

This meeting has been noticed according to the Brown Act rules.



AGENDA  
**Finance and Administration Committee  
of the Monterey Peninsula Water Management District**

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April 8, 2024 at 2:00 PM [PST]

Meeting Location: MPWMD -- Main Conference Room  
5 Harris Court, Building G, Monterey, CA 93940

[This is an In-Person meeting. Remote participation may be offered via Zoom, but this is optional as connectivity cannot be assured and thus is not a necessary requisite for the meeting to proceed in-person.]

To join by Zoom, please click the link below:

<https://mpwmd-net.zoom.us/j/87631988849?pwd=QBROsHwzcA8duoddeoFXNBQjXkdWRWe.1>

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

Webinar ID: 876 3198 8849

Meeting password: 040824

To Participate by Phone: (669) 900-9128

**For detailed instructions on how to connect to the meeting, please see page 3 of this agenda.**

This agenda was posted at the District website ([www.mpwmd.net](http://www.mpwmd.net)) and at 5 Harris Court, Bldg. G, Monterey, California on Thursday, April 4, 2024. Staff notes will be available on the District website at <https://www.mpwmd.net/who-we-are/committees/board-committees/administrative-committee/> by 5:00 p.m. on Friday, April 5, 2024.

**Finance and Administration  
Committee Members:**  
George Riley – Chair  
Alvin Edwards  
Karen Paull

**Alternate:**  
Marc Eisenhart

**Staff Contact:**  
Nishil Bali  
Sara Reyes

**Call to Order / Roll Call**

**Additions and Corrections to the Agenda**

**Comments from Public** – *The public may comment on any item within the District’s jurisdiction. Please limit your comments to three minutes in length.*

**Action Items** – *Public comment will be received. Please limit your comments to three (3) minutes per item.*

1. Consider Adoption of March 11, 2024 Committee Meeting Minutes
2. Consider Adoption of Treasurer’s Report for February 2024
3. Consider Adoption of Revised Purchasing Policy

**Informational Items** – *Public comment will be received. Please limit your comments to three (3) minutes per item.*

4. Report on Activity/Progress on Contracts Over \$25,000
5. Status Report on Measure J/Rule 19.8

**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/>

**Discussion/Other Items** - Public comment will be received. Please limit your comments to three (3) minutes per item.

6. Review Draft April 15, 2024 Regular Board Meeting Agenda

**Suggest Items to be Placed on Future Agendas**

**Adjournment**

### 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. Please send a description of the requested materials and preferred alternative format or auxiliary aid or service at least 48 hours prior to the scheduled meeting date/time. Requests should be forwarded to Sara Reyes by e-mail at [sara@mpwmd.net](mailto:sara@mpwmd.net) or at (831) 658-5610.

### Provide Public Comment at the Meeting

**Attend In-Person**

The Finance and Administration Committee 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 Committee 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](mailto: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 Committee. 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 six (6) 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 a legislative body that is 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 comments 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).

To join via Zoom-Teleconferencing, please click the link below:

<https://mpwmd-net.zoom.us/j/87631988849?pwd=QBROsHwzcA8duoddeoFXNBQixdWRWe.1>

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

Webinar ID: 876 3198 8849

Meeting password: 040824

To Participate by Phone: (669) 900-9128

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 phone 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/>



**FINANCE AND ADMINISTRATION COMMITTEE****ITEM: ACTION ITEM****1. CONSIDER ADOPTION OF MARCH 11, 2024 COMMITTEE MEETING MINUTES****Meeting Date: April 8, 2024****From: David J. Stoldt,  
General Manager****Prepared By: Sara Reyes**

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**SUMMARY:** Draft minutes of the March 11, 2024, Finance and Administration Committee meeting are attached as **Exhibit 1-A**.**RECOMMENDATION:** The Finance and Administration Committee should review the minutes and adopt them by motion.**EXHIBIT****1-A Draft Minutes of March 11, 2024 Committee Meeting**





## EXHIBIT 1-A

### **DRAFT MINUTES** **Monterey Peninsula Water Management District** **Finance and Administration Committee** *March 11, 2024*

Meeting Location: District Office, Main Conference Room  
 5 Harris Court, Building G., Monterey, CA 93940  
*(Hybrid: Meeting Held In-Person and via Zoom – Teleconferencing means)*

#### **Call to Order**

Chair Riley called the meeting to order at 2:05 PM.

Committee members present: George Riley, Chair  
 Alvin Edwards (via Zoom)  
 Karen Paull

District staff members present: Nishil Bali, Administrative Services Manager/Chief Financial Officer  
 Sara Reyes, Executive Assistant/Board Clerk  
 Maureen Hamilton, District Engineer  
 Stephanie Locke, Water Demand Manager  
 Simona Mossbacher, HR Coordinator/Contract Specialist

District staff members absent: David Stoldt, General Manager

District Counsel present: Michael Laredo, DeLay & Laredo

#### **Additions / Corrections to Agenda:**

Sara Reyes, Executive Assistant/Clerk of the Board, distributed minor corrections to the draft January 16, 2024 minutes for consideration by the committee. Nishil Bali, Chief Financial Officer/Administrative Services Manager, reported he distributed a revised staff report for Item 4 – Consider Adoption of Mid-Year Fiscal Year 2023-2024 Budget Adjustment, for committee consideration. Mr. Bali also suggested the committee consider changing the title for Item 6, Status Report on Measure J/Rule 19.8 Phase II Spending to Status Report on Measure J/Rule 19.8. Chair Riley announced these topics will be addressed as the committee reviews these items.

#### **Comments from the Public:**

None

#### **Action Items:**

##### **1. Consider Adoption of January 16, 2024 Committee Meeting Minutes**

On a motion by Paull and second by Edwards, the minutes of the January 16, 2024 meeting were unanimously approved by a roll call vote of 3-0.

**2. Declaration of Surplus Items**

On a motion by Edwards and second by Paull, the Finance and Administration Committee recommended that the Board declare the items listed on Exhibit 2-A as surplus items to be either donated or disposed at the Monterey Regional Waste Management District. The motion was unanimously approved by a roll call vote of 3 – 0.

**3. Consider Adoption of Treasurer’s Report for January 2024**

On a motion by Paull and second by Edwards the Finance and Administration Committee recommended that the Board adopt the January 2024 Treasurer’s Report and Statement of Revenues and Expenditures and ratify the disbursements made during the month. The motion was unanimously approved by a roll call vote of 3 – 0.

**4. Consider Adoption of Mid-Year Fiscal Year 2023-2024 Budget Adjustment**

On a motion by Paull and second by Riley the Finance and Administration Committee recommended that the Board adopt the proposed mid-year budget adjustment for FY 2023-2024. The motion was unanimously approved by a roll call vote of 3 – 0.

**Informational Items:****5. Report on Activity/Progress on Contracts Over \$25,000**

This item was presented as information to the committee. No action was required or taken by the committee.

**6. Status Report on Measure J/Rule 19.8 Phase II Spending**

This item was presented as information to the committee. Nishil Bali, Chief Financial Officer, suggested the title of the staff report read – Status Report on Measure J/Rule 19.8. After some discussion, the committee agreed to change the title.

**Discussion Item:****7. Review Draft March 18, 2024 Special and Regular Board Meeting Agenda**

The committee reviewed and discussed the agenda. Nishil Bali stated that an additional agenda item will be added to consider annuitant Suresh Prasad's part-time, limited-term employment for calendar year 2024. No changes were made by the committee.

**Adjournment**

Chair Riley adjourned the meeting at 3:02 PM.

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## FINANCE AND ADMINISTRATION COMMITTEE

### ITEM: ACTION ITEM

#### 2. CONSIDER ADOPTION OF TREASURER'S REPORT FOR FEBRUARY 2024

**Meeting Date:** April 8, 2024 **Budgeted:** N/A

**From:** David J. Stoldt,  
General Manager **Program/** N/A  
**Line Item No.:**

**Prepared By:** Nishil Bali **Cost Estimate:** N/A

**General Counsel Review:** N/A

**Committee Recommendation:** The Finance and Administration Committee considered this item on April 8, 2024 and recommended \_\_\_\_\_.

**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

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**SUMMARY:** Exhibit 2-A comprises the Treasurer's Report for February 2024. Exhibit 2-B includes listings of check disbursements for the period February 1-29, 2024. Checks, virtual checks (AP Automation), direct deposits of employee paychecks, payroll tax deposits, and bank charges resulted in total disbursements for the period in the amount of \$2,165,990.14. There were \$13,319.50 in conservation rebates paid out during the current period. Exhibit 2-C reflects the unaudited version of the Statement of Revenues and Expenditures for the month ending February 29, 2024.

**RECOMMENDATION:** The Finance and Administration Committee should recommend that the Board adopt the February 2024 Treasurer's Report and Statement of Revenues and Expenditures and ratify the disbursements made during the month.

### EXHIBITS

**2-A** Treasurer's Report

**2-B** Listing of Cash Disbursements-Regular

**2-C** Statement of Revenues and Expenditures



**MONTEREY PENINSULA WATER MANAGEMENT DISTRICT  
TREASURER'S REPORT FOR FEBRUARY 2024**

<u>Description</u>	<u>Checking</u>	<u>MPWMD Money Market</u>	<u>L.A.I.F.</u>	<u>Multi-Bank Securities*</u>	<u>MPWMD Total</u>	<u>PB Reclamation Money Market</u>
<b>Beginning Balance</b>	<b>\$808,448.05</b>	<b>\$5,772,574.58</b>	<b>\$10,091,208.77</b>	<b>\$8,957,633.51</b>	<b>\$25,629,864.91</b>	<b>\$284,321.93</b>
Fee Deposits		4,330,698.22			4,330,698.22	130,726.08
MoCo Tax & WS Chg Installment Pymt					0.00	
Interest Received				12,779.10	12,779.10	
Transfer - Checking/LAIF					0.00	
Transfer - Money Market/LAIF			2,255,000.00		2,255,000.00	
Transfer - Money Market/Checking	1,500,000.00	(3,755,000.00)			(2,255,000.00)	
Transfer - Money Market/Multi-Bank					0.00	
Transfer to CAWD					0.00	(284,000.01)
Voided Checks					0.00	
Bank Corrections/Reversals/Errors					0.00	
Bank Charges/Other	-				0.00	
Credit Card Fees	(1,258.53)				(1,258.53)	
Returned Deposits	-				0.00	
Payroll Tax/Benefit Deposits	(126,258.42)				(126,258.42)	
Payroll Checks/Direct Deposits	(148,034.14)				(148,034.14)	
General Checks	(43,823.64)				(43,823.64)	
Rebate Payments	(13,319.50)				(13,319.50)	
Bank Draft Payments	(26,801.90)				(26,801.90)	
AP Automation Payments	(1,806,494.01)				(1,806,494.01)	
<b>Ending Balance</b>	<b>\$142,457.91</b>	<b>\$6,348,272.80</b>	<b>\$12,346,208.77</b>	<b>\$8,970,412.61</b>	<b>\$27,807,352.09</b>	<b>\$131,048.00</b>

