



**Final Minutes
Regular Meeting
Board of Directors
Monterey Peninsula Water Management District
Monday, February 13, 2023**

As a precaution to protect public health and safety, and pursuant to provisions of AB 361 (Rivas), this meeting was conducted via Zoom Video/Teleconference.

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

CALL TO ORDER

Directors Present via Zoom:

- Mary L. Adams, Chair – Monterey County Board of Supervisors Representative
- Amy Anderson, Vice Chair – Division 4 [Joined at 6:02 p.m.]
- Alvin Edwards – Division 1
- George T. Riley – Division 2
- Marc A. Eisenhart – Division 3
- Karen Paull – Division 4
- Ian Oglesby – Mayoral Representative

ROLL CALL

Directors Absent: None

General Manager Present: David J. Stoldt

District Counsel Present: David C. Laredo with De Lay and Laredo

The assembly recited the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

Joel G. Pablo, Board Clerk read the following corrections to the agenda.

ADDITIONS AND CORRECTIONS TO THE AGENDA

Agenda Item	Information Provided / Corrected
Consent Calendar – Item No. 1	Revised Exhibit 1-A submitted
Consent Calendar – Item No. 6	Consider Approval of Annual Purchase of Internet License for Water Wise Gardening in Monterey <u>County</u> [Inserted the word “County”]
Action Item – Item No. 15	Revised Exhibit 15-A submitted
On Meeting Agenda: Under	Strike-out: Monday, May 20, 2023 Insert: Monday, May 15, 2023

Board Meeting Schedule	
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Chair Adams opened public comment. *No comments were directed to the Board on additions and corrections made.*

A motion was offered by Director Paull with a second by Director Edwards to approve the additions and corrections read into the record. The motion passed by roll-call vote of 7-Ayes (Adams, Oglesby, Anderson, Paull, Eisenhart, Riley and Edwards), 0-Noes and 0-Absent.

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

[Written public comment was received by Margaret-Anne Coppennoll on Monday, February 13, 2023 at 2:11 p.m via E-mail. *A copy of the e-mail is available at the District office and can be found on the District website.*]

Chair Adams introduced the matter. Director Paull pulled Item No. 3 and 5 from the consent calendar for discussion. A response was provided by staff. No further requests were made by the Board and the public to pull matters off the consent calendar.

Chair Adams opened Public Comment. *No comments were directed to the Board.*

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

Approved the meeting minutes of the Regular Board Meeting on Monday, January 23, 2023.

Adopted Resolution No. 2023-04.

Received and Filed the Second Quarter Financial Activity Report for Fiscal Year 2022-2023.

Approved the Second Quarter Fiscal Year 2022-2023 Investment Report.

ORAL COMMUNICATIONS

CONSENT CALENDAR

1. **Consider Adoption of Minutes of the Regular Board Meeting on Monday, January 23, 2023**
2. **Consider Adopting Resolution No. 2023-04 Authorizing Remote Teleconferencing Meetings of All District Legislative Bodies Through February 28, 2023 in Accord with the Ralph M. Brown Act and AB 361 (Rivas)**
3. **Receive and File Second Quarter Financial Activity Report for Fiscal Year 2022-2023**
4. **Consider Approval of Second Quarter Fiscal Year 2022-2023 Investment Report**

Adopted the December 2022 Treasurer’s Report and financial statements, and ratification of disbursements made during the month.

Approved the expenditure of \$5,000 to renew the internet license with GardenSoft for the Monterey County Water Wise Landscaping software.

Item Removed.

Authorized the General Manager to enter into contracts for the additional items (check valve, vegetation management, irrigation repair, or any other flood related damages to District programs) for emergency repair work and seek reimbursement for the cost of damages from the California Office Emergency Services and the Federal Emergency Management Agency at a cost not-to-exceed \$250,000.

David J. Stoldt, General Manager presented via MS PowerPoint entitled, “Status Report on Cal-Am Compliance with SWRCB Orders and Seaside Basin Decision as of February 2023” and answered board questions. *A copy of the presentation is available at the District office and can be found on the District website.*

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

- a. Monterey Peninsula Water Resources System (MPWRS) from October to January Water Year (WY) 2023: The Carmel River Basin and the Seaside Groundwater Basin targets have not been actualized [Target: 1,939 Acre Feet (AF); Actual: 1,108 AF]
- b. Water Projects and Rights from October to January WY 2023: Pure Water Monterey [Target: 1,280 AF; Actual: 1,438 AF] and Table 13 [Target: 0 AF; Actual: 121 AF] targets have been met.
- c. On Monthly Production for Customer Service for Cal-Am (WY 2023): Customer demand is ahead by 38 AF from last year [WY 2022: 2,806 AF; WY 2023: 2,768 AF].
- d. On Monthly and Daily Recorded Rainfall at the San Clemente Rain Gage (WY 2023): December and January 2023 actuals have surpassed averages.
- e. Displayed Rainfall Year Types [WY 2023 vs. Recorded Rainfall at the San Clemente Gage from 1922 to the Present, Carmel Valley, CA]: Current cumulative rainfall totals indicate WY2023 to end on a ‘wet’ year absent any precipitation. To date rainfall

