

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.*



AGENDA
Special and Regular Meeting
Board of Directors
Monterey Peninsula Water Management District

Monday, May 20, 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/87418186938?pwd=OZOK1Fn4wWnTb3cr8rsTQ94ebIQiM.1>

Or join at: <https://zoom.us/>
Webinar ID: 874 1818 6938
Passcode: 052024

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) and at 5 Harris Court, Bldg. G, Monterey, California on Thursday, May 16, 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, May 17, 2024.

CLOSED SESSION AT 5:00 P.M.

CALL TO ORDER / ROLL CALL

<p><u>Board of Directors</u> 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</p> <p><u>General Manager</u> David J. Stoldt</p>
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<p><u>Mission Statement</u> 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.</p> <p><u>Vision Statement</u> Model ethical, responsible, and responsive governance in pursuit of our mission.</p> <p><u>Board's Goals and Objectives</u> Are available online at: https://www.mpwmd.net/who-we-are/mission-vision-goals/</p>
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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. Public Employee Performance Evaluation, (Gov Code §54957) - Title: General Counsel, De Lay & Laredo

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

CONVENE TO CLOSED SESSION

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

CONVENE TO REGULAR SESSION | 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 April 15, 2024 and the Special Meeting/Board Workshop on May 2, 2024
2. Consider Adoption of Treasurer’s Report for March 2024
3. Receive and File Third Quarter Financial Activity Report for Fiscal Year 2023-2024
4. Consider Approval of Third Quarter Fiscal Year 2023-2024 Investment Report
5. Consider Renewal of Contract with JEA & Associates for Legislative and Administrative Services
6. Consider Renewal of Contract with Ferguson Group for Legislative and Administrative Services
7. Consider Contract for Public Outreach Services with WellmanAd for FY 2024-2025

8. Consider Approval of Agreement with Lynx Technologies for Geographic Information System (GIS) Services
9. Consider Approval of a Contract with Maggiora Brothers Drilling for Rehabilitation of Two ASR Wells
10. Authorize Funds to Contract for Limited-Term Field Positions During FY 2024-2025
11. Authorize Expenditure for Software Maintenance Agreements/Purchase
12. Consider Adoption of Resolution No. 2024-05 Establishing Article XIII (B) Fiscal Year 2024-2025 Appropriations Limit

GENERAL MANAGER'S REPORT

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

REPORT FROM DISTRICT COUNSEL

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

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

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

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

17. Receive and Confirm Water Supply Forecast for Period of May 1, 2024 – September 30, 2025 and Consider Adopting Resolution No. 2024-06 to Amend Rationing Table XV-4

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

Recommended Action: The Board will receive a report on the available water supply and determine whether water-rationing triggers have been met and consider adoption of Resolution 2024 – 06.

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

18. Consider Adoption of District Position on Pending State Legislation for 2024-2025

Recommended Action: The Board will consider adopting positions on State legislation of interest to the District that was discussed by the Legislative Advocacy Committee in April 2024.

19. Consider Adoption of Strategic Goals and Objectives for 2024

Recommended Action: The Board will consider adopting the District's Strategic Goals and Objectives for 2024.

20. Consider Adoption of Agreement for Taxing Entity Compensation

Recommended Action: The Board will consider adopting the Agreement for Taxing Entity Compensation.

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.*

21. Report on Activity/Progress on Contracts Over \$25,000
22. Status Report on Spending – Public’s Ownership of Monterey Water System
23. Letters Received and Sent
- 24.. Committee Reports
25. Monthly Allocation Report
26. Water Conservation Program Report
27. Carmel River Fishery Report for April 2024
28. Monthly Water Supply and California American Water Production Report
 [Exempt from environmental review per SWRCB Order Nos. 95-10 and 2016-0016, and the Seaside Basin Groundwater Basin adjudication decision, as amended and Section 15268 of the California Environmental Quality Act (CEQA) Guidelines, as a ministerial project; Exempt from Section 15307, Actions by Regulatory Agencies for Protection of Natural Resources]

ADJOURNMENT

Board Meeting Schedule		
Thursday, May 30, 2024	<i>Special (Budget Workshop)</i>	6:00 p.m.
Monday, June 17, 2024	<i>Regular</i>	6:00 p.m.

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

Accessibility

In accordance with Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), MPWMD will make a reasonable effort to provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. MPWMD will also make a reasonable effort to provide translation

services upon request. Submit requests at least 48 hours prior to the scheduled meeting date/time to Sara Reyes, Board Clerk by e-mail at sara@mpwmd.net or at (831) 658-5610.

Provide Public Comment at the Meeting

Attend In-Person

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

Attend via Zoom: See below “Instructions for Connecting to the **Zoom Meeting**”

Submission of Public Comment via E-mail

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

Submission of Written Public Comment

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

Document Distribution

In accordance with Government Code §54957.5, any materials of public record relating to an agenda item for a meeting of the Board of Directors that are provided to a majority of the members less than 72 hours before the meeting will be made available at the **District Office, 5 Harris Court, Building G, Monterey, CA** during normal business hours. Materials of public record that are distributed during the meeting shall be made available for public inspection at the meeting if prepared by the Board or a member of its legislative/advisory body, or the next business day after the meeting if prepared by some other person.

Instructions for Connecting to the **Zoom Meeting**

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

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

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

<https://mpwmd-net.zoom.us/j/87418186938?pwd=OZOK1Fn4wWnTb3cr8rsTO94ebIQliM.1>

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

Webinar ID: 874 1818 6938

Passcode: 052024

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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ITEM: CONSENT CALENDAR**1. CONSIDER ADOPTION OF MINUTES OF THE SPECIAL AND REGULAR BOARD MEETING ON APRIL 15, 2024 AND THE SPECIAL MEETING/BOARD WORKSHOP ON MAY 2, 2024****Meeting Date:** May 20, 2024 **Budgeted:** N/A**From:** David J. Stoldt,
General Manager **Program/
Line Item No.:** N/A**Prepared By:** Sara Reyes **Cost Estimate:** N/A**General Counsel Review:** N/A**Committee Recommendation:** N/A**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**SUMMARY:** Attached are draft minutes of the MPWMD Board of Director's Special and Regular Meeting on April 15, 2024 (**Exhibit 1-A**) and the Special Meeting/Board Workshop on May 2, 2024 (**Exhibit 1-B**).**RECOMMENDATION:** The Board will consider adopting the draft minutes of the Special and Regular Board Meeting on April 15, 2024 and the Special Meeting/Board Workshop on May 2, 2024.**EXHIBIT****1-A** MPWMD Board of Director's Special and Regular Board Meeting on April 15, 2024**1-B** MPWMD Board of Director's Special Meeting/Board Workshop on May 2, 2024



EXHIBIT 1-A

**Draft Minutes
Special and Regular Meeting
Board of Directors
Monterey Peninsula Water Management District
*April 15, 2024 at 5:00 P.M.***

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

CLOSED SESSION AT 5:00 P.M.

CALL TO ORDER:

Chair Anderson called the meeting to order at 5:03 PM.

ROLL CALL:

Board members present:

Amy Anderson, Chair
George Riley, Vice Chair
Karen Paull
Ian Oglesby
Alvin Edwards
Marc Eisenhart

Board members absent:

Mary Adams

District staff members present:

David Stoldt, General Manager
Sara Reyes, Executive Assistant/Board Clerk

District staff members absent:

None

District Counsel present:

David Laredo with De Lay & Laredo
Michael Laredo with De Lay & Laredo

ADDITIONS AND CORRECTIONS TO THE AGENDA:

None

PUBLIC COMMENT ON THE CLOSED SESSION AGENDA:

Chair Anderson opened Public Comment; no comments were directed to the Board:

CLOSED SESSION:

District Counsel Laredo led the Board into Closed Session.

- 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:

At 5:04 p.m., the Board went into Closed Session.

REGULAR SESSION AT 6:00 P.M.**CALL TO ORDER:**

Chair Anderson called the meeting to order at 6:02 p.m.

ROLL CALL:

Board members present: Amy Anderson, Chair
 George Riley, Vice Chair
 Karen Paull
 Ian Oglesby
 Alvin Edwards
 Marc Eisenhart

Board members absent: 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: David Laredo with De Lay & Laredo
 Fran Farina with De Lay & Laredo
 Michael Laredo with De Lay & Laredo

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 requested Item 2 to be pulled for comment. Director Riley requested items 3 and 5 to be pulled for comment and Director Edwards requested Item 3 to be pulled for discussion.

Director Riley offered a motion with a second by Director Paull, for the Board to approve items 1, 4 and 6. The motion passed by a voice vote of 6-Ayes (Oglesby, Eisenhart, Anderson, Riley, Paull, and Edwards), 0-Noes and 1-Absent (Adams).

Director Riley offered a motion with a second by Director Paull to approve Item 2. The motion passed by a voice vote of 6-Ayes (Oglesby, Eisenhart, Anderson, Riley, Paull, and Edwards), 0-Noes and 1-Absent (Adams).

Director Edwards offered a motion with a second by Director Paull to approve Item 3. The motion passed by a voice vote of 6-Ayes (Oglesby, Eisenhart, Anderson, Riley, Paull, and Edwards), 0-Noes and 1-Absent (Adams).

Director Riley offered a motion with a second by Director Edwards to approve Item 5. 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 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:

Chair Anderson introduced the matter.

- 7. Status Report on California American Water Compliance with State Water Resources Control Board Order 2016-0016 and Seaside Groundwater Basin Adjudication Decision**
 - General Manager 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 April 1, 2024”. Board discussions were conducted. *A copy of the presentation is available at the District office and can be found on the District website.*
- 8. Report on Use of The Carmel Pine Cone for Distribution of the 2023 MPWMD Annual Report**

General Manager Stoldt briefly discussed this item and presented various costs involved in distributing the Annual Report in The Carmel Pine Cone. Mr. Stoldt concluded that it may be best for the Board to possibly consider this option with the 2024 MPWMD Annual Report.

REPORT FROM DISTRICT COUNSEL:

Chair Anderson introduced the matter.

9. Report From District Counsel

District Counsel Laredo stated that the Board received status reports for all four items on the Closed Session agenda, but no action was taken by the Board. Mr. Laredo reported the Board will reconvene into closed session after the regular session to continue its discussion on Item 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.

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

Chair Anderson introduced the matter.

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

No reports were presented by the Directors.

PRESENTATIONS:

Chair Anderson introduced the matter.

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

General Manager David Stoldt presented this item via slide-deck presentation titled “Process for Lifting the Cease & Desist Order and Moratorium on New Meters”. Board discussions were conducted. *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; *the following comments were directed to the Board:*

- (1) Susan Schiavone, expressed her support for the direction being taken by the Board and encouraged it to continue to lead with this effort.

INFORMATIONAL ITEMS/STAFF REPORTS:

- 12. Report on Activity/Progress on Contracts Over \$25,000**
- 13. Status Report on Measure J/Rule 19.8 Phase II Spending**
- 14. Letters Received**
- 15. Committee Reports**
- 16. Monthly Allocation Report**
- 17. Water Conservation Program Report**
- 18. Carmel River Fishery Report for January 2024**
- 19. Monthly Water Supply and California American Water Production Report**
- 20. Quarterly Carmel River Riparian Corridor Management 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:

1. Chair Anderson adjourned the Regular Session at 7:24 PM.
2. The Board reconvened into the Closed Session at 7:25 PM.

Sara Reyes, Deputy District Secretary

Minutes Approved by the MPWMD Board of Directors on Monday, _____, 2024

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EXHIBIT 1-B

Draft Minutes Special Meeting and Board Workshop Board of Directors Monterey Peninsula Water Management District Thursday, May 2, 2024

Meeting Location: Asilomar Hotel and Conference Grounds, Scripps Room
800 Asilomar Avenue, Pacific Grove, CA 93950

CALL TO ORDER:

General Manager Stoldt called the meeting to order at 9:06 a.m.

ROLL CALL:

Director's present:	Alvin Edwards, Director – Division 1 George Riley, Director – Division 2 Marc Eisenhart, Director – Division 3 Karen Paull, Director – Division 4 Ian Oglesby, Director – Mayoral Representative
Directors absent:	Amy Anderson, Chair – Division 5 Mary L. Adams – Monterey County Board of Supervisors Representative
District staff members present:	David J. Stoldt, General Manager Sara Reyes, Executive Assistant/Board Clerk
District staff members absent:	None
District Counsel present:	David C. Laredo with De Lay and Laredo Michael Laredo with De Lay and Laredo

ADDITIONS AND CORRECTIONS TO THE AGENDA

None

PUBLIC COMMENT

General Manager Stoldt opened public comment. *No comments were directed to the Board.*

INTRODUCTIONS / WORKSHOP OVERVIEW – David J. Stoldt, General Manager

David J. Stoldt, General Manager provided introductory remarks and presented via MS PowerPoint entitled, "MPWMD Strategic Planning Workshop." *A copy of the presentation is on file with the District and can be found on the District website.*

DISCUSSION ITEM

1. Discuss and Draft Strategic Goals and Objectives for Calendar Year 2024

The Board undertook the following:

- a. Reviewed the goal-setting process; Definitions of “goal” v “objective”; Reviewed the “SMART” criteria for objectives (“SMART”: Specific, Measurable, Achievable, Realistic, Time)
- b. Summarized recent year goals
- c. Anonymously identified “Top 3” goals for calendar year, “Top 2” longer-term goals; Results were compiled
- d. Developed objectives making sure there was no duplication of goals or objectives; objectives were clear and met the SMART criteria; and objectives were properly aligned with goals
- e. Agreed to: Goals for the District to focus on; objectives under each goal are appropriate and have realist timelines

Discussion ensued and the Board reached a consensus directing the General Manager to finalize the list of agreed upon 2024 Goals and Objectives and prepare a report for subsequent Board adoption at its Monday, May 20, 2024 meeting.

The Board recessed to lunch at 12:00 p.m. and returned at 12:40 p.m.

CLOSED SESSION:

District Counsel Laredo led the Board into Closed Session.

CS 1. Conference with Legal Counsel – Existing Litigation (§54956.9(d)(1)), MPWMD v. Cal-Am – Case No. 23 CV 004102

CS 2. Public Employee Performance Evaluation, (Gov Code §54957) - Title: General Counsel, David Laredo

RECESS TO CLOSED SESSION:

At 12:40 p.m., the Board went into Closed Session.

ADJOURNMENT

General Manager Stoldt adjourned the meeting at 2:15 p.m.

Sara Reyes, Deputy District Secretary

Minutes approved by the MPWMD Board of Directors on _____.

ITEM: CONSENT CALENDAR**2. CONSIDER ADOPTION OF TREASURER'S REPORT FOR MARCH 2024**

Meeting Date:	May 20, 2024	Budgeted:	N/A
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From:	David J. Stoldt, General Manager	Program/ Line Item No.:	N/A
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Prepared By:	Nishil Bali	Cost Estimate:	N/A
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General Counsel Review: N/A**Committee Recommendation: The Finance and Administration Committee considered this item on May 13, 2024 and recommended approval.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY: Exhibit 2-A comprises the Treasurer's Report for March 2024. **Exhibit 2-B** includes listings of check disbursements for the period March 1-31, 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 \$2,424,842.96. There were \$42,641 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 March 31, 2024.

RECOMMENDATION: The Finance and Administration Committee recommends that the Board adopt the March 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 MARCH 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>
Beginning Balance	\$142,457.91	\$6,348,272.80	\$12,346,208.77	\$8,970,412.61	\$27,807,352.09	\$131,048.00
Fee Deposits		619,841.52			619,841.52	212,148.20
MoCo Tax & WS Chg Installment Pymt					0.00	
Interest Received				26,572.67	26,572.67	
Transfer - Checking/LAIF					0.00	
Transfer - Money Market/LAIF					0.00	
Transfer - Money Market/Checking	3,000,000.00	(3,000,000.00)			0.00	
Transfer - Money Market/Multi-Bank					0.00	
Transfer to CAWD					0.00	(152,000.00)
Voided Checks					0.00	
Bank Corrections/Reversals/Errors					0.00	
Bank Charges/Other	-				0.00	
Credit Card Fees	(785.00)				(785.00)	
Returned Deposits	-				0.00	
Payroll Tax/Benefit Deposits	(130,300.26)				(130,300.26)	
Payroll Checks/Direct Deposits	(146,464.70)				(146,464.70)	
General Checks	(100.00)				(100.00)	
Rebate Payments	(42,641.00)				(42,641.00)	
Bank Draft Payments	(12,561.88)				(12,561.88)	
AP Automation Payments	(2,091,990.12)				(2,091,990.12)	
Ending Balance	\$717,614.95	\$3,968,114.32	\$12,346,208.77	\$8,996,985.28	\$26,028,923.32	\$191,196.20

* Fixed Income investments are reported at face value

EXHIBIT 2-B

My Check Report



Monterey Peninsula Water Management Di

By Check Number

Date Range: 03/01/2024 - 03/31/2024

Table with columns: Vendor Number, Vendor Name, Payment Date, Payment Type, Discount Amount, Payment Amount, Number. Rows include various vendors like Monterey County Clerk, POSTMASTER, Cypress Coast Ford, etc.

My Check Report

Date Range: 03/01/2024 - 03/31/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
24873	Rincon Consultants Inc	03/15/2024	Virtual Payment	0.00	1,181.53	APA004257
00176	Sentry Alarm Systems	03/15/2024	Virtual Payment	0.00	125.50	APA004258
04709	Sherron Forsgren	03/15/2024	Virtual Payment	0.00	442.76	APA004259
19700	Shute, Mihaly & Weinberger LLP	03/15/2024	Virtual Payment	0.00	39,596.89	APA004260
09989	Star Sanitation Services	03/15/2024	Virtual Payment	0.00	140.91	APA004261
04359	The Carmel Pine Cone	03/15/2024	Virtual Payment	0.00	726.00	APA004262
09425	The Ferguson Group LLC	03/15/2024	Virtual Payment	0.00	6,000.00	APA004263
17965	The Maynard Group	03/15/2024	Virtual Payment	0.00	4,972.67	APA004264
00024	Three Amigos Pest Control DBA Central Coast E	03/15/2024	Virtual Payment	0.00	104.00	APA004265
00225	Trowbridge Enterprises Inc.	03/15/2024	Virtual Payment	0.00	160.03	APA004266
00269	U.S. Bank	03/15/2024	Virtual Payment	0.00	16,443.04	APA004267
00269	U.S. Bank	03/15/2024	Virtual Payment	0.00	135.00	APA004268
23550	WellmanAD	03/15/2024	Virtual Payment	0.00	13,125.00	APA004269
04038	YSI Inc.	03/15/2024	Virtual Payment	0.00	1,100.32	APA004270
20230	Zoom Video Communications Inc	03/15/2024	Virtual Payment	0.00	470.32	APA004271
00767	AFLAC	03/28/2024	Virtual Payment	0.00	612.90	APA004398
04732	AM Conservation Group, Inc.	03/28/2024	Virtual Payment	0.00	4,378.12	APA004399
26178	Amy E Anderson	03/28/2024	Virtual Payment	0.00	1,017.19	APA004400
00760	Andy Bell	03/28/2024	Virtual Payment	0.00	622.00	APA004401
00263	Arlene Tavani	03/28/2024	Virtual Payment	0.00	1,088.93	APA004402
12601	Carmel Valley Ace Hardware	03/28/2024	Virtual Payment	0.00	99.93	APA004403
00083	Clifton Larson Allen LLP	03/28/2024	Virtual Payment	0.00	40,687.50	APA004404
04041	Cynthia Schmidlin	03/28/2024	Virtual Payment	0.00	2,119.46	APA004405
00046	De Lay & Laredo	03/28/2024	Virtual Payment	0.00	36,574.25	APA004406
18734	DeVeera Inc.	03/28/2024	Virtual Payment	0.00	10,761.07	APA004407
00192	Extra Space Storage	03/28/2024	Virtual Payment	0.00	1,258.00	APA004408
02660	Forestry Suppliers Inc.	03/28/2024	Virtual Payment	0.00	539.81	APA004409
21199	G3, Green Gardens Group, LLC	03/28/2024	Virtual Payment	0.00	3,100.00	APA004410
09927	Hach Company	03/28/2024	Virtual Payment	0.00	41.83	APA004411
00986	Henrietta Stern	03/28/2024	Virtual Payment	0.00	1,413.12	APA004412
07415	Inca Landscape Management	03/28/2024	Virtual Payment	0.00	68.65	APA004413
04717	Inder Osahan	03/28/2024	Virtual Payment	0.00	1,413.12	APA004414
03857	Joe Oliver	03/28/2024	Virtual Payment	0.00	733.00	APA004415
06999	KBA Document Solutions, LLC	03/28/2024	Virtual Payment	0.00	91.09	APA004416
21460	MoGo Urgent Care	03/28/2024	Virtual Payment	0.00	60.00	APA004417
16182	Monterey County Weekly	03/28/2024	Virtual Payment	0.00	970.00	APA004418
00274	Monterey One Water	03/28/2024	Virtual Payment	0.00	95,951.40	APA004419
08700	Monterey Regional Waste Management District	03/28/2024	Virtual Payment	0.00	20.00	APA004420
13396	Navia Benefit Solutions, Inc.	03/28/2024	Virtual Payment	0.00	1,143.74	APA004421
24869	Raftelis Financial Consultants, Inc.	03/28/2024	Virtual Payment	0.00	585.00	APA004422
13394	Regional Government Services	03/28/2024	Virtual Payment	0.00	598.40	APA004423
00251	Rick Dickhaut	03/28/2024	Virtual Payment	0.00	556.00	APA004424
00228	Ryan Ranch Printers	03/28/2024	Virtual Payment	0.00	188.00	APA004425
16775	Seaside Groundwater Basin Watermaster	03/28/2024	Virtual Payment	0.00	34,157.77	APA004426
00176	Sentry Alarm Systems	03/28/2024	Virtual Payment	0.00	185.50	APA004427
23422	Simona Mossbacher	03/28/2024	Virtual Payment	0.00	445.17	APA004428
04359	The Carmel Pine Cone	03/28/2024	Virtual Payment	0.00	726.00	APA004429
17965	The Maynard Group	03/28/2024	Virtual Payment	0.00	1,674.48	APA004430
00269	U.S. Bank	03/28/2024	Virtual Payment	0.00	7,200.58	APA004431
00271	UPEC, Local 792	03/28/2024	Virtual Payment	0.00	1,161.50	APA004432
08105	Yolanda Munoz	03/28/2024	Virtual Payment	0.00	540.00	APA004433
00266	I.R.S.	03/08/2024	Bank Draft	0.00	12,702.09	DFT0003218
00266	I.R.S.	03/08/2024	Bank Draft	0.00	2,986.72	DFT0003219
00267	Employment Development Dept.	03/08/2024	Bank Draft	0.00	5,076.27	DFT0003220
00266	I.R.S.	03/08/2024	Bank Draft	0.00	294.98	DFT0003221
00266	I.R.S.	03/08/2024	Bank Draft	0.00	70.52	DFT0003222
00266	I.R.S.	03/08/2024	Bank Draft	0.00	301.32	DFT0003223
00769	Laborers Trust Fund of Northern CA	03/12/2024	Bank Draft	0.00	40,066.00	DFT0003224
00256	PERS Retirement	03/08/2024	Bank Draft	0.00	18,950.38	DFT0003225
00252	Cal-Am Water	03/15/2024	Bank Draft	0.00	79.09	DFT0003226
00252	Cal-Am Water	03/15/2024	Bank Draft	0.00	203.76	DFT0003227