\* Fixed Income investments are reported at face value



**EXHIBIT 2-B**

**My Check Report**



Monterey Peninsula Water Management Di

By Check Number

Date Range: 02/01/2024 - 02/29/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
<b>Bank Code: APBNK</b>	<b>-Bank of America Checking</b>					
01195	California Dept. of Fish & Wildlife	02/09/2024	Regular	0.00	115.50	40826
01002	Monterey County Clerk	02/15/2024	Regular	0.00	50.00	40828
06001	Cypress Coast Ford	02/26/2024	Regular	0.00	43,658.14	40829
00010	Access Monterey Peninsula	02/09/2024	Virtual Payment	0.00	875.00	APA004074
01015	American Lock & Key	02/09/2024	Virtual Payment	0.00	14.75	APA004075
00253	AT&T	02/09/2024	Virtual Payment	0.00	1,354.59	APA004076
04043	Campbell Scientific, Inc.	02/09/2024	Virtual Payment	0.00	419.52	APA004077
12601	Carmel Valley Ace Hardware	02/09/2024	Virtual Payment	0.00	40.77	APA004078
00028	Colantuono, Highsmith, & Whatley, PC	02/09/2024	Virtual Payment	0.00	304.35	APA004079
06001	Cypress Coast Ford	02/09/2024	Virtual Payment	0.00	8,696.08	APA004080
01352	Dave Stoldt	02/09/2024	Virtual Payment	0.00	390.26	APA004081
08109	David Olson, Inc.	02/09/2024	Virtual Payment	0.00	770.00	APA004082
00046	De Lay & Laredo	02/09/2024	Virtual Payment	0.00	35,713.50	APA004083
18734	DeVeera Inc.	02/09/2024	Virtual Payment	0.00	8,779.76	APA004084
18225	DUDEK	02/09/2024	Virtual Payment	0.00	833.75	APA004085
00192	Extra Space Storage	02/09/2024	Virtual Payment	0.00	322.00	APA004086
02660	Forestry Suppliers Inc.	02/09/2024	Virtual Payment	0.00	134.58	APA004087
12655	Graphicsmiths	02/09/2024	Virtual Payment	0.00	112.50	APA004088
02833	Greg James	02/09/2024	Virtual Payment	0.00	1,413.12	APA004089
00986	Henrietta Stern	02/09/2024	Virtual Payment	0.00	1,413.12	APA004090
04717	Inder Osahan	02/09/2024	Virtual Payment	0.00	1,413.12	APA004091
00094	John Arriaga	02/09/2024	Virtual Payment	0.00	6,800.00	APA004092
03969	Jonathan Lear	02/09/2024	Virtual Payment	0.00	288.90	APA004093
05830	Larry Hampson	02/09/2024	Virtual Payment	0.00	1,413.12	APA004094
13431	Lynx Technologies, Inc	02/09/2024	Virtual Payment	0.00	2,550.00	APA004095
00222	M.J. Murphy	02/09/2024	Virtual Payment	0.00	12.91	APA004096
00259	Marina Coast Water District	02/09/2024	Virtual Payment	0.00	3,250.16	APA004097
01012	Mark Dudley	02/09/2024	Virtual Payment	0.00	540.00	APA004098
18325	Minuteman Press Monterey	02/09/2024	Virtual Payment	0.00	108.45	APA004099
00275	Monterey County Herald	02/09/2024	Virtual Payment	0.00	663.36	APA004100
16182	Monterey County Weekly	02/09/2024	Virtual Payment	0.00	970.00	APA004101
13396	Navia Benefit Solutions, Inc.	02/09/2024	Virtual Payment	0.00	2,027.74	APA004102
14224	OS Systems, Inc	02/09/2024	Virtual Payment	0.00	1,780.04	APA004103
00154	Peninsula Messenger Service	02/09/2024	Virtual Payment	0.00	268.00	APA004104
00755	Peninsula Welding Supply, Inc.	02/09/2024	Virtual Payment	0.00	251.00	APA004105
00755	Peninsula Welding Supply, Inc.	02/09/2024	Virtual Payment	0.00	-251.00	APA004105
00262	Pure H2O	02/09/2024	Virtual Payment	0.00	65.54	APA004106
00251	Rick Dickhaut	02/09/2024	Virtual Payment	0.00	554.00	APA004107
04709	Sherron Forsgren	02/09/2024	Virtual Payment	0.00	885.52	APA004108
19700	Shute, Mihaly & Weinberger LLP	02/09/2024	Virtual Payment	0.00	6,331.46	APA004109
00024	Three Amigos Pest Control DBA Central Coast E	02/09/2024	Virtual Payment	0.00	104.00	APA004110
00203	ThyssenKrup Elevator	02/09/2024	Virtual Payment	0.00	733.98	APA004111
00225	Trowbridge Enterprises Inc.	02/09/2024	Virtual Payment	0.00	263.78	APA004112
00269	U.S. Bank	02/09/2024	Virtual Payment	0.00	8,716.79	APA004113
18737	U.S. Bank Equipment Finance	02/09/2024	Virtual Payment	0.00	871.81	APA004114
00207	Universal Staffing Inc.	02/09/2024	Virtual Payment	0.00	1,935.75	APA004115
12181	Val Strough Honda	02/09/2024	Virtual Payment	0.00	240.46	APA004116
06009	yourservicesolution.com	02/09/2024	Virtual Payment	0.00	1,521.00	APA004117
00763	ACWA-JPIA	02/15/2024	Virtual Payment	0.00	313.50	APA004118
14036	City of Sand City	02/15/2024	Virtual Payment	0.00	13,880.45	APA004119
04040	City of Seaside	02/15/2024	Virtual Payment	0.00	58,784.58	APA004120
14225	Cla-Val Company	02/15/2024	Virtual Payment	0.00	696.94	APA004121
00281	CoreLogic Information Solutions, Inc.	02/15/2024	Virtual Payment	0.00	1,219.99	APA004122
19101	M&S Building Supply, Inc.	02/15/2024	Virtual Payment	0.00	12.02	APA004123

## My Check Report

Date Range: 02/01/2024 - 02/29/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
00222	M.J. Murphy	02/15/2024	Virtual Payment	0.00	164.62	APA004124
00259	Marina Coast Water District	02/15/2024	Virtual Payment	0.00	40,704.00	APA004125
00274	Monterey One Water	02/15/2024	Virtual Payment	0.00	250.21	APA004126
00274	Monterey One Water	02/15/2024	Virtual Payment	0.00	1,543,558.88	APA004127
08700	Monterey Regional Waste Management District	02/15/2024	Virtual Payment	0.00	20.00	APA004128
23759	Ozark Underground Lab, Inc	02/15/2024	Virtual Payment	0.00	764.38	APA004129
00755	Peninsula Welding Supply, Inc.	02/15/2024	Virtual Payment	0.00	64.50	APA004130
24163	Quality Print & Copy LLC	02/15/2024	Virtual Payment	0.00	1,335.13	APA004131
09989	Star Sanitation Services	02/15/2024	Virtual Payment	0.00	117.61	APA004132
04359	The Carmel Pine Cone	02/15/2024	Virtual Payment	0.00	726.00	APA004133
00225	Trowbridge Enterprises Inc.	02/15/2024	Virtual Payment	0.00	215.78	APA004134
00207	Universal Staffing Inc.	02/15/2024	Virtual Payment	0.00	1,145.50	APA004135
00271	UPEC, Local 792	02/15/2024	Virtual Payment	0.00	1,161.50	APA004136
23550	WellmanAD	02/15/2024	Virtual Payment	0.00	9,025.00	APA004137
20230	Zoom Video Communications Inc	02/15/2024	Virtual Payment	0.00	470.32	APA004138
00767	AFLAC	02/26/2024	Virtual Payment	0.00	612.90	APA004182
01188	Alhambra	02/26/2024	Virtual Payment	0.00	175.70	APA004183
00760	Andy Bell	02/26/2024	Virtual Payment	0.00	622.00	APA004184
14567	Applicant Information	02/26/2024	Virtual Payment	0.00	74.00	APA004185
00263	Arlene Tavani	02/26/2024	Virtual Payment	0.00	1,088.93	APA004186
05826	Carmel Towing & Garage	02/26/2024	Virtual Payment	0.00	375.00	APA004187
12601	Carmel Valley Ace Hardware	02/26/2024	Virtual Payment	0.00	20.46	APA004188
23421	Carrie S. Osborn	02/26/2024	Virtual Payment	0.00	255.00	APA004189
02660	Forestry Suppliers Inc.	02/26/2024	Virtual Payment	0.00	43.42	APA004190
05164	GardenSoft	02/26/2024	Virtual Payment	0.00	5,000.00	APA004191
21458	Gobel Framing Inc	02/26/2024	Virtual Payment	0.00	524.78	APA004192
03857	Joe Oliver	02/26/2024	Virtual Payment	0.00	705.00	APA004193
00222	M.J. Murphy	02/26/2024	Virtual Payment	0.00	20.47	APA004194
00259	Marina Coast Water District	02/26/2024	Virtual Payment	0.00	244.51	APA004195
05829	Mark Bekker	02/26/2024	Virtual Payment	0.00	300.18	APA004196
01012	Mark Dudley	02/26/2024	Virtual Payment	0.00	540.00	APA004197
00223	Martins Irrigation Supply	02/26/2024	Virtual Payment	0.00	52.16	APA004198
16182	Monterey County Weekly	02/26/2024	Virtual Payment	0.00	970.00	APA004199
08700	Monterey Regional Waste Management District	02/26/2024	Virtual Payment	0.00	69.58	APA004200
13394	Regional Government Services	02/26/2024	Virtual Payment	0.00	1,915.55	APA004201
24873	Rincon Consultants Inc	02/26/2024	Virtual Payment	0.00	2,993.25	APA004202
09425	The Ferguson Group LLC	02/26/2024	Virtual Payment	0.00	6,058.67	APA004203
00207	Universal Staffing Inc.	02/26/2024	Virtual Payment	0.00	464.00	APA004204
05378	Water Awareness Committee	02/26/2024	Virtual Payment	0.00	2,000.00	APA004205
08105	Yolanda Munoz	02/26/2024	Virtual Payment	0.00	540.00	APA004206
00266	I.R.S.	02/09/2024	Bank Draft	0.00	12,709.39	DFT0003164
00266	I.R.S.	02/09/2024	Bank Draft	0.00	3,001.38	DFT0003165
00267	Employment Development Dept.	02/09/2024	Bank Draft	0.00	5,116.27	DFT0003166
00266	I.R.S.	02/09/2024	Bank Draft	0.00	327.94	DFT0003167
00252	Cal-Am Water	02/09/2024	Bank Draft	0.00	79.09	DFT0003168
00252	Cal-Am Water	02/09/2024	Bank Draft	0.00	191.62	DFT0003169
16235	California Department of Tax and Fee Administr	02/09/2024	Bank Draft	0.00	23.99	DFT0003170
00758	FedEx	02/09/2024	Bank Draft	0.00	159.97	DFT0003171
00277	Home Depot Credit Services	02/09/2024	Bank Draft	0.00	147.10	DFT0003172
00282	PG&E	02/09/2024	Bank Draft	0.00	2,817.81	DFT0003173
00221	Verizon Wireless	02/09/2024	Bank Draft	0.00	1,311.81	DFT0003174
18163	Wex Bank	02/09/2024	Bank Draft	0.00	79.84	DFT0003175
00766	Standard Insurance Company	02/02/2024	Bank Draft	0.00	19.78	DFT0003176
00266	I.R.S.	02/09/2024	Bank Draft	0.00	34.92	DFT0003177
00266	I.R.S.	02/09/2024	Bank Draft	0.00	82.26	DFT0003178
00266	I.R.S.	02/09/2024	Bank Draft	0.00	351.54	DFT0003179
00266	I.R.S.	02/15/2024	Bank Draft	0.00	-28.04	DFT0003181
00267	Employment Development Dept.	02/15/2024	Bank Draft	0.00	-11.22	DFT0003183
00758	FedEx	02/15/2024	Bank Draft	0.00	422.62	DFT0003186
00277	Home Depot Credit Services	02/15/2024	Bank Draft	0.00	-13.01	DFT0003187
00277	Home Depot Credit Services	02/15/2024	Bank Draft	0.00	13.01	DFT0003187

My Check Report

Date Range: 02/01/2024 - 02/29/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
18163	Wex Bank	02/15/2024	Bank Draft	0.00	1,269.50	DFT0003188
00768	MissionSquare Retirement- 302617	02/15/2024	Bank Draft	0.00	6,330.97	DFT0003190
00768	MissionSquare Retirement- 302617	02/15/2024	Bank Draft	0.00	-6,330.97	DFT0003190
00768	MissionSquare Retirement- 302617	02/09/2024	Bank Draft	0.00	4,885.88	DFT0003192
00769	Laborers Trust Fund of Northern CA	02/08/2024	Bank Draft	0.00	35,650.00	DFT0003193
00266	I.R.S.	02/16/2024	Bank Draft	0.00	-327.94	DFT0003199
00266	I.R.S.	02/23/2024	Bank Draft	0.00	12,819.57	DFT0003200
00266	I.R.S.	02/23/2024	Bank Draft	0.00	2,999.20	DFT0003201
00267	Employment Development Dept.	02/23/2024	Bank Draft	0.00	5,153.34	DFT0003202
00252	Cal-Am Water	02/23/2024	Bank Draft	0.00	196.35	DFT0003203
00282	PG&E	02/23/2024	Bank Draft	0.00	1,007.37	DFT0003204
00282	PG&E	02/23/2024	Bank Draft	0.00	27.69	DFT0003205
00766	Standard Insurance Company	02/23/2024	Bank Draft	0.00	1,307.91	DFT0003208
00266	I.R.S.	02/26/2024	Bank Draft	0.00	1,100.74	DFT0003211
00256	PERS Retirement	02/07/2024	Bank Draft	0.00	18,546.19	DFT0003212
00256	PERS Retirement	02/28/2024	Bank Draft	0.00	18,961.12	DFT0003213
00277	Home Depot Credit Services	02/29/2024	Bank Draft	0.00	29.36	DFT0003215
00282	PG&E	02/29/2024	Bank Draft	0.00	69.11	DFT0003216
00282	PG&E	02/29/2024	Bank Draft	0.00	17,640.98	DFT0003217
00768	MissionSquare Retirement- 302617	02/23/2024	Bank Draft	0.00	4,885.88	DFT0003233

Payment Type	Bank Code APBNK		Summary	
	Payable Count	Payment Count	Discount	Payment
Regular Checks	3	3	0.00	43,823.64
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	60	41	0.00	153,060.32
EFT's	0	0	0.00	0.00
Virtual Payments	141	91	0.00	1,806,194.01
	<b>204</b>	<b>135</b>	<b>0.00</b>	<b>2,003,077.97</b>

