



**Final Minutes
Regular Meeting
Board of Directors
Monterey Peninsula Water Management District
August 19, 2024 at 6:00 P.M.**

Meeting Location: District Office, Main Conference Room
5 Harris Court, Building G, Monterey, CA 93940 AND
By Teleconferencing Means - *Zoom*

CALL TO ORDER

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

ROLL CALL

Board Members Present

Amy Anderson, Chair
George Riley, Vice Chair
Karen Paull
Mayor Ian Oglesby
Alvin Edwards
Marc Eisenhart (via Zoom)

Board Members Absent

Supervisor Mary Adams

District Staff Members Present

David Stoldt, General Manager
Nishil Bali, Administrative Services Manager/ Chief
Financial Officer
Jonathan Lear, Water Resources Manager
Maureen Hamilton, District Engineer
Stephanie Locke, Water Demand Manager
Thomas Christensen, Environmental Resources Manager
Sara Reyes, Executive Assistant/Board Clerk

District Staff Members Absent

None

District Counsel Present

Michael Laredo, De Lay & Laredo

Fran Farina, De Lay & Laredo (via Zoom)

PLEDGE OF ALLEGIANCE

The assembly recited the Pledge of Allegiance.

ADDITIONS AND CORRECTIONS TO THE AGENDA

None

ORAL COMMUNICATIONS

Chair Anderson opened Oral Communications; no comments were directed to the Board.

CONSENT CALENDAR

Chair Anderson introduced the matter.

Director Paull offered a motion with a second by Director Eisenhart, to approve the Consent Calendar. The motion passed by a voice vote of 6-Ayes (Oglesby, Eisenhart, Anderson, Riley, Paull, and Edwards), 0-Noes, and 1-Absent (Adams).

The following agenda items were accepted as part of the Consent Calendar:

1. Consider Adoption of Minutes of the Regular Board Meeting on July 15, 2024
2. Consider Authorization of a Contract with TM Process & Controls, Inc. to Provide ASR Well Turbidity Control
3. Consider Recommendation to Authorize a Lease for Three Photocopy Machines
4. Consider Adoption of Treasurer’s Report for June 2024
5. Consider Approval of 2024 Annual Memorandum of Agreement for Releases from Los Padres Reservoir Among California American Water, California Department of Fish and Wildlife, and Monterey Peninsula Water Management District

GENERAL MANAGER’S REPORT

Chair Anderson introduced the matter.

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

- General Manager David Stoldt provided information on the status of this agenda item via slide-deck presentation titled “Status Report on Cal-Am Compliance with SWRCB Orders and Seaside Basin Decision as of August 19, 2024”. A discussion on this topic was then conducted by the Board. *A copy of the presentation is available at the District office and can be found on the District website.*
- General Manager Stoldt called upon Maureen Hamilton to provide an update on the ASR Rehabilitation.

7. Progress Report on Strategic Goals Assigned to General Manager for 2024

General Manager provided a brief report and directed the Board to Exhibit 7-A in the meeting packet titled “Summary of Status of 2024 District Strategic Goals”. The Board engaged in discussion with the General Manager.

Chair Anderson opened Public Comment on Items 6 and 7; no comments were directed to the Board.

REPORT FROM DISTRICT COUNSEL

Chair Anderson introduced the matter.

8. Report From District Counsel

District Counsel Michael Laredo referred to his memorandum dated August 16, 2024, which was distributed to the Board as part of their meeting materials. He noted that updates made since last month are highlighted in redline text.

Chair Anderson opened the public comment; no comments were directed to the Board.

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

Chair Anderson introduced the matter.

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

- Vice Chair Riley noted his attendance at the Seaside Groundwater Basin Watermaster meeting on August 7, 2024.
- Director Edwards also noted his attendance at the Seaside Groundwater Basin Watermaster meeting on August 7, 2024
- Director Paull noted her attendance at two of the ex parte meetings (as noted in the District Counsel memorandum) with PUC Advisors to the CPUC Commissioners about the supply and demand forecast where the District is waiting for a proposed decision

PUBLIC HEARING

Chair Anderson introduced the matter.

10. Consider the First Reading of Ordinance No. 195 Adding Rule 19.9 to Provide Informal Bidding Procedures Under the Uniform Public Construction Cost Accounting Act

Maureen Hamilton, District Engineer provided information on this item via slide-deck presentation titled “Consider the First Reading of Ordinance No. 195 Adding Rule 19.9 to Provide Informal Bidding Procedures Under the Uniform Public Construction Cost Accounting Act”. Nishil Bali, Chief Financial Officer/Administrative Services Manager, also provided information to the Board. The Board engaged in discussion. *A copy of the presentation is available at the District office and can be found on the District website.*

Chair Anderson opened the public comment; no comments were directed to the Board.

A motion was made by Director Riley with a second by Director Edwards to approve the first reading of Ordinance No. 195, adding Rule 19.9 to provide Informal Bidding Procedures under the Uniform Public Construction Cost Accounting Act. The motion passed by a roll call vote of 6-Ayes (Oglesby, Eisenhart, Paull, Edwards, Riley and Anderson), 0-Noes, and 1-Absent (Adams).