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Date Range: 03/01/2024 - 03/31/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
00252	Cal-Am Water	03/15/2024	Bank Draft	0.00	196.35	DFT0003228
00758	FedEx	03/15/2024	Bank Draft	0.00	348.27	DFT0003229
00277	Home Depot Credit Services	03/15/2024	Bank Draft	0.00	81.06	DFT0003230
00221	Verizon Wireless	03/15/2024	Bank Draft	0.00	1,465.85	DFT0003231
18163	Wex Bank	03/15/2024	Bank Draft	0.00	1,080.87	DFT0003232
00768	MissionSquare Retirement- 302617	03/08/2024	Bank Draft	0.00	4,925.06	DFT0003234
00266	I.R.S.	03/22/2024	Bank Draft	0.00	12,742.71	DFT0003235
00266	I.R.S.	03/22/2024	Bank Draft	0.00	3,016.58	DFT0003236
00267	Employment Development Dept.	03/22/2024	Bank Draft	0.00	5,079.09	DFT0003237
00266	I.R.S.	03/22/2024	Bank Draft	0.00	273.40	DFT0003238
00256	PERS Retirement	03/18/2024	Bank Draft	0.00	18,890.08	DFT0003239
00758	FedEx	03/28/2024	Bank Draft	0.00	88.68	DFT0003240
00277	Home Depot Credit Services	03/28/2024	Bank Draft	0.00	36.87	DFT0003241
00282	PG&E	03/28/2024	Bank Draft	0.00	3,196.90	DFT0003242
18737	U.S. Bank Equipment Finance	03/28/2024	Bank Draft	0.00	871.81	DFT0003243
00221	Verizon Wireless	03/28/2024	Bank Draft	0.00	1,288.77	DFT0003244
18163	Wex Bank	03/28/2024	Bank Draft	0.00	297.79	DFT0003245
00766	Standard Insurance Company	03/27/2024	Bank Draft	0.00	1,453.81	DFT0003246
00768	MissionSquare Retirement- 302617	03/22/2024	Bank Draft	0.00	4,925.06	DFT0003265
06746	POSTMASTER	03/15/2024	Bank Draft	0.00	1,872.00	DFT0003266

Payment Type	Bank Code APBNK		Summary	
	Payable Count	Payment Count	Discount	Payment
Regular Checks	3	3	0.00	1,972.00
Manual Checks	0	0	0.00	0.00
Voided Checks	0	1	0.00	-1,872.00
Bank Drafts	45	30	0.00	142,862.14
EFT's	0	0	0.00	0.00
Virtual Payments	197	101	0.00	2,091,990.12
	245	135	0.00	2,234,952.26

My Check Report

Date Range: 03/01/2024 - 03/31/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: REBATES-02-Rebates: Use Only For Rebates						
26328	Adam Rust	03/20/2024	Virtual Payment	0.00	500.00	APA004272
26338	Addison Church	03/20/2024	Virtual Payment	0.00	500.00	APA004273
19863	Alan Mah	03/20/2024	Virtual Payment	0.00	75.00	APA004274
26322	Aliya Amir	03/20/2024	Virtual Payment	0.00	473.00	APA004275
26359	Allene Perry	03/20/2024	Virtual Payment	0.00	125.00	APA004276
26364	Andrew B Lipsig	03/20/2024	Virtual Payment	0.00	125.00	APA004277
26353	Andrew Cahill	03/20/2024	Virtual Payment	0.00	500.00	APA004278
26345	Bertha Margarita Morales Ramirez	03/20/2024	Virtual Payment	0.00	500.00	APA004279
26348	Charles Wallace	03/20/2024	Virtual Payment	0.00	500.00	APA004280
26380	David Mitchell	03/20/2024	Virtual Payment	0.00	375.00	APA004281
26366	David R Gross	03/20/2024	Virtual Payment	0.00	125.00	APA004282
26368	David S Cohick	03/20/2024	Virtual Payment	0.00	125.00	APA004283
26317	David Waite	03/20/2024	Virtual Payment	0.00	500.00	APA004284
26343	Dawn Wood	03/20/2024	Virtual Payment	0.00	500.00	APA004285
26349	Deborah Hsu	03/20/2024	Virtual Payment	0.00	500.00	APA004286
26357	Dennis Deis	03/20/2024	Virtual Payment	0.00	125.00	APA004287
26337	Diana Alvarez-Ward	03/20/2024	Virtual Payment	0.00	500.00	APA004288
26373	Douglas Westphal	03/20/2024	Virtual Payment	0.00	275.00	APA004289
26376	Edward Perry	03/20/2024	Virtual Payment	0.00	200.00	APA004290
26321	Gayle Uyeda	03/20/2024	Virtual Payment	0.00	500.00	APA004291
26365	Gene Kofman	03/20/2024	Virtual Payment	0.00	125.00	APA004292
26369	Giuseppe Savona	03/20/2024	Virtual Payment	0.00	498.00	APA004293
26382	Glendora Trestler	03/20/2024	Virtual Payment	0.00	125.00	APA004294
26352	Harbinder Gill	03/20/2024	Virtual Payment	0.00	500.00	APA004295
26351	Henry Templeman	03/20/2024	Virtual Payment	0.00	500.00	APA004296
26326	James H Singleton Jr	03/20/2024	Virtual Payment	0.00	500.00	APA004297
26316	Jamie Housman	03/20/2024	Virtual Payment	0.00	500.00	APA004298
26378	Jeannie Frank-Bergquist	03/20/2024	Virtual Payment	0.00	75.00	APA004299
26356	Jeffrey Ogden	03/20/2024	Virtual Payment	0.00	500.00	APA004300
26367	Jennifer Godinez	03/20/2024	Virtual Payment	0.00	125.00	APA004301
26361	John Rinderknecht	03/20/2024	Virtual Payment	0.00	125.00	APA004302
26360	Joseph Palmerini	03/20/2024	Virtual Payment	0.00	125.00	APA004303
26335	Joseph Young	03/20/2024	Virtual Payment	0.00	500.00	APA004304
26332	Julia Brandt	03/20/2024	Virtual Payment	0.00	500.00	APA004305
26354	Julio Acosta	03/20/2024	Virtual Payment	0.00	500.00	APA004306
26329	Katherine Hulbrock	03/20/2024	Virtual Payment	0.00	500.00	APA004307
26330	Kathleen Eckerson	03/20/2024	Virtual Payment	0.00	500.00	APA004308
26333	Kathleen Pratt	03/20/2024	Virtual Payment	0.00	500.00	APA004309
26358	Kathy Johnson	03/20/2024	Virtual Payment	0.00	125.00	APA004310
26375	Kevin Gilman	03/20/2024	Virtual Payment	0.00	149.00	APA004311
26363	Kimberly Laplante	03/20/2024	Virtual Payment	0.00	125.00	APA004312
26172	Laila Mahroom	03/20/2024	Virtual Payment	0.00	150.00	APA004313
26372	Larry Wheaton	03/20/2024	Virtual Payment	0.00	200.00	APA004314
26342	Les Moro	03/20/2024	Virtual Payment	0.00	500.00	APA004315
26370	Lucas Ingram	03/20/2024	Virtual Payment	0.00	359.00	APA004316
26336	Lupe Sanchez	03/20/2024	Virtual Payment	0.00	500.00	APA004317
26320	Mahendra Poudel	03/20/2024	Virtual Payment	0.00	500.00	APA004318
26340	Maria Penedo	03/20/2024	Virtual Payment	0.00	500.00	APA004319
21022	Mark Jenkins	03/20/2024	Virtual Payment	0.00	500.00	APA004320
26381	Masood Ghasemain	03/20/2024	Virtual Payment	0.00	250.00	APA004321
26350	Michael Stark	03/20/2024	Virtual Payment	0.00	500.00	APA004322
26362	Michele Stewart	03/20/2024	Virtual Payment	0.00	125.00	APA004323
26371	Miguel Tirado	03/20/2024	Virtual Payment	0.00	400.00	APA004324
26339	Nayomi Monge Corres	03/20/2024	Virtual Payment	0.00	500.00	APA004325
26347	Pedro Alberto Ribeiro Santos	03/20/2024	Virtual Payment	0.00	500.00	APA004326
26331	Richard Stowers	03/20/2024	Virtual Payment	0.00	500.00	APA004327
26327	Richard Tuscany	03/20/2024	Virtual Payment	0.00	500.00	APA004328
26323	Rita Boberg	03/20/2024	Virtual Payment	0.00	500.00	APA004329
26319	Robert Matthews	03/20/2024	Virtual Payment	0.00	500.00	APA004330
26344	Robert Watt	03/20/2024	Virtual Payment	0.00	500.00	APA004331

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Date Range: 03/01/2024 - 03/31/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
26334	Rosey Singh	03/20/2024	Virtual Payment	0.00	500.00	APA004332
19421	Shaunna Murray	03/20/2024	Virtual Payment	0.00	150.00	APA004333
26383	Stella Flores	03/20/2024	Virtual Payment	0.00	375.00	APA004334
26379	Stephanie DaSilva	03/20/2024	Virtual Payment	0.00	75.00	APA004335
26346	Steve Eichner	03/20/2024	Virtual Payment	0.00	500.00	APA004336
26341	Steven M. Jacobson	03/20/2024	Virtual Payment	0.00	500.00	APA004337
26374	Therese Beauclair	03/20/2024	Virtual Payment	0.00	200.00	APA004338
26377	Thomas Schnader	03/20/2024	Virtual Payment	0.00	200.00	APA004339
04687	TIM DAVID	03/20/2024	Virtual Payment	0.00	274.00	APA004340
26324	Valerie Hollingsworth	03/20/2024	Virtual Payment	0.00	500.00	APA004341
26355	Wan Hee Kim	03/20/2024	Virtual Payment	0.00	500.00	APA004342
26142	Yusun Jung	03/20/2024	Virtual Payment	0.00	625.00	APA004343
26437	Alan Bienenfeld	03/20/2024	Virtual Payment	0.00	500.00	APA004344
21315	Angela Corah	03/20/2024	Virtual Payment	0.00	125.00	APA004345
26434	Angelo Tringali	03/20/2024	Virtual Payment	0.00	500.00	APA004346
26435	Arturo J. Fernandez	03/20/2024	Virtual Payment	0.00	500.00	APA004347
15887	CARLOS QUINTANA	03/20/2024	Virtual Payment	0.00	125.00	APA004348
26467	Carmel Arts Assn	03/20/2024	Virtual Payment	0.00	125.00	APA004349
26433	Charles Vanghn	03/20/2024	Virtual Payment	0.00	500.00	APA004350
26436	Christopher Ngov	03/20/2024	Virtual Payment	0.00	500.00	APA004351
26470	Dan Rhodes	03/20/2024	Virtual Payment	0.00	200.00	APA004352
25745	Deidre Sullivan	03/20/2024	Virtual Payment	0.00	215.00	APA004353
26474	Dennis O'Brien	03/20/2024	Virtual Payment	0.00	75.00	APA004354
26475	Dolores Silveira	03/20/2024	Virtual Payment	0.00	150.00	APA004355
26459	Douglas Harris	03/20/2024	Virtual Payment	0.00	125.00	APA004356
22155	Frank Graziano	03/20/2024	Virtual Payment	0.00	75.00	APA004357
26464	Helen Chordas Froissart	03/20/2024	Virtual Payment	0.00	125.00	APA004358
26460	James Bryant	03/20/2024	Virtual Payment	0.00	125.00	APA004359
26461	James Keough	03/20/2024	Virtual Payment	0.00	125.00	APA004360
26450	James Reid	03/20/2024	Virtual Payment	0.00	500.00	APA004361
26476	Jeanette Campbell	03/20/2024	Virtual Payment	0.00	75.00	APA004362
26455	John Bruno	03/20/2024	Virtual Payment	0.00	450.00	APA004363
26452	Jose Olmo	03/20/2024	Virtual Payment	0.00	498.00	APA004364
26471	Katherine Reader	03/20/2024	Virtual Payment	0.00	200.00	APA004365
26443	Lada Kratky	03/20/2024	Virtual Payment	0.00	500.00	APA004366
26473	Laura Miller	03/20/2024	Virtual Payment	0.00	75.00	APA004367
26466	Louis Panellta	03/20/2024	Virtual Payment	0.00	125.00	APA004368
26445	Maria Salmeron	03/20/2024	Virtual Payment	0.00	500.00	APA004369
26451	Mark & Kathy Travaille	03/20/2024	Virtual Payment	0.00	500.00	APA004370
26447	Mark Hedberg	03/20/2024	Virtual Payment	0.00	500.00	APA004371
26448	Masood Ghasemian	03/20/2024	Virtual Payment	0.00	500.00	APA004372
26478	Melissa Rivera	03/20/2024	Virtual Payment	0.00	75.00	APA004373
26438	Myrna Thorson	03/20/2024	Virtual Payment	0.00	500.00	APA004374
26462	Pamela Hopkins	03/20/2024	Virtual Payment	0.00	125.00	APA004375
26442	Patricia B Handler	03/20/2024	Virtual Payment	0.00	500.00	APA004376
26439	Patricia Martinez	03/20/2024	Virtual Payment	0.00	500.00	APA004377
26479	Ponciano Hernandez Rodriguez	03/20/2024	Virtual Payment	0.00	125.00	APA004378
26469	Rene Torrado	03/20/2024	Virtual Payment	0.00	200.00	APA004379
26463	Richard Hartman	03/20/2024	Virtual Payment	0.00	125.00	APA004380
26472	Robert Hoag	03/20/2024	Virtual Payment	0.00	200.00	APA004381
26477	Roger Denk	03/20/2024	Virtual Payment	0.00	225.00	APA004382
26458	Sam Farr	03/20/2024	Virtual Payment	0.00	125.00	APA004383
26446	Shannon Norton	03/20/2024	Virtual Payment	0.00	500.00	APA004384
26444	Sharon Michaels	03/20/2024	Virtual Payment	0.00	500.00	APA004385
26465	Shirlee B Smith	03/20/2024	Virtual Payment	0.00	125.00	APA004386
26449	Smilia Keri	03/20/2024	Virtual Payment	0.00	500.00	APA004387
25737	Soe Aung	03/20/2024	Virtual Payment	0.00	200.00	APA004388
04327	STEPHANIE STRELOW	03/20/2024	Virtual Payment	0.00	500.00	APA004389
26179	Steven Hughes	03/20/2024	Virtual Payment	0.00	150.00	APA004390
26456	Suzanne Walton	03/20/2024	Virtual Payment	0.00	125.00	APA004391
26457	Todd Donovan Jones LLC	03/20/2024	Virtual Payment	0.00	125.00	APA004392

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
26468	Trish Beauchamp	03/20/2024	Virtual Payment	0.00	200.00	APA004393
26440	Viveca Lohr	03/20/2024	Virtual Payment	0.00	500.00	APA004394
26454	William F. Gilly	03/20/2024	Virtual Payment	0.00	500.00	APA004395
26441	Wren Winston	03/20/2024	Virtual Payment	0.00	500.00	APA004396
26432	Yoe Kageyama	03/20/2024	Virtual Payment	0.00	500.00	APA004397

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	126	126	0.00	42,641.00
	126	126	0.00	42,641.00

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	3	3	0.00	1,972.00
Manual Checks	0	0	0.00	0.00
Voided Checks	0	1	0.00	-1,872.00
Bank Drafts	45	30	0.00	142,862.14
EFT's	0	0	0.00	0.00
Virtual Payments	323	227	0.00	2,134,631.12
	371	261	0.00	2,277,593.26

Fund Summary

Fund	Name	Period	Amount
99	POOL CASH FUND	3/2024	2,277,593.26
			2,277,593.26



MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
STATEMENT OF REVENUES AND EXPENDITURES
FOR THE MONTH MARCH 31, 2024

	Mitigation	Conservation	Water Supply	Current Period Activity	Current FY Year-to-Date Actual	Current FY Annual Budget	Prior FY Year-to-Date Actual
REVENUES							
Property taxes	\$ -	\$ -	\$ -	\$ -	\$ 1,503,617	\$ 2,600,000	\$ 1,429,959
Water supply charge			-	-	1,859,305	3,400,000	2,022,764
User fees	339,452	127,989	76,092	543,533	4,667,046	6,000,000	3,862,124
PWM Water Sales			-	-	9,917,331	13,275,500	11,149,051
Capacity fees			42,383	42,383	762,646	500,000	280,635
Permit fees	-	26,169		26,169	177,899	1,273,000	153,957
Investment income	-	-	-	-	316,289	150,000	154,139
Miscellaneous	102	99	108	310	8,082	15,000	14,331
Sub-total district revenues	339,555	154,257	118,583	612,395	19,212,216	27,213,500	19,066,960
Project reimbursements	4,446	-	-	4,446	590,377	1,251,200	2,008,498
Legal fee reimbursements		150		150	11,084	16,000	3,150
Grants	-	-	-	-	188,195	10,840,000	458,949
Recording fees		6,270		6,270	43,780	85,000	23,441
Sub-total reimbursements	4,446	6,420	-	10,866	833,436	12,192,200	2,494,039
From Reserves	-	-	-	-	-	2,067,550	-
Total revenues	344,001	160,677	118,583	623,261	20,045,651	41,473,250	21,560,999
EXPENDITURES							
Personnel:							
Salaries	74,553	47,264	92,996	214,813	2,193,504	3,147,800	1,984,551
Retirement	7,450	4,758	9,155	21,363	708,425	820,700	704,004
Unemployment Compensation	-	-	-	-	-	10,100	-
Auto Allowance	92	92	277	462	4,269	6,000	4,292
Deferred Compensation	165	165	495	825	7,828	10,700	7,228
Temporary Personnel	-	-	-	-	13,949	10,000	6,264
Workers Comp. Ins.	3,125	261	2,245	5,631	55,948	56,600	53,158
Employee Insurance	17,952	12,758	19,181	49,891	414,615	583,700	391,953
Medicare & FICA Taxes	1,127	722	1,582	3,430	32,500	49,500	33,352
Personnel Recruitment	115	19	21	155	1,936	8,000	513
Other benefits	66	64	70	200	1,984	2,000	1,578
Staff Development	87	1,359	92	1,539	7,315	26,400	7,408
Sub-total personnel costs	104,733	67,463	126,114	298,310	3,442,274	4,731,500	3,194,301
Services & Supplies:							
Board Member Comp	624	624	643	1,890	19,845	37,000	24,030
Board Expenses	442	395	446	1,283	9,070	8,000	4,906
Rent	415	403	440	1,258	17,244	26,300	17,964
Utilities	1,205	1,169	1,278	3,652	29,069	33,200	26,191
Telephone	665	367	131	1,163	43,327	47,000	35,640
Facility Maintenance	5,451	5,286	5,782	16,520	44,281	55,100	27,065
Bank Charges	259	251	275	785	9,077	25,100	11,440
Office Supplies	158	217	167	542	11,623	24,200	28,861
Courier Expense	172	166	182	520	5,397	7,600	6,445
Postage & Shipping	618	599	655	1,872	4,066	7,500	3,234
Equipment Lease	876	555	705	2,136	9,058	13,100	9,058
Equip. Repairs & Maintenance	-	-	-	-	4,722	5,100	3,031
Photocopy Expense	-	-	-	-	-	-	-
Printing/Duplicating/Binding	-	-	-	-	1,335	-	-
IT Supplies/Services	7,670	7,372	8,133	23,175	262,568	280,000	248,371
Operating Supplies	117	12	28	156	16,649	21,200	4,734
Legal Services	-	-	5,171	5,171	251,041	400,000	237,394
Professional Fees	15,485	15,016	16,423	46,924	291,293	455,100	227,669



MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
 STATEMENT OF REVENUES AND EXPENDITURES
 FOR THE MONTH MARCH 31, 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	940	-	281	1,220	30,373	31,000	24,035
Travel	234	249	344	826	7,286	19,500	17,924
Meeting Expenses	272	151	165	587	5,857	19,800	14,630
Insurance	7,507	7,962	7,280	22,750	204,794	273,000	130,038
Legal Notices	-	-	-	-	-	2,600	231
Membership Dues	-	-	-	-	36,360	41,200	46,518
Public Outreach	-	-	-	-	2,655	3,100	1,060
Assessors Administration Fee	-	-	-	-	-	34,000	-
Miscellaneous	-	-	75	75	462	3,200	393
Sub-total services & supplies costs	43,109	40,793	48,603	132,504	1,317,451	1,872,900	1,150,860
Project expenditures	14,098	34,134	113,080	161,312	9,991,426	30,470,958	13,679,021
Fixed assets	-	-	-	-	80,701	246,000	325,826
Contingencies	-	-	-	-	-	50,536	-
Election costs	-	-	-	-	-	-	-
Debt service: Principal	-	-	-	-	-	-	-
Debt service: Interest	-	-	-	-	-	-	49,009
Flood drought reserve	-	-	-	-	-	171,056	-
Capital equipment reserve	-	-	-	-	-	330,300	-
General fund balance	-	-	-	-	-	-	270
Water Supply Charge reserve	-	-	-	-	1,859,305	3,400,000	-
Pension reserve	-	-	-	-	-	100,000	-
OPEB reserve	-	-	-	-	-	100,000	-
Sub-total other	14,098	34,134	113,080	161,312	11,931,432	34,868,850	14,054,126
Total expenditures	161,939	142,390	287,797	592,126	16,691,157	41,473,250	18,399,287
Excess (Deficiency) of revenues over expenditures	\$ 182,062	\$ 18,287	\$ (169,214)	\$ 31,135	\$ 3,354,494	\$ -	\$ 3,161,712

ITEM: CONSENT CALENDAR**3. RECEIVE AND FILE THIRD QUARTER FINANCIAL ACTIVITY REPORT FOR FISCAL YEAR 2023-2024**

Meeting Date:	May 20, 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 May 13, 2024 and recommended approval.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY: The third quarter of Fiscal Year (FY) 2023-2024 concluded on March 31, 2024. Tables comparing budgeted and actual year-to-date revenues and expenditures for the period are included as **Exhibit 3-A**. **Exhibits 3-B** and **3-C** present the same information in bar graph format. The following comments summarize District staff's observations:

REVENUES

The revenue table compares amounts received through the third quarter of FY 2023-2024 to prorated amounts budgeted for that same time period. Total revenues collected were \$20,044,449 or 64.4% of the year-to-date (YTD) budgeted amount of \$31,104,938. Variances within the individual revenue categories are described below compared to the YTD budget.