My Check Report

Date Range: 02/01/2024 - 02/29/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
<b>Bank Code: REBATES-02-Rebates: Use Only For Rebates</b>						
26164	Beth Weinstein	02/21/2024	Virtual Payment	0.00	200.00	APA004139
26082	Betty Schaub	02/21/2024	Virtual Payment	0.00	125.00	APA004140
26159	Christina DeMaria	02/21/2024	Virtual Payment	0.00	125.00	APA004141
26168	Christopher Manke	02/21/2024	Virtual Payment	0.00	149.00	APA004142
26139	Cyd Love	02/21/2024	Virtual Payment	0.00	500.00	APA004143
26084	Dan Bowman	02/21/2024	Virtual Payment	0.00	500.00	APA004144
26157	David Stone	02/21/2024	Virtual Payment	0.00	125.00	APA004145
26148	David Yoder	02/21/2024	Virtual Payment	0.00	500.00	APA004146
26160	Denver Dale	02/21/2024	Virtual Payment	0.00	125.00	APA004147
26163	Diane Gomez	02/21/2024	Virtual Payment	0.00	149.00	APA004148
26158	Don Foley	02/21/2024	Virtual Payment	0.00	200.00	APA004149
26147	Dwight Johnson	02/21/2024	Virtual Payment	0.00	500.00	APA004150
26155	E. Jeffrey Walker	02/21/2024	Virtual Payment	0.00	125.00	APA004151
26161	Eileen Shayne	02/21/2024	Virtual Payment	0.00	200.00	APA004152
26150	Francisco Chavedas	02/21/2024	Virtual Payment	0.00	500.00	APA004153
26138	Geoffrey Polinder	02/21/2024	Virtual Payment	0.00	500.00	APA004154
26135	Giuseppe Savona	02/21/2024	Virtual Payment	0.00	500.00	APA004155
26144	Glen Steward	02/21/2024	Virtual Payment	0.00	500.00	APA004156
26146	Grant Carmichael	02/21/2024	Virtual Payment	0.00	500.00	APA004157
26083	J. Michael Cecka	02/21/2024	Virtual Payment	0.00	150.00	APA004158
26137	James Fields	02/21/2024	Virtual Payment	0.00	500.00	APA004159
26141	Jiazhe Song	02/21/2024	Virtual Payment	0.00	500.00	APA004160
26151	John Kubes	02/21/2024	Virtual Payment	0.00	500.00	APA004161
23324	Joni Caldwell	02/21/2024	Virtual Payment	0.00	72.50	APA004162
26154	Jonina Meyers	02/21/2024	Virtual Payment	0.00	125.00	APA004163
26173	Joseph Atme	02/21/2024	Virtual Payment	0.00	500.00	APA004164
26165	Khalil Barhoum	02/21/2024	Virtual Payment	0.00	275.00	APA004165
26172	Laila Mahroom	02/21/2024	Virtual Payment	0.00	500.00	APA004166
20260	Laird Small	02/21/2024	Virtual Payment	0.00	500.00	APA004167
26145	Lawrence Trom	02/21/2024	Virtual Payment	0.00	500.00	APA004168
24615	Mary Narayan	02/21/2024	Virtual Payment	0.00	125.00	APA004169
26143	Michele Friedman	02/21/2024	Virtual Payment	0.00	500.00	APA004170
26166	Nancy Heiner	02/21/2024	Virtual Payment	0.00	124.00	APA004171
08145	Philip Lin	02/21/2024	Virtual Payment	0.00	75.00	APA004172
26171	Rachel Badger	02/21/2024	Virtual Payment	0.00	125.00	APA004173
26167	Robert Sherlock	02/21/2024	Virtual Payment	0.00	200.00	APA004174
26169	Robin Clark	02/21/2024	Virtual Payment	0.00	200.00	APA004175
26152	Sitamma Krishnan	02/21/2024	Virtual Payment	0.00	500.00	APA004176
26153	Tawnya Carvalho	02/21/2024	Virtual Payment	0.00	125.00	APA004177
26136	Tim Sadler	02/21/2024	Virtual Payment	0.00	500.00	APA004178
26156	Tony Rad	02/21/2024	Virtual Payment	0.00	125.00	APA004179
26140	William Hubbard	02/21/2024	Virtual Payment	0.00	500.00	APA004180
26170	Yoko W. Hoffman	02/21/2024	Virtual Payment	0.00	75.00	APA004181

Bank Code REBATES-02 Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	0	0	0.00	0.00
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
Virtual Payments	43	43	0.00	13,319.50
<b>TOTAL</b>	<b>43</b>	<b>43</b>	<b>0.00</b>	<b>13,319.50</b>



### All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	3	3	0.00	43,823.64
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	60	41	0.00	153,060.32
EFT's	0	0	0.00	0.00
Virtual Payments	184	134	0.00	1,819,513.51
	<b>247</b>	<b>178</b>	<b>0.00</b>	<b>2,016,397.47</b>

### Fund Summary

Fund	Name	Period	Amount
99	POOL CASH FUND	2/2024	2,016,397.47
			<b>2,016,397.47</b>





**MONTEREY PENINSULA WATER MANAGEMENT DISTRICT**  
 STATEMENT OF REVENUES AND EXPENDITURES  
 FOR THE MONTH FEBRUARY 29, 2024

	<u>Mitigation</u>	<u>Conservation</u>	<u>Water Supply</u>	<u>Current Period Activity</u>	<u>Current FY Year-to-Date Actual</u>	<u>Current FY Annual Budget</u>	<u>Prior FY Year-to-Date Actual</u>
<b>REVENUES</b>							
Property taxes	\$ -	\$ -	\$ -	\$ -	\$ 1,503,617	\$ 2,600,000	\$ 1,429,959
Water supply charge* (set-aside)			-	-	1,859,305	3,400,000	2,022,764
User fees	333,186	128,223	77,711	539,121	4,123,513	6,000,000	3,857,399
PWM Water Sales			1,294,972	1,294,972	9,917,331	13,275,500	9,635,973
Capacity fees			550,480	550,480	720,263	500,000	229,898
Permit fees	-	19,908		19,908	151,730	198,000	137,488
Investment income	-	-	-	-	316,289	150,000	138,448
Miscellaneous	18	17	19	53	7,772	15,000	14,083
<b>Sub-total district revenues</b>	<b>333,204</b>	<b>148,148</b>	<b>1,923,182</b>	<b>2,404,534</b>	<b>18,599,821</b>	<b>26,138,500</b>	<b>17,466,012</b>
Project reimbursements	-	16,763	8,013	24,776	585,931	1,251,200	1,917,619
Legal fee reimbursements		300		300	10,934	16,000	3,150
Grants	5,543	-	-	5,543	188,195	18,940,000	458,949
Recording fees		4,070		4,070	37,510	25,000	21,890
<b>Sub-total reimbursements</b>	<b>5,543</b>	<b>21,133</b>	<b>8,013</b>	<b>34,689</b>	<b>822,570</b>	<b>20,232,200</b>	<b>2,401,608</b>
From Reserves	-	-	-	-	-	2,067,550	-
<b>Total revenues</b>	<b>338,747</b>	<b>169,281</b>	<b>1,931,194</b>	<b>2,439,223</b>	<b>19,422,391</b>	<b>48,438,250</b>	<b>19,867,620</b>
<b>EXPENDITURES</b>							
<b>Personnel:</b>							
Salaries	73,641	46,035	95,371	215,048	1,978,691	2,902,800	1,765,250
Retirement	7,378	4,663	9,308	21,349	687,062	820,700	684,260
Unemployment Compensation	-	-	-	-	-	10,100	-
Auto Allowance	92	92	277	462	3,808	6,000	3,831
Deferred Compensation	165	165	495	825	7,003	10,700	6,425
Temporary Personnel	531	515	563	1,610	13,949	10,000	6,264
Workers Comp. Ins.	3,122	255	2,276	5,653	50,317	56,600	47,435
Employee Insurance	17,388	12,195	18,657	48,241	363,684	583,700	345,389
Medicare & FICA Taxes	1,129	718	1,648	3,496	29,070	49,500	29,644
Personnel Recruitment	1,051	43	47	1,141	1,780	8,000	513
Other benefits	66	64	70	200	1,784	2,000	1,478
Staff Development	277	524	294	1,095	5,776	26,400	6,450
<b>Sub-total personnel costs</b>	<b>104,842</b>	<b>65,270</b>	<b>129,007</b>	<b>299,118</b>	<b>3,142,924</b>	<b>4,486,500</b>	<b>2,896,939</b>
<b>Services &amp; Supplies:</b>							
Board Member Comp	802	802	826	2,430	17,955	37,000	19,710
Board Expenses	1,350	1,275	1,409	4,034	7,787	8,000	3,230
Rent	840	403	865	2,108	15,986	26,300	15,930
Utilities	173	168	183	524	22,220	33,200	23,042
Telephone	3,424	2,957	2,961	9,342	42,164	47,000	30,116
Facility Maintenance	1,243	1,205	1,318	3,767	27,762	55,100	24,567
Bank Charges	415	403	440	1,259	8,292	25,100	10,906
Office Supplies	396	532	465	1,393	11,081	24,200	21,764
Courier Expense	93	90	98	281	4,877	7,600	5,537
Postage & Shipping	20	19	21	60	1,874	7,500	2,878
Equipment Lease	357	227	288	872	6,922	13,100	7,794
Equip. Repairs & Maintenance	349	342	370	1,062	4,722	5,100	3,031
Photocopy Expense				-			
Printing/Duplicating/Binding	-	1,335	-	1,335	1,335	-	-
IT Supplies/Services	5,320	5,881	5,641	16,842	238,999	260,000	239,080
Operating Supplies	159	1,234	254	1,646	16,492	21,200	3,671
Legal Services	3,433	7,248	9,237	19,919	245,871	400,000	197,977
Professional Fees	7,160	6,943	7,594	21,698	223,369	455,100	198,906



**MONTEREY PENINSULA WATER MANAGEMENT DISTRICT**  
 STATEMENT OF REVENUES AND EXPENDITURES  
 FOR THE MONTH FEBRUARY 29, 2024

	<u>Mitigation</u>	<u>Conservation</u>	<u>Water Supply</u>	<u>Current Period Activity</u>	<u>Current FY Year-to-Date Actual</u>	<u>Current FY Annual Budget</u>	<u>Prior FY Year-to-Date Actual</u>
Transportation	1,800	275	261	2,336	29,152	31,000	18,344
Travel	955	926	1,066	2,947	6,428	19,500	17,862
Meeting Expenses	184	178	195	556	5,270	19,800	9,867
Insurance	7,507	7,962	7,280	22,750	182,044	250,000	115,595
Legal Notices	-	-	-	-	-	2,600	-
Membership Dues	35	2,034	37	2,105	36,360	41,200	35,388
Public Outreach	33	32	35	100	2,655	3,100	610
Assessors Administration Fee	-	-	-	-	-	34,000	-
Miscellaneous	-	-	-	-	387	3,200	393
<b>Sub-total services &amp; supplies costs</b>	<b>36,048</b>	<b>42,470</b>	<b>40,846</b>	<b>119,364</b>	<b>1,160,004</b>	<b>1,829,900</b>	<b>1,006,198</b>
Project expenditures	25,378	41,426	52,689	119,492	9,795,957	36,631,100	11,990,043
Fixed assets	43,658	-	-	43,658	80,701	230,000	324,811
Contingencies	-	-	-	-	-	70,000	-
Election costs	-	-	-	-	-	-	-
Debt service: Principal	-	-	-	-	-	-	-
Debt service: Interest	-	-	(116)	(116)	-	-	49,009
Flood drought reserve	-	-	-	-	-	171,056	-
Capital equipment reserve	-	-	-	-	-	330,300	-
General fund balance	-	-	-	-	-	1,089,394	270
Water Supply Charge Reserve	-	-	-	-	1,859,305	3,400,000	-
Pension reserve	-	-	-	-	-	100,000	-
OPEB reserve	-	-	-	-	-	100,000	-
<b>Sub-total other</b>	<b>69,036</b>	<b>41,426</b>	<b>52,573</b>	<b>163,034</b>	<b>11,735,962</b>	<b>42,121,850</b>	<b>12,364,133</b>
<b>Total expenditures</b>	<b>209,925</b>	<b>149,165</b>	<b>222,426</b>	<b>581,517</b>	<b>16,038,890</b>	<b>48,438,250</b>	<b>16,267,269</b>
<b>Excess (Deficiency) of revenues over expenditures</b>	<b>\$ 128,821</b>	<b>\$ 20,116</b>	<b>\$ 1,708,768</b>	<b>\$ 1,857,706</b>	<b>\$ 3,383,500</b>	<b>\$ -</b>	<b>\$ 3,600,351</b>



- a. Clarifies ethical and accountability guidelines for procurement of goods and services. These include requiring business justifications for purchases along with appropriate documentation, various signoffs for goods/services purchased, prohibition of order splitting to avoid authorization limits, and establishing criteria for purchasing specifications, among other requirements.
- b. Proposes new purchasing thresholds as inflation has eroded purchasing power since the policy's last adoption in 1997. The limit for Petty cash purchases is proposed to be raised from \$50 to \$150 per request and the threshold for creating purchase orders is proposed to be raised from \$150 to \$500 per product/service, along with the criteria for informal and formal solicitations. All purchases are required to be budgeted as part of the proposed Division budget.
- c. Provides new guidelines for credit card purchases including restricted uses.
- d. Defines and allows the use of various types of contracts including Standing Supply, Master Services, Public works, Goods and General Services, and Cooperative Purchasing agreements.
- e. Updates solicitation thresholds for public works and other types of contracts. The proposed policy incorporates the requirements of the California Uniform Construction Cost Accounting Act for Public Contracts. For all other contracts, purchasing limits are revised to fall in one of four tiers corresponding to approval thresholds for District staff, Managers, General Manager, and the Board. Unless exempt, all contracts above \$25,000 require Board approval.
- f. Defines competitive solicitation mechanisms such as Requests for Proposals, Requests for Qualifications, and Invitation to Bid, as well as exempt purchases or those deemed as sole source, urgent, or related to an emergency.
- g. Clarifies guidelines for disposal of surplus property and risk management.

The proposed changes are intended to align purchasing supplies and services with best practices, ensure continuity and uniformity in the district's purchasing operations, and allow for a more cost-effective, compliant, transparent, and efficient purchasing function.

