J. Stoldt, General Manager presented via MS PowerPoint entitled, “Status Report on Cal-Am Compliance with SWRCB Orders and Seaside Basin Decision as of April 1, 2023” and answered board

1. **Consider Adoption of Minutes of the Special and Regular Board Meeting on Monday, March 20, 2023; Special Board Meeting on Friday, March 24, 2023; and Special Board Meeting on Friday, March 31, 2023**
2. **Consider Adoption of Treasurer’s Report for February 2023**
3. **Receive and File District-Wide Annual Water Distribution System Production Summary Report for Water Year 2022**
4. **Receive and File District-Wide Annual Water Production Summary Report for Water Year 2022**
5. **Receive Fiscal Year 2021-2022 Mitigation Program Annual Report**
6. **Consider Recommendation to Authorize the General Manager to Enter into a Contract with Schaaf & Wheeler to Provide Drawing Support Services**
7. **Consider Expenditure of Budgeted Funds for Water Conservation Equipment**
8. **Consider Rescinding Board Action on Item No. 14-B Made on Monday, March 20, 2023 and Re-Authorizing the General Manager to Approve Additional Funding for Raftelis in an Amount Not-To-Exceed \$60,000**

#### GENERAL MANAGER’S REPORT

9. **Status Report on California American Water Compliance with State Water Resources Control Board Order 2016-0016 and Seaside Groundwater Basin**

questions. *A copy of the presentation is available at the District office and can be found on the District website.*

## Adjudication Decision

Stoldt provided an overview of the slide-deck and the following points were made on the:

1. Monterey Peninsula Water Resources System (MPWRS) from October to March Water Year (WY) 2023: Carmel River Basin actuals have not been realized [Target: 2,545 Acre Feet (AF); Actual: 865 AF] due to operational issues attributed to heavy precipitation and flooding.
2. Water Projects and Rights from October to March WY 2023: Pure Water Monterey Recovery actuals have been realized [Target: 1,980 AF; Actual: 2,373 AF] and is reporting its highest production numbers since operations began.
3. On Monthly Production for Customer Service for Cal-Am (WY 2023): Demand is 60 AF less than the previous year.
4. On Monthly Recorded Rainfall at the San Clemente Rain Gage (WY 2023): Reported 34.5 inches of precipitation through April 1, 2023 and/or 168% of long-term averages.
5. On Daily Rainfall Recorded at San Clemente Rain Gage (WY 2023): Displayed graph and provided historical context.
6. On Rainfall Year Types: Projections indicate and point towards an “Extremely Wet” year.
7. Displayed a graph on Estimated Unimpaired Carmel River Flow at Sleepy Hollow Weir (WY 2023): January and February 2023 exceeded the long-term averages and anticipates streamflow to do the same.
8. Displayed ASR Injection Summary Well WY2023 both for Daily Injection and Cumulative Injection to Date: Cumulative Injections = 1,065 AF to date.

Stoldt mentioned as a result of Cal-Am, the District and Monterey One Water (M1W) executing the Amended and Restated Water Purchasing Agreement: M1W has drafted and advertised for construction bid packages for Pure Water Monterey (PWM) Expansion and final award to be made at the M1W Board meeting on July 31, 2023. He mentioned the District is working to secure Federal and State funding sources to include: \$42 million in Federal grant funding monies; \$4.8 million through the State Water Resources Control Board and \$11.94 through the CA Department of Water Resources. He anticipates completion of the PWM Expansion during the 3<sup>rd</sup> or 4<sup>th</sup>

Quarter of 2025.

Stoldt briefly commented on recent editorials made in local newspapers pertaining to Measure J. He reminded the Board and read an excerpt of Section II: Purpose of the Measure J initiative and another excerpt of an Ordinance directing the District to pursue Measure J.

David C. Laredo, District Counsel introduced Michael Laredo, a partner in his law firm to the Board.

He read and announced that the following action was taken on Closed Session (CS) Item No. 2 on the Monday, March 20, 2023 Special and Regular Board Meeting:

A motion was offered by Director George Riley with a second by Director Karen Paull, the Board authorized staff, General Counsel and Special District Counsel Michael Colantuono to prosecute an appeal of the March 3, 2023 order and judgement in MPTA II tendered by Judge Carrie Panetta. The motion was adopted by a roll call vote of 6-Ayes (Edwards, Riley, Paull, Anderson, Adams and Oglesby), 0-Noes and 1-Absent (Eisenhart).

Director Edwards: Mentioned that he provided a brief report on the District's Special Meeting on Monday, April 3, 2023 before the Seaside City Council at their April 2023 meeting. He commented that at a recent M1W Recycled Water Committee discussion included, but not limited to: construction bid packages for PWM Expansion and updates on grant status. He requested for the General Manager to identify grants that are in a pending status and need to be worked on.