- Potential revenues for the Water Supply Charge are \$1,859,306 for the period. These have been placed in a reserve pending the results of the retrial lawsuit.
- Property tax revenues were \$1,503,617, or 77.1% of the budget for the period. The first installment of this revenue was received in December 2023. The second installment has been received in April 2024 and will be reflected in the year-end report.
- User fee revenues were \$4,667,046, or about 103.7% of the amount budgeted.
- Pure Water Monterey Water Sales revenue was \$9,917,331 or 99.6% of the budget for the period. This is water sales revenue for water purchased from Monterey One Water and sold to California American Water and is a pass-through to the District.
- Connection Charge revenues were \$762,646, or 203.4% of the budget for the period. Actual collections were higher than the anticipated budgeted figure due to the fees from three large projects that include the Sand City Marriott hotel, the Ascent Housing Project, and the Laguna Seca Villas project at Seaside.
- Permit Fees revenues were \$117,899, or 18.6% of the revised budget (119% of the originally adopted budget for the period). Actual collections for Permit fees and connection charges are anticipated to track the revised budget due to additional fees related to new projects.

- Interest revenues were \$316,289, or 281.1% of the budget for the period. Actual interest was higher than budgeted due to higher interest rate revenue from the District's investment portfolio.
- Reimbursements were \$645,240 or 63.6% of the YTD budget based on actual spending and collection of reimbursement project funds. Actuals are lower due to pending reimbursements from Aquifer Recovery & Storage (ASR) operations and Cal-am conservation rebates, pending the adoption of their rate case.
- Grant revenue was \$188,195, or 2.3% of the budget. This is due to grant-funded projects being deferred and continued to subsequent quarters. The District is expecting reimbursements of at least \$1,266,044 for this fiscal year that will be recorded as funds are received.
- The Other revenue category totaled \$6,879 or about 61.1% of the budgeted amount. This category includes insurance refunds, miscellaneous reimbursements, and other miscellaneous services. Actual collections were higher than anticipated.
- The Reserves category includes potential use of reserves during the fiscal year for which adjustments will be made at the end of the fiscal year.

EXPENDITURES

Expenditure activity as depicted in the expenditure table is similar to patterns seen in past fiscal years. Total expenditure of \$16,691,157 was about 53.7% of the budgeted amount of \$31,104,938 for the period. Variances within the individual expenditure categories are described below:

- Personnel costs of \$3,442,274 were about 97.0% of the revised budget. This is tracking the YTD budget for the fiscal year.
- Expenditures for supplies and services were \$1,317,451 or about 93.8% of the budgeted amount. This was lower than the anticipated budget due to expenses for consulting services being lower than anticipated.
- Fixed assets purchases of \$80,701 represented around 43.7% of the budgeted amount. This was due to some of the fixed asset purchases being deferred to the next year.
- Funds spent for project expenditures were \$9,991,426, or approximately 43.7% of the amount budgeted for the period. This is lower than budgeted due to deferred project spending for larger projects such as Pure Water Monterey Expansion and Integrated Resource Water Management (IRWM). This line also includes water purchased from Monterey One Water which is tracking expected budget.
- The contingency budget has not been spent so far.
- There are no Reserve expenditures in the first three quarters of the fiscal year. Reserve adjustments will be made at the conclusion of the fiscal year.

EXHIBITS

3-A Revenue and Expenditure Table

3-B Revenue Graph

3-C Expenditure Graph

**Monterey Peninsula Water Management District
Financial Activity as of March 31, 2024
Fiscal Year 2023-2024**

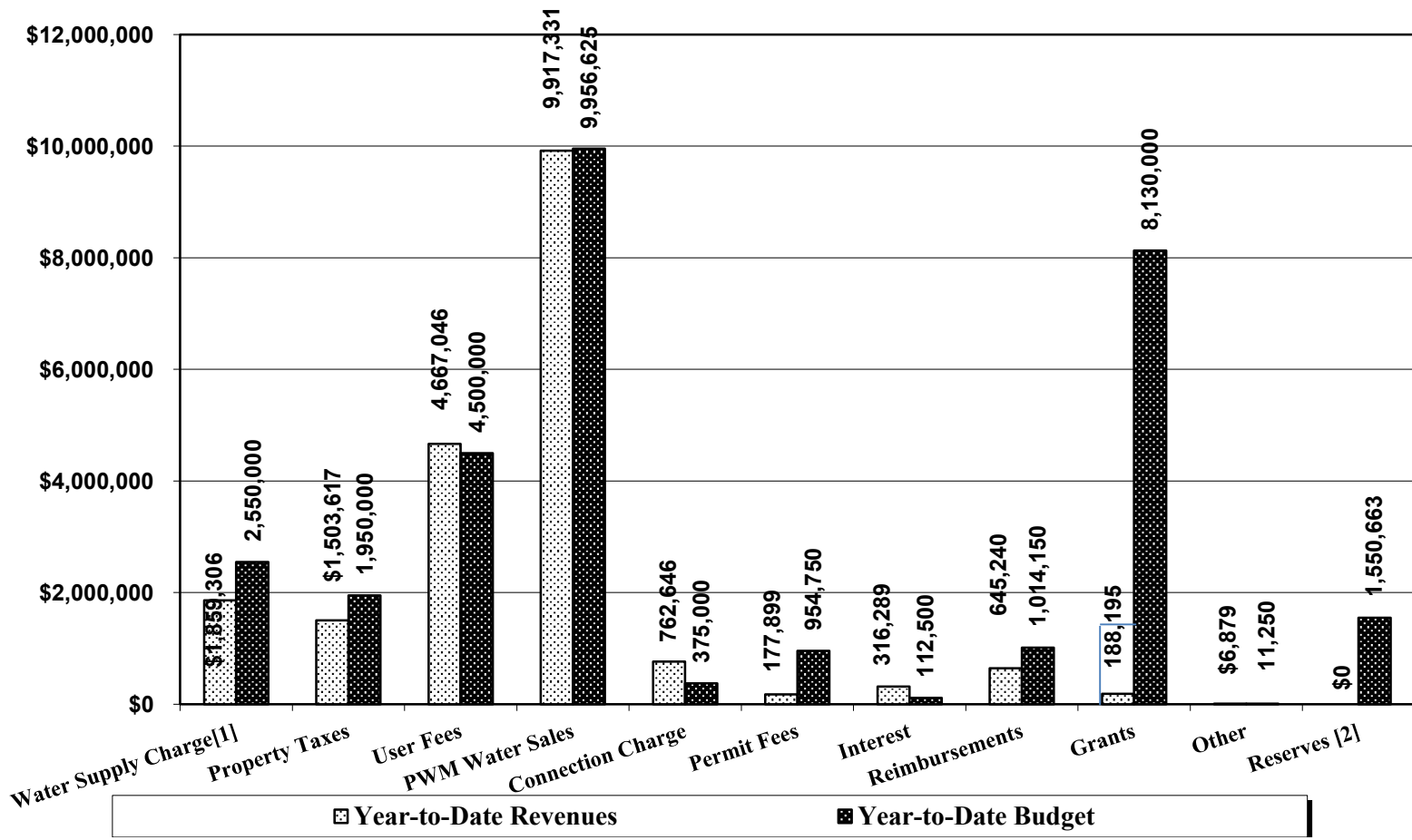
	Year-to-Date <u>Revenues</u>	Year-to-Date <u>Budget</u>	<u>Variance</u>	Percent of <u>Budget</u>
Water Supply Charge[1]	\$1,859,306	2,550,000	690,694	72.9%
Property Taxes	\$ 1,503,617	1,950,000	446,383	77.1%
User Fees	4,667,046	4,500,000	(167,046)	103.7%
PWM Water Sales	9,917,331	9,956,625	39,294	99.6%
Connection Charge	762,646	375,000	(387,646)	203.4%
Permit Fees	177,899	954,750	776,851	18.6%
Interest	316,289	112,500	(203,789)	281.1%
Reimbursements	645,240	1,014,150	368,910	63.6%
Grants	188,195	8,130,000	7,941,805	2.3%
Other	\$6,879	11,250	4,371	61.1%
Reserves [2]	\$0	1,550,663	\$1,550,663	0.0%
Total Revenues	<u>\$20,044,449</u>	<u>\$31,104,938</u>	<u>\$11,060,489</u>	<u>64.4%</u>

	Year-to-Date <u>Expenditures</u>	Year-to-Date <u>Budget</u>	<u>Variance</u>	Percent of <u>Budget</u>
Personnel	3,442,274	3,548,625	106,351	97.0%
Supplies & Services	1,317,451	1,404,675	87,224	93.8%
Fixed Assets	80,701	184,500	103,799	43.7%
Project Expenditures	9,991,426	22,853,219	12,861,792	43.7%
Contingencies/Other	-	37,902	37,902	0.0%
Reserves [2]	1,859,305	3,076,017	1,216,712	60.4%
Total Expenditures	<u>\$16,691,157</u>	<u>\$31,104,938</u>	<u>\$14,413,781</u>	<u>53.7%</u>

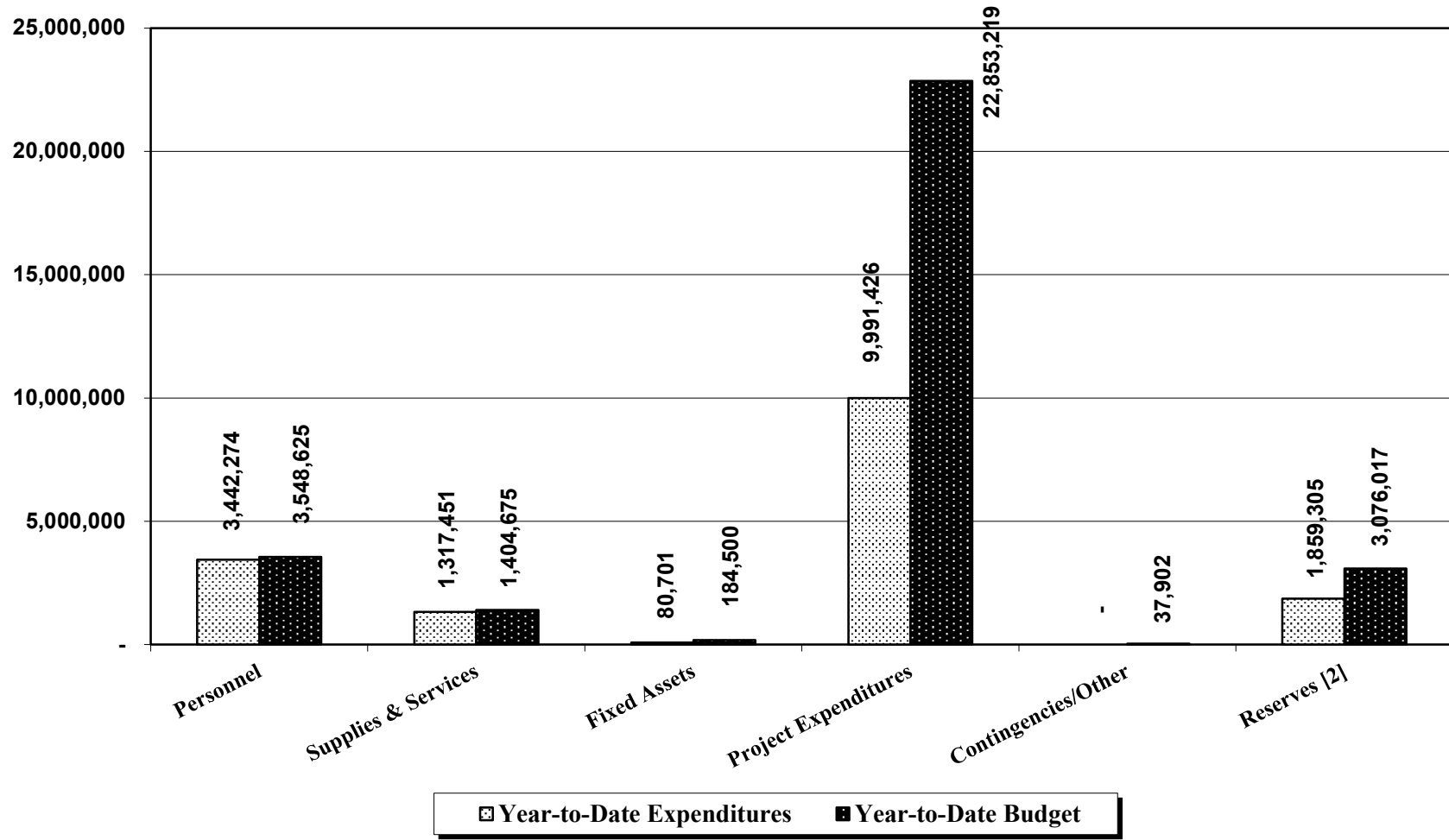
[1] Recorded in the Water Supply Charge (WSC) reserve

[2] Includes reserves for capital equipment, pension, OPEB, and WSC reserve

REVENUES
Fiscal Year Ended March 31, 2024
 Year-to-Date Actual Revenues \$20.04 M
 Year-to-Date Budgeted Revenues \$31.11 M



EXPENDITURES
Fiscal Year Ended March 31, 2024
 Year-to-Date Actual Expenditures \$16.69 M
 Year-to-Date Budgeted Expenditures \$31.11 M



ITEM: CONSENT CALENDAR**4. CONSIDER APPROVAL OF THE THIRD QUARTER FISCAL YEAR 2023-2024 INVESTMENT REPORT**

Meeting Date:	May 20, 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 considered this item on May 13, 2024 and recommended approval.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY: The District's investment policy requires that each quarter the Board of Directors receive and approve a report on investments held by the District. **Exhibit 4-A** is the report for the quarter ending March 31, 2024. District staff has determined that these investments do include sufficient liquid funds to meet anticipated expenditures for the next six months and that this portfolio is in compliance with the current District investment policy. This portfolio is also in compliance with the California Government Code and the permitted investments of Monterey County.

RECOMMENDATION: The Finance and Administration Committee recommends that the Board approve the Third Quarter Fiscal Year 2023-2024 Investment Report.

EXHIBIT**4-A** Investment Report as of March 31, 2024

**MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
INVESTMENT REPORT AS OF MARCH 31, 2024**

MPWMD

Issuing Institution Security Description	Purchase Date	Maturity Date	Cost Basis	Par Value	Market Value	Annual Rate of Return	Portfolio Distribution
Local Agency Investment Fund[1]			\$12,346,209	\$12,346,209	\$12,346,209	4.23%	47.43%
Bank of America:							
Money Market			717,615	717,615	717,615	0.00%	
Checking			3,968,114	3,968,114	3,968,114	0.00%	
			<u>\$4,685,729</u>	<u>\$4,685,729</u>	<u>\$4,685,729</u>	0.00%	18.00%
Multi-Bank Securities Cash Account			119,985	119,985	\$119,985	0.00%	
Multi-Securities Bank Securities:							
Interest Bearing Certificate of Deposit	10/27/2023	10/27/2026	250,000	250,000	253,785	5.50%	
Interest Bearing Certificate of Deposit	3/31/2023	9/30/2024	250,000	250,000	250,070	5.50%	
Interest Bearing Certificate of Deposit	3/27/2023	3/27/2025	250,000	250,000	250,663	5.45%	
Interest Bearing Certificate of Deposit	4/12/2023	4/12/2024	250,000	250,000	250,000	5.35%	
Interest Bearing Certificate of Deposit	4/4/2023	4/4/2025	250,000	250,000	249,623	5.05%	
Interest Bearing Certificate of Deposit	11/29/2023	5/29/2026	250,000	250,000	250,513	5.05%	
Interest Bearing Certificate of Deposit	7/26/2023	7/26/2028	250,000	250,000	254,553	5.00%	
Interest Bearing Certificate of Deposit	5/30/2023	5/29/2026	250,000	250,000	250,380	5.00%	
Interest Bearing Certificate of Deposit	7/26/2023	7/26/2028	250,000	250,000	254,553	5.00%	
Interest Bearing Certificate of Deposit	12/8/2023	12/8/2027	250,000	250,000	253,018	5.00%	
Interest Bearing Certificate of Deposit	8/22/2023	8/22/2028	250,000	250,000	253,703	4.90%	
Interest Bearing Certificate of Deposit	12/7/2022	12/9/2024	250,000	250,000	249,390	4.90%	
Interest Bearing Certificate of Deposit	3/23/2023	3/23/2028	250,000	250,000	252,845	4.90%	
Interest Bearing Certificate of Deposit	3/28/2024	3/29/2027	249,000	249,000	248,821	4.75%	
Interest Bearing Certificate of Deposit	2/10/2023	2/10/2028	250,000	250,000	247,088	4.25%	
Interest Bearing Certificate of Deposit	1/29/2024	1/29/2029	249,000	249,000	244,874	4.10%	
Interest Bearing Certificate of Deposit	9/30/2022	9/30/2027	250,000	250,000	244,640	4.00%	
Interest Bearing Certificate of Deposit	9/15/2022	9/15/2027	250,000	250,000	241,463	3.60%	
Interest Bearing Certificate of Deposit	7/12/2022	7/12/2027	245,000	245,000	234,987	3.35%	
Interest Bearing Certificate of Deposit	5/12/2022	5/12/2027	250,000	250,000	238,975	3.20%	
Interest Bearing Certificate of Deposit	5/11/2022	5/11/2027	250,000	250,000	237,925	3.05%	
Interest Bearing Certificate of Deposit	3/4/2022	9/4/2025	250,000	250,000	238,965	1.75%	
Interest Bearing Certificate of Deposit	3/30/2020	3/31/2025	248,000	248,000	239,769	1.60%	
Interest Bearing Certificate of Deposit	1/11/2022	1/7/2027	250,000	250,000	229,035	1.50%	
Interest Bearing Certificate of Deposit	3/13/2020	3/13/2025	249,000	249,000	240,385	1.25%	
Interest Bearing Certificate of Deposit	10/27/2021	10/27/2026	250,000	250,000	227,428	1.05%	
Interest Bearing Certificate of Deposit	7/15/2021	7/14/2026	250,000	250,000	229,485	1.00%	
Interest Bearing Certificate of Deposit	7/22/2021	7/22/2026	250,000	250,000	229,048	0.95%	
Interest Bearing Certificate of Deposit	6/16/2021	6/16/2026	249,000	249,000	228,515	0.90%	
Interest Bearing Certificate of Deposit	11/30/2021	11/29/2024	250,000	250,000	243,423	0.85%	
Interest Bearing Certificate of Deposit	10/29/2021	4/29/2024	250,000	250,000	249,640	0.60%	
Interest Bearing Certificate of Deposit	9/22/2020	9/22/2025	249,000	249,000	233,602	0.55%	
Interest Bearing Certificate of Deposit	9/30/2020	9/30/2024	249,000	249,000	243,505	0.40%	
			<u>\$8,237,000</u>	<u>\$8,237,000</u>	<u>\$8,044,661</u>	3.263%	31.65%
Multi-Securities Bank Securities:							
U.S. Government Bonds	2/25/2021	2/25/2026	390,000	390,000	359,588	0.70%	
U.S. Government Bonds	3/10/2022	03/10/27	250,000	250,000	233,765	2.50%	
			<u>640,000</u>	<u>640,000</u>	<u>593,353</u>	1.40%	2.46%
TOTAL MPWMD			<u>\$26,028,923</u>	<u>\$26,028,923</u>	<u>\$25,789,937</u>	<u>2.046%</u>	

CAWD/PBCSD WASTEWATER RECLAMATION PROJECT

Issuing Institution Security Description	Purchase Date	Maturity Date	Cost Basis	Par Value	Market Value	Annual Rate of Return	Portfolio Distribution
Bank of America: Money Market Fund			191,196	191,196	\$191,196	0.000%	100.00%
TOTAL WASTEWATER RECLAMATION PROJECT			<u>\$191,196</u>	<u>\$191,196</u>	<u>\$191,196</u>	<u>0.000%</u>	

These investments do include sufficient liquid funds to meet anticipated expenditures for the next six months as reflected in the FY 2023-2024 annual budget.

[1] Includes Pooled Money Investment Account Average Monthly Effective Yield

ITEM: CONSENT CALENDAR**5. CONSIDER RENEWAL OF CONTRACT WITH JEA & ASSOCIATES FOR LEGISLATIVE AND ADMINISTRATIVE SERVICES**

Meeting Date:	May 20, 2023	Budgeted:	Yes
From:	David J. Stoldt, General Manager	Program/ Line Item No.:	Consultants XX-01-774000
Prepared By:	David J. Stoldt	Cost Estimate:	\$54,000 Annually

General Counsel Review: N/A**Committee Recommendation:** The Finance and Administration Committee reviewed this item on May 13, 2024, and recommended approval.**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines section 15378.

SUMMARY: JEA and Associates (JEA) has worked with Monterey Peninsula Water Management District (District) since 2009 to advance the District's interests in Sacramento on a wide variety of projects and issues.

DISCUSSION: Areas of experience provided by JEA in the past include:

- We have worked closely and developed strong relationships with our delegation, including Senator Laird and Assemblymember Addis, but also Speaker Rivas and Senator Caballero regionally. Not only does JEA have good personal relationships with these legislators, but also with their Capitol and District staff. JEA has consistently utilized these relationships, and previously Mark Stone and Bill Monning, on behalf of MPWMD over the many years.
- JEA has represented MPWMD in weekly ACWA advocacy meetings, got appointed to ACWA's Bond Working Group, which resulted in shaping some of ACWA's requests for the recent water bond proposals.
- JEA maintains a productive and supportive relationship with ACWA and works closely on coalition efforts on various pieces of legislation and budget items. This helps raise the District's and the General Manager's stature with ACWA.
- JEA has been helpful in facilitating discussions in regards to MPWMD's Cease and Desist Order Condition 2 issue, including but not limited to meetings with SWRCB staff. They also helped with previous District "water for housing" inquiries with Senate Housing Committee consultants and the Department of Housing and Community Development deputies.
- JEA has worked closely with MPWMD on possible special legislation related to its LAFCO situation. This included numerous meetings and conversations with Senator Laird's senior

consultants, internal strategy discussions, and coordinating with Legislative Counsel on legislative language.

- JEA has communicated regularly with MPWMD’s legislative delegation on MPWMD issues and bill positions – coordinating calls or meetings with senior staff. Also, monitors and reports out regional water legislation.
- Regularly forwards and discusses potential funding opportunities, including drafting extensive memos on available grants/funding.
- Monitors and tracks over 60 bills a year and draft appropriate correspondence/letters and provide testimony on behalf of MPWMD.
- Coordinate regularly in scheduling meetings in Sacramento with the General Manager and Board Members with state agencies and MPWMD’s legislation on various issues, including Cal-Am, local measures (Measure J), etc.
- Monitor and advise on new programmatic state guidelines.
- Introduced and passed SB 936 (Monning) which allowed Cal-Am and MPWMD to use water rate relief bonds to finance the acquisition and construction of infrastructure, including desal facilities, to develop new water sources. Large effort required many meetings with committee consultants and testimony at several committee hearings.