11. Consider Adoption of Urgency Ordinance No. 196, an Ordinance of the Monterey Peninsula Water Management District Clarifying Rule 24, Second Bathroom Protocol

Stephanie Locke, Water Demand Manager provided information on this item via slide-deck presentation titled “Urgency Ordinance No. 196 Clarifying Rule 24, Second Bathroom Addition Protocol”. The Board engaged in discussion. *A copy of the presentation is available at the District office and can be found on the District website.*

Director Eisenhart asked if Finding No. 6 could be modified to add more clarity and suggested this be included in the motion.

Chair Anderson opened the public comment; no comments were directed to the Board.

A motion was made by Director Paull with a second by Director Edwards to adopt the urgency ordinance to immediately clarify that the removal of Bathroom fixtures used as a Water Credit to offset other water uses disqualifies a Dwelling Unit from using the second Bathroom protocol to reinstall fixtures due to the CEQA Finding adopted by the board with the adoption and amendments to the rule and to make the amendments in Finding No. 6 as discussed by the Board. The motion passed by a roll call vote of 6-Ayes (Oglesby, Eisenhart, Paull, Edwards, Riley and Anderson), 0-Noes, and 1-Absent (Adams).

ACTION ITEM

Chair Anderson introduced the matter.

12. Consider Inclusion of California Liquid Assets Securities System and California Asset Management Program in District’s Investment Policy

Nishil Bali, Chief Financial Officer/Administrative Services Manager, presented this via slide-deck presentation titled “Review California CLASS & CAMP Investment Programs to include in District I-Policy”. The Board engaged in discussion.

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

- (1) John Tilley commented that the District’s legal risks seem to outweigh its financial risks and perhaps it should focus on its legal risks and future expenses.

No further comments were directed to the Board.

A motion was made by Director Riley with a second by Director Edwards to approve the inclusion of CLASS

and CAMP programs in the District’s Investment Policy. The motion passed by voice vote of 6-Ayes (Oglesby, Paull, Eisenhart, Edwards, Riley and Anderson), 0-Noes and 1-Absent (Adams).

13. Consider Approval of Job Description, Salary Range, and Authorize Search for Assistant General Manager Position

David Stoldt informed the Board about this item and directed the Board to the staff report and exhibits contained in their meeting packet. The Board engaged in discussion.

Chair Anderson opened the public comment; no comments were directed to the Board.

On a motion by Director Riley with a second by Director Eisenhart, the Board (1) approved the job description, (2) authorized the candidate search, and (3) agreed to designate the position as an At Will” position. The motion passed by a roll call vote of 6-Ayes (Oglesby, Paull, Eisenhart, Edwards, Riley, and Anderson), 0-Noes and 1-Absent (Adams).

DISCUSSION ITEMS

Chair Anderson introduced the matter.

14. Report on July 26, 2024 State & Local Water Forum

David Stoldt, General Manager, delivered a brief report on the July 26th community Water Forum that was facilitated by Senator John Laird. A discussion on this topic was then conducted by the Board.

Chair Anderson opened the public comment; *the following comments were directed to the Board.*

- (1) Melodie Chrislock, stated that she attended the State Water Board meeting and commented that David Stoldt and Paul Sciuto did a brilliant job with making their case and that she submitted a question asking if the State Water Board considers Pure Water Monterey and its expansion a permanent water supply.

No further comments were directed to the Board.

15. Update on 2024-2025 Water Allocation Process

General Manager Stoldt provided a summary of this item via slide-deck presentation titled “Update on 2024-2025 Water Allocation Process” and answered questions from the Board. Mr. Stoldt highlighted the following points but not limited to (1) Allocation Supply & Demand Component (2) Supply Analysis, (3) Demand Analysis, (4) Allocation Goal, and (5) Timeline.

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

- (1) Tom Rowley, expressed disagreement with the District’s timeline and its estimation of where water is needed
- (2) Andrew Myrick, Community Planning Manager with the City of Seaside, asked the Board to consider water allocation for economic development projects

No further comments were directed to the Board.

INFORMATIONAL ITEMS/STAFF REPORTS

- 16. Report on Activity/Progress on Contracts Over \$25,000**
- 17. Status Report on Spending – Public’s Ownership of Monterey Water System**
- 18. Letters Received**
- 19. Committee Reports**
- 20. Monthly Allocation Report**
- 21. Water Conservation Program Report**

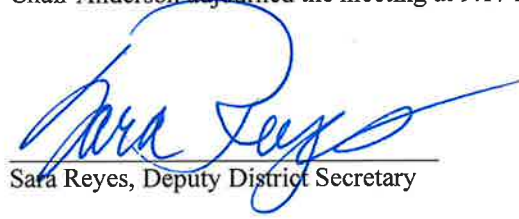
22. Carmel River Fishery Report for January 2024

23. Monthly Water Supply and California American Water Production Report

These items were informational only and no action was taken. Copies of these reports are available at the District office and can be found on the District website.

ADJOURNMENT

Chair Anderson adjourned the meeting at 9:17 PM.



Sara Reyes, Deputy District Secretary

Minutes approved by the MPWMD Board of Directors on September 16, 2024