## **EXHIBITS**

**3-A** Existing MPWMD Purchasing Policy – Adopted January 1997

**3-B** Proposed MPWMD Purchasing Policy – Adopted April 2024

## Purchasing Policy

1. **General:** This policy is provided to assist staff in procuring equipment, supplies, and services necessary to carry out the mission of the District. The goal of this policy is to insure that all equipment, supplies, and services required for the operation of the District are available in a timely manner, are procured at the lowest possible cost, and that the purchasing system supports and compliments maintenance of accurate property records, internal control, and financial record keeping. This revised policy is effective January 2, 1997.

2. **Scope** This policy and attendant procedures apply to locating a source, ordering, transportation, receipt, payment, and record keeping for all equipment, supplies, and services resulting in the expenditure of District funds.

3. **Responsibilities:** The General Manager has overall responsibility for insuring that provisions of this policy are followed. Authority for day-to-day operation of the purchasing system is delegated to the Administrative Services Manager who, in turn, may further delegate specific limited purchasing authority and other administrative activities. The Administrative Services Manager is responsible for proposing policy revisions and for staff training regarding purchasing procedures. Questions relating to this policy should be addressed to the Administrative Services Manager.

Division Managers are responsible for insuring that staff members in their divisions adhere to the policies and procedures herein established. They have oversight responsibility to insure purchases are made within budget constraints. Managers are responsible for training members of their divisions on correct purchasing procedures.

All employees requesting purchase of supplies, equipment, or services are expected to be familiar



with this policy and follow the procedures established.

#### 4. **Purchasing Procedures:**

Ordering. Except for the special cases noted below, all purchases for supplies, services, and equipment will be made only with a duly authorized purchase order (PO) signed by the Administrative Services Manager or, in his absence, the General Manager. Staff desiring to make a purchase need only to complete a "working copy" (non-serial-numbered, photocopy) of the District's purchase order form and submit it through the division manager to the Administrative Services Manager. All necessary information including the "ship to" address, if different from the street address, the account number, current and required dates should be filled in by the staff member requesting the item. A complete description including model numbers, colors, sizes, and current price must be stated. All charges for shipping, handling, and taxes must be shown along with the total cost. The division manager should annotate the draft P.O. if appropriate, to indicate the requested items are in the budget, are listed as capital equipment items, or are items or services which are reimbursable from grant funds. The Administrative Services Manager will review the purchase order and either approve it for processing by Support Services staff or return it for further information to the originator or division manager. Written purchase orders are treated as priority jobs within the Administrative Services Division. Support Services will make every effort to complete a final, serial-numbered purchase order and mail the vendor's copy of the order within twenty four hours of receipt of the draft. The pink copy will be distributed to the requestor to confirm that the original was mailed. The yellow copy is forwarded by SS staff to the Accountant.

#### Special Cases

Prior planning should allow for routine purchase order processing and necessary order-ship



time. When a true emergency exists, staff may request a purchase order number from the Administrative Services Manager in order to place a telephone order.. The work copy of the PO, which should be submitted when the telephone order is placed, should include the following comment, "confirming order, do not duplicate". It is the originators responsibility to call the vendor with the P.O. number.

As an alternative to the telephone order above, Support Services will telecopy (fax) a completed P.O. to the vendor in order to expedite an order and save mail time. The originator must request this on the work copy and include the vendor's fax number. Use of this extraordinary process should be infrequent.

Credit card purchases are possible utilizing a District credit card. The card may be obtained from the Administrative Services Manager or in his/her absence, from the General Manager. The District credit card and all receipts must be turned in the day of purchase or the first business day after the staff member returns to the District, if the purchases were made out of town. Any purchase exceeding \$150.00 will require a P.O. The District's credit card number must not be transmitted via the Internet at any time, given present Internet security conditions.

Gasoline credit cards are located in each vehicle. They are for use by staff to make routine purchases of gas, oil, lubricants, and other supplies and services for maintenance of District vehicles only when traveling away from the Peninsula. They are not to be used for food or purchase of non-automotive products. Receipts should be turned in to the Accountant.

Credit purchases from approved vendors are authorized up to \$ 150.00 when approved by the division manager. Purchases in excess of this amount require a purchase order. Credit card purchases for less than this amount may be documented with a P. O. at the discretion of the purchaser or manager. The Accountant maintains a current vendor list.

Cash purchases for amounts under \$ 50.00 are initiated by requesting a disbursement from



the District's petty cash fund maintained by Support Services staff. A written voucher must be presented when the cash is received. After purchase, the receipt and any unused petty cash must be immediately returned to the Support Services staff.

#### Purchases Without Authority

Staff members are strongly discouraged from utilizing personal funds for purchase of District supplies and equipment. There is no guarantee that reimbursement will be made for purchases made with personal funds which deviate from standard purchasing procedures. Requests for reimbursement for supplies and equipment purchased with personal funds should be submitted on the appropriate form and must be approved by the division manager and the Administrative Services Manager.

Employees of the District should be cautious not to make or imply commitment to purchase supplies, equipment, or services on the telephone or by mail via "business reply mail", on the Internet or via other marketing practices. When in doubt, consult the division manager or the Administrative Services Division Manager. There is no guarantee that such arrangements will be honored by the District.

Receipt. Shipments of supplies and equipment are normally received by the Support Services staff. Addressees will be notified upon arrival of a shipment. All packages and other material, whether received via mail, UPS, motor freight, or other means, should be inspected for damage by the person preparing the order. Staff should check contents against the shipping document or invoice. Any damage or deviation from the items expected should be handled by the person who placed the order. Support services staff will assist in returning packages to the vendor as required.

Once staff is satisfied that the shipment is complete and in satisfactory condition, the original shipping document or invoice should be annotated "Ok to Pay", initialed by the person who placed

the order, and returned to the Accountant. On the other hand, if for some reason, the item is on back order, or the shipment is not satisfactory, the originator should notify the Accountant immediately to preclude payment prior to receipt of the complete purchase.

Payment. When approval from the ordering staff member to pay for the purchase is received, the Accountant will file the approved invoice until a statement from the vendor is received. At that time, the Accountant will process the statement and schedule a check for preparation at the next semi-monthly check writing. A check payable to the vendor will be prepared, signed, and mailed.

5. **Purchasing by use of bids:** For major purchases, the District will employ a formal bid process whereby vendors are asked to submit formal written bids for provision of certain equipment or services. This process is governed by Section 118-491 through Section 118-494 of the State of California Water Code (the District's enabling legislation) and applicable sections of the State of California Administrative, Civil, Public Contract, Government, Streets and Highways codes and other law. With respect to question of whether bids are necessary, the District is required to seek bids for procurement of equipment and works if the total expenditure is ~~\$5,000~~ <sup># 10,000</sup> or more. Typically, our consultant contracts do not fall into the category of works as defined in the California Code and therefore bids are not strictly required. Staff is encouraged to consult with District Counsel in this matter prior to taking action. <sup>eff. 11/1/99</sup>

SB 1860

The following steps are included in this process:

Preparation of a Request for Proposal (RFP)

Advertisement of Call for Bids

Receipt of bid documents

Public opening of bid documents



Evaluation of bids

Award of bid

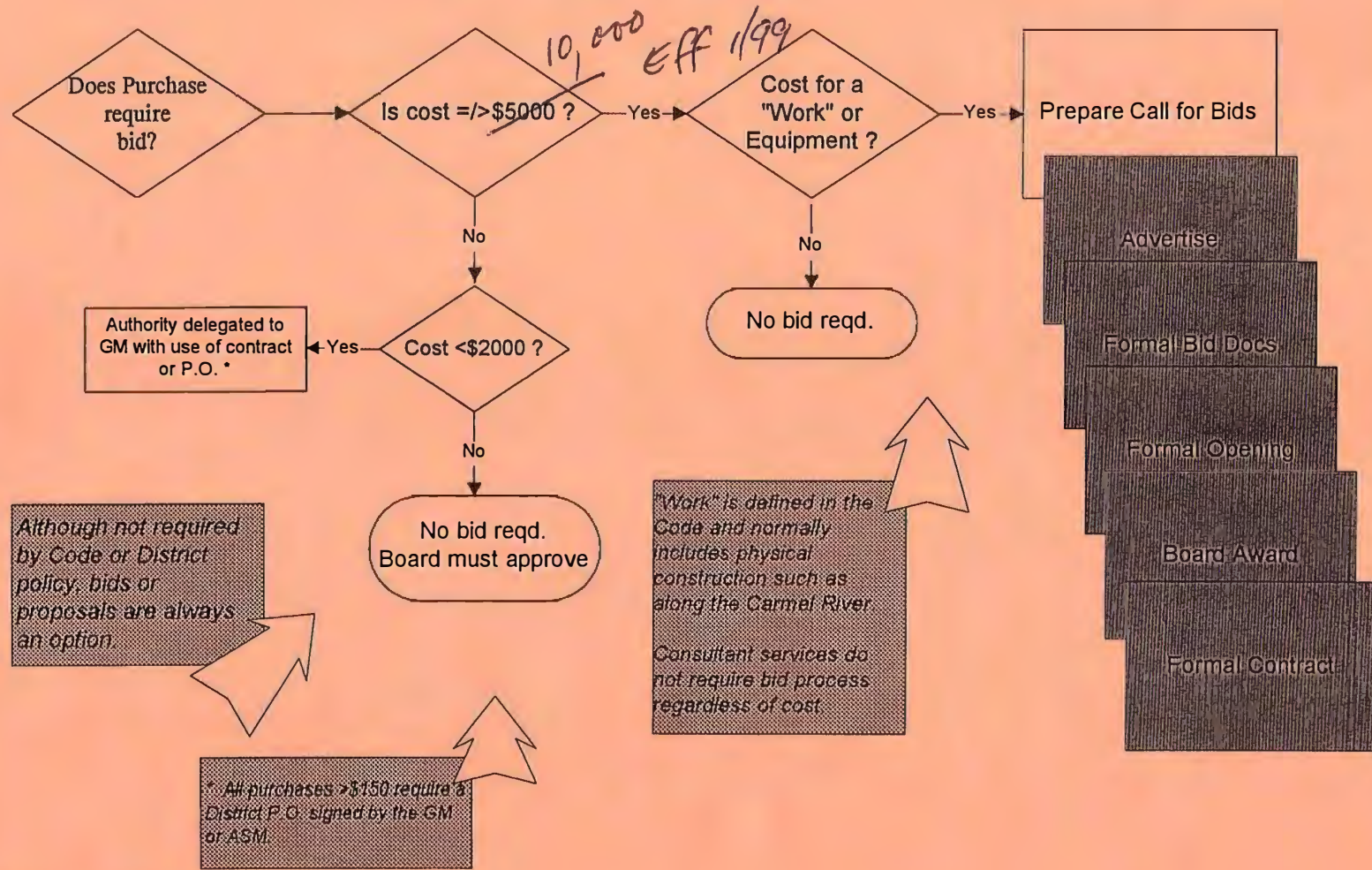
Staff handling bids for services are cautioned to be mindful of any action which might give the appearance of favoritism toward any prospective bidder. Questions regarding process or procedures should be brought to the attention of the Administrative Services Manager or District Counsel.

Following the award of bid, a contract for services or a purchase order for equipment will be prepared in accordance with the provisions of this policy.

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# MPWMD Purchasing Process

SB 1860





# PURCHASING POLICY

Monterey Peninsula Water Management District

April 2024



**Purchasing Policy**  
Monterey Peninsula Water Management District

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## CHAPTER 1. GENERAL INFORMATION

### 1.1. INTRODUCTION

Controlling regulations for the Purchasing function are set forth in the District's enabling legislation, California Government Codes Section 54202, the State of California Special District Uniform Accounting and Reporting Procedures, and the California Water Code. In the event of any conflict between the Purchasing Policies and any enabling legislation of the District, the enabling legislation shall take precedence.

- 1.1.1. Purpose: The purpose of this manual is to define the practices and policies governing the procurement of supplies, materials, equipment, and services, including construction and capital improvements to carry out the mission of the District. The goal of this policy is to ensure that all equipment, supplies, and services required for the operation of the District are available in a timely manner, are procured at the lowest possible cost and/or best value, and that the purchasing system supports and compliments maintenance of accurate property records, internal control, and financial record keeping.
- 1.1.2. Scope: This policy and attendant procedures apply to locating a source, ordering, transportation, receipt, payment, and record-keeping for all equipment, supplies, and services resulting in the expenditure of District funds.
- 1.1.3. Responsibilities: The General Manager has overall responsibility for ensuring that the provisions of this policy are followed. Authority for day-to-day operation of the purchasing system is delegated to the CFO/Administrative Services Manager who, in turn, may further delegate specific limited purchasing authority and other administrative activities. The CFO/Administrative Services Manager is responsible for proposing policy revisions and training regarding purchasing procedures.
- 1.1.4. Construction Projects: The District has adopted the California Uniform Public Construction Cost Accounting Act (hereinafter "CUPCCAA") and its contracting policies for projects consisting of 1) new construction, maintenance, alterations, or repairs, and 2) the purchasing of materials, supplies, and equipment related to new construction, alterations, maintenance or repairs.

### 1.2. ETHICS AND ACCOUNTABILITY

The General Manager (and his/her designee) serves as the Purchasing Agent and is charged with the responsibility and authority for coordinating and controlling the District's purchasing function in

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accordance with Purchasing Policies.