COST: JEA has proposed a retainer from \$4,500 a month for the upcoming fiscal year 2024-25. A copy of the proposed agreement is included as **Exhibit 5-A**.

RECOMMENDATION: The Finance and Administration Committee recommends that the Board approve the proposed agreement with JEA & Associates for FY 2024-25.

EXHIBIT

5-A Proposed Agreement for FY 2024-2025

DRAFT AGREEMENT

This AGREEMENT is entered into as of the date hereinafter specified by and between JEA & Associates and Monterey Peninsula Water Management District (MPWMD). WHEREAS MPWMD wishes to engage JEA & Associates to provide legislative and administrative services to MPWMD as outlined in the scope of services below.

NOW THEREFORE, the parties hereto do mutually agree to the following terms and conditions:

Scope of Services

1. JEA & Associates would propose to undertake legislative and administrative activities as directed and/or requested by the MPWMD, using our political and general experience to accomplish established goals. Specifically, working with the MPWMD on the State Water Resources Regional Control Board's (SWRCB's) Cease and Desist Order (CDO) for the California American Water (CAW) unauthorized diversions from the Carmel River and also working with the California Housing and Community Development Department (HCD) on water for housing, and other entities on this issue.
2. JEA & Associates would schedule, coordinate and participate in meetings with the Governor's Administration, the California Legislature, the HCD, the SWRCB and others in addressing key issues and concerns regarding the CDO and attend public hearings of the CPUC, the SWRCB and of other agencies as requested and directed by the MPWMD.
3. Monitor Dept. of Water Resources (DWR) and SWRCB meetings/workshops and report to the MPWMD's staff on Commission policy and funding initiatives. Closely monitor the development of program criteria for Bond funds and assist the MPWMD staff with any project applications submitted for funding.
4. Recommend to MPWMD Board/staff program and project funding strategies and assist in the execution of the strategies with the DWR and SWRCB. Work with the MPWMD Board and appropriate staff in coordinating DWR and SWRCB tours of MPWMD projects and programs. Assist MPWMD in gaining legislative support for grant and funding applications before the DWR and SWRCB.
5. Monitor Legislature's policy and budget committee hearings on water, lobby/testify on behalf of the MPWMD on program allocation and budget earmarks as directed. Organize advocacy efforts with legislative leadership and political friends of the MPWMD to insure coordination of efforts on behalf of funding requests. Monitor and report on budget conference committee actions and advocate for budget "trailer" and/or "caboose" bill language for the MPWMD as may be required.
6. Recommend policy positions on specific pieces of legislation/budget items of importance/relevance to the MPWMD and advocate/lobby/testify on positions of the MPWMD before the Legislature, Governor's Office and any relevant state agency, board and commission. Provide copies of introduced or amended bills, committee analysis or reports and any relevant committee testimony on identified legislation/budget items. Obtain behind-the-scenes intelligence and vital information on legislative discussions/actions being contemplated by the Legislature, the Governor's Office or other interest groups.
7. Prepare and present written reports for the MPWMD as directed.

- 8. To enable JEA & Associates to carry out the prescribed scope of work, it is requested that the MPWMD provide our firm with technical assistance, expertise and information as may be necessary or required.
- 9. John Arriaga of JEA & Associates will be the principal contact from our firm and the responsible person in dealing with the MPWMD, its Board of Directors and staff as may be necessary. He will be assisted by Laurie Johnson and Erica Arriaga of the firm as may be required.

Fee Structure

JEA & Associates is prepared to provide the services as outlined in this proposal for a monthly retainer of \$4,500 a month, due & payable on the first day of each month plus chargeable expenses. This amount/retainer is based on our anticipation of the workload. We would like an understanding that should its level of activity exceed 25 hours per month on a regular basis, our firm and the MPWMD will mutually discuss any adjustments to this fee schedule as it determines the actual scope of activity and volume of work found to be required to carry out the goals of the MPWMD. Chargeable expenses include travel and work-related entertainment expenses, which shall be expressly authorized by the MPWMD prior to such expenses being incurred.

This contract will be in effect July 1, 2024. Either party may terminate this Agreement, for any reason, upon not less than 30 days of prior written notice to the other party.

Signature:

John E. Arriaga
President
JEA & Associates

Date

David Stoldt
General Manager
Monterey Peninsula Water Management District

Date

ITEM: CONSENT CALENDAR**6. CONSIDER RENEWAL OF CONTRACT WITH THE FERGUSON GROUP FOR LEGISLATIVE AND ADMINISTRATIVE SERVICES**

Meeting Date:	May 20, 2024	Budgeted:	Yes
From:	David J. Stoldt, General Manager	Program/ Line Item No.:	Consultants XX-01-774000
Prepared By:	David J. Stoldt	Cost Estimate:	\$75,600 annually

General Counsel Review: N/A**Committee Recommendation: The Finance and Administration Committee reviewed this item on May 13, 2024 and recommended approval.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines section 15378.**

SUMMARY: TFG has worked with Monterey Peninsula Water Management District (District) since 2015 and directly represented the District since January of 2017. During this time, TFG has worked with the District and Monterey One Water to build support for the Pure Water Monterey project as a multi-benefit, regional solution deserving of federal support that will serve as a model for other parts of California and the nation. TFG also worked with the District to advance the District's interests on a wide variety of other projects and issues. The General Manager believes the opportunities for federal assistance to advance the District's priorities remain great, and believes TFG is best positioned to continue to help the District address its policy priorities and maximize access to federal resources

DISCUSSION: Areas of experience provided by TFG in the past include:

- Successfully secured an authorization for \$20 million in water, wastewater, and water supply infrastructure assistance on the Monterey Peninsula in HR 7776, the House version of the Water Resources Development Act for 2022 (Sec. 337(a)(290)). See also Agenda Item 4.
- Assisted in advocating for an EPA WIFIA loan for the Pure Water Monterey project (approximately \$50 million in low-cost, long-term financing).
- Assisted the District and Monterey One Water in securing grant assistance through Reclamation's Title XVI water reuse program. TFG organized and participated in meetings in DC and California to advocate for Reclamation support for the project. Approximately \$30 million in grant funds have been secured to date which will reduce the cost of Pure Water Monterey water.
- Worked directly with General Manager to attempt to secure earmarks for FY 2024-25 appropriation.

- In 2018, arranged multiple meetings with Department of Interior, OMB, and legislative staff to discuss the Reclamation Title XVI project qualification criteria. Efforts resulted in Pure Water Monterey improved chance of success and eventual award of funds.
- Successfully advocated for an increase in the ceiling on Title XVI water reuse assistance from \$20 million to \$30 million. Over the last several years, the District has advocated for Congress to statutorily increase the ceiling on Title XVI assistance.
- Successfully advocated for expanded federal assistance for ecosystem restoration to create additional funding opportunities for steelhead recovery efforts on the Carmel River. The IJA included \$250 million for a new watershed restoration initiative through Reclamation, for example. The bill also includes \$100 million for multi-benefit projects that provide water supply projects that also include nature-based ecosystem restoration benefits and additional funding was provided in the measure for NMFS that may create future funding opportunities for steelhead recovery efforts.
- Successfully advocated for more funding for WaterSMART and to increase the ceiling on WaterSMART grants to \$5 million for any single project.
- In 2020, TFG timely notified the District of a California Fish Passage Forum grant opportunity for which the District applied for the Finch Creek barrier removal, but subsequently did not get awarded.
- On water conservation, the District has consistently advocated for passage of the Water Conservation Rebate Tax Parity Act that would amend federal tax law to clarify that homeowners do not need to pay income tax on rebates received from water utilities for water conservation and water runoff management improvements they have made. The measure could be added to the end of the year tax package currently under development.
- Relationship Building and Leadership – TFG has worked with the District since 2015 to enhance the District’s relationships and presence in Washington. Maintaining strong relationships with Congress and federal agencies will support District efforts to influence legislation, regulations, and policy changes of interest to the District. TFG has organized Washington meetings, both in-person and virtually, over the years, again, since 2015. TFG believes that it is important to continue these DC meetings and return to in-person meetings at least once a year going forward.
- Ongoing Tracking and Monitoring -- TFG provides the District with weekly updates on legislation, executive branch actions, and federal regulatory matters; federal water and natural resources policy developments; implementation of the infrastructure package; and grants. TFG also provides special reports on funding opportunities and policy developments of interest to the District and provides the District with a monthly report on federal legislation specifically of interest to the District. We have a standing monthly call.
- TFG provides the District with competitive grant support and, as a TFG retainer client, TFG is available to provide the District with grant writing services on a discounted basis.

COST: TFG has proposed a monthly retainer of \$6,300 a month for the upcoming fiscal year 2024-25. A copy of the proposed agreement is included as **Exhibit 6-A**.

RECOMMENDATION: The Finance and Administration Committee recommends that the Board approve the proposed agreement with TFG for FY 2024-25.

EXHIBIT

6-A Proposed Agreement for FY 2024-2025

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EXHIBIT 6-A**The Ferguson Group**

Advocacy. Consulting. Grants.



May __, 2024

Mr. David J. Stoldt
General Manager
Monterey Peninsula Water Management District
5 Harris Court, Building G
Monterey, CA 93940

RE: Letter of Agreement – July 1, 2024 – June 30, 2025

Dear Mr. Stoldt:

The Ferguson Group, LLC (TFG) is pleased to submit this letter of agreement to continue to provide Washington representation and consulting services to Monterey Peninsula Water Management District (MPWMD), as outlined in the TFG “Response to RFQ for Federal Legislative and Agency Lobbyist” services dated December 1, 2016, for the twelve-month period of July 1, 2024 through June 30, 2025. As described in the RFQ response, TFG will provide Washington representation services to MPWMD and perform such work as directed by MPWMD on a fixed fee basis, at the rate of \$6,300 per month. Among other things, TFG will continue to assist MPWMD in securing federal financial assistance, raising the visibility of the MPWMD projects, and securing congressional support for the activities of the MPWMD. Among other things, TFG will focus on securing federal assistance for the Carmel River Management Plan, including upgrading the monitoring program on the Carmel River to a full Life Cycle Monitoring Station. TFG will also assist MPWMD with scheduling and preparing for advocacy meetings with the MPWMD congressional delegation, key House and Senate Committee offices and administration officials, and perform such other tasks as directed by MPWMD.

In addition to the monthly fixed fee, MPWMD will be responsible for reimbursable expenses associated with carrying out the requested work, including long distance telephone calls, faxes, document production, overnight delivery, in-Town courier services, meals and out-of-Town travel (both pre-approved by MPWMD), and in-Town travel (taxicabs). Reimbursable expenses for the twelve-month contract period shall not exceed \$3,500, as indicated in the aforementioned RFQ response.

Either party may terminate this agreement at any time by giving the other party at least thirty (30) days prior notice, in writing, of such termination.

We greatly appreciate the opportunity to continue our work with MPWMD and look forward to a very productive year. If the terms of this letter of agreement are acceptable, please sign both originals, and return one to us at your earliest convenience.

Sincerely,



W. Roger Gwinn
CEO

ACKNOWLEDGED AND AGREED TO BY:

THE FERGUSON GROUP, LLC

MONTEREY PENINSULA WATER
MANAGEMENT DISTRICT



W. Roger Gwinn
CEO

David J. Stoldt
General Manager

05/13/2024
Date

Date

ITEM: CONSENT CALENDAR**7. CONSIDER CONTRACT FOR PUBLIC OUTREACH SERVICES WITH WELLMANAD FOR FISCAL YEAR 2025**

Meeting Date: May 20, 2024 **Budgeted:** Pending

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

Prepared By: Stephanie Locke **Cost Estimate:** \$94,500

General Counsel Review: NA

Committee Recommendation: The Public Outreach Committee reviewed this item on April 29, 2024, and recommended approval. The Administrative Committee reviewed this item on May 13, 2024, and recommended approval.

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

SUMMARY: The Board is considering approval of a contract with WellmanAD for public outreach services for fiscal year 2024-25. WellmanAd was initially hired in October 2022 to perform outreach, advertising and design services for the District. Over the past year, WellmanAD has maintained a 20,000+ email address distribution list, prepared, printed, and distributed the District's Annual Report, prepared and delivered monthly (or more frequent) email newsletters and print advertisements, has prepared a monthly branding ad for print media, has maintained the District's social media presence, prepared a District handout for the Association of California Water Agencies (ACWA) Washington D.C. visit, and has redesigned the District's website. Staff has been pleased with the work products.

The Public Outreach Committee and the Finance and Administration Committee support staff's recommendation to renew a contract with WellmanAd for fiscal year 2024-25 at the same retainer as this year (\$7,875/month). WellmanAd's contract includes a provision that it will not campaign for any candidate running for MPWMD Director. Staff recommends this requirement continue.

RECOMMENDATION: The Board should review the draft contract (**Exhibit 7-A**) and approve a District contract with WellmanAD for fiscal year 2024-25 with a retainer of \$7,875 per month. Funding for this item will be included in the FY 24-25 budget.

EXHIBIT

7-A Draft Contract

AGREEMENT BETWEEN
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
AND
WELLMANAD

FOR
PUBLIC OUTREACH SERVICES
FOR FISCAL YEAR 2024-25

THIS AGREEMENT is entered into this ____ day of June 2024, by and between Phil Wellman, a sole proprietor d.b.a. WellmanAd, hereafter called "Agency," and the Monterey Peninsula Water Management District hereafter called "District".

SECTION I - SCOPE OF SERVICES

DISTRICT hereby engages Agency for services as set forth in **Exhibit A**, Scope of Work.

SECTION II – COMPENSATION

A. FEE SCHEDULE

Fees payable to Agency for services specified herein shall be in accordance with the Fee Schedule in **Exhibit B**.

B. METHOD OF PAYMENT

Payment of fees shall be documented in monthly billings submitted by Agency to District. Payments are due and payable within thirty (30) days after receipt of each invoice subject to a finding by District that work performed has been satisfactory and that payment is for the work specified in **Exhibit A**, Scope of Work. Where District finds the work to be unsatisfactory, District shall describe deficiencies in writing to Agency within ten (10) working days of receipt of invoice.

C. MAXIMUM PAYMENT

Payments to Agency for retained services rendered under this Agreement **shall not exceed \$7,875** per month without the prior written consent of the District. Out-of-pocket expenses incurred will be paid separately from retained services, but only upon presentation of documentation of the expense(s) and pre-approval of the District General Manager.

The Agency agrees to perform the services provided for in Exhibit A, 'Scope of Work' attached hereto and incorporated by reference as though fully set forth herein, provided that the Agency shall not be obligated to perform any services not described in the Scope of Work. Changed or additional services shall be subject to negotiation of a new or amended Scope of Work, Budget, and Schedule and shall be authorized by amendment to this Agreement and approved as required by law.

SECTION III - INSPECTION OF WORK

The books, papers, records and accounts of Agency or any subconsultants retained by Agency insofar as they relate to charges for services or are in any way connected with the work herein contemplated, shall be open at all reasonable times to inspection and audit by the agents and authorized representatives of the District. Said records shall be retained for a minimum of five (5) years after completion of services.

SECTION IV - OWNERSHIP OF WORK PRODUCT

All original documents, explanations of methods, maps, tables, computer programs, reports and other documents prepared under this Agreement and equipment purchased specifically for the project shall become the exclusive property of the District. Agency may retain copies for his/her own use. If, in the conduct of the work herein contemplated the Agency utilizes proprietary intellectual property, the Agency will provide to District a non-exclusive license to use such property in connection with this project.

SECTION V – TERM/TIME OF PERFORMANCE

Agency shall begin work upon the effective date of this Agreement and shall complete all tasks monthly as discussed and agreed to by the District and the Agency. Work Schedule and performance shall be consistent with the professional skill and care ordinarily provided by outreach professionals practicing in the State of California under the same or similar circumstances.

This Agreement will terminate June 30, 2025, and is subject to renewal by Agreement of the Agency and the District.

SECTION VI - RESPONSIBILITIES

- A. Agency represents that he/she has or will secure at his/her own expense all personnel, materials, and related services required to perform the services under this Agreement. Agency shall act as an independent Agency and not as an agent or employee of the District. Agency shall have exclusive and complete control over his/her employees and subconsultants and shall determine the method of performing the services hereunder.
- B. District shall provide Agency with all relevant data and information in its possession without charge.
- C. District shall coordinate and arrange for all meetings required to be held with other agencies or persons hereunder, unless otherwise specified in **Exhibit A**, Scope of Services.
- D. Agency shall be responsible for the reproduction of work produced by Agency hereunder.
- E. The officers, agents, and employees of the District shall cooperate with Agency in the performance of services under this agreement without charge to Agency. Agency agrees to use such services insofar as feasible to effectively discharge his/her obligations hereunder and further agrees to cooperate with officers, agents, and employees of the District

- F. The Agency agrees to indemnify, defend and hold harmless the officers, agents and employees of the District, from any and all claims and losses accruing or resulting to any and all consultants, subconsultants, material men, laborers and any other person, firm or corporation who may be injured or damaged to the extent caused by the negligent acts, errors, and/or omissions of the Agency, Agency's employees, or Agency's subconsultants or subconsultants in the performance of the services under this Agreement.
- G. STANDARD OF CARE: Consistent with the professional standard of care and except as otherwise expressly set forth herein, Agency shall be entitled to rely upon the accuracy of data and information provided by District or others without independent review or evaluation. This Agreement shall not create any rights or benefits to parties other than Agency and the District. No other third party shall have the right to rely on Agency opinions rendered in connection with the Services without the written consent of Agency and the third party's agreement to be bound to the same conditions and limitations as the District.

SECTION VII - INSURANCE

- A. Agency shall obtain and keep insurance policies in full force and effect for the following forms of coverage as shown in Exhibit C, Insurance Requirements.

SECTION VIII - CHANGES AND CHANGED CONDITIONS

- A. If, during the course of the work herein contemplated, the need to change the Scope of Work should arise, for whatever reasons, whichever party first identifies such need to change shall notify the other party in writing. The representatives of the parties shall meet within ten (10) working days of the date of such notice to discuss the need for change so identified and to set the proposed action to be taken by the parties. A change in the Scope of Work may also result in a change in the compensation amount. Compensation changes shall be based upon the Agency Fee Schedule in effect at the time a change is made to the Scope of Work. Any changes agreed to shall be documented by duly executed amendments to this Agreement.
- B. District reserves the right to specify individual employees, subconsultants or agents of Agency who shall be assigned to perform the tasks specified in Exhibit A, Scope of Services. If, during the course of the work herein contemplated, there is a change such that the specified individual employees, subconsultants or agents are no longer assigned to the work described in this contract and/or are no longer affiliated with Agency, Agency shall immediately notify District in writing. Agency shall assign the rights to this contract to another entity, if requested by the District, as part of termination proceedings pursuant to Section IX, Termination.

SECTION IX - TERMINATION

- A. District may terminate Agency's services at any time by written notice to Agency at least thirty (30) days prior to such termination. Upon receipt of written notice from District that this Agreement is terminated, Agency shall submit an invoice for an amount that represents the value of services actually performed to the date of said notice for which he/she has not previously been compensated.

- B. Upon receipt of written notice of termination, the Agency shall (1) promptly discontinue all services affected (unless the notice directs otherwise), and (2) deliver or otherwise make available to District, copies, including magnetic media, of data, design calculations, drawings, specifications, reports, estimates, summaries and other such information and materials as may have been accumulated by the Agency in performing the services under this Agreement.

SECTION X - SUB-CONTRACTING AND ASSIGNABILITY

It is acknowledged that this contract will involve the Agency sub-contracting a portion of the work required by this Agreement. Agency shall pay subcontractors and bill District for expenses by submitting detailed subcontractor invoice(s).

SECTION XI - DISCRIMINATION AND FAIR EMPLOYMENT

Attention is directed to Section 1735 of the California Labor Code, which reads as follows:

“No discrimination shall be made in the employment of persons upon public works because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, or sex of such persons, except as provided in Section 12940 of the government code and every Agency for public works violating this section is subject to all penalties imposed by a violation of this chapter.”

During the performance of this Agreement, Agency and its consultants shall not unlawfully discriminate, harass, or allow harassment against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition (cancer), age (over 40), marital status, and denial of family care leave. Agency and its consultants shall insure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. Consultant and its consultants shall comply with the provisions of the Fair Employment and Housing Act (Government Code Section 12990 (a-f) et seq.) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 7285 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code Section 12990 (a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations, are incorporated into this Agreement by reference and made a part hereof as if set forth in full.

SECTION XII - INTEREST OF AGENCY

Agency covenants that he/she presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of services required to be performed under this Agreement. Agency agrees not to manage a political campaign for any candidate running for Director of the Monterey Peninsula Water Management District.

SECTION XIII - CONTINGENT FEES

Agency warrants that he/she has not employed or retained any company or person, other than a bona fide employee working solely for the Agency to solicit or secure this Agreement, and that he/she has not paid or agreed to pay any company, or person, other than a bona fide employee working solely for Agency, any fee, commission, percentage, brokerage fee, gifts, or other consideration, contingent upon or resulting from the award or making of this Agreement. For

breach of violation of this warranty, District shall have the right to annul this Agreement without liability or at its discretion to deduct from the contract price or consideration, or otherwise recover, the full amount of such fee, commission, percentage, brokerage, gift or contingent fee.

SECTION XIV - DISPUTES

In the event of a dispute arising out of the performance of this Agreement either party shall, as soon as a conflict is identified, submit a written statement of the conflict to the other party. Within five (5) working days of receipt of such a statement of conflict, the second party will respond and a meeting will be arranged not more than five (5) working days thereafter to arrive at a negotiated settlement or procedure for settlement. If, within twenty (20) working days from the initial filing of a statement of conflict an agreement cannot be reached, it is agreed that the dispute may be resolved in a court of law competent to hear this matter. This Agreement shall be construed in accord with California law and it is agreed that venue shall be in the County of Monterey. The prevailing party shall be awarded costs of suit, and attorneys' fees.

SECTION XV - NOTICES

All communications to either party by the other shall be deemed given when made in writing and delivered or mailed to such party at its respective address, as follows:

DISTRICT: David J. Stoldt, General Manager
5 Harris Court, Bldg G
Monterey, CA 93940
Telephone: (831) 658-5651
Email: dstoldt@mpwmd.net

AGENCY: Phil Wellman
WellmanAd
26235 Atherton Place
Carmel, CA 93923
Telephone: 831-626-0466
Email: phil@wellmanad.com

SECTION XVI - AMENDMENTS

This Agreement together with **Exhibits A, B, and C** sets forth the entire understanding of the parties with respect to the subject matter herein. There are no other agreements expressed or implied, oral or written, except as set forth herein. This Agreement may not be amended except upon written amendment, executed by both parties hereto.

SECTION XVII - ATTACHMENTS

The following exhibits attached hereto and referred to in the preceding sections are, by reference, incorporated herein and made an integral part of this Agreement:

- Exhibit A.** Scope of Work
- Exhibit B.** Fee Schedule
- Exhibit C.** Insurance Requirements

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement effective as of the day and year first above written.