He requested the General Manager to ensure the District's funding sources or grants to be secured and identify those grants that still need to be both worked on and settled.

David J. Stoldt, General Manager provided introductory remarks. He directed attention to Exhibit 12-A: Recommended Strategic Goals and Objectives for 2023 and read the Long-Term and Short-Term Goals.

Stoldt provided brief background information leading up to the Cease-and-Desist Order 95-10 issued by the State Water Resources Control Board. He mentioned staff in the future will need to monitor, assess and address

## REPORT FROM DISTRICT COUNSEL

10. **Report from District Counsel and Report Out from the Closed Session Meeting on Monday, March 20, 2023 on Agenda Item CS 2**

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

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

## ACTION ITEM

12. **Consider Adoption of District Strategic Goals and Objectives for 2023**

pumping from the Carmel River by Cal-Am and other local vineyards during years of continual drought. Stoldt shared that the company has cut down on pumping off of the river and are down to their legal limit of 3,367 Acre Feet and will need to determine in the future to encourage local vineyards to scale back on pumping from the Carmel River.

Director Eisenhart touched upon the need for landlords or tenants to have an Automated Meter Reading (AMR) device. Eisenhart mentioned having AMR technology will empower homeowners and tenants to both monitor water usage and their monthly water utility bill. Paull requested for staff to investigate Cal-Am's approach on installing AMR now and moving forward. Edwards requested for Staff to develop and provide an updated Allocation Environmental Impact Report.

Chair Adams opened public comment; *the following comments were directed to the Board:*

- (1) Susan Schiavone: Commended the Board on their work on developing the District Strategic Goals and Objectives for 2023.

*No comments were directed to the committee.*

A motion was offered by Director Paull with a second by Director Anderson to adopt the District Strategic Goals and Objectives for 2023. The motion passed on a roll-call vote of 7-Ayes (Edwards, Riley, Paull, Eisenhart, Anderson, Adams and Oglesby), 0-Noes and 0-Absent.

## DISCUSSION ITEM

Stephanie Locke, Water Demand Manager briefly summarized her Staff Report. She informed the Board Executive Order No. N-5-23 has forced the District from moving from Water Conservation Stage II to Stage I. *In response to Edwards*, Locke clarified the Governor's Executive Order issued on March 24, 2023 effectively sunsets the District's Ordinance. *In response to Anderson*, Locke commented local business establishments and their management team will be notified of potential violations prior to notifying the landlord via formal enforcement.

Chair Adams opened public comment; *No comments were directed to the Board.*

Chair Adams opened public comment; *the following comment was directed to the Board:*

1. Melodie Chrislock, *Executive Director with Public Water Now*: Commented on recent editorials authored by Ron Chesshire and John

13. **Report on Rescission of Stage 2 Water Conservation in Response to Executive Order N-5-23**

## INFORMATIONAL ITEMS/STAFF REPORTS

McPherson. She called on the District to respond to the editorials in writing with the same newspapers.

2. Susan Schiavone: Concurred with Chrislock's comments. Noted that she has responded to Chesshire's editorial and provided a copy of the response to the Board Clerk for circulation amongst the Board Members. *A copy of the letter can be found on the District website and available at the District office upon request.*

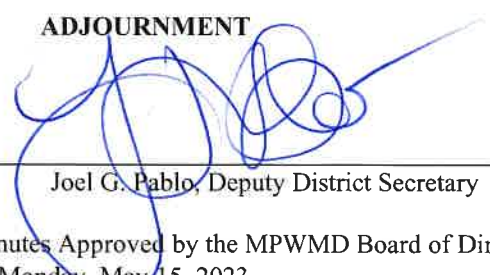
*No further comments were directed to the Board.*

*No further discussion was had on Informational Items.*

14. **Report on Activity/Progress on Contracts Over \$25,000**
15. **Status Report on Measure J / Rule 19.8 Phase II Spending**
16. **Letters Received**
17. **Committee Reports**
18. **Monthly Allocation Report**
19. **Water Conservation Program Report**
20. **Carmel River Fishery Report for March 2023**
21. **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]
22. **Quarterly Water Use Credit Transfer Status Report**
23. **Quarterly Carmel River Riparian Corridor Management Report**

There being no further business, Chair Adams adjourned the meeting at 7:13 p.m.

**ADJOURNMENT**

  
\_\_\_\_\_  
Joel G. Pablo, Deputy District Secretary

Minutes Approved by the MPWMD Board of Directors  
on Monday, May 15, 2023