- 1.2.1. Each Division/Department is responsible for facilitating prudent, efficient, and cost-effective purchases. Division/Department Managers are responsible for ensuring that staff members in their divisions adhere to the policies and procedures herein established. They have a supervisory responsibility to ensure purchases are made within budget constraints. Managers are responsible for training members of their divisions on correct purchasing procedures. All employees requesting the purchase of supplies, equipment, or services are expected to be familiar with this policy and follow the procedures established.
- 1.2.2. All purchases shall be limited to the approved Division budget or as otherwise authorized by Board, General Manager, or Division Managers. Purchasing dollar limits specified in the Purchasing Policies are “per order” unless otherwise indicated.
- 1.2.3. Applicable competitive bidding categories, authorization limits, or contract award procedures will be based on unit cost, total purchase cost for consolidated bid items, or fiscal year aggregates in the case of standing purchase orders or similar ongoing purchasing arrangements. Departments/Divisions shall:
  - 1.2.3.1 Anticipate requirements sufficiently in advance to allow adequate time to obtain goods in accordance with best purchasing practices.
  - 1.2.3.2 Maximize coordination of purchases to take advantage of cost savings for bulk purchases of commonly used goods and services.
  - 1.2.3.3 Identify the account from which purchases will be made and provide evidence that the purchase is budgeted.
  - 1.2.3.4 Provide a business justification for each purchase.
  - 1.2.3.5 Provide appropriate documentation that goods or services have been received, including properly signed-off packing/receiving slips and confirmation that items have been received in good condition.
  - 1.2.3.6 Minimize urgent and sole source purchases and provide written findings and/or documentation when such purchases may be necessary.
  - 1.2.3.7 Prohibit splitting orders or projects for the purpose of avoiding procurement requirements or authorization limits.
  - 1.2.3.8 Invoices related to contracts or purchases authorized by the Board, General Manager, or Division Managers can be approved for payment by the Division Managers or their designee.

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- 1.2.4. All personnel engaged in the purchasing function shall exercise good judgment in the use and stewardship of District resources, and all Purchasing functions shall be conducted with absolute integrity and objectivity. Purchases are subject to public scrutiny; employees shall follow a strict rule of personal conduct that will not compromise the District in the conduct of its business.

## **CHAPTER 2. PURCHASING METHODS**

### **2.1 PETTY CASH**

Departments may request petty cash for use in purchasing small or immediately needed items, for expenditures that would be impractical to process through the Purchase Order system. Petty cash “banks” may be established and maintained for this purpose as authorized by the General Manager or CFO/Administrative Services Manager.

- 2.1.1 Division Managers or designee shall be responsible for assuring compliance with the petty cash policy and procedures and for the security of petty cash in their Division.
- 2.1.2 Division staff may make small or urgent purchases in amounts not to exceed \$150 per request. Multiple petty cash slips shall not be used to “split” orders to circumvent this limit.
- 2.1.3 Petty cash slips shall include account numbers and business justification for the purchase and be signed by appropriate supervisory staff.
- 2.1.4 Petty cash may not be “loaned” to any individual for any reason.

The petty cash “bank” will be replenished based on submittal of signed petty cash slips and receipts to the Office Specialist for expenditures made. The Administrative Services Department shall periodically audit Department’s petty cash “bank”.

### **2.2 CREDIT CARDS**

Under certain circumstances, use of a District credit card may be the most appropriate method for purchases.

Designated employees shall receive a District-issued credit card with their name and Monterey Peninsula Water Management District embossed on the card. All cards will be kept in a safe place and released for use only under the authority of the designated employee. A designated employee may authorize use

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of the card by another staff member under certain limited circumstances.

- 2.2.1 District credit cards will be distributed on an as-needed basis to staff at the discretion of the General Manager. Delegated spending authority will be consistent with spending limits as indicated in Chapter 2.4.
- 2.2.2 District credit cards shall be utilized for purchase of supplies and materials and shall not be used to contract for purchase of services, including professional services.
- 2.2.3 All purchases by credit card shall be shipped or delivered to a District address.
- 2.2.4 All credit card purchases must be documented in the same fashion as regular purchases including business justifications for the purchases, properly signed-off packing/receiving slips, and confirmation that goods have been received in good condition.
- 2.2.5 If sales tax has not been paid at the time of purchase, this must be noted so that the Administrative Services Division can ensure that sales/use tax is paid to the State.
- 2.2.6 Restricted uses: District credit cards shall not be used for the following types of purchases:
  - 2.2.6.1 Cash advances
  - 2.2.6.2 Routine gasoline purchases for District vehicles
  - 2.2.6.3 Items available from routine purchase orders
  - 2.2.6.4 Machinery that requires a maintenance agreement
  - 2.2.6.5 Personal items or to purchase alcohol
  - 2.2.6.6 Prize money or payables that may require the issuance of a 1099

District credit cards may be used for the purchase of supplies and equipment and where use of the credit card is the most efficient method of payment. (e.g., ordering publications, online subscriptions, or paying for something that is needed immediately).

- 2.2.7 Telephone or Internet Order: If an employee opts to use the District credit card to place a telephone or internet order, the employee must obtain a detailed confirmation of the order from the vendor. Upon receipt of the order, the packing slip shall be attached to the back of the order confirmation if applicable, and then forwarded to the Accounting Specialist for reconciliation with the monthly statement or invoice. When using the District credit card for airline travel over the Internet, an official receipt or itinerary showing exact costs shall be obtained.

- 2.2.8 Travel: The District credit card may be used for seminar/training expenses such as

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registration fees, airline reservations, hotel, rental car, and meals. Original itemized receipts must be retained for following the statement procedures. When a District credit card is used, the receipt shall be submitted along with any invoice in the District's Document Management System<sup>1</sup> with the Credit Card company<sup>2</sup> as the vendor. If an employee has used a personal credit card or cash for an approved purchase, copies of receipts shall be attached to an Expense Claim form and forwarded to the Accounting Specialist with appropriate budget account numbers.

2.2.9 Gasoline Cards: Gasoline credit cards are located in each vehicle. They are for use by staff to make routine purchases of gas, oil, lubricants, and other supplies and services for maintenance of District vehicles only when traveling for fieldwork. They are not to be used for food or purchase of non-automotive products. Receipts should be turned to the Accounting Specialist.

2.2.10 District-related entertainment: The District credit card may be used to pay for meals and/or other appropriate events when entertaining guests on behalf of the District, such as:

2.2.9.1 Advisory board, commission members, or other District officials

2.2.9.2 Oral Interview Board Panelists

2.2.9.3 Such expenses as reasonably borne by the District for entertaining guests at meetings, conferences, or other related District business.

The cardholder copy of receipts shall be provided to the Accounting Specialist with the appropriate budget account numbers, including the affiliation of guest(s) entertained, the names of the individuals in attendance, as well as the specific nature of the District business.

Statement processing: Cardholding employees shall submit original receipts with appropriate account numbers attached to their statement copy and forward them to the Accounting Specialist. Receipts provided for credit card purchases must include a detailed itemization of the items purchased and amounts added for shipping, gratuities, etc. The Accounting Specialist shall be responsible for collecting receipts for credit card transactions from cardholders, verifying them against the statements, and processing payment as soon as possible to avoid finance charges.

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<sup>1</sup> DocuWare as of 4/2024

<sup>2</sup> U.S. Bank as of 4/2024

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Disputes: If items purchased with a District credit card are found defective, incorrect, or no longer needed, the cardholder has the responsibility of returning the item(s) to the merchant. If the merchant refuses to replace or correct a defective item, exchange a wrong item, or give a refund for an unneeded item, then this purchase is considered to be in dispute and will not be paid until resolved.

### **2.3 PURCHASE REQUISITIONS**

Departments shall submit requests for goods and equipment by standard Requisition through the financial system. Signature authority for Requisitions shall be the same as that for Purchase Orders. Departments shall submit completed Requisitions for purchases above \$500, excluding exempt purchases as detailed in Chapter 5.

### **2.4 PURCHASING LIMITS**

Authorized approvers of Requisitions and Contracts shall be generally limited as indicated in the table below:

\$1 to \$500	Staff as delegated by Division Manager
\$1 to \$10,000	Managers/District Engineer or Designee
\$1 to \$25,000	General Manager or Designee
Above \$25,000	Board Approval

Once a Purchase order or contract has been approved, District Managers/District Engineer are authorized to sign on contracts as long as they meet District contract requirements including, but not limited to insurance, indemnification, licensing, and any requirements imposed by regulation or grants.

### **2.5 CONTRACTS FOR GOODS AND SERVICES**

2.5.1 District contracts shall be consistent with State and Federal laws and shall be fully executed prior to the performance of any contract work. Each contract shall be approved as to form by the District Counsel unless such contract is developed consistent with a template pre-approved as to form by the District Counsel (in which case the individual contract need not receive separate attorney approval).

2.5.2 Multi-year agreements are encouraged for ongoing general services and consultant/professional services with a defined scope of work such as, but not limited to,

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janitorial and landscape maintenance, attorneys, consultants, and printer leases. The annual value of multi-year contracts and single-year contracts with options to renew shall be considered in obtaining the appropriate signature authority. Any renewal periods for such contracts shall require a contract amendment, including proper signatures, executed prior to performance of the additional work or provision of the additional goods.

- 2.5.3 The General Manager or designee may approve alternative selection, evaluation, and award procedures for a specific contract or class of contracts (except as provided herein), if available information demonstrates that a substantial cost savings, enhancement in quality or performance, or other public benefit will result from use of the alternative contracting method. The alternative contracting method shall meet the purpose and goals of the Purchasing Policies and shall substantially promote the public interest in a manner that could not be achieved by complying with the competitive procurement methods otherwise available under the Purchasing Policies.
- 2.5.4 In the event of emergency or urgent circumstances, the General Manager or designee has the authority to authorize contracts and follow up with the Board at the earliest opportunity. Except in an emergency or urgent circumstance, as approved by the General Manager, no work shall commence until all required contract documentation (e.g., insurance certificates and endorsements, licenses, permits) has been provided to the District.

## 2.6 TYPES OF CONTRACTS

### 2.6.1 Standing Supply Agreements:

Division Managers or designees may negotiate Standing Supply Agreements with vendors for purchase of repetitive-use, non-capital equipment, and supplies.

### 2.6.2 Master Service Agreements:

Division Managers or designees may establish Master Service Agreements with specific vendors to provide services over time. A Contract/Task Order including a written outline of the scope of work and payment terms is required for services made through Master Service Agreements; a new contract for each purchase is unnecessary. Contract dollar limits and signature authority are applicable, and requirements such as insurance and indemnification may vary depending on the type of service required. Funds shall be encumbered in an adequate amount to complete the task or order; unused funds will be unencumbered

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following completion of the purchase.

**2.6.3 Cooperative Purchase Agreements:**

The District has the authority to join with other public jurisdictions in Cooperative Purchasing Agreements, buy directly from a vendor at a price established by competitive bidding by another public jurisdiction in substantial compliance with this document, even if the District has not joined with that public agency in a formal agreement, and purchase from the United States of America, any State, Municipality or other public corporation/agency or a public cooperative purchasing program, without following formal purchasing procedures. A Purchase Order or Contract is required for purchases made through Cooperative Purchase Agreements, subject to approvals and dollar limitations as per this Policy.

**2.6.4 Consultant and Professional Services Agreements:**

Contracts may be awarded through a competitive or negotiated process, generally based on the solicitation of qualifications and proposals of at least three providers (which may be waived at the discretion of the General Manager based on State law<sup>3</sup>, and for sole source, urgent and emergency purchases, or as otherwise provided in the Purchasing Policy). Such procedures shall have the express purpose of obtaining contractual services of the highest quality together with the most cost-effective pricing. Proposals and/or Qualifications solicited for Professional Services may be evaluated based on criteria other than pricing, as defined in the solicitations (such as demonstrated competence and professional qualifications), and the District may then negotiate with the most responsive and responsible vendor.

**2.6.5 Grant Funded Projects:**

For grant-funded projects, the District shall follow any procurement requirements imposed under the grant agreement or required for the use of grant funding.

**2.6.6 Contracts for Non-Public Works Projects, Goods, and General Services**

Contracts may be established for non-public works projects and purchases of goods and general (i.e., non-consultant) services, utilizing informal or formal processes for submission

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<sup>3</sup> Exceptions to competitive solicitation may be allowed where the nature of the subject of the contract is such that competitive proposals would be unavailing or would not produce an advantage, and the advertisement for a competitive bid would thus be undesirable, impractical, or impossible (*Graydon v Pasadena Redev. Agency* (1980) 104 Cal.App.3d 631, 635).



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of proposals or bids generally in accordance with the criteria below, unless a purchase is deemed as a sole source, single source, recurring software as a service that the District has been using or a purchase exempt under Chapter 5 of this Policy.

\$1 to \$10,000	Informal solicitation recommended
\$10,000 to \$25,000	Informal solicitation required; formal solicitation recommended
\$25,000 & above	Formal solicitation required

The above thresholds will apply except for negotiated Professional Services Contracts, sole source, and urgent/emergency purchases.

#### 2.6.7 Contracts for Public Projects:

Accounting procedures were established by the California Uniform Public Construction Cost Accounting Commission and are detailed in the Commission's Accounting Policies and Procedures Manual (CUPCCAA). PCC §22000-22050 describes both the informal and formal bidding procedures, project dollar thresholds, bidding and noticing requirements, rejection of bids, the definition and procedure for emergency Public Projects, and other mandates related to CUPCCAA.