Monterey Peninsula Water Management District

BY: David J. Stoldt

AGENCY

BY: Phil Wellman

FEDERAL TAX IDENTIFICATION NUMBER:

EXHIBIT A - SCOPE OF WORK

AGENCY RESPONSIBILITIES

- Outreach Strategy – Research, Branding, Communications
- Presentations – Provide review and editing of content and graphics for clarity
- Public Relations – Provide review and editing of content produced by the District for clarity – Write up to two releases per month based on talking points
- Advertising – Print, Digital, TV, Radio – Strategy, content, design, direction, project mgmt.
- Social Media – Strategy, messaging, graphics, project mgmt.
- Media Buys – Campaign schedule design, negotiation, orders, project mgmt.
- Video – Strategy, content, design, direction, production, project mgmt.
- Mailing list / eblasts – Build list, content, design, send, project mgmt.
- Collateral (brochures, flyers, annual report) – Strategy, content, design, project mgmt.
- Website – Strategy, content, design, project mgmt.

OTHER

Any and other services as needed and requested by the District, including but not limited to:

- Attend District Meetings
- Monthly Branding Ads
- Workshop Ads
- Newsletter
- Annual Report
- Drought/Flood Special Outreach
- Prop 218 Special Outreach
- Identify/Work-with 3rd Party Designer
- Update Brochures
- Order Collateral (Gifts, Stuff, Things)
- Develop Video Clips
- Event Coordination
- Update Costs of Media Buys and Direct Mail Annually
- Submit Annual Award Applications
- Submit Press Info to Publications (ACWA, CSDA, JournalAWWA, WaterWorld,Opflow (AWWA), Source)

OUTSIDE COSTS

- Agency will provide monthly budget for projects
- Approved costs paid directly to Agency for subcontractors. Other outside costs may be billed by Agency or paid directly by District as agreed.
- No agency markup – Project management time included in retainer
- Media and ads
- Printing
- Video production
- Web coding
- Social Media posting, boosting, metrics
- Eblast conversion and sending
- Illustration
- Photography
- Events
- Other

EXHIBIT B – FEE SCHEDULE

The scope of work shall be on a monthly retainer of \$7,875 per month and a minimum hourly commitment of 45 hours per month. Out-of-pocket and subconsultant expenses will be on a time-and-materials basis.

The scope of work, associated level of effort, fee estimate, and timeline may change, and Agency will have an opportunity, in discussion with the District, to modify aspects of the fees, if necessary, to ensure that they best meet the District's goals and objectives.

EXHIBIT C - INSURANCE REQUIREMENTS

- I. Agency shall provide evidence of valid and collectible insurance carried for those exposures indicated by an "X".
- A. Professional Liability Errors & Omissions
 - B. Workers Compensation and Employers Liability
 - C. Automobile Liability - "Any Auto - Symbol 1"
 - D. Commercial or Comprehensive General Liability, including Bodily Injury, Property Damage and Personal Injury
 - E. Owners & Consultants Protective
 - F. Protection & Indemnity (Marine/Aviation)
- II. The minimum limit of protection provided by insurance policies for each of the coverages listed above shall be not less than \$1,000,000, except for coverage "D", which shall not be less than \$2,000,000. The procurement and maintenance by the Agency of the policies required to be obtained and maintained by Agency under this Agreement shall not relieve or satisfy Agency's obligation to indemnify, defend and save harmless District and the Monterey Peninsula Water Management District.
- III. Evidence of insurance carried shall be Certificates of Insurance for the current policies. District and the Monterey Peninsula Water Management District shall each be listed as a certificate holder on the Agency's Commercial or Comprehensive General Liability insurance policy and the policy must be endorsed to provide a 30-day prior written notice of cancellation, excluding cancellation due to nonpayment of premium.
- IV. Agency shall carry a commercial liability policy written on a general liability form.
- A. Such protection is to include coverage for the following hazards, indicated by an "X":
- 1. Premises and Operations
 - 2. Products and Completed Operations
 - 3. Explosion Collapse and Underground
 - 4. Broad Form Blanket Contractual
 - 5. Broad Form Property Damage
 - 6. Personal Injury, A, B & C
 - 7. Employees named as Persons Insured
 - 8. Protective and/or Contingent Liability (O&CP)

- B. The comprehensive general liability policy shall include as an additional insured District and the Monterey Peninsula Water Management District their officers, directors, agents and employees."
- C. This policy shall contain a severability of interest clause or similar language to the following:
- "The insurance afforded applies separately to each insured against whom claim is made or suit is brought including claims made or suits brought by any persons included within the persons insured provision of the insurance against any other such person or organization."
- D. All policies shall contain a provision that the insurance company shall give the District and the Monterey Peninsula Water Management District at least thirty (30) days prior written notice mailed to the address shown below prior to any cancellation or non-renewal. The 30-day written notice must be shown on all certificates of insurance.
- E. Certificates of Insurance for the current policies shall be delivered by the Agency to the Risk Manager for the District as verification that terms A, B, C and D have been met.
- V. All insurance correspondence, certificates, binders, etc., shall be mailed to:
- Monterey Peninsula Water Management District
Attn: Administrative Services Manager
5 Harris Court, Building G
P.O. Box 85
Monterey, CA 93942-0085
- VI. All policies carried by the Agency shall be primary coverage as to the interest of the additional insured to any and all other policies that may be in force. District and the Monterey Peninsula Water Management District shall not be responsible for payment of premiums due as a result of compliance with the terms and conditions of the insurance requirements.
- VII. All such policies of insurance shall be issued by insurance companies with general policy holders' rating of not less than "B" and authorized or admitted to do business in the State of California. The policies of insurance so carried shall be carried and maintained throughout the term of this Agreement.

ITEM: CONSENT CALENDAR**8. CONSIDER APPROVAL OF AGREEMENT WITH LYNX TECHNOLOGIES FOR GEOGRAPHIC INFORMATION SYSTEM (GIS) SERVICES**

Meeting Date:	May 20, 2024	Budgeted:	Yes
From:	David J. Stoldt, General Manager	Program/ Line Item No.	Consultants XX-XX-774000
Prepared By:	Nishil Bali	Cost Estimate:	\$35,000/year

General Counsel Review: N/A**Committee Recommendation: The Finance and Administration Committee reviewed this item on May 13, 2024 and recommended approval.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY: Since 2017, the District has contracted with Lynx Technologies to provide part-time GIS consulting services related to permit mapping and hydrological support.

Lynx Technologies has several GIS projects under development including applications related to Well inspections and reporting; User fees, DocuWare, and Accela (permitting software) integration; updates to the District's Address, Parcel, Owner (APO) information, as well as maps/queries for rain gauge and water monitoring, among others. To allow continuity and completion of these multi-year projects, staff seeks approval to extend annual agreements with Lynx Technologies for up to a period of thirty-six months from July 1, 2024, through June 30, 2027.

Several Cities including the Pebble Beach Community Services District are utilizing the services of Lynx Technologies for their GIS needs.

BUDGET/PURCHASING APPROVAL: Approval of this item is contingent upon the adoption of annual budgets by the Board. The District allows contracts for specialized services and administrative matters under Chapter 5 of the Purchasing Policy and Gov. Code. 53060.

RECOMMENDATION: The Finance and Administration Committee recommends that the Board authorize the General Manager or the Administrative Services Manager/CFO to enter into agreement(s) with Lynx Technologies to provide GIS services for an amount not to exceed \$35,000 annually for the next three years.

BACKGROUND: Lynx Technologies will serve as a consultant for GIS services to provide support for the District on a part-time, continuous basis and will provide onsite office hours of 1-2 days per week based on the workload.

The Agreement with Lynx Technologies will be renewed annually from July 1, 2024, through June 30, 2027 pending acceptable and adequate work as determined by staff. Lynx Technologies will assign an employee to serve as the GIS consultant to the District and will provide support by performing District's GIS services on an ongoing basis. Details of these functions being performed by Lynx Technologies are included in the Scope of Services (**Exhibit 8-A**).

EXHIBIT

8-A GIS Professional Services Scope of Services

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April 15, 2024

Mr. Nishil Bali
Chief Financial Officer
Monterey Peninsula Water Management District
5 Harris Court, Bldg. G
Monterey, CA 93942
Nishil@mpwmd.net



Re: GIS Professional Services

Dear Nishil:

Thank-you for the opportunity to submit this scope of work to provide GIS professional services for the Monterey Peninsula Water Management District. Services will be performed as directed by you, and Lynx Technologies will provide appropriate staffing to conduct on- and offsite services on a time and materials basis.

The purpose of this agreement is to provide support for the District's Geographical Information System (GIS). Core tasks for the upcoming year include:

- Work with staff to develop data, maps and apps for Wells and Permits, Meter/User Fees.
- Develop the ArcGIS Enterprise Portal. Last year we upgraded the District's platform from ArcGIS Server for Workgroups (10.4) to the current ESRI 11.x environment. This year will complete a full migration of all data web services, and start to expand the platform.
- Develop field data collection and monitoring and other public portal / outreach programs
- Set up workflow so that permitting staff can enter an address or APN and determine if the site is in the district boundary or not.
- Ongoing support the Accela Permitting software Web Mapping GUI and XAPO.
- Provide systematic updates of parcel feature data and Monterey County assessor data changes
- Continue to develop the GIS SQL Enterprise database to warehouse all spatial and tabular data to support the business functions of the organization.

Ongoing tasks and priorities will be determined after the initial discovery phase. Lynx staffing will be assigned commensurate with the required skill required. Subject matter vary but may involve any of the roles listed or related below:

- Base feature layer maintenance including parcels, streets, addresses, roadway, tract, and boundary changes, including associated tables and annotation.
- Data maintenance of other layers within the GIS such as utility networks, planning and engineering overlays.
- Onsite work to collect and capture data. For example, staff could be assigned to go through engineering data to infill missing data, or there may be a special project that District staff requires a GIS technician in which significant interaction is required.
- Field work as required, this may include field inspection, or high precision GPS capture of well data.
- Database design
- Produce maps for board presentation
- Ad hoc GIS analysis
- ArcGIS Desktop training for District staff

Each assignment will proceed with an estimate of required hours; a detailed scope of work will be provided for unusual or one-time projects. A simple email exchange of hours and approval is all that will be required for maintenance work.

The total annual budget will not exceed \$35,000. This would provide sufficient funds for onsite staff for up to 2 days per week.

All work will be billed on a time and materials basis according to the following rate schedule:

Project Manager/Analyst: \$85/hr.
GIS Technician: \$75/hr
Clerical: \$50/hr

If you have any questions regarding this proposal, I can be reached on my cell phone at any time: (408) 482-3255, or by email: patrickk@lynxgis.com. Again, thank-you for the opportunity to submit this proposal and I look forward to working with you.

Sincerely,

Patrick Kelleher
Lynx Technologies

ITEM: CONSENT CALENDAR**9. CONSIDER APPROVAL OF A CONTRACT WITH MAGGIORA BROTHERS DRILLING FOR REHABILITATION OF TWO ASR WELLS**

Meeting Date: May 20, 2024 **Budgeted:** Partially

From: David J. Stoldt,
General Manager **Program/** Water Supply Projects
ASR Operations &
Maintenance
Line Item: 1-2-1B

Prepared By: Maureen Hamilton **Cost Estimate:** \$333,283.50

General Counsel Review: N/A**Committee Recommendation:** The Finance and Administration Committee discussed this item on May 13, 2024 and recommended approval.**CEQA Compliance:** This action is a categorical exemption from CEQA under CEQA Guideline Section 15301 for “Existing Facilities.” District will prepare a NOE for this effort

SUMMARY: Two Aquifer Storage and Recovery (ASR) wells, ASR-1 and ASR-2, experienced an event on March 6, 2024 that resulted in an injection capacity decline. To ensure maximum ASR water supply during this ongoing period of insufficient legal water supply, ASR-1 and ASR-2 must be rehabilitated between injection seasons this summer and fall. At the March 18, 2024 Board of Directors meeting, the Board found the ASR capacity loss constitutes an unexpected emergency situation and directed staff to obtain quotes for the rehabilitations.

Staff finalized specifications and obtained quotes from three qualified contractors to perform formal rehabilitation of ASR-1 and ASR-2, provided below:

Maggiora Brothers Drilling, Inc.	Zim Industries, Inc.	Weber Water Resources CA, LLC
\$302,985.00	\$333,300.00	\$505,077.02

The lowest quote was submitted by Maggiora Brothers Drilling, Inc (Maggiora). Maggiora meets the qualification criteria having performed two well rehabilitations on large injection wells in 2020-2021. Maggiora expects to mobilize the week of June 3.

Staff is requesting a 10% contingency in the event unforeseen repairs are required. Maintenance and repair work at the ASR facilities is fully reimbursable by Cal-Am per the Amended and Restated Aquifer Storage and Recovery Management and Operations Agreement executed February 23, 2021.

Staff estimates up to \$70,000 could be invoiced this fiscal year, requiring a transfer of unused funds from the ASR Land Easement budget line item to the ASR Maintenance budget line item,

both within the Water Supply fund. The remaining amount would be invoiced in fiscal year 2024-2025 and has been fully budgeted.

Prior to the March 6 event, process monitoring demonstrated the routine and seasonal maintenance programs at ASRs 1 and 2 were successful. The seasonal backflushing maintenance and daily site inspections during injection season showed specific injection capacity of both wells was performing as expected, and that mechanical and electrical equipment is functioning as expected. Pump assemblies, in our case extending approximately 500 feet below ground surface, are not removed unless a catastrophic failure occurs or rehabilitation is required; additional inspections will be made during the rare pump disassembly event.

RECOMMENDATION: The Finance and Administration Committee recommends that the Board of Directors authorize the General Manager or his designee to enter into a contract with Maggiora Brothers Drilling, Inc. in the amount of \$302,985.00 with a 10% contingency for a total not-to-exceed amount of \$333,283.50 for rehabilitation of ASR-1 and ASR-2 wells.

EXHIBIT

None

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ITEM: CONSENT CALENDAR**10. AUTHORIZE FUNDS TO CONTRACT FOR LIMITED-TERM FIELD POSITIONS DURING FY 2024-2025**

Meeting Date:	May 20, 2024	Budgeted:	Yes
From:	David J. Stoldt, General Manager	Program/	Aquatic Resources Fisheries
Prepared By:	Nishil Bali	Cost Estimate:	Up to \$79,629

General Counsel Approval: N/A**Committee Recommendation: The Finance and Administration Committee reviewed this item on May 13, 2024 and recommended approval.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY: The District has funded limited-term positions to assist District staff in the completion of field activities for many years. These positions are not on the District organization chart and these incumbents are not included in the District bargaining units. The schedules for these positions are part-time and largely seasonal in nature. Contracts are for six-month periods of time or less. However, limited-term employees may be offered subsequent contracts not to exceed 1,000 hours per year. Funding for these positions will be included in the proposed 2024-2025 Fiscal Year (FY) budget.

Authorization is requested to hire one part-time limited-term *Water Resources Assistant* for a total of 990 hours. The hours will be used for summer-fall juvenile fish rescues, fall population sampling, Sleepy Hollow Steelhead Rearing Facility maintenance, spring smolt rescues, vegetation management, and winter adult steelhead weir operations (new additional work). These positions are essential to staff crews led by permanent staff, as well as to prevent the accrual of excessive compensatory time and overtime for higher-level regular full-time positions. The Water Resources Assistant would be paid \$21.00 per hour and cost up to \$20,790.

Authorization is also requested to hire several part-time limited-term *Fisheries Aides* for up to a total of 2,580 hours of work during FY 2024-2025. These individuals will assist staff with basic labor tasks in the intensive rescues of steelhead juveniles and smolts in the lower Carmel River, as well as fall population sampling, spring smolt rescues, and winter adult steelhead weir operations. Fisheries aids also help with vegetation management activities along the Carmel River. The Fisheries Aides would be paid \$20.00 per hour and cost up to \$51,600.

RECOMMENDATION: The Finance and Administration Committee recommends that the Board approve the limited-term Water Resources Assistant for up to a total of 990 hours of work and several Fisheries Aides for up to 2,580 hours of work. The approval of this item is contingent upon the adoption of FY 2024-2025 budget by the Board.

IMPACTS TO STAFF/RESOURCES: The total cost of the limited-term contracts described above would not exceed \$79,629 which includes the 10% overhead of the hourly rate. It should also be noted that limited-term employees receive no District benefits. In addition to their hourly wages, additional costs to the District are limited to legally mandated payroll taxes and workers' compensation insurance premiums.

BACKGROUND:

- A. Water Resources Assistants: This job classification was created in December 1998 to assist staff in the Water Resources Division with field and administrative tasks, including rescuing of juvenile steelhead in the lower Carmel River, surveying of steelhead populations and spawning habitat, and monitoring of groundwater and surface water resources within the Monterey Peninsula Water Resource System. It is needed to help ensure that tasks for the District's Fisheries Mitigation Program are completed on schedule. They have also been integral in conducting the California Stream Bioassessment Procedure (CSBP), developed by the Department of Fish and Game as a rapid bioassessment protocol and method to track overall stream health. Without the assistance of limited-term help, the ability to conduct these tasks would be compromised. Additionally, the Water Resources Assistants will support regular staff with vegetation management, lagoon water quality monitoring, well production, and groundwater quality historical data compilation. These employees will work in the Environmental Resources Division and be supervised by the Environmental Resources Manager.
- B. Fisheries Aides: Over the past two decades, District staff has initiated rescues when streamflow receded below ten cubic feet per second at Highway One. This has occurred anytime between March and September. The District will be rescuing and transporting three groups of steelhead, including smolts, kelts (spawned-out adults), and juveniles. The smolts and kelts will be transported downstream to the lagoon or ocean, while juveniles will be transported upstream to permanent habitats above the Narrows. Additional help is needed to successfully perform this critical function. If staff attempted to conduct rescues with fewer workers, more fish would be lost because a smaller crew cannot effectively keep up with the number needing rescue and cannot work fast enough to keep up with the retreating riverfront. It would also increase the risk of on-the-job injuries for people working too strenuously as they attempt to complete two critical jobs in the same period of time. The incumbents of this position will work in the Environmental Resources Division and be supervised by the Environmental Resources Manager.

EXHIBIT

None

ITEM: CONSENT CALENDAR

11. AUTHORIZE EXPENDITURE FOR SOFTWARE MAINTENANCE AGREEMENTS

Meeting Date: May 20, 2024 **Budgeted:** Yes
From: David J. Stoldt, **Program/** **Services and Supplies**
 General Manager **Line Item No.** **Data Processing**
Prepared By: Nishil Bali **Cost Estimate:** \$197,000

Committee Recommendation: The Finance and Administration Committee reviewed this item on May 13, 2024 and recommended approval.

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

SUMMARY: Staff seeks authorization to continue with our software maintenance agreements/purchase for geographic information systems (GIS), information technology (IT) support, financial accounting, water demand system, watershed analysis, ground & surface water modeling, and topographic data processing software. These software applications are for use at the District for various IT, GIS, water demand, and accounting functions and are used by staff in their daily routine functions.

RECOMMENDATION: The Finance and Administration Committee recommends that the Board approve expenditures and contract agreements in the amount of \$197,000 to continue with annual software subscriptions and maintenance as shown in the table below:

Product	Price
ESRI ArcGIS (District Wide)	12,500
Adobe Renewal (District Wide)	9,000
Anti-Virus (District Wide)	4,500
ProofPoint (Email Spam Filter)	2,500
Sonicwall (Firewall)	2,500
Office 365 Renewal (District Wide)	12,000
VM Ware (Server configuration)	2,000
Microsoft Veam/Azure (Backup)	24,000
DocuWare (Financial/HR)	24,500
Tyler Technologies (Financial/HR)	35,000
ClearGov (Financial)	5,500
GovInvest (Financial/HR)	7,500
Accela Support (Water Demand)	39,000
CaseWare Reporting (Financial)	9,500
Kisters North America (Hydrological)	7,000
TOTAL	\$197,000

IMPACT TO STAFF/RESOURCES: The FY 2024-2025 Information Technology budget will include funds for these agreements/purchases.

BACKGROUND: The GIS platform serves many purposes for MPWMD data analysis needs that include: map production, spatial analysis in support of engineering, water resource management, fisheries, conservation, and rationing analysis. All of these functions require the examination of geographic data, management, and dissemination of these data throughout the District. The effectiveness of the GIS to better serve the MPWMD staff and the public is dependent on the ability of staff to analyze geospatial data.

The IT and Accounting programs require various software applications to allow staff to complete their day-to-day duties and tasks as well as provide real-time financial information of the District.

The water demand services require the use of software to process permit applications, process connection charges, perform inspections, and provide other property-related reporting to staff and the board.

The Kisters platform serves many purposes for MPWMD data analysis needs that include: stream flow and rainfall data processing, storage, and reporting. All of these functions require the examination, management, and dissemination of these data throughout the District. The effectiveness of the Kisters Platform to better serve the MPWMD staff and the public is dependent on the ability of staff to operate the Aquifer Storage and Recovery Project.

EXHIBITS

None

ITEM: CONSENT CALENDAR**12. CONSIDER ADOPTION OF RESOLUTION NO. 2024-05 ESTABLISHING ARTICLE XIII (B) FISCAL YEAR 2023-2024 APPROPRIATIONS LIMIT**

Meeting Date:	May 20, 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 Administrative Committee reviewed this item on May 13, 2024 and recommended approval.**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: Article XIII (B) of the California Constitution requires that an appropriations limit be calculated on an annual basis. Attached as **Exhibit 12-A** is Resolution No. 2024-05, A Resolution of the Board of Directors of the Monterey Peninsula Water Management District Establishing an Appropriations Limit for Fiscal Year 2024-2025. The resolution establishes an appropriations limit of \$2,236,614 for fiscal year 2024-2025 as calculated on the Property Tax Appropriations Limit worksheet, which is **Attachment 1** to the resolution. The worksheet also shows that District estimates that it will receive \$2,700,000 in property tax revenues during the fiscal year. After subtracting exempt appropriations of \$722,350 from the estimated property tax revenues, the appropriations subject to the limit are \$1,977,650, which is under the appropriations limit calculated under the provisions of Article XIII (B), resulting in no estimated excess tax revenue.

RECOMMENDATION: The Finance and Administration Committee recommends that the Board adopt Resolution No. 2024-05, A Resolution of the Board of Directors of the Monterey Peninsula Water Management District Establishing an Appropriations Limit for Fiscal Year 2024-2025 in the amount of \$2,236,614.

EXHIBIT**12-A** Resolution No. 2024-05



EXHIBIT 12-A

**DRAFT
RESOLUTION NO. 2024-05**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
ESTABLISHING AN APPROPRIATIONS LIMIT FOR FISCAL YEAR 2024-2025**

WHEREAS, Article XIII (B) of the California Constitution requires that each local government agency annually establish an appropriations limit; and

WHEREAS, the Monterey Peninsula Water Management District desires to establish its appropriations limit for the purpose of setting its budget.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Monterey Peninsula Water Management District hereby determines that the 2023-2024 appropriations limit for the District is \$2,236,614 based on a 2024-2025 multiplier of 1.042, as shown on **Attachment 1**.