5. **Consider Adoption of Treasurer’s Report for December 2022**

6. **Consider Approval of Annual Purchase of Internet License for Water Wise Gardening in Monterey County**

7. **Item Removed.**

8. **Consider Additional Flood Related Repairs and Projects to be Included in Previously Approved Action Item [January 23, 2023] that Utilizes the Flood and Drought Reserve with No Change in Cost Estimate - CAP**

GENERAL MANAGER’S REPORT

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

totals are coming in at above-normal levels.

- f. Displayed a graph on Estimated Unimpaired Carmel River Flow at Sleepy Hollow Weir (WY 2023).
- g. Displayed ASR Injection Summary Well WY2023 both for Daily Injection and Cumulative Injection for the year: Cumulative injections are expected to exceed 400 AF for the water year. Mentioned injection is averaging 9 to 10 AF / day, however expects it be set at 13 AF/Day once work is completed by Cal-Am.

David J. Stoldt, GM provided an update on Conditions on the River and displayed pictures via slide-deck of downed trees, debris piles, devegetated banks, debris “strainers,” Sand Deposition – San Carlos Bridge, Cobble Deposition and Devegetation and a chart on Acre-Feet Past Highway 1 Gauge and answered Board questions. *A copy of the presentation is available at the District office and can be found on the District website.*

Thomas Christensen, Environmental Resources Manager described the purpose of the District’s Vegetation Management Program is to reduce the potential for bank erosion and to remove deleterious material in the channel of the Carmel River. He commented on the program’s typical permitting processes and timelines. However, he noted due to the damages caused by the recent atmospheric rivers the District will need to compile a list of down trees and debris piles. He stated other potential problem areas need to be identified in order to apply for an emergency permit with certain regulatory agencies outside of normal permitting processes/timelines. He explained the District’s Environmental Resources field crew receives additional assistance from the CA Conservation Corps when it is beyond the District’s scope of work. *In response to Adams*, Christensen informed the Board the District is working through the application process with Federal Emergency Management Agency for federal assistance and reimbursement. *In response to Eisenhart*, he briefly described the six areas of high priority concern along the channel that will be incorporated into his list.

10. Conditions on the River

David C. Laredo, District Counsel informed the Board on pending legal matters, answered Board questions and made the following highlights:

- a. Cal-Am’s Request for Modification and Rehearing before the California Public Utilities Commission: *No action taken by the CPUC.*
- b. November 17, 2022; California Coastal Commission decision on Cal-Am’s Coastal Development Permit (CDP) on Desalination: *Final*

REPORT FROM DISTRICT COUNSEL

11. Report from District Counsel

conditions have not been released.

- c. The District, Marina Coast Water District and the City of Marina have filed a suit challenging the CA Coastal Commission’s decision on Cal-Am’s CDP. The State Attorney’s Office has assigned Joel Jacobs to represent the CA Coastal Commission on the matter and has confirmed that their practice is to assemble and complete the administrative record anticipated to be completed by mid-summer 2023. *A hearing on the matter is not expected to take place in 2023.*

Director Riley: Informed the Board that a Seaside Basin Watermaster meeting in January 2023, the Watermaster hired a consultant to analyze the method of calculation of the Replenishment Assessment Unit Costs.

Director Edwards: Stated he attended a Monterey One Water attended by Paull and others. He requested a joint meeting of the District’s Water Supply Planning Committee, Monterey One Water’s Recycled Water Committee and Marina Coast Water District on Pure Water Monterey – Expansion delays caused by Cal-Am and options to be discussed openly.

Director Paull: Mentioned her attendance at a recent Monterey One Water meeting listened in on discussions had relating to the water purchasing agreement. She stated she made public comment during the M1W meeting and suggested a joint meeting between the M1W Board and the District’s Board. Paull is open to Edwards idea for having a joint meeting of the District’s and M1W’s committees for further discussion on the matter.