Rather than the District's Purchasing Policy, Public Projects are subject to definitions, terms and conditions specified in the California Uniform Public Construction Cost Accounting Act (CUPCCAA), Public Contract Code Section 2200, et seq., as may be amended from time to time. PCC § 22002(c), as may be amended, defines a "Public Project" as:

- a) "Public project" means any of the following:
  - I. Construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any publicly owned, leased, or operated facility.
  
- b) "Public project" does not include maintenance work. For purposes of this section, "maintenance work" includes all of the following:
  - I. Routine, recurring, and usual work for the preservation or protection of any publicly owned or publicly operated facility for its intended purposes.
  - II. Minor repainting or repair work.
  - III. Landscape maintenance, including mowing, watering, trimming, pruning, planting,

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replacement of plants, and servicing of irrigation and sprinkler systems.

The General Manager or designee is authorized to award Public Project contracts solicited through CUPCCAA informal bidding processes. Contracts exceeding the informal bid limit set forth in Public Contract Code (as it may be revised from time to time), are let in accordance with CUPCCAA formal bidding procedures, and awarded by the Board.

In accordance with Government Code, the District Engineer shall have authority to review and approve the plan or design of any construction work or work of improvement to public property, for contracts for construction subject to approval by the General Manager. For contracts to be awarded by the Board, the District Engineer shall review such plans and designs and shall recommend the approval of such plan or design by the Board as part of award of such contract.

## **2.7 CHANGE ORDERS, TASK ORDERS, AND CONTRACT AMENDMENTS**

A substantial change to a Purchase Order or Contract (i.e., pricing, terms and conditions, specifications and/or scope of work) shall be documented as a Change Order, Task Order, or Contract Amendment.

- 2.7.1 General Manager and Division Managers/District Engineer may sign Change Orders, Task Orders, and Contract Amendments for purchases and contracts up to the maximum of the limits set forth in this Policy.
- 2.7.2 Change Orders, Task Orders, and Contract Amendments generally should not exceed 10% of the original contract amount, unless authorized by the applicable signing authority. A new scope of work and/or a new contract may be required when the change exceeds 10% of the original amount, unless a higher amount has been authorized by the applicable signing authority.
- 2.7.3 A Change Order, Task Order, or Contract Amendment is not required when taxes, shipping and/or handling cause a purchase to exceed the authorized amount; the signatory limit may also be exceeded in that circumstance.

## **2.8 URGENT AND EMERGENCY PURCHASES**

Sound judgment shall be used in keeping urgent, disaster and emergency purchases to an absolute minimum. Specific procedures for managing these purchases shall apply, as determined by the General Manager.

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#### 2.8.1 Urgent Purchases:

Immediate purchases of material, supplies, equipment, and/or services may be made when an urgent circumstance exists, and procurement should not be delayed by use of normal competitive and financial procedures. Urgent purchases shall be authorized by the General Manager or designee. Urgent purchases shall be followed, as soon as practical, with submission of a confirming requisition that includes a written justification for the purchase having been made outside normal procedures, and the Board will be notified as soon as practicable for purchases exceeding \$25,000. Lack of planning does not constitute justification for an urgent purchase.

#### 2.8.2 Disaster and Emergency Purchases:

In a disaster or a local designated emergency, the General Manager or designee may authorize deviation from the purchasing practices required by the Purchasing Policy, including, but not limited to, the immediate purchase of material, supplies, equipment, and professional services, including those in excess of his/her Board-approved signature thresholds with the understanding that Board approval be sought as soon as is practical and feasible.

## **CHAPTER 3. INFORMAL COMPETITIVE PRICING – GOODS AND GENERAL SERVICES, NON-PUBLIC WORKS PROJECTS**

### **3.1 COMPETITIVE QUOTES**

A minimum of three competitive quotes shall be solicited for purchases greater than \$10,000 that are not designated as sole source, single source, professional service, Software-as-a Service (SaaS) or any purchase allowed as exempt under Chapter 5. Requests for quotations must be made or distributed, utilizing Request for Quotation forms or alternate forms as may be approved. Written documentation of quotes must be provided.

3.1.1 Competitive quotes are not required for purchases below \$10,000 but shall be solicited prior to completing Purchase Orders if reasonably possible.

3.1.2 The General Manager/Designee may award the purchase to the lowest responsive and responsible party whose quote fulfills the intended purpose, quality, and delivery needs of the solicitation. In lieu of awarding the purchase, the General Manager/Designee may reject the quotes, or may negotiate further to obtain terms more acceptable to the District.

3.1.3 The General Manager/Designee may dispense with quotes in emergency and urgent

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circumstances, as outlined under Section 2.8 “Urgent and Emergency Purchases” of the Purchasing Policy.

## CHAPTER 4. FORMAL COMPETITIVE PRICING – GOODS AND GENERAL SERVICES, NON-PUBLIC WORKS PROJECTS

When non-construction purchases are anticipated to exceed \$25,000, and/or require Board approval, formal competitive procedures must be completed, except for any purchase allowed as exempt under Chapter 5. These procedures include sealed proposals solicited through a Request for Proposal (RFP) or Qualifications (RFQ) and sealed bidding solicited through an Invitation for Bid (IFB).

### 4.1 REQUESTS FOR PROPOSALS (RFP) AND QUALIFICATIONS (RFQ)

- 4.1.1 A contract or purchase agreement may be entered into by means of sealed proposals solicited through a Request for Proposal (RFP) or a Request for Qualifications (RFQ). The RFP or RFQ shall state the criteria for evaluation and the relative importance of price and other factors. An RFP typically selects consultant(s) to enter into a contract, while an RFQ typically shortlists a pool of consultants to choose from to enter contracts and shall establish criteria to select consultants from the pool.
- 4.1.2 The Division shall determine the RFP/RFQ procedures, including whether and where public notice of formal proposals shall be made. Sealed proposals shall be submitted to the Purchaser/Contract Specialist by the date and time specified on the prescribed forms.
- 4.1.3 No work shall be performed unless and until a contract has been executed, except under urgent and emergency circumstances as defined in this policy.

### 4.2 INVITATION FOR BID (IFB)

A contract or purchase may be entered into by means of sealed proposals solicited through an Invitation for Bid (IFB) where price is the determining factor in selecting of a good or general service and the scope of work is well-defined.

## CHAPTER 5. EXEMPTIONS FROM COMPETITIVE PRICING - GOODS AND GENERAL SERVICES, NON-PUBLIC PROJECTS

### 5.1 Exempt Purchases:

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Purchases not readily adaptable to the open market and bidding processes may be eligible for exemption from competitive pricing. These purchases include, but are not limited to purchase of water, utilities, fuel, insurance, rent, postage and shipping, subscriptions, memberships, software licenses and SaaS, advertisements, insurance, bond premiums, travel expenses, tax payments, payments to other government agencies including pension or other post-employment benefit payments, and any goods/services allowable for direct non-competitive purchase under the District legislation. Divisions/Departments may submit written requests to the General Manager or CFO for additional exemptions, which will be approved if appropriate and added to the exemption list.

As an exception to the general bidding rule, the Board can approve contracts with and employ a person to furnish the District with professional or special services or for advice in the following fields: financial, economic, accounting, engineering, legal, or administrative matters if such persons are specially trained and experienced and competent to perform the special services required as per Government Code (Gov. Code § 53060), although solicitations are generally recommended where feasible.

#### 5.2 Sole Source Purchases:

Upon recommendation of the Division Manager, the General Manager/Designee or Board may waive bidding requirements for sole source purchases if he/she determines sufficient justification exists. Sole source purchases may include proprietary items sold directly from the manufacturer, items that have only one distributor authorized to sell in the region/county, items that perform a complex or unique function, or purchases when a certain product is the only one proven to be acceptable or compatible with existing equipment. Sole source purchases should be kept at a minimum, to encourage competition and more favorable prices. Sole source purchases below \$25,000 shall be approved by the General Manager or designee. Sole Source contracts above \$25,000 shall be approved by the Board with the related staff report justifying the sole source purchase.

#### 5.3 Cooperative Purchases

Cooperative Purchases involving other Public agencies or public cooperative purchasing programs as defined in the Purchasing Policies are exempt from competitive pricing.

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## CHAPTER 6. PURCHASE SPECIFICATIONS

- 6.1 Use of brand names in specifications shall be for the purpose of describing the standard of quality, performance, and characteristics the District desires, and not intended to limit or restrict competition. If a brand name is incorporated into a specification, a minimum of two acceptable brands shall be listed whenever possible and shall be followed by the statement “or approved equal” unless the sole source policy applies.
- 6.2 Use of specifications provided by a specific manufacturer should be avoided, however, if used, the name of the manufacturer, model number, etc., should be indicated. The bid document shall clearly state that the use of the manufacturer’s specifications is for the sole purpose of establishing the level of quality desired. The Division Manager/District Engineer will determine and approve any product submitted as an “or equal.”
- 6.3 The Division Manager or designee may limit bidding to a specific product type or a brand name product when purchasing equipment or supplies is required to be compatible with existing equipment or to perform complex or unique functions.
- 6.4 Public Contract Code requirements should be reviewed when brand names and/or manufacturer specifications are being considered for inclusion in a bid solicitation.

## CHAPTER 7. DISPOSAL OF SURPLUS PROPERTY

The General Manager or designee is authorized to exchange, trade-in, sell and dispose of surplus District property (generally above \$5,000 in original or market value and a useful life of more than 5 years) having salvage value in the open market, by public auction, by competitive sealed bids or by exchange or trade-in for new goods. The sale or lease of surplus personal property to a governmental, public, or quasi-public agency may be without advertisement for or receipt of bids. Employees are not eligible to receive or purchase surplus property, however, employees may receive personalized items, and receive or purchase market value items considered to be memorial or commemorative in nature, subject to General Manager approval. Surplus property with no salvage value, as determined by the Division, shall be disposed of in a manner that salvages recyclable components, if practical. Upon approval, surplus property may be donated to governmental, public or quasi-public agencies, charitable or non-profit organizations on a first-come first-served basis to be utilized for non-profit purposes.

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## CHAPTER 8. RISK MANAGEMENT

- 8.1 Divisions shall adhere to and follow the insurance requirements and monitor compliance as established by the District's Risk Management Agency in accordance with the type of services to be provided. The Purchaser/Contracts Specialist shall ensure the proper insurance requirements are included in any standard contract for services. Contracts will not be fully executed until all required insurance certificates and endorsements have been received, reviewed, and approved; additional requirements may apply to Public Projects.
- 8.2 Requirements for contract bonds such as Performance Bonds, Labor, Warranty, Material Bonds, and/or Fidelity Bond shall be determined by the Division/Project Manager or District Engineer. Bonds are maintained by the project manager and forwarded to the Purchaser/Contract Specialist upon contract completion. Requirements related to Public Projects may vary from those for non-public projects.

## APPENDIX – DEFINITION OF TERMS

1. AMENDMENT – any change or modification in the terms and conditions of a contract, accomplished by agreement of the parties; similar function to a change order
2. AWARD – a contract or purchase made with a vendor that successfully completes a bidding or competitive proposal process
3. BIDDER'S LIST – list of responsible prospective suppliers and contractors to whom notice of Invitations for Bid on Public Projects may be delivered
4. CHANGE ORDER – document used to detail a substantial change to a Purchase Order or construction contract
5. DISTRICT – Monterey Peninsula Water Management District, California
6. COMPETITIVE QUOTE – verbal or written pricing quotation made by vendor(s) regarding specific purchases; typically three are required prior to purchasing an item or service (also known as Informal Competitive Pricing).
7. CONSULTANT SERVICES – services of an advisory nature that provide a recommended course of action or personal expertise, and that have an end product which is basically a transmittal of information
8. CONTRACT – all types of District agreements, regardless of what they may be called, for the procurement or disposal of goods, supplies, services, professional or consulting services, or

**Purchasing Policy**  
 Monterey Peninsula Water Management District

- construction
9. **CONTRACTS FOR GOODS AND VARIOUS SERVICES** – for purchases of goods and services through non-pre-qualified vendors for non-public projects, utilizing informal or formal processes for submission of proposals or bids, based on the requirements for these processes
  10. **CONTRACTOR** – any person, group of persons, business, consultant, designing architect, association, partnership, corporation, supplier, vendor, printer, or other entity not in the employment of the District that has entered into a binding contract with the District, or serves in a subcontracting capacity with an entity having a contract with the District, to provide goods, supplies, services, professional services, construction or disposal of surplus supplies
  11. **EMERGENCY PURCHASE** – purchase or service procured under circumstance of a Federal, State, County, City, or District declared disaster or where a circumstance poses clear, substantial, and imminent danger (e.g., fire, flood, explosion, storm, earthquake, epidemic, riot, civil defense) and immediate action is necessary to prevent or mitigate major loss or significant impairment of life, health, property, or essential public services; procurement should not be delayed by use of normal competitive and financial procedures. Emergency purchases related to Public Projects must meet requirements established by CUPCCA.
  12. **ENCUMBRANCE** – placement of a financial hold on a specified amount of funds designated for a particular purpose, prior to making a purchase or payment on a contract related to that purpose, and preventing the use of those funds for any other purpose
  13. **EXEMPT PURCHASE** – a purchase not readily adaptable to the open market and formal bidding or competitive pricing processes, such as magazine subscriptions and membership dues; also emergency and other purchases as detailed in the Purchasing Policy
  14. **FORMAL SOLICITATION** – solicitations where the competitive process is handled through public notification and/or other formal bidding requirements as stipulated by CUPCCAA or concerning legislation.
  15. **GENERAL SERVICES** – the furnishing of labor, time, or effort by a vendor primarily through the use of manual or technical skills that may or may not produce a tangible commodity; e.g., janitorial work, landscape maintenance, equipment repair and service, rubbish and waste removal, clothing rental and cleaning, and minor repainting (non-public projects)
  16. **JOB ORDER CONTRACT** – a contract competitively bid for a base year and multiple option years for Public Projects of minor construction and renovation, alterations, painting and repair of existing facilities.
  17. **INFORMAL SOLICITATION** - solicitations where the competitive process is handled through