PASSED AND ADOPTED on this 13th day of May 2024 on a motion by Director _____ and second by Director _____ by the following vote, to wit:

AYES:

NAYES:

ABSENT:

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify that the foregoing is a resolution duly adopted on the 13th day of May 2024.

Dated:

David J. Stoldt
Secretary to the Board

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ATTACHMENT 1**PROPERTY TAX APPROPRIATION LIMIT
2024-2025 BUDGET**

Appropriations Limit for 2023-2024	\$2,146,457	
Multiplier	<u>1.0420</u>	note 1
Appropriations Limit for 2024-2025	\$2,236,614	
Appropriations Subject to Limit:		
Property Tax	\$2,700,000	note 2
Exempt Appropriations	<u>(\$722,350)</u>	
Total	<u>\$1,977,650</u>	
Appropriations Limit for 2024-2025	<u>\$2,236,614</u>	
Estimated Excess Tax Revenue	<u>\$0</u>	

NOTES:

1. Source: Price and Population Data for Local Jurisdictions
Department of Finance, May 2023

$$\text{Price } 1.0362 \times \text{Population } 1.0056 = 1.0420$$

Price	1.0362
Population	<u>1.0056</u>
Ratio of change	<u>1.0420</u>

2. Property tax revenue estimate \$2,700,000

ITEM: PUBLIC HEARING**17. RECEIVE AND CONFIRM WATER SUPPLY FORECAST FOR PERIOD OF MAY 1, 2024 -- SEPTEMBER 30, 2025 AND CONSIDER ADOPTING RESOLUTION NO. 2024-06 TO AMEND RATIONING TABLE XV-4****Meeting Date:** May 20 2024 **Budgeted:** N/A**From:** David J. Stoldt,
General Manager **Program/** N/A
Line Item No.:**Prepared By:** Jonathan Lear **Cost Estimate:** N/A**General Counsel Review:** N/A**Committee Recommendation:** N/A**CEQA Compliance:** Notice of Exemption, CEQA, Article 19, Section 15301 (Class 1) ESA
Compliance: Consistent with the September 2001 and February 2009 Conservation
Agreements between the National Marine Fisheries Service and California American Water
to minimize take of listed steelhead in the Carmel River and Consistent with SWRCB WR
Order Nos. 95-10, 98-04, 2002-0002, and 2016-0016.

SUMMARY: Regulation X of the Monterey Peninsula Water Management District (District) Rules and Regulations requires that a water supply summary forecast report be compiled annually to analyze the status of water supply and demand on the resource system within the District. This report quantifies rainfall, runoff, and storage conditions within the District as of May 1, 2024, and forecasts the amount of water that will be available for use during the upcoming water year from the Monterey Peninsula Water Resource System (MPWRS). The MPWRS supplies water to meet both Cal-Am and non Cal-Am demand on the Peninsula. As Cal-Am constructs water projects to comply with the Cease and Desist order, the company will rely less on water from the MPWRS to meet customer demand and more on the water produces from water projects. Regulation X tests the drought resilience of the of the MPWRS to supply the legal component of water to Cal-Am and non Cal-Am users on the Peninsula for the next 16 months.

Physical Water Availability: As of May 1, 2024, usable water storage within MPWRS totaled **30,387** acre-feet (AF) or 92% of maximum storage capacity. A map of the MPWRS is included as **Exhibit 17-A**. A breakdown of total storage by reservoir and aquifer is shown in **Exhibit 17-B**. As shown, usable reservoir storage totals 1,670 AF and usable aquifer storage totals 28,720 AF. For the Seaside Groundwater Basin, the annual Natural Safe Yield is 3,000 Acre Feet and 1,657 Acre Feet remain for WY 2024. In addition, a summary of other water-supply related conditions within the MPWRS – rainfall and runoff recorded at San Clemente Dam and California American Water (Cal-Am) monthly diversions from the Carmel River and Seaside Groundwater Basins relative to limits set by the State Water Resources Control Board (SWRCB) and Court --are shown in **Exhibit 17-C and 17-D**.

The amount of carryover storage that is needed to meet the projected water needs within the District for the remainder of Water Year (WY) 2024 and all of WY 2025 is shown in **Exhibit 17-E**. These projections include the water needs of both Cal-Am customers and non Cal-Am water users within the District who rely on water from the MPWRS. As shown, the projected water

demand on the MPWRS for the remainder of WY 2024 on the MPWRS is 4,193 AF. Similarly, the projected demand for WY 2025 is 7,896 AF. These projections are based on the maximum annual production amount for the Cal-Am main system from the Carmel River Basin directed by the SWRCB in Order WR 2016-0016 (3,376 AF in WY 2024 and 3,376 in WY 2025), the maximum annual production amount for Cal-Am from the Seaside Groundwater Basin specified by the Court as a result of the Seaside Basin adjudication (1,474 AF in WY 2024 and 1,474 AF in WY 2025), and the maximum production amount for non Cal-Am users in the MPWRS specified in the District's Water Allocation Program (3,046 AF). As shown in **Exhibit 17-E**, the total amount of water needed on May 1 to meet the projected water demand for the remainder of WY 2024 and all of WY 2025 is **12,089 AF**. Given the current usable storage estimate of **30,387 AF**, there is sufficient stored water in the MPWRS to meet the projected water needs from the MPWRS for the remainder of WY 2024 and begin WY 2025 with a full year's supply in reserve. This is consistent with the District drought protection goal approved by the Board in August 1993.

It should also be noted that this approach is conservative in that it is based entirely on storage and does not include any allowance for surface and subsurface inflows that are expected to occur. Therefore, based on the physical availability of water, no mandatory water demand reductions, i.e., rationing actions, are required at this time. It should be noted, however, that this analysis does not incorporate environmental considerations such as effects on riparian and aquatic resources or regulatory restrictions.

Note that all water users within the District are presently under Stage 1 Water Conservation which prohibits water waste and all non-essential uses of water.

Community Water Demand: For WY 2024, as of May 1, 2024, Cal-Am had produced 1,976 AF of water from its sources in the MPWRS. This amount of production is 429 AF under the year-to-date at month-end production target that had been set for Cal-Am based on SWRCB Order WR 2016-0016 and the Seaside Groundwater Basin adjudication decision.

RECOMMENDATION: The Board should receive the water supply forecast for the May 1, 2024 through September 30, 2025 period and adopt Resolution No. 2024-06 to amend Rationing Table (XV-4).

IMPACTS ON STAFF/RESOURCES: District staff currently tracks and reports on water production and water supply conditions on a monthly basis; no additional impacts are anticipated related to this item.

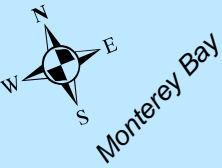
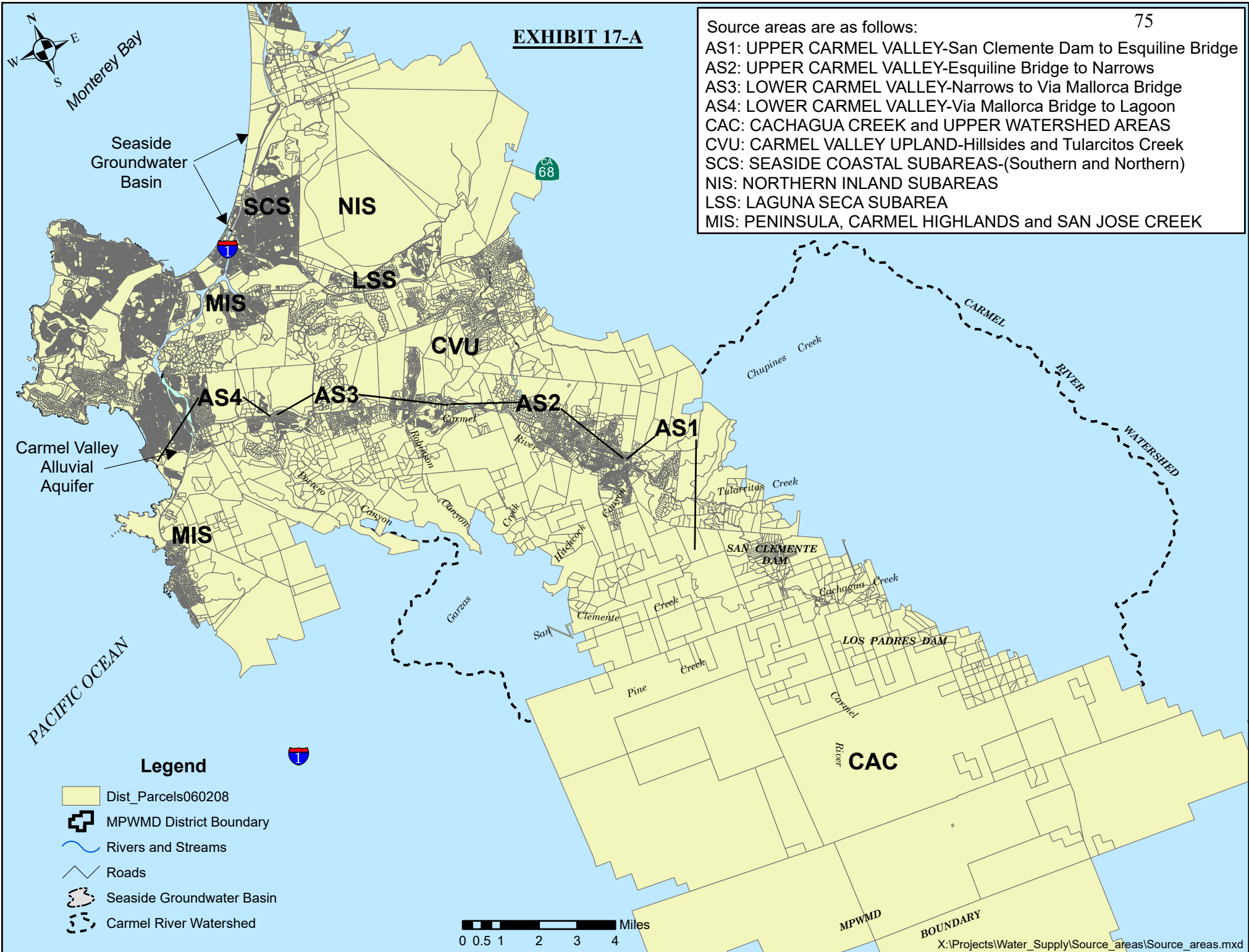
EXHIBITS

- 17-A** Map of the Monterey Peninsula Water Resources System (MPWRS)
- 17-B** Water Storage Conditions, MPWRS
- 17-C** MPWMD Water Supply Status -- May 1, 2024
- 17-D** California American Water Production vs. CDO and Adjudication to Date: Water Year 2024
- 17-E** Derivation of Water Rationing Triggers for the MPWRS for the Remainder of 2024 Water Year and all of 2025 Water Year
- 17-F** Draft Resolution No. 2024-06

EXHIBIT 17-A

Source areas are as follows:

- AS1: UPPER CARMEL VALLEY-San Clemente Dam to Esquiline Bridge
- AS2: UPPER CARMEL VALLEY-Esquiline Bridge to Narrows
- AS3: LOWER CARMEL VALLEY-Narrows to Via Mallorca Bridge
- AS4: LOWER CARMEL VALLEY-Via Mallorca Bridge to Lagoon
- CAC: CACHAGUA CREEK and UPPER WATERSHED AREAS
- CVU: CARMEL VALLEY UPLAND-Hillsides and Tularcitos Creek
- SCS: SEASIDE COASTAL SUBAREAS-(Southern and Northern)
- NIS: NORTHERN INLAND SUBAREAS
- LSS: LAGUNA SECA SUBAREA
- MIS: PENINSULA, CARMEL HIGHLANDS and SAN JOSE CREEK



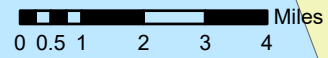
Seaside
Groundwater
Basin



Carmel Valley
Alluvial
Aquifer

Legend

- Dist_Parcels060208
- MPWMD District Boundary
- Rivers and Streams
- Roads
- Seaside Groundwater Basin
- Carmel River Watershed



WATER STORAGE CONDITIONS
MONTEREY PENINSULA WATER RESOURCE SYSTEM
May 1, 2024

STORAGE FACILITY	MAXIMUM STORAGE CAPACITY (AF)	CURRENT STORAGE (AF)	PERCENT OF MAXIMUM CAPACITY (%)
<u>RESERVOIR</u>			
LOS PADRES	1,670	1,670	100%
<u>AQUIFERS</u>			
UPPER CARMEL VALLEY	6,530	6,240	96%
LOWER CARMEL VALLEY	21,930	20,820	95%
SEASIDE COASTAL	<u>3,000</u>	<u>1,657</u>	55%
TOTAL SYSTEM	33,130	30,387	92%

Notes:

1. Storage estimates refer to usable storage or water that can be diverted or pumped.
2. "AF" refers to acre-feet. One acre-foot equals 325,851 gallons.

EXHIBIT 17-C

**Monterey Peninsula Water Management District
Water Supply Status
May 1, 2024**

Factor	Oct – Apr 2024	Average To Date	Percent of Average	Oct – Apr 2023
Rainfall (Inches)	23.50	20.49	115%	34.61
Runoff (Acre-Feet)	72,774	62,856	116%	197,092
Storage⁵ (Acre-Feet)	30,400	31,370	96%	30,920

Notes:

1. Rainfall and runoff estimates are based on measurements at San Clemente Dam. Annual rainfall and runoff at Sleepy Hollow Weir average 21.22 inches and 67,246 acre-feet, respectively. Annual values are based on the water year that runs from October 1 to September 30 of the following calendar year. The rainfall and runoff averages at the Sleepy Hollow Weir site are based on records for the 1922-2022 and 1902-2022 periods respectively.
2. The rainfall and runoff totals are based on measurements through the dates referenced in the table.
3. Storage estimates refer to usable storage in the Monterey Peninsula Water Resources System (MPWRS) that includes surface water in Los Padres and San Clemente Reservoirs and ground water in the Carmel Valley Alluvial Aquifer and in the Coastal Subareas of the Seaside Groundwater Basin. The storage averages are end-of-month values and are based on records for the 1989-2022 period. The storage estimates are end-of-month values for the dates referenced in the table.
4. The maximum storage capacity for the MPWRS is currently 33,130 acre-feet.

Production vs. CDO and Adjudication to Date: WY 2024

(All values in Acre-Feet)

Year-to-Date Values	MPWRS					Water Projects and Rights				Water Projects and Rights Total
	Carmel River Basin ^{2, 6}	Seaside Groundwater Basin			MPWRS Total	ASR Recovery	PWM Recovery	Table 13 ⁷	Sand City ³	
		Coastal	Laguna Seca	Ajudication Compliance						
Target	1,510	895	0	895	2,405	0	2,405	138	175	2,718
Actual ⁴	1,267	642	67	709	1,976	0	2,266	315	36	2,617
Difference	243	253	-67	186	429	0	139	-177	139	101
WY 2023 Actual	894	750	62	812	1,706	0	2,675	410	92	3,178

1. This table is current through the date of this report.
2. For CDO compliance, ASR, Mal Paso, and Table 13 diversions are included in River production per State Board.
3. Sand City Desal, Table 13, and ASR recovery are also tracked as water resources projects.
4. To date, 1155 AF and 315 AF have been produced from the River for ASR and Table 13 respectively.
5. All values are rounded to the nearest Acre-Foot.
6. For CDO Tracking Purposes, ASR production for injection is capped at 600 AFY.
7. Table 13 diversions are reported under water rights but counted as production from the River for CDO tracking.

Monthly Production from all Sources for Customer Service: WY 2024

(All values in Acre-Feet)

	Carmel River Basin	Table 13	Mal Paso	Seaside Basin	ASR Recovery	PWM Recovery	Sand City	Total
Oct-23	220	0	7	347	0	254	0	828
Nov-23	224	0	6	169	0	305	19	724
Dec-23	192	0	5	40	0	393	17	647
Jan-24	278	23	5	38	0	270	0	613
Feb-24	40	94	6	38	0	380	0	558
Mar-24	155	101	6	39	0	324	0	625
Apr-24	158	98	5	38	0	339	0	639
May-24								
Jun-24								
Jul-24								
Aug-24								
Sep-24								
Total	1,267	315	41	709	0	2,266	36	4,633
WY 2023	894	410	53	812	0	2,675	92	4,937

1. This table is produced as a proxy for customer demand.
2. Numbers are provisional and are subject to update.

EXHIBIT 17-E

Table XV-4
Physical Storage Target
for the Monterey Peninsula Water Resource System
for the May-September 2024 and all WY 2025

PRODUCER	MAY-SEPTEMBER DEMAND	CARRYOVER STORAGE NEEDS FOR NEXT YEAR DEMAND FROM MPWRS	TOTAL STORAGE REQUIRED ON MAY 1
California American Water (Cal-Am)	2,874	4,850	7,724
Non Cal-Am	1,946	3,046	4,992
Total	4,193	7,896	12,089
			TOTAL STORAGE AVAILABLE ON MAY 1
			30,387 ⁵

Notes:

1. The May-September period refers to the remainder of the current water year.
2. Carryover storage refers to the volume of usable surface and groundwater that is in storage at the end of the current water year and is projected to be available for use at the beginning of the following water year.
3. Total storage refers to the combination of demand remaining from May 1 to the end of the current water year and carryover storage for the next water year that is required to avoid imposing various levels of water rationing. The value in **bold type** represents the storage trigger that would be used for the system in Water Year 2022. The value is based on the production limits for California American Water (Cal-Am) from Carmel River sources (3,376 acre-feet in WY 2024 and 3,376 acre-feet WY 2025) set by State Water Resources Control Board Order WR 2016-0016, the production limit for Cal-Am from the Seaside Groundwater Basin (1,474 acre-feet in WY 2024 and 1,474 AF in WY 2025) set by the Court in its March 27, 2006 adjudication decision, and the production limit specified for non Cal-Am users from the Monterey Peninsula Water Resource System set in the District's Water Allocation Program (Ordinance No. 87).
4. The rationing trigger is based on physical water availability and do not account for legal or environmental constraints on diversions from the Carmel River system.
5. May 1, 2024 System Storage = 30,387 AF (27,060 AF Carmel Valley Alluvial Aquifer; 1,657 AF Seaside Groundwater Basin; 1,670 AF Los Padres Reservoir); this is 96% of average and 92% of system capacity (33,130 AF).



EXHIBIT 17-F

DRAFT

RESOLUTION NO. 2024-06

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
MODIFYING RULE 160 – RATIONING TABLE FOR REMAINDER WATER YEAR
2024 AND ALL OF WATER YEAR 2025**

WHEREAS, the Monterey Peninsula Water Management District (District) has developed a set of rules to facilitate compliance by California American Water systems with the regulatory and legal water production limits set by the State Water Resources Control Board and the Seaside Basin Adjudication as administered by the Seaside Groundwater Basin Watermaster;

WHEREAS, District Rule 160 specifies the regulatory water production targets that are used to trigger higher stages of water conservation to ensure compliance with these legal and regulatory water production limits;

WHEREAS, these limits are subject to change by action of the State Water Resources Control Board and Seaside Groundwater Basin Watermaster;

WHEREAS, the State Water Resources Control Board adopted Order WR 2016-0016, which requires California American Water to divert no more than 3,376 acre-feet in Water Year 2024, and no more than 3,376 acre-feet in Water Year 2025;

WHEREAS, the Monterey County Superior Court adopted an Amended Decision in the Seaside Groundwater Basin Adjudication on February 9, 2007 (*California American Water v. City of Seaside, et al.*, Case No. M66343), which requires California American Water to divert no more than 1,474 acre-feet from the Coastal Subareas of the Seaside Groundwater Basin in Water Year 2024, and no more than 1,474 acre-feet from the Coastal Subareas of the Seaside Groundwater Basin in Water Year 2025; and

WHEREAS, Regulation X of the Monterey Peninsula Water Management District (District) Rules and Regulations requires that a water supply summary forecast report be compiled annually to analyze the status of water supply and demand within the District.

THEREFORE, BE IT RESOLVED THAT specifically, District staff shall incorporate Table XV-4 (EXHIBIT 17-E) into District Rule 160.

PASSED AND ADOPTED on this 20th day of May 2024 on a motion by Director _____ and second by Director _____ by the following vote, to wit:

AYES:

NAYES:

ABSENT:

I, David J. Stoldt, Secretary of the Board of Directors of the Monterey Peninsula Water Management District, hereby certify that the foregoing is a resolution duly adopted on the 20th day of May 2024.

Dated:

David J. Stoldt
Secretary to the Board

ITEM: ACTION ITEM**18. CONSIDER ADOPTION OF DISTRICT POSITION ON PENDING STATE LEGISLATION FOR 2024-25**

Meeting Date:	May 20, 2024	Budgeted:	No
From:	David J. Stoldt General Manager	Program/ Line Item:	N/A N/A
Prepared By:	David J. Stoldt	Cost Estimate:	N/A

General Counsel Review: N/A**Committee Recommendation: The Legislative Advocacy Committee met on April 24, 2024 and provided general direction to support the positions provided below.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines section 15378.**

SUMMARY: The Legislative Advocacy Committee met on April 24, 2024 to discuss State and Federal legislation that is being tracked by the District. With respect to several State bills, the District has interest in a few bills in particular due to subject matter or sponsoring legislator. The following bills are highlighted for the Board and a particular position is recommended to be adopted by the Board, so that staff may file a letter of support or opposition at the appropriate times. All other bills being tracked are simply recommended as “Follow.”

Aside from holdover (2-year bills), there were over 2600 new introductions this year. The following are some of the new bills that we would like to highlight and consider positions:

- **AB 2257 (Wilson)** - AB 2257 would authorize public agencies to adopt procedures for the submittal and consideration of public comments regarding proposed water or sewer rates or assessments. If an agency elects to adopt exhaustion procedures, a person would be required to timely submit written comments that specify the grounds for alleging that the fees do not comply with Proposition 218 in order to challenge the fees in court. AB 2257 would place new obligations on public agencies during the ratemaking process, by requiring agencies to provide written responses to all comments received before acting on the proposed fees. AB 2257 would also detail documents that would comprise the administrative record in the event of litigation.

AB 2257 would build upon Proposition 218’s existing procedural requirements by creating a clear and robust mechanism for customers to raise questions, concerns, comments, and criticisms of a proposed rate structure. The agency’s governing body would have the benefit of hearing the evidence, which would include objections and the agency’s responses, and apply its reasoned discretion and expertise. This is especially valuable in ratemaking cases in which evidence and policies are highly technical. The process would serve to foster better-informed administrative decisions, which benefit the objector, the

public agency, and ratepayers that the agency serves. It would also help agencies develop more defensible rates and build rapport and trust with their ratepayers.