Suresh Prasad, Administrative Services Manager/CFO provided an overview of his staff report, answered board questions and presented via slide-deck entitled, “Receive Fiscal Year 2021-2022 Annual Comprehensive Financial Report (ACFR).” Mike Briley and Rae Gularte with Clifton Larson Allen, LLP presented via slide-deck entitled, “Audit Results for June 30, 2022.” *A copy of the presentation is available at the District office and can be found on the District website.*

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

- a. Tom Rowley: Questioned if the District’s Auditors were informed and briefed on the MPTA lawsuit

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

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

PUBLIC HEARING

13. **Receive Fiscal Year 2021 – 2022 Annual Comprehensive Financial Report**

against the District.

No further comments were directed to the Board.

A motion was offered by Director Riley with a second by Director Paull to receive the Fiscal Year 2021 – 2022 Annual Comprehensive Financial Report. The motion passed on a roll-call vote of 7-Ayes (Edwards, Riley, Eisenhart, Paull, Anderson, Adams and Oglesby), 0-Noes and 0-Absent.

ACTION ITEMS

Stephanie Locke, Water Demand Manager provided an overview of her staff report, answered board questions, presented via slide-deck entitled, “Consider Adoption of Resolution No. 2023-05 Declaring the week of March 20 – 26, 2023 to be Fix a Leak Week” and recommended approval of Resolution No. 2023-05. *A copy of the presentation is available at the District office and can be found on the District website.*

14. **Consider Adoption of Resolution No. 2023-05 Declaring the Week Of March 20 - 26, 2023, To Be Fix A Leak Week**

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

- (a) Tom Rowley: Informed staff to educate the community to check their water pressure to prevent leaks from occurring.
- (b) Tammy Jennings: Requested information on how to check water pressure.

No further comments were directed to the Board.

A motion was offered by Director Anderson with a second by Director Oglesby to adopt Resolution No. 2023-05 declaring the week of March 20th through March 26th to be Fix a Leak Week. The motion passed on a roll-call vote of 7-Ayes (Edwards, Riley, Eisenhart, Paull, Anderson, Adams and Oglesby), 0-Noes and 0-Absent.

Stephanie Locke, Water Demand Manager provided an overview of her staff report, answered board questions, presented via slide-deck and recommended approval of Resolution No. 2023-03. *A copy of the presentation is available at the District office and can be found on the District website.*

15. **Consider Adoption of Resolution No. 2023-03 Amending Rule 141, Table XIV-1, Rebate Amounts, To Add a Rebate For Smart Toilet Leak Detectors**

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

A motion was offered by Director Eisenhart with a second by Director Anderson to adopt Resolution No. 2023-03 to add a rebate for 25 percent of the cost of 20 or more smart toilet leak detector units installed in a Visitor Serving Facility or a Master Metered Multi-Family Residential Site

to a maximum rebate of \$15,000. Adoption of the Resolution will amend Table XIV-1, Rebate Amounts, To Add a Rebate for Smart Toilet Leak Detectors. The motion passed on a roll-call vote of 7-Ayes (Edwards, Riley, Eisenhart, Paull, Anderson, Adams and Oglesby), 0-Noes and 0-Absent.

David J. Stoldt, GM provided an overview of the staff note, answered board questions, and recommended the board receive the 2022 Annual Report from the Ordinance No. 152 Citizen's Oversight Panel.

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

- a. Susan Schiavone: Believes it is not time yet to sunset the Water Supply Charge.
- b. Melodie Chrislock: Stated for the record that the Panel's majority was seven (7) vs. its minority of two (2).

A motion was offered by Director Paull with a second by Director Anderson to receive the Ordinance No. 152 Citizen's Oversight Panel 2022 Annual Report. The motion passed on a roll-call vote of 7-Ayes (Edwards, Riley, Eisenhart, Paull, Anderson, Adams and Oglesby), 0-Noes and 0-Absent.

No further discussion was had on Informational Items.

**16. Receive Ordinance No. 152
Citizen's Oversight Panel 2022
Annual Report**

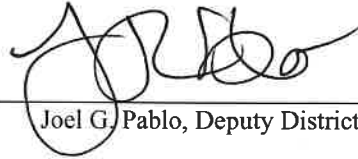
**INFORMATIONAL ITEMS/STAFF
REPORTS**

- 17. Report on Activity/Progress on
Contracts Over \$25,000**
- 18. Status Report on Measure J / Rule
19.8 Phase II Spending**
- 19. Letters Received**
- 20. Committee Reports**
- 21. Monthly Allocation Report**
- 22. Water Conservation Program
Report**
- 23. Carmel River Fishery Report for
January 2023**
- 24. 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]
**25. Semi-Annual Financial Report on
the CAWD/PBCSD Wastewater
Reclamation Project**

There being no further business, Chair Adams adjourned
the meeting at 8:11 p.m.

ADJOURNMENT



Joel G. Pablo, Deputy District Secretary

Minutes Approved by the MPWMD Board of
Directors on Monday, March 20, 2023