**Purchasing Policy**  
Monterey Peninsula Water Management District

- informal quotes received directly from vendors without public notification.
18. **LOWEST RESPONSIBLE, RESPONSIVE BIDDER** – bidder submitting the bid or proposal meeting all requirements of the specifications, terms, and conditions of the Invitation for Bids or Request for Proposal resulting in the lowest cost to the District in a total cost concept or based solely on price, taking into consideration the financial and practical ability of the vendor to perform the contract and past performance of the vendor
  19. **PERFORMANCE BOND** – a bond issued to the District as a guarantee against the failure of a contractor to meet obligations specified in the contract
  20. **PROFESSIONAL SERVICES** – services provided by an educated, certified, or licensed specialist, or technical expert, that may be subject to procurement restrictions in accordance with State law, and District contract requirements, beyond that of regular (non-professional) consultant services
  21. **PURCHASE ORDER** – A document representing a contract between the District and the vendor, utilized for ordering goods and services, and subject to specific signature authorities based on the dollar value of the purchase(s)
  22. **REQUEST FOR QUALIFICATIONS (RFQ)** – document providing details regarding a desired purchase (typically a service), and soliciting qualifications from vendors, or process to invite suppliers to provide written or verbal pricing and/or other details regarding products and services of interest to the District; facilitating vendor comparison and purchase under the best available terms
  23. **REQUEST FOR PROPOSALS (RFP)** – document providing details regarding a desired purchase, and soliciting pricing proposals and quotations from vendors and/or other details regarding products and services of interest to the District; facilitating vendor comparison and purchase under the best available terms
  24. **SOLE SOURCE PURCHASE** – commodities and services that can be obtained from only one vendor, proprietary items sold directly from the manufacturer, items that have only one distributor authorized to sell in this area, or items that perform a complex or unique function; exempt from bidding
  25. **SURPLUS PROPERTY** – property above \$5,000 in original or market value and a useful life of more than 5 years which the District no longer has use for, has fully depreciated, or which has exhausted its intended life; also goods in the possession the District that are unclaimed and/or abandoned
  26. **TASK ORDER** – issued under Master Agreements to secure services from the consultant as needed; include the specific scope of work required by the District, the compensation due for

**Purchasing Policy**  
Monterey Peninsula Water Management District

that specific scope of work, and any terms and conditions that may pertain solely to the task; creates a financial obligation for the District

27. URGENT PURCHASE – a purchase made when a sudden, unexpected occurrence, while not an emergency as defined in the Purchasing Policies, necessitates expedited action to prevent or mitigate loss, protect property or public health and safety, and ensure essential public services

## FINANCE AND ADMINISTRATION COMMITTEE

### ITEM: INFORMATIONAL ITEM

#### 4. REPORT ON ACTIVITY/PROGRESS ON CONTRACTS OVER \$25,000

**Meeting Date:** April 8, 2024 **Budgeted:** N/A

**From:** David J. Stoldt,  
General Manager **Program/  
Line Item No.:** N/A

**Prepared By:** Nishil Bali **Cost Estimate:** N/A

**General Counsel Review:** N/A

**Committee Recommendation:** The Finance and Administration Committee reviewed this item on April 8, 2024.

**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

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**SUMMARY:** Attached for review as **Exhibit 4-A** is a monthly status report on contracts over \$25,000 for the period February 2024. This status report is provided for information only, no action is required.

### EXHIBIT

**4-A** Status on District Open Contracts (over \$25k)



**EXHIBIT 4-A**

**Monterey Peninsula Water Management District  
Status on District Open Contracts (over \$25K)  
For The Period February 2024**

Contract	Description	Date Authorized	Contract Amount	Prior Period Expended To Date	Current Period Spending	Total Expended To Date	Current Period Activity	P.O. Number
1	Rutan & Tucker, LLP	Measure J/Rule 19.8 Eminent Domain Phase IV	2/24/2023 \$ 200,000.00	\$ 23,642.51		\$ 23,642.51		PO03639
2	DeVeera Inc.	Surveillance Video Equipment & Installation	2/24/2023 \$ 37,955.00	\$ 35,951.71		\$ 35,951.71		PO03578
3	Telemetrix	Flood Repair Services for Sleepy Hollow Facility	1/23/2023 \$ 85,000.00	\$ 41,124.09		\$ 41,124.09		PO03556
4	Clifton Larson Allen LLP	Financial Audit Services	8/21/2023 \$ 64,000.00	\$ 39,900.00	\$ 21,000.00	\$ 60,900.00		PO03541
5	Rincon Consultants, Inc.	Environmental Consulting Services for Water Allocation	5/25/2023 \$ 29,000.00	\$ 21,944.25		\$ 21,944.25		PO03525
6	Regional Government Services	HR Contracted Services for FY 2023-2024	6/20/2023 \$ 25,000.00	\$ 14,734.54	\$ 598.40	\$ 15,332.94	Current period billing for HR contract services	PO03499
7	Tyler Technologies	Incode Software Maintenance 09/2023-08/2024	6/20/2023 \$ 33,266.25	\$ 32,673.11		\$ 32,673.11		PO03476
8	Schaaf & Wheeler	Drawing Support Services	4/23/2023 \$ 30,000.00	\$ 6,752.50		\$ 6,752.50		PO03474
9	Lynx Technologies, Inc	GIS Consultant Contract for 2023-2024	6/20/2023 \$ 35,000.00	\$ 18,300.00	\$ 3,825.00	\$ 22,125.00	Current period billing for GIS services	PO03475
10	DeVeera Inc.	IT Managed Services Contract FY 2023-2024	6/15/2020 \$ 62,500.00	\$ 36,344.00	\$ 5,192.00	\$ 41,536.00	Current period billing for IT managed services	PO03433
11	JEA & Associates	Legislative and Administrative Services	6/20/2023 \$ 40,800.00	\$ 23,800.00	\$ 3,400.00	\$ 27,200.00	Current period retainer billing	PO03412
12	The Ferguson Group LLC	Contract for Legislative Services for FY 2023-2024	6/20/2023 \$ 72,000.00	\$ 42,207.53	\$ 6,000.00	\$ 48,207.53	Current period retainer billing	PO03411
13	Montgomery & Associates	Annual Groundwater Modeling Support	6/20/2023 \$ 55,000.00	\$ -		\$ -		PO03408
14	Maggiora Bros. Drilling, Inc	ASR Support from Maggiora Bros for Well Work	6/20/2023 \$ 50,000.00	\$ -		\$ -		PO03407
15	Pueblo Water Resources, Inc.	ASR Operations Support	6/20/2023 \$ 25,000.00	\$ -		\$ -		PO03406
16	CSC	Recording Fees	7/1/2023 \$ 50,000.00	\$ 30,000.00		\$ 30,000.00		PO03402
17	WellmanAD	Public Outreach Consultant	7/1/2023 \$ 94,500.00	\$ 56,225.00	\$ 7,875.00	\$ 64,100.00		PO03380
18	Montgomery & Associates	Tularcitos ASR Feasibility Study	3/20/2023 \$ 119,200.00	\$ 14,642.00		\$ 14,642.00		PO03368
19	Kevin Robert Knapp/ Tierra Plan LLC	Surface Water Data Portal	11/14/2022 \$ 27,730.00	\$ 24,025.81		\$ 24,025.81		PO03302
20	City of Monterey	MPWMD Local Water Project Development Grant	10/17/2022 \$ 25,000.00	\$ 14,955.50		\$ 14,955.50		PO03242
21	DeVeera Inc.	HP Smart Array 2062 SAN Server	12/12/2022 \$ 160,000.00	\$ 157,273.63		\$ 157,273.63		PO03222
22	DeVeera Inc.	Board Conference Room A/V Upgrade	12/12/2022 \$ 30,000.00	\$ 19,012.00		\$ 19,012.00		PO03221
23	Access Monterey Peninsula	Board Conference Room A/V Upgrade	12/12/2022 \$ 25,000.00	\$ 24,383.71		\$ 24,383.71		PO03220
24	Montgomery & Associates	Annual Groundwater Modeling Support	6/20/2022 \$ 50,000.00	\$ 7,957.00		\$ 7,957.00		PO03193
25	Telemetrix	Consultant Services for Sleepy Hollow Facility	6/20/2022 \$ 27,060.00	\$ 24,554.64		\$ 24,554.64		PO03121

**Monterey Peninsula Water Management District  
Status on District Open Contracts (over \$25K)  
For The Period February 2024**

Contract	Description	Date Authorized	Contract Amount	Prior Period Expended To Date	Current Period Spending	Total Expended		P.O. Number	
						To Date	Current Period Activity		
26	De Lay & Laredo	Measure J/Rule 19.8 Appraisal/Water Rights	8/15/2022	\$ 75,000.00	\$ 45,490.46		\$ 45,490.46		PO03113
27	Monterey One Water	PWM Expansion Project Amd #6	11/15/2021	\$ 1,200,000.00	\$ 909,545.39		\$ 909,545.39		PO03042
28	DeVeera Inc.	BDR Datto Services Contract FY 2022-2024	9/6/2019	\$ 35,136.00	\$ 32,940.00	\$ 2,196.00	\$ 35,136.00		PO03027
29	MBAS	ASR Water Quality	6/20/2022	\$ 40,000.00	\$ 14,202.00		\$ 14,202.00		PO02982
30	City of Sand City	IRWM Grant Reimbursement	3/28/2022	\$ 1,084,322.50	\$ 33,435.30		\$ 33,435.30	Current period IRWM Grant reimbursement	PO03093
31	City of Seaside	IRWM Grant Reimbursement	3/28/2022	\$ 578,987.90	\$ 501,650.75		\$ 501,650.75	Current period IRWM Grant reimbursement	PO02948
32	Montgomery & Associates	Annual Groundwater Modeling support	11/15/2021	\$ 50,000.00	\$ 44,122.00		\$ 44,122.00		PO02849
33	DUDEK	Grant administration services for the Proposition 1 IRWM Implementation	12/14/2020	\$ 114,960.00	\$ 50,418.75	\$ 968.75	\$ 51,387.50	Current period billing for Prop 1 IRWM grant administration services	PO02847
34	Shute, Mihaly & Weinberger LLP	Measure J LAFCO Litigation Legal Services	1/1/2022	\$ 400,000.00	\$ 383,022.44		\$ 383,022.44	Current period billing for LAFCO Measure J litigation services	PO02843
35	Reiff Manufacturing	Quarantine tanks for the Sleepy Hollow steelhead facility	10/18/2022	\$ 48,000.00	\$ 40,350.00		\$ 40,350.00		PO02824
36	Tetra Tech, Inc.	Engineering services Sleepy Hollow Facility Upgrade	6/21/2021	\$ 67,500.00	\$ 46,108.64		\$ 46,108.64		PO02693
37	Monterey One Water	PWM Deep Injection Well #4 Design/Construction	9/21/2020	\$ 4,070,000.00	\$ 1,839,650.64		\$ 1,839,650.64		PO02604
38	Weston Solutions, Inc.	UXO Support Services	6/15/2020	\$ 26,378.70	\$ 6,521.66		\$ 6,521.66		PO02371
39	Pueblo Water Resources, Inc.	ASR SMWTF Engineering Services During Construction	10/21/2019	\$ 148,100.00	\$ 142,709.87		\$ 142,709.87		PO02163
40	U.S. Bank Equipment Finance	Copier machine leasing - 60 months	7/15/2019	\$ 52,300.00	\$ 46,323.56	\$ 871.81	\$ 47,195.37	Current period billing for photocopy machine lease	PO02108
41	DUDEK	Consulting Services for Prop 1 grant proposal	4/15/2019	\$ 95,600.00	\$ 94,315.05		\$ 94,315.05		PO01986
42	Tetra Tech, Inc.	Engineering services Sleepy Hollow Facility Upgrade	7/16/2018	\$ 30,000.00	\$ 26,878.87		\$ 26,878.87		PO01880
43	Pueblo Water Resources, Inc.	ASR Backflush Basin Expansion, CM services	7/16/2018	\$ 96,034.00	\$ 68,919.39		\$ 68,919.39		PO01778
44	Colantuono, Highsmith, & Whatley, PC	MPTA Legal Matter	7/1/2018	\$ 250,000.00	\$ 239,684.78	\$ 4,481.00	\$ 244,165.78	Current period billing for MPTA legal matter	PO01707
45	Pueblo Water Resources, Inc.	SSAP Water Quality Study	8/21/2017	\$ 94,437.70	\$ 44,318.11		\$ 44,318.11		PO01510
46	Pueblo Water Resources, Inc.	Seaside Groundwater Basin Geochemical Study	1/24/2018	\$ 68,679.00	\$ 57,168.85		\$ 57,168.85		PO01628