****ACWA Sponsored**

Recommended District Position: **Support**

- **AB 2302 (Addis)** - This bill revises and recasts the number of meetings that a member of a legislative body may attend remotely under the provisions of AB 2449. Rather than specifying a percentage of meetings per year, this bill limits the number of meetings as follows:
 - a) Two meetings per year, if the legislative body regularly meets once per month or less.
 - b) Five meetings per year, if the legislative body regularly meets twice per month.
 - c) Seven meetings per year, if the legislative body regularly meets three or more times per month.

This bill also defines a “meeting” under the provisions of AB 2449 as any number of meetings that begin on the same calendar day.

****City of Pismo Beach is the Sponsor. ACWA and CMUA in support.**

Recommended District Position: **Support**

- **AB 2561 (McKinnor)** - Would require each public agency with bargaining unit vacancy rates exceeding 10% for more than 90 days within the past 180 days to meet and confer with a representative of the recognized employee organization to produce, publish, and implement a plan consisting of specified components to fill all vacant positions within the subsequent 180 days. The bill would require the public agency to present this plan during a public hearing to the governing legislative body and to publish the plan on its internet website for public review for at least one year.

**** Labor vs. Counties and CMUA**

Recommended District Position: **Oppose**

- **SB 1188 (Laird)** - SB 1188 would require the State Water Board to develop and adopt minimum standards of TMF capacity for small water systems with less than 10,000 connections. Small water systems would be required to demonstrate compliance with the TMF standards within two years of adoption. Further, the bill would prohibit the state from providing funding to a small PWS if minimum standards are not met. The bill grants exceptions for: an urgent need to ensure the supply of safe drinking water; the public system develops a plan, with Water Board approval, to come into compliance with the minimum standards; or a consolidation proceeding is initiated with another public water system that has sufficient TMF capacity.

****CMUA Opposed**

Recommended District Position: **None**

- **SB 1210 (Skinner)** – This bill would require utilities to post the following information for new housing construction on their websites:
 - ✓ Amount of any charge issued for a connection, capacity charge, or other point of connection charge by housing unit’s address; and
 - ✓ The schedule of fees for a service connection, capacity charge, or other point of connection charge.

Additionally, utilities must ensure their websites allow an applicant for a service connection to new housing construction to:

- ✓ Track where the applicant is at in the queue for service connection; and
- ✓ Receive a reasonable estimate regarding when the utility will complete the applicant’s service connection.

SB 1210 defines utility to include private electrical, gas, sewer, and water corporations. It also includes the following publicly owned utilities:

- ✓ A municipality or municipal corporation operating as a public utility;
- ✓ A municipal utility district;
- ✓ A public utility district;
- ✓ An irrigation district; and
- ✓ A joint powers authority that includes one or more of the above entities that owns or operates electrical, gas, water, or sewer facilities or services.

****ACWA Opposes**

Recommended District Position: **No Position**

- **SB 1440 (Laird)** - Current law requires the regional boards to undertake reasonable efforts to identify dischargers of stormwater that have not obtained an appropriate permit. Current law requires the state board, on or before December 31, to annually prepare a report that includes, among other things, a list of persons notified of their duty to comply with applicable stormwater permits and a description of the responses received to those notifications. This bill would require the annual report to additionally include a description of reasonable efforts undertaken by regional boards to identify dischargers of stormwater that have not obtained coverage under an appropriate stormwater permit.

Recommend District Position: **No Position**

RECOMMENDATION: The Legislative Advocacy Committee recommends the Board adopt the positions as shown and direct the General Manager to participate in supporting or opposing as needed.

EXHIBITS

None

ITEM: ACTION ITEM**19. CONSIDER ADOPTION OF DISTRICT STRATEGIC GOALS AND OBJECTIVES FOR 2024****Meeting Date: May 20, 2024 Budgeted: N/A****From: David J. Stoldt, General Manager Program/ Line Item No.: N/A****Prepared By: David J. Stoldt Cost Estimate: N/A****General Counsel Review: N/A****Committee Recommendation: N/A****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY: The Board met on May 2nd in a workshop setting at Asilomar conference center, where strategic goals were discussed. The meeting was facilitated by the General Manager, General Counsel, and the Board Clerk. One member of the public attended.

The Board undertook the following:

- Reviewed the goal-setting process; Definitions of “goal” v “objective”; Reviewed the “SMART” criteria for objectives (“SMART”: Specific, Measurable, Achievable, Realistic, Time).
- Summarized recent year goals.
- Directors anonymously identified “Top 3” goals for calendar year, “Top 2” longer-term goals; Results were compiled and posted.
- Discussion ensued – Key Questions:
 - a. Do we think similarly or are there differences?
 - b. What’s missing? Too many?
 - c. What should be long-term versus near-term?
 - d. Can we rank priority?
- Objectives were developed making sure there is no duplication of goals and objectives; objectives are clear and meet the SMART criteria; and objectives are properly aligned with goals.
- The Directors agreed to goals for the District to focus on; Directors agreed to objectives under each goal that are appropriate and have realistic timelines.

- The General Manager was asked to clean up the list of agreed upon goals and objectives and prepare an exhibit for subsequent Board adoption.

Exhibit 19-A summarizes the recommended Strategic Goals and Objectives for 2024.

EXHIBIT

19-A Recommended Strategic Goals and Objectives for 2024

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EXHIBIT 19-A

Monterey Peninsula Water Management District
2024 Strategic Goals and Objectives

Near-Term Goals (1-Year)

Goal #1: Continue planning and implementation for protecting and increasing water supply*Objectives:*

- Partner with Monterey One Water to ensure completion and funding of Pure Water Monterey Expansion in 2025.
- Allocate of a portion new supply to the jurisdictions by end of 2024.
- Engage State Water Board on lifting of Cease and Desist Order (CDO) & moratorium on new meters beginning by January 2025.
- Engage more with Marina Coast Water District and Watermaster on Seaside Basin issues.
- Maintain focus on long-term supply and demand issues to inform additional water supply needs.

Goal #2: Implementation of the public’s ownership of Monterey Water System as directed by the voters*Objectives:*

- Pursue “bench trial” on the public “right to take”, including discovery and due diligence.
- Expand public outreach, including press releases upon milestones; regular updates from District Counsel.
- Contingency and mitigation planning if “right to take” proceeding is interrupted.
- Plan for financing, rates, staffing, and operations.

Goal #3: Improve public engagement and maintain leadership role on water issues*Objectives:*

- Be the knowledgeable source for reliable information on supply, demand, drought, and other local water issues needed by public, media, and regulators.
- Continue to raise the District’s profile and instill public trust.
- Support objectives of public’s acquisition of Monterey Water System through public outreach.
- Better publicize environmental activities of the District.
- Coordinate/Communicate w/ other water management agencies on a regional basis.
- Explore new avenues of public engagement, such as social media or “town hall” meetings.

Goal #4: Pursue effective environmental stewardship, especially in consideration of climate change*Objectives:*

- Review Carmel River mitigation program requirements and provide guidance for going forward.
- Monitor follow-up to Los Padres Dam & Reservoir Alternatives study; Balance environmental and ratepayer impacts.
- Add climate change/climate action to District planning functions.
- Consider sustainability actions or projects the District can undertake internally.

Goal #5: Protect, enhance and maintain District's financial health*Objectives:*

- Ensure fiscal stability in support of litigation activities, Pure Water Monterey reserve accumulation, election expenses, other.
- Regularly report on exposure, risk policy, grants.
- Annually review reserve policy and potential reductions in revenue collections.
- Maintain GFOA award and CSDA transparency certificate of compliance.
- Continue to develop strategy for PERS and OPEB liabilities in budget planning.

Goal #6: Implement organizational changes to strengthen District management*Objectives:*

- Create job description and hire Assistant General Manager.
- Prepare for new reporting standards and existing data needs.
- Evaluate succession planning needs.
- Evaluate change in District policies to maintain and lure talented employees.
- Negotiate labor agreements.

Longer-Term Goals (2-3 Years)

Goal #7: Recognize the longer-term goals and objectives that arise from near-term goals

Objectives:

- Maintain focus on long-term supply and demand issues to inform additional water supply needs.
- Prepare for requirements of valuation trial for public's ownership of the Monterey Water System.
- Implement changes to Carmel River mitigation program requirements.
- Add climate change/climate action to District planning functions.
- Monitor fiscal stability of District, establish reserve policy, review revenue collections, and plan for liabilities.

ITEM: ACTION ITEM**20. CONSIDER ADOPTION OF AGREEMENT FOR TAXING ENTITY COMPENSATION**

Meeting Date:	May 20, 2024	Budgeted:	No
From:	David J. Stoldt General Manager	Program/ Line Item:	N/A N/A
Prepared By:	David J. Stoldt	Cost Estimate:	N/A

General Counsel Review: N/A**Committee Recommendation: N/A****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines section 15378.**

SUMMARY: Pursuant to AB X1 26 the Redevelopment Agency of the City of Seaside was dissolved as of February 1, 2012, and the Successor Agency to the Redevelopment Agency of the City of Seaside (“Successor Agency”) was established, and an oversight board to the Successor Agency was established, which was subsequently replaced by a countywide oversight board.

Pursuant to California Health and Safety Code (“HSC”) Section 34191.5, the Successor Agency prepared a Long-Range Property Management Plan (“LRPMP”) addressing the disposition of the real property assets of the Former Agency. On May 11 2015, the LRPMP was approved by Resolution No.14-03 of the Oversight Board and by letter dated May 29, 2015, the State Department of Finance approved the LRPMP, as revised. Accordingly, the properties identified in the LRPMP were transferred to the Community Redevelopment Property Trust Fund of the Successor Agency.

The LRPMP provides, among other things, that the Successor Agency will transfer the Future Development Properties to the City of Seaside for future development, subject to entering into the Agreement with the Taxing Entities for the distribution of the net unrestricted proceeds received from the sale of such properties (attached as **Exhibit 20-A**).

The Net Unrestricted Proceeds from the sale of the Future Development Properties (other than the Monterey County Courthouse Site and Fire Station Property) will be distributed to all of the affected Taxing Entities on a pro rata basis in proportion to each Taxing Entity’s respective share of the property tax base at the time of a sale. The Parties desire to enter into this Agreement to, among other things, (i) approve the “no cost conveyance” and transfer of the Monterey County Courthouse Site to the State of California, (ii) set forth the terms under which City may retain the Fire Station Property for its own use and development, and (iii) set forth the terms under which the Net Unrestricted Proceeds from the sale of the remaining Future Development Properties will be distributed to all Taxing Entities on a pro rata basis in proportion to each entity’s respective share of the property tax base.

RECOMMENDATION: The General Manager recommends the Board adopt the Agreement for Taxing Entity Compensation and direct the General Manager to sign on behalf of the District.

EXHIBIT

20-A Draft Agreement for Taxing Entity Compensation

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DRAFT

AGREEMENT FOR TAXING ENTITY COMPENSATION

This AGREEMENT FOR TAXING ENTITY COMPENSATION (this “Agreement”, which is a so-called “compensation agreement under Health and Safety Code Section 34180(f)”, dated for reference purposes as of _____, 2024, is entered into by and among the City of Seaside (“City”) and the following public agencies (the City and the public agencies are each a “Taxing Entity” or “Party”, and collectively the “Taxing Entities” or “Parties”):

County General Fund
 County Library
 Monterey County Water Resources Agency
 Monterey County Water Resources Agency, Zone 11
 Monterey Peninsula Water Management District
 Monterey Peninsula Regional Parks
 North Salinas Valley Mosquito Abatement District
 Moss Landing Harbor District
 Seaside County Sanitation District
 Monterey County Office of Education
 Monterey Peninsula Unified School District
 Monterey Peninsula Community College
 ERAF

RECITALS:

A. Pursuant to AB X1 26 (enacted in June 2011), as modified by the California Supreme Court’s decision in *California Redevelopment Association, et al. v. Ana Matosantos, et al.*, 53 Cal.4th 231(2011) (“Matosantos”), the Redevelopment Agency of the City of Seaside (“Former Agency”) was dissolved as of February 1, 2012, the Successor Agency to the Redevelopment Agency of the City of Seaside (“Successor Agency”) was established, and an oversight board to the Successor Agency was established, which was subsequently replaced by a countywide oversight board (each, an “Oversight Board”).

B. On February 1, 2012, pursuant to California Health and Safety Code (“HSC”) Section 34175(b) and the California Supreme Court’s decision in *Matosantos*, the properties of the Former Agency transferred to the control of the Successor Agency by operation of law.

C. Pursuant to HSC Section 34191.5, the Successor Agency prepared a Long-Range Property Management Plan (“LRPMP”) addressing the disposition of the real property assets of the Former Agency. As provided Health and Safety Code section 34191.3, the LRPMP governs and supersedes all other provisions of the Dissolution Act (AB X1 26, as modified and amended) relating to the disposition of the real property assets of the Former Agency.

D. On May 11 2015, the LRPMP was approved by Resolution No.14-03 of the Oversight Board and by letter dated May 29, 2015, the State Department of Finance approved the LRPMP, as revised. Accordingly, the properties identified in the LRPMP, including the Future Development Properties described below, were transferred to the Community Redevelopment Property Trust Fund of the Successor Agency.

E. The following properties (individually, a “Future Development Property” and collectively, the “Future Development Properties”) identified in the LRPMP as properties to be transferred by City for future development are subject to this Agreement:

- General Jim Moore Boulevard and Eucalyptus (Former First Tee Site) [No. 13]
- Lightfighter Drive between First and Second Avenues (The Projects at Main Gate Site APN 031-151-013) [No. 14]
- First Avenue and Lightfighter Drive (Commercial/Recreation Parcel) [No. 15], referred to below as the “Fire Station Property”
- Surplus II Planning Area [No. 16]

F. The LRPMP provides, among other things, that the Successor Agency will transfer the Future Development Properties to the City of Seaside for future development, subject to entering into this Agreement with the Taxing Entities for the distribution of the net unrestricted proceeds received from the sale of such properties.

G. The LRPMP (see page 50) further provides that all land sales revenues received by the Fort Ord Reuse Authority (“FORA”), on the one hand, and the City or Successor Agency on the other, are to be divided equally between FORA and the City or Successor Agency. This division was also set forth in state law and codified in implementation agreements between FORA and the City/Successor Agency.

H. On June 30, 2020, FORA was dissolved and on December 31, 2020, the underlying statutory scheme to split revenues was rescinded. As a result of the dissolution of FORA and elimination of the land sale revenue sharing requirements formerly applicable to FORA and the City and its Successor Agency, there will be a potential increase in the net unrestricted proceeds available to Taxing Entities from the sale of Fort Ord related Future Development Properties.

I. In 2019, following the State Department of Finance’s approval of the LRPMP, the State Legislature enacted Assembly Bill 1486, which expanded the scope of the State Surplus Land Act (Gov. Code Sections 54220 et. seq.*et seq.*) (“Surplus Land Act”) to require compliance with certain procedures before a City, Successor Agency or other local agency may dispose of land not needed for the local agency’s use. The Surplus Land Act amendments apply to, among other properties, former redevelopment agency lands conveyed by successor agencies to cities for future development. The new Surplus Land Act procedural requirements, which were not contemplated by the LRPMP, require formal findings by a local agency’s legislative body declaring land as surplus or exempt surplus, the transmittal of notices of availability to designated housing sponsors and public agencies with jurisdiction over land designated as surplus, and good faith negotiations if entities express interest in purchasing and developing the surplus land, including for affordable housing purposes.

J. Subject to compliance with requirements of State law, including the Surplus Land Act as amended, the Net Unrestricted Proceeds (as defined herein) from the sale of the above-referenced Future Development Properties (other than the Monterey County Courthouse Site and

Fire Station Property discussed below) will be distributed to all of the affected Taxing Entities on a pro rata basis in proportion to each Taxing Entity's respective share of the property tax base at the time of a sale of the applicable Future Development Property. As set forth in the LRPMP, the calculation of the Net Unrestricted Proceeds will take into account the transaction costs incurred by the City in marketing the Future Development Property, and processing the sale or lease, as well as the costs incurred by the City in carrying, maintaining, preparing and improving each such property for development, including but not limited to, building demolition or contaminated soils removal.

K. An approximately 5-acre portion of the Future Development Property designated as Projects at Main Gate [No. 14] and depicted in Exhibit A attached hereto ("Monterey County Courthouse Site") has been approved for transfer to the State of California for use as a future Monterey County courthouse. While the transfer of the Monterey County Courthouse Site to the State is a "no cost conveyance", the State's development of that site will increase the residual land value of the remainder of the Projects at Main Gate [No. 14] property and therefore the no cost conveyance to the State will be of benefit to the Taxing Entities.

L. The Future Development Property designated as First Avenue and Lightfighter Drive (Commercial/Recreation Parcel) [No. 15] and described in Exhibit B attached hereto ("Fire Station Property") has been identified as a potential site for a second City of Seaside fire station to support the overall development of Fort Ord lands located within the boundaries of the City. In lieu of transferring the Fire Station Property to one or more third parties for future development, the City desires to retain the Fire Station Property for its own use and development, subject to payment of appropriate compensation to the Taxing Entities as set forth herein.

M. The Parties desire to enter into this Agreement to, among other things, (i) approve the "no cost conveyance" and transfer of the Monterey County Courthouse Site to the State of California, (ii) set forth the terms under which City may retain the Fire Station Property for its own use and development, and (iii) set forth the terms under which the Net Unrestricted Proceeds from the sale of the remaining Future Development Properties will be distributed to all Taxing Entities on a pro rata basis in proportion to each entity's respective share of the property tax base.

NOW THEREFORE, in consideration of the covenants provided herein, and for other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, the Parties hereby agree as follows:

AGREEMENTS:

Section 1. Recitals; Purpose. The above recitals are true and correct and are a substantive part of this Agreement. The purpose of this Agreement is to address the allocation of certain prospective net unrestricted proceeds among the Taxing Entities that share in the property tax base for property located within the redevelopment project areas previously administered by the Former Agency.

Section 2. Future Development Properties Conveyed to City. Pursuant to HSC Section 34191.5(c)(2), the Successor Agency has conveyed, and the City has accepted, all of the interest in and to the Future Development Properties.

Section 3. Portion of Parcel No. 14 to be Conveyed at No Cost to State of California.

The Parties acknowledge and agree that development of a courthouse at the Monterey County Courthouse Site will increase the residual land value of the remainder of the Projects at Main Gate [No. 14] property and, therefore, the City's "no cost conveyance" of the Monterey County Courthouse Site to the State is of benefit to the Taxing Entities.

Section 4. Parcel No. 15 to be Retained by City. In consideration of the City's distribution to the Taxing Entities through the Auditor Controller of the sum of \$0, ("Fire Station Property Payment"), which amount the Parties agree represents the current fair market value of the Fire Station Property, the Successor Agency shall convey, and the City shall accept, for its own use and development, all of the right, title and interest in and to the Fire Station Property. The Fire Station Property Payment will be distributed to all of the Taxing Entities on a pro rata basis in proportion to each entity's respective share of the property tax base as of the Effective Date. City shall pay the Fire Station Property Payment to the County Auditor Controller within thirty (30) days following the Effective Date. For avoidance of doubt, upon County Auditor Controller's receipt of the Fire Station Property Payment, City shall have no further obligation to market the Fire Station Property for sale or lease to third parties and, in the event City ever sells or leases the Fire Station Property to one or more third parties for other uses in the future, all proceeds of such sale or lease may be retained by City, and the other Taxing Entities shall not be entitled to any portion of such proceeds.

Section 5. Sale Procedures and Proceeds. The Parties acknowledge that the City is obligated to convey the Future Development Properties for development consistent with the City of Seaside General Plan and the applicable Redevelopment Plan as adopted by the Former Agency (collectively, the "Plans"). Within a time frame determined by the City to yield a financially feasible and marketable development, and in accordance with the restrictions set forth herein, including compliance with the Surplus Land Act, the City shall use diligent good faith efforts to select a developer for each Future Development Property (other than the portion of Parcel No. 14 comprising the Monterey County Courthouse Site and the Parcel No. 15 Fire Station Property addressed in Sections 3 and 4 above), and to dispose of each such Future Development Property in accordance with a purchase and sale agreement or disposition and development agreement that enables development of each such property in accordance with the Plans.

Section 6. Compensation. Consistent with the LRPMP, City will remit the Net Unrestricted Proceeds (defined below), if any, generated from the sale of each Future Development Property (other than the portion of Parcel No. 14 comprising the Monterey County Courthouse Site and the Parcel No. 15 Fire Station Property addressed in Sections 3 and 4 above) to the County Auditor-Controller for distribution to the Taxing Entities in accordance with each Taxing Entity's respective share of the property tax base at the time of disposition of such property. For purposes of this Agreement "Net Unrestricted Proceeds" shall mean the proceeds of sale received by the City from the sale of each Future Development Property (other than the portion of Parcel No. 14 comprising the Monterey County Courthouse Site and the Parcel No. 15 Fire Station Property addressed in Sections 3 and 4 above) less: (i) costs and expenses incurred by City in connection with the management and disposition of such property, including, without limitation, costs incurred for property management, maintenance, building demolition, hazardous materials remediation, insurance, marketing, appraisals, brokers' fees, escrow and survey charges, closing costs, title insurance, attorneys' and consultants' fees, and other reasonable costs incurred,

including reasonable compensation for City staff performing functions associated with the management, maintenance and disposition of the Future Development Properties, and (ii) any proceeds of sale that are restricted by virtue of the source of funds (e.g. grant funds or the proceeds of bonds) that were used for the original acquisition of one or more of the Future Development Properties.

The City will remit the Net Unrestricted Proceeds within ten (10) business days of the City's receipt thereof to the County Auditor-Controller for remittance by the Auditor-Controller to the Taxing Entities in proportion to their shares of the base property tax as determined pursuant to HSC Section 34188 at the time of the payment; provided that if the County Auditor-Controller notifies the City to remit payments directly to the Taxing Entities, the City will make payments to the Taxing Entities in proportion to their shares of the base property tax as determined by the Auditor-Controller pursuant to HSC Section 34188 by check delivered to their addresses listed on their respective signature pages hereof. The Taxing Entities and their respective percentage shares of the base property tax as of January 1, 2024, are listed in Exhibit C attached hereto and incorporated herein.

Section 7. Effective Date. The effective date of this Agreement will be the date that all of the Parties have executed this Agreement.

Section 8. Authorization. Each Party warrants that the individuals who have signed this Agreement have the legal power, right, and authority to make this Agreement and to bind each respective Party. In addition:

(a) The County of Monterey ("County") warrants that in addition to entering into this Agreement by and on behalf of the County, the County has the legal power, right, and authority to enter into this Agreement on behalf of, and to bind, the County General Fund (Fund No. 19000) and the County Library (Fund No. 19500);

(b) The Monterey County Office of Education ("MCOE") warrants that in addition to entering into this Agreement by and on behalf of MCOE, the MCOE has the legal power, right, and authority to enter into this Agreement on behalf of, and to bind, the ERAF (Fund No. 01700); and

(c) The Monterey County Water Resources Agency ("MCWRA") warrants that in addition to entering into this Agreement by and on behalf of MCWRA, MCWRA has the legal power, right, and authority to enter into this Agreement on behalf of, and to bind, the Monterey County Water Resources Agency, Zone 11 (Fund No. 3800).