**FINANCE AND ADMINISTRATION COMMITTEE****ITEM: INFORMATIONAL ITEM****5. STATUS REPORT ON MEASURE J/RULE 19.8****Meeting Date:** April 8, 2024 **Budgeted:** N/A**From:** David J. Stoldt,  
General Manager **Program/  
Line Item No.:** N/A**Prepared By:** Nishil Bali **Cost Estimate:** N/A**General Counsel Review:** N/A**Committee Recommendation:** The Finance and Administration Committee reviewed this item on April 8, 2024.**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

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**SUMMARY:** Attached for review as **Exhibit 5-A** is a monthly status report on Measure J/Rule 19.8 spending for the period February 2024. This status report is provided for information only, no action is required.**EXHIBIT****5-A** Status on Measure J/Rule 19.8 Phase III/IV Spending





**Monterey Peninsula Water Management District  
Status on Measure J/Rule 19.8 Spending Phase IV  
Eminent Domain Proceedings through Bench Trial  
Through February 2024**

<b>Contract</b>	<b>Date Authorized</b>	<b>Authorized Amount</b>	<b>Prior Period Spending</b>	<b>Current Period Spending</b>	<b>Total Expended To Date</b>	<b>Spending Remaining</b>	<b>Project No.</b>
Phase IV - Authorization (unallocated)	11/13/2023	\$ 50,000.00	\$ -		\$ -	\$ 50,000.00	
1 Eminent Domain Legal Counsel (Rutan)	12/16/2019	\$ 200,000.00	\$ 23,642.51	\$ -	\$ 23,642.51	\$ 176,357.49	PA00009-01
2 Eminent Domain Legal Counsel (SMW)	12/16/2019	\$ 100,000.00	\$ -	\$ 24,846.69	\$ 24,846.69	\$ 75,153.31	PA00009-02
3 Financial Services	8/21/2023	\$ 200,000.00	\$ 9,092.50	\$ 585.00	\$ 9,677.50	\$ 190,322.50	PA00009-03
4 District Legal Counsel		\$ 70,000.00	\$ 53,468.50	\$ 8,997.50	\$ 62,466.00	\$ 7,534.00	PA00009-05
<b>Total</b>		<b>\$ 620,000.00</b>	<b>\$ 86,203.51</b>	<b>\$ 34,429.19</b>	<b>\$ 120,632.70</b>	<b>\$ 499,367.30</b>	

**Status on Measure J/Rule 19.8 Spending Phase III  
Appraisal through Resolution of Necessity  
Through October 2023**

<b>Contract</b>	<b>Date Authorized</b>	<b>Authorized Amount</b>	<b>Prior Period Spending</b>	<b>Current Period Spending</b>	<b>Total Expended To Date</b>	<b>Spending Remaining</b>	<b>Project No.</b>
1 Eminent Domain Legal Counsel	12/16/2019	\$ 200,000.00	\$ 98,283.28		\$ 98,283.28	\$ 101,716.72	PA00007-01
2 Appraisal Services	4/17/2023	\$ 220,000.00	\$ 220,000.75		\$ 220,000.75	\$ (0.75)	PA00007-03
3 District Legal Counsel	12/16/2019	\$ 100,000.00	\$ 46,361.50		\$ 46,361.50	\$ 53,638.50	PA00007-05
4 Real Estate Appraiser	8/15/2022	\$ 80,000.00	\$ 53,309.64		\$ 53,309.64	\$ 26,690.36	PA00007-06
5 Water Rights Appraisal	8/15/2022	\$ 75,000.00	\$ 45,490.46		\$ 45,490.46	\$ 29,509.54	PA00007-10
6 Contingency/Miscellaneous	12/16/2019	\$ -	\$ -		\$ -	\$ -	PA00007-20
<b>Total</b>		<b>\$ 675,000.00</b>	<b>\$ 463,445.63</b>	<b>\$ -</b>	<b>\$ 463,445.63</b>	<b>\$ 211,554.37</b>	

**Status on Measure J/Rule 19.8 Spending Phase II  
EIR & LAFCO Application  
Through September 2022**

<b>Contract</b>	<b>Date Authorized</b>	<b>Authorized Amount</b>	<b>Prior Period Spending</b>	<b>Current Period Spending</b>	<b>Total Expended To Date</b>	<b>Spending Remaining</b>	<b>Project No.</b>
1 Eminent Domain Legal Counsel	9/20/2021	\$ 345,000.00	\$ 168,265.94		\$ 168,265.94	\$ 176,734.06	PA00005-01
2 CEQA Work	12/16/2019	\$ 134,928.00	\$ 134,779.54		\$ 134,779.54	\$ 148.46	PA00005-02
3 Appraisal Services	9/20/2021	\$ 430,000.00	\$ 188,683.75		\$ 188,683.75	\$ 241,316.25	PA00005-03
4 Operations Plan	12/16/2019	\$ 145,000.00	\$ 94,860.00		\$ 94,860.00	\$ 50,140.00	PA00005-04
5 District Legal Counsel	12/16/2019	\$ 40,000.00	\$ 162,254.16		\$ 162,254.16	\$ (122,254.16)	PA00005-05
6 MAI Appraiser	6/15/2020	\$ 170,000.00	\$ 76,032.00		\$ 76,032.00	\$ 93,968.00	PA00005-06
7 Jacobs Engineering	12/16/2019	\$ 87,000.00	\$ 86,977.36		\$ 86,977.36	\$ 22.64	PA00005-07
8 LAFCO Process	11/15/2021	\$ 240,000.00	\$ 217,784.62		\$ 217,784.62	\$ 22,215.38	PA00005-08
9 PSOMAS	9/20/2021	\$ 28,000.00	\$ 25,900.00		\$ 25,900.00	\$ 2,100.00	PA00005-09
10 Contingency/Miscellaneous/Uncommitted	12/16/2019	\$ 289,072.00	\$ 38,707.08		\$ 38,707.08	\$ 250,364.92	PA00005-20
<b>Total</b>		<b>\$ 1,909,000.00</b>	<b>\$ 1,194,244.45</b>	<b>\$ -</b>	<b>\$ 1,194,244.45</b>	<b>\$ 714,755.55</b>	
1 Measure J CEQA Litigation Legal Services	12/23/2020	\$ 200,000.00	\$ 140,303.06	\$ -	\$ 140,303.06	\$ 59,696.94	PA00005-15
1 Measure J LAFCO Litigation Legal Services	1/1/2022	\$ 400,000.00	\$ 374,615.32	\$ 14,750.20	\$ 389,365.52	\$ 10,634.48	PA00005-16

**Status on Measure J/Rule 19.8 Spending (Phase I Costs)**  
**Financial Feasibility**  
**Through November 2019**

	<b>Contract</b>	<b>Date Authorized</b>	<b>Authorized Amount</b>	<b>Prior Period Spending</b>	<b>Current Period Spending</b>	<b>Total Expended To Date</b>	<b>Spending Remaining</b>	<b>Project No.</b>
1	Eminent Domain Legal Counsel	12/17/2018	\$ 100,000.00	\$ 160,998.16		\$ 160,998.16	\$ (60,998.16)	PA00002-01
2	Investment Banking Services	2/21/2019	\$ 30,000.00	\$ 27,000.00		\$ 27,000.00	\$ 3,000.00	PA00002-02
3	Valuation & Cost of Service Study Consultant	2/21/2019	\$ 355,000.00	\$ 286,965.17		\$ 286,965.17	\$ 68,034.83	PA00002-03
4	Investor Owned Utility Consultant	2/21/2019	\$ 100,000.00	\$ 84,221.69		\$ 84,221.69	\$ 15,778.31	PA00002-04
5	District Legal Counsel		\$ 35,000.00	\$ 41,897.59		\$ 41,897.59	\$ (6,897.59)	PA00002-05
6	Contingency/Miscellaneous		\$ 30,000.00	\$ 45,495.95		\$ 45,495.95	\$ (15,495.95)	PA00002-10
	<b>Total</b>		<b>\$ 650,000.00</b>	<b>\$ 646,578.56</b>	<b>\$ -</b>	<b>\$ 646,578.56</b>	<b>\$ 3,421.44</b>	



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.*



DRAFT AGENDA  
**Special and Regular Meeting**  
**Board of Directors**  
**Monterey Peninsula Water Management District**  
 \*\*\*\*\*  
**Monday, April 15, 2024 at 5:00 p.m. [PST]**

Meeting Location: MPWMD – Main Conference Room  
 5 Harris Court, Building G, Monterey, CA 93940

[This is an In-Person meeting. Remote participation may be offered via Zoom, but this is optional as connectivity cannot be assured and thus is not a necessary requisite for the meeting to proceed in-person.]

To Join via Zoom- Teleconferencing means, please click the link below:  
<https://mpwmd-net.zoom.us/j/89729885351?pwd=aVrr3iyNHSGId1x9okKVY8DiSNP4Ib.1>

Or join at: <https://zoom.us/>  
 Webinar ID: 897 2988 5351  
 Passcode: 041524

To Participate by Phone: (669) 900-9128

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

You may also view the live webcast on AMP <https://accessmediaproductions.org/>  
 scroll down to the bottom of the page and select AMP 1.

This agenda was posted at the District website ([www.mpwmd.net](http://www.mpwmd.net)) and at 5 Harris Court, Bldg. G, Monterey, California on \_\_\_\_\_, 2024. 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 Friday, April 12, 2024.

**CLOSED SESSION AT 5:00 P.M.**

**CALL TO ORDER / ROLL CALL**

**Board of Directors**

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

**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. Conference with Legal Counsel – Existing Litigation (Sec.54956.9(d)(1), Monterey Peninsula Taxpayers Assoc. (MPTA) v. MPWMD II (Monterey County Superior Court No. 21CV003066; 6th District Appellate Court No. H0-51128
- CS 2. Conference with Labor Negotiators (Gov Code §54957.8)  
 Agency Designated Representatives: David Stoldt  
 Employee Organization: General Staff and Management Bargaining Units Represented by United Public Employees of California/LIUNA, Local 792  
 Unrepresented Employees: Confidential Unit
- CS 3. Conference with Legal Counsel – Existing Litigation (Sec.54956.9(d)(1), Monterey Peninsula Taxpayers Assoc. (MPTA) v. MPWMD III (Monterey County Superior Court No. 22CV002113
- CS 4. Conference with Legal Counsel – Existing Litigation (Sec.54956.9(d)(1), Monterey Peninsula Taxpayers Assoc. (MPTA) v. MPWMD IV (Monterey County Superior Court No. 23CV002453

**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 and Regular Board Meeting on March 18, 2024
2. Consider Adoption of Revised Purchasing Policy
3. Receive and File District-Wide Annual Water Distribution System Production Summary Report for Water Year 2023
4. Receive and File District-Wide Annual Water Production Summary Report for Water Year 2023
5. Receive Fiscal Year 2022-2023 Mitigation Program Annual Report
6. Consider Adoption of Treasurer's Report for February 2024

#### **GENERAL MANAGER'S REPORT**

7. Status Report on California American Water Compliance with State Water Resources Control Board Order 2016-0016 and Seaside Groundwater Basin Adjudication Decision (*Verbal Report*)
8. Report on Use of The Carmel Pine Cone for Distribution of the 2023 MPWMD Annual Report (*Verbal Report*)

#### **REPORT FROM DISTRICT COUNSEL**

9. Report From District Counsel (*Verbal Report*)

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

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

#### **PRESENTATIONS**

11. Process for Lifting the Cease and Desist Order and Moratorium on New Meters

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

**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.*

12. Report on Activity/Progress on Contracts Over \$25,000
13. Status Report on Measure J / Rule 19.8
14. Letters Received and Sent Supplemental Letter Packet
15. Committee Reports
16. Monthly Allocation Report
17. Water Conservation Program Report
18. Carmel River Fishery Report for March 2024
19. 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]
20. Quarterly Carmel River Riparian Corridor Management Report

#### **ADJOURNMENT**

Board Meeting Schedule		
Thursday, May 2, 2024	Board Workshop	9:00 a.m.
Monday, May 20, 2024	Regular	6:00 p.m.
Thursday, May 30, 2024	Special (Budget Workshop)	6:00 p.m.

Board Meeting Television and On-Line Broadcast Schedule	
<b>Television Broadcast</b>	<b>Viewing Area</b>
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.
<b>Internet Broadcast</b>	
AMP 1   View live broadcast on meeting dates, and replays on Mondays, Tuesdays, and Thursdays at 4:00 p.m. and at <a href="https://accessmediaproductions.org/">https://accessmediaproductions.org/</a> scroll to AMP 1.	
Monterey County Government Channel   Replays only at 9:00 a.m. on Saturdays at <a href="http://www.mgtvonline.com">www.mgtvonline.com</a>	
MPWMD YouTube Page – View live broadcast on meeting dates. Recording/Replays available five (5) days following meeting date - <a href="https://www.youtube.com/channel/UCg-2VgzLBmgV8AaSK67BBRg">https://www.youtube.com/channel/UCg-2VgzLBmgV8AaSK67BBRg</a>	

### 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 to Sara Reyes, Board Clerk by e-mail at [sara@mpwmd.net](mailto: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](mailto: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).

To Join via Zoom- Teleconferencing means, please click the link below:

<https://mpwmd-net.zoom.us/j/89729885351?pwd=aVrr3iyNHSGId1x9okKVY8DiSNP4Ib.1>

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

Webinar ID: 897 2988 5351

Passcode: 041524

To Participate by Phone: (669) 900-9128

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's 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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