Section 9. No Personal Liability. No official, agent, or employee of any Party shall be individually or personally liable for any amount which may become due under this Agreement or on any obligations under the terms of this Agreement.

Section 10. Assignment. This Agreement shall not be assignable by any Party without the prior written consent of the other Parties.

Section 11. Counterparts; Electronic Signatures. This Agreement may be executed in any number of counterparts and each of such counterparts shall for all purposes be deemed to be

an original, and all such counterparts shall together constitute but one and the same Agreement. The Parties agree that signatures on this Agreement, including those transmitted electronically by email or facsimile, shall be sufficient to bind the Parties.

Section 12. Further Assurances. The Parties agree to take all appropriate steps and execute any documents which may reasonably be necessary or convenient to implement the intent of this Agreement.

Section 13. Notices. All notices and other communications shall be given or made in writing by certified mail, postage prepaid, return receipt requested, or by nationally recognized overnight messenger service. Notices shall be considered given upon (i) one business day following timely deposit with a nationally recognized overnight courier service, charges prepaid, or (ii) five business days after deposit in the United States mail, postage prepaid, certified or registered, return receipt requested. Notices shall be addressed as specified on the signature pages of this Agreement, provided that if a Party gives notice of a change of name or address, notices to such Party shall thereafter be given as specified in that notice.

Section 14. Severability. If one or more of the covenants or agreements provided in this Agreement should be determined by a court of competent jurisdiction to be contrary to law, such covenant or agreement shall be deemed and construed to be severable from the remaining covenants and agreements herein contained and shall in no way affect the validity of the remaining provisions of this Agreement.

Section 15. Construction. The Parties agree that each Party and its counsel have reviewed this Agreement and that any rule of construction to the effect that ambiguities are to be resolved against the drafting Party shall not apply in the interpretation of this Agreement or any amendments or exhibits thereto. This Agreement shall be construed as a whole according to its fair language and common meaning to achieve the objectives and purposes of the Parties.

Section 16. No Third Party Beneficiaries. This Agreement is made and entered into for the sole protection and benefit of the Parties and their successors and assigns. No other person shall have any right of action based upon any provision of this Agreement.

Section 17. Governing Law. This Agreement is made in the State of California under the Constitution and laws of the State of California, and is to be so construed.

Section 18. Amendments. This Agreement may be amended from time to time by written instrument executed by all of the Parties, provided, however, if an amendment only affects a particular Taxing Entity or Taxing Entities, this Agreement may be amended by written instrument executed by the City and the particular Taxing Entity or Taxing Entities affected by the amendment.

[Signatures begin on next page]

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their duly authorized representatives.

City of Seaside

By: _____

Print Name: _____

Title: _____

Attest by: _____

City Clerk

Approved as to form:

Address for Notices:

City of Seaside
440 Harcourt Avenue
Seaside, CA 93995
Attn: City Manager

The undersigned authorized signature hereby executes this Agreement on behalf of the County of Monterey, the County General Fund and the County General Library.

By: _____

Print Name: _____

Title: _____

Attest by: _____

Approved as to form:

County Counsel

Address for Notices:

The undersigned authorized signature hereby executes this Agreement on behalf of the Monterey County Water Resources Agency and Monterey County Water Resources Agency, Zone 11.

By: _____

Print Name: _____

Title: _____

Attest by: _____

Approved as to form:

Address for Notices:

Monterey Peninsula Water Management District

By: _____

Print Name: _____

Title: _____

Attest by: _____

Approved as to form:

Address for Notices:

Monterey Peninsula Regional Parks

By: _____

Print Name: _____

Title: _____

Attest by: _____

Approved as to form:

Address for Notices:

Monterey County Mosquito Abatement District

By: _____

Print Name: _____

Title: _____

Attest by: _____

Approved as to form:

Address for Notices:

Moss Landing Harbor District

By: _____

Print Name: _____

Title: _____

Attest by: _____

Approved as to form:

Address for Notices:

Seaside County Sanitation District

By: _____

Print Name: _____

Title: _____

Attest by: _____

Approved as to form:

Address for Notices:

The undersigned authorized signature hereby executes this Agreement on behalf of the Monterey County Office of Education and ERAF.

By: _____

Print Name: _____

Title: _____

Attest by: _____

Approved as to form:

Address for Notices:

Monterey Peninsula Unified School District

By: _____

Print Name: _____

Title: _____

Attest by: _____

Approved as to form:

Address for Notices:

Monterey Peninsula Community College

By: _____

Print Name: _____

Title: _____

Attest by: _____

Approved as to form:

Address for Notices:

EXHIBIT A

Diagram Depicting Monterey County Courthouse Site

To be inserted

EXHIBIT B

Fire Station Property Legal Description

To be inserted

EXHIBIT C**Taxing Entities and Their Existing Percentage Shares*
(as of January 1, 2024)**

<u>Code</u>	<u>Name</u>	<u>Percentage of Revenues</u>
19000	County General Fund	0.135367
19500	County Library	0.015929
21000	City of Seaside	0.210579
37000	Monterey County Water Resources Agency	0.000883
38000	Monterey County Water Resources Agency, Zone 11	0.000137
43500	Monterey Peninsula Water Management District	0.004929
44600	Monterey Peninsula Regional Parks	0.003197
47300	Monterey County Mosquito Abatement District	0.004814
47400	Moss Landing Harbor District	0.000000
48000	Seaside County Sanitation District	0.015160
25300	Monterey County Office of Education	0.024666
27400	Monterey Peninsula Unified School District	0.405155
27800	Monterey Peninsula Community College	0.043754
01700	ERAF	0.135430
		<u>1.000000</u>

*The distribution/allocation will be based on the Taxing Entities proportionate share of the base property tax in the year property is sold, which is subject to change from what is listed in Exhibit C as of January 1, 2024.

ITEM: INFORMATIONAL ITEM/STAFF REPORT**21. REPORT ON ACTIVITY/PROGRESS ON CONTRACTS OVER \$25,000****Meeting Date: May 20, 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 May 13, 2024.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY: Attached for review as **Exhibit 21-A** is a monthly status report on contracts over \$25,000 for the period March 2024. This status report is provided for information only, no action is required.

EXHIBIT**21-A Status on District Open Contracts (over \$25k)**

EXHIBIT 21-A

**Monterey Peninsula Water Management District
Status on District Open Contracts (over \$25K)
For The Period March 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	\$ 80,587.50	\$ 60,900.00	\$ 19,687.50	\$ 80,587.50	Current period billing for audit services	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	\$ 15,332.94	\$ 6,780.13	\$ 22,113.07	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	\$ 22,125.00	\$ 3,375.00	\$ 25,500.00	Current period billing for GIS services	PO03475
10	DeVeera Inc.	IT Managed Services Contract FY 2023-2024	6/15/2020	\$ 62,500.00	\$ 41,536.00	\$ 5,192.00	\$ 46,728.00	Current period billing for IT managed services	PO03433
11	JEA & Associates	Legislative and Administrative Services	6/20/2023	\$ 40,800.00	\$ 27,200.00	\$ 3,400.00	\$ 30,600.00	Current period retainer billing	PO03412
12	The Ferguson Group LLC	Contract for Legislative Services for FY 2023-2024	6/20/2023	\$ 72,000.00	\$ 48,207.53	\$ 6,000.00	\$ 54,207.53	Current period retainer billing	PO03411
13	Montgomery & Associates	Annual Groundwater Modeling Support	6/20/2023	\$ 55,000.00	\$ -	\$ -	\$ -		PO03408
14	Maggiore Bros. Drilling, Inc	ASR Support from Maggiore 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	\$ 64,100.00	\$ 7,875.00	\$ 71,975.00	Current period payment for public outreach retainer	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	

Monterey Peninsula Water Management District
Status on District Open Contracts (over \$25K)
For The Period March 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	
25	Telemetrix	Consultant Services for Sleepy Hollow Facility	6/20/2022	\$ 27,060.00	\$ 24,554.64	\$ 24,554.64		PO03121	
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	\$ 43,920.00	\$ 35,136.00	\$ 2,196.00	\$ 37,332.00	Current period billing for IT backup services	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	\$ 521,041.50	\$ 57,946.40	\$ 578,987.90	Current period IRWM Grant reimbursement	PO02948
32	Montgomery & Associates	Annual Groundwater Modeling support	11/15/2021	\$ 50,000.00	\$ 44,122.00	\$ 1,229.00	\$ 45,351.00	Current period billing for groundwater modeling support	PO02849
33	DUDEK	Grant administration services for the Proposition 1 IRWM Implementation	12/14/2020	\$ 114,960.00	\$ 51,387.50	\$ 51,387.50		PO02847	
34	Shute, Mihaly & Weinberger LLP	Measure J LAFCO Litigation Legal Services	1/1/2022	\$ 484,000.00	\$ 383,022.44	\$ 32,962.19	\$ 415,984.63	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	\$ 95,951.40	\$ 1,935,602.04	Current period billing for PWM deep injection well 4 related costs	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	\$ 47,195.37	\$ 1,743.62	\$ 48,938.99	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	\$ 244,165.78	\$ 5,260.00	\$ 249,425.78	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	

ITEM: INFORMATIONAL ITEM/STAFF REPORT**22. STATUS REPORT ON SPENDING – PUBLIC’S OWNERSHIP OF MONTEREY WATER SYSTEM**

Meeting Date:	May 20, 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 May 13, 2024.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY: Attached for review as **Exhibit 22-A** is a monthly status report on spending – Public’s Ownership of Monterey Water System for the period March 2024. This status report is provided for information only, no action is required.

EXHIBIT**22-A** Status Report on Spending – Public’s Ownership of Monterey Water System

**Monterey Peninsula Water Management District
 Status on Public's Ownership of Monterey Water System - Phase IV
 Eminent Domain Proceedings through Bench Trial
 Through March 2024**

	Contract	Date Authorized	Authorized Amount	Prior Period Spending	Current Period Spending	Total Expended To Date	Spending Remaining	Project No.
1	Phase IV - Authorization (unallocated)	11/13/2023	\$ 50,000.00	\$ -		\$ -	\$ 50,000.00	
2	Eminent Domain Legal Counsel (Rutan)	12/16/2019	\$ 200,000.00	\$ 23,642.51	\$ 23,007.06	\$ 46,649.57	\$ 153,350.43	PA00009-01
3	Eminent Domain Legal Counsel (SMW)	12/16/2019	\$ 100,000.00	\$ 24,846.69	\$ 32,962.19	\$ 57,808.88	\$ 42,191.12	PA00009-02
4	Financial Services	8/21/2023	\$ 200,000.00	\$ 9,677.50	\$ 2,185.00	\$ 11,862.50	\$ 188,137.50	PA00009-03
5	District Legal Counsel		\$ 70,000.00	\$ 62,466.00	\$ 1,711.00	\$ 64,177.00	\$ 5,823.00	PA00009-05
	Total		\$ 620,000.00	\$ 120,632.70	\$ 59,865.25	\$ 180,497.95	\$ 439,502.05	

**Status on Public's Ownership of Monterey Water System - Phase III
 Appraisal through Resolution of Necessity
 Through October 2023**

	Contract	Date Authorized	Authorized Amount	Prior Period Spending	Current Period Spending	Total Expended To Date	Spending Remaining	Project No.
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
	Total		\$ 675,000.00	\$ 463,445.63	\$ -	\$ 463,445.63	\$ 211,554.37	

Status on Public's Ownership of Monterey Water System - Phase II
EIR & LAFCO Application
Through September 2022

Contract	Date Authorized	Authorized Amount	Prior Period Spending	Current Period Spending	Total Expended To Date	Spending Remaining	Project No.
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
Total		\$ 1,909,000.00	\$ 1,194,244.45	\$ -	\$ 1,194,244.45	\$ 714,755.55	
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	\$ 389,365.52		\$ 389,365.52	\$ 10,634.48	PA00005-16

Status on Public's Ownership of Monterey Water System - Phase I
Financial Feasibility
Through November 2019

	Contract	Date Authorized	Authorized Amount	Prior Period Spending	Current Period Spending	Total Expended To Date	Spending Remaining	Project No.
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
	Total		\$ 650,000.00	\$ 646,578.56	\$ -	\$ 646,578.56	\$ 3,421.44	

ITEM: INFORMATIONAL ITEM/STAFF REPORT**23. LETTERS RECEIVED AND SENT****Meeting Date: May 20, 2024** **Budgeted: N/A****From: David J. Stoldt,
General Manager** **Program/ N/A
Line Item No.:****Prepared By: Sara Reyes** **Cost Estimate: N/A****General Counsel Review: N/A****Committee Recommendation: N/A****CEQA Compliance: This action does not constitute a project as defined by the California
Environmental Quality Act Guidelines Section 15378.**

No letters were sent by or received by the Board Chair or General Manager between April 9, 2024 and May 15, 2024.



EXHIBIT 24-A

Final Minutes Legislative Advocacy Committee of the Monterey Peninsula Water Management District Wednesday, June 28, 2023

The meeting was conducted via Teleconference - by Zoom.

Call to Order

Chair Paull called the meeting to order at 2:00 p.m.

Committee members present: Karen Paull, Chair
Mary Adams
Alvin Edwards (Alternate) left the meeting at 2:10 p.m.

Committee members absent: Ian Oglesby (arrived at 2:10 p.m.)

Staff members present: David J. Stoldt, General Manager
Sara Reyes, Sr. Office Specialist

District Counsel present: Fran Farina with De Lay and Laredo

Legislative Consultant: John Arriaga, JEA & Associates
Laurie Johnson, JEA & Associates
Roger Gwinn, The Ferguson Group
Chris Kearney, The Ferguson Group
Chris Cummins, The Ferguson Group

Comments from the Public: No comments were directed to the committee.

Action Items

1. Consider Adoption of the October 19, 2022 and March 9, 2023 Committee Meeting Minutes

Chair Paull introduced the matter.

Opened Public Comment; no comments were directed to the Committee.

A motion was offered by Adams with a second from Edwards to approve the October 19, 2022, and March 9, 2023 Committee meeting minutes. The motion passed on a roll-call vote of 3-Ayes (Paull, Edwards and Adams), 0-Noes and 0-Absent.

Discussion Items

2. Report from The Ferguson Group on Federal Legislative and Regulatory Activities

Roger Gwinn, The Ferguson Group provided a brief overview of Exhibit 2-A: Quarterly Legislative

Report and answered questions from the committee. He made the following points to include, but are not limited to:

- a. Fiscal Year 2024 Appropriations is now underway which includes consideration of the District's request for an allocation of \$2.15 million dollars for a group of projects under the title of Monterey Peninsula Stormwater Diversion and Recycling Program. This funding was secured last year by Congressman Panetta on behalf of the District in the Water Resources Development Act of 2022.
- b. To assist with moving the process forward in the Senate Committee on Appropriations, the District, The Ferguson Group, the former Chief Counsel for the Corps of Engineers Earl Stockdale and the former Corps headquarters lead for the South Pacific Division Bradd Schwichtenberg, had a meeting with the Corp at the San Francisco District office to brief them on the project and the District's desire to partner with the Corp on projects to address the water supply needs on the Peninsula.

David Stoldt reported that a change of command occurred on June 23, 2023, with Lt. Colonel Kevin P. Arnett, Commander, San Francisco District who is ascending to the South Pacific Region. Lt. Colonel Timothy Shebesta will be the new Commander. Stoldt referenced the draft letter shown as Exhibit 2-B which was formalized and sent to Lt. Colonel Timothy Shebesta on Monday, June 26. The Lt. Colonel responded to the letter and stated he looks forward to meeting and working with the District on this project. Stoldt also stated that the request through Senator Padilla's office is geared toward stormwater diversion into the Pure Water Monterey Project and he is optimistic about securing assistance.

- c. On June 6, 2023 a letter was sent from the District to Senator Feinstein in support of her water legislation (STREAM Act). The bill provides additional authority for water reuse for water recycling as well as groundwater recharge and storage projects under Title XVI.

General Manager Stoldt reported that in May 2023, he, staff from Monterey One Water and Mark Limbaugh with The Ferguson Group, attended a meeting during the ACWA conference and met with persons responsible for awarding grant money related to the Pure Water Monterey Expansion project.

Chris Kearney, The Ferguson Group provided a brief report and made the following points to include, but are not limited to:

- The Senate Energy Natural Resources Committee will likely hold a hearing on Western Water bills in mid-July however the STREAM Act is not technically eligible under this process but it could potentially be presented as an amendment
- As part of the Debt Ceiling Bill there were efforts to put forward some permitting reform at provisions related to the National Environmental Policy Act (NEPA) and aimed at streamlining paperwork and the permitting process
- Endangered Species Act (ESA) Reform: The Biden administration announced a regulatory package consisting of three separate rules jointly by the National Marine Fisheries Service and the U.S. Fish & Wildlife Service to include the following proposals (1) removing economic considerations from listing a species and limiting it to just essentially the best available science and commercial impacts, (2) equal treatment of endangered and threatened species.
- Treasury Guidance on Accessing Clean Energy Tax Credits Released: The Inflation Reduction Act (IRA) created two new credit payments that would enable special districts to take advantage of clean energy tax credits.

Chris Cummins, The Ferguson Group provided a brief overview on the Legislative Bill Tracker and made the following points to include, but are not limited to:

- HR872: Federally Integrated Species Health Act which works to consolidate a lot of the regulations that Chris Kearney spoke about previously with respect to the Fish and Wildlife Service
- HR215 Water for California Act: Opportunity for streamlining operations and expanding water storage and infrastructure and serves to increase accountability
- S188 Wildfire Emergency Act of 2023: Opportunity to assist with some watershed clean up through the implementation of landscape for its restoration projects
- HR186 Water Supply Permitting Coordination Act: Provides permitting process to streamline construction of new water storage projects

3. Report from JEA & Associates

John Arriaga provided introductory remarks and reported starting Thursday, June 29, Assemblymember Rivas will take over as speaker for the California Assembly.

Laurie Johnson provided an overview of Exhibit 3-A: JEA & Associates Memo dated June 28, 2023, which provided updates on:

- Budget
- Legislative
- Sacramento Visits
- SWRCB

She also briefly reviewed Exhibit 3-B: Legislative Tracker and noted the State Water Research Control Board has been given more authority to research and possibly revise the State's water rights, but that this would be a lengthy process with many factors involved. She briefly discussed other areas of the Legislative Tracker and answered questions from the Committee.

4. Report from General Manager on Recent or Upcoming Legislative Actions

General Manager Stoldt reported:

- Met with Assemblymember Addis on May 23, 2023 and referenced information shared with her as seen on pages 50-51 of the meeting packet titled Urban Water Suppliers / Assembly District 30 and Key Water Supply Issues / Assembly District 30
- Sent letter to Assemblymember Addis to express the District's opposition to AB 1337 and AB 460 and presented Water-Related Bills and their impact on Central Coast Communities
- Met with Senator Laird on May 23, 2023 and presented Water-Related Bills with Impacts on Central Coast Communities or MPWMD and presented a proposal for 2023 legislation on behalf of the District which would allow the Cease and Desist Order (CDO) to not be enforced on new connections for housing
- Met with the primary enforcement official of the CDO about the District's desire with or without California American Water (CalAm), to start the process of having the CDO lifted

Other Items

5. Suggest Items to Place on a Future Committee Agenda

Chair Paull requested an update on the status of lifting the CDO

Adjournment:

There being no further business, Chair Paull adjourned the meeting at 3:21 p.m.

/ s/ Sara C. Reyes

Sara C. Reyes, Committee Clerk to the
MPWMD Legislative Advocacy Committee

Approved by the MPWMD Legislative Advocacy Committee on January 24, 2024
Received by the MPWMD Board of Director's on May 20, 2024

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EXHIBIT 24-B

Final Minutes Legislative Advocacy Committee of the Monterey Peninsula Water Management District Wednesday, January 24, 2024

The meeting was conducted via Teleconference - by Zoom.

Call to Order

Chair Adams called the meeting to order at 3:01 p.m.

Committee members present:

Mary Adams, Chair
Ian Oglesby
Alvin Edwards

Committee members absent:

None

Staff members present:

David J. Stoldt, General Manager
Sara Reyes, Sr. Office Specialist

District Counsel present:

David Laredo with De Lay and Laredo

Legislative Consultant:

John Arriaga, JEA & Associates
Laurie Johnson, JEA & Associates
Roger Gwinn, The Ferguson Group
Chris Kearney, The Ferguson Group
Chris Cummins, The Ferguson Group

Comments from the Public:

No comments were directed to the committee.

Action Items

1. Consider Adoption of the June 28, 2023 Committee Meeting Minutes

Chair Adams introduced the matter and opened public comment; no comments were directed to the committee.

A motion was offered by Director Edwards with a second from Director Adams to approve the June 28, 2023 Committee meeting minutes. The motion passed on a roll-call vote of 2-Ayes (Edwards and Adams), 0-Noes and 1-Abstention (Oglesby).

Discussion Items

2. Report from The Ferguson Group on Federal Legislative and Regulatory Activities

General Manager Stoldt introduced the matter and introduced Roger Gwinn from The Ferguson Group. Mr. Stoldt reported that Mr. Gwinn is attempting to establish appointments in Washington

D.C. with various representatives during the ACWA conference at the end of February 2024, which will be attended by Directors Anderson and Adams and David Stoldt.

Roger Gwinn made the following points to include, but are not limited to:

- Brief overview of matters in the House of Representatives and Senate
- FY 2024 Federal Funding
- Monterey Peninsula Stormwater Diversion and Recycling Project
- FY Appropriations for MPWMD
- FY 2025 Outlook
- 2024 Federal WaterSMART Grant Opportunities
- Water Resources Development Act of 2024
- Other Authorizing Legislation-Legislative Tracker

Chris Cummins with The Ferguson Group made the following points to include, but are not limited to:

- Authorizing Legislation -- STREAM Act Light
- Legislative Tracker Highlights --
 - WATER for California Act Working to Advance Tangible and Effective Reforms for California Act
 - Water Conservation and Farming Act
 - Coastal Habitat Conservation Act of 2023

3. Report from JEA & Associates

John Arriaga provided introductory remarks and made the following points to include, but are not limited to:

- Legislators returned on January 3, 2024 with a busy schedule dealing with legislation and issues that carried over from the previous year
- Speaker Robert Rivas is beginning his first full year as Speaker and has made numerous changes within various committees on the Assembly
- Senator McGuire will be serving beginning February 5, 2024
- Governor Newsom rolled out his proposed budget on January 10, 2024
- MPWMD's proposed legislation authority to sell water and retail

Laurie Johnson made the following points to include, but are not limited to:

- Highlighted aspects of Governor Newsom's budget proposal
 - Budget Resilience
 - Belt Tightening
 - Fund Shifts
 - Delays and Deferrals

Other Updates:

- New bills must be introduced by February 16, 2024
- Two water/climate bond bills (AB 1567 and SB 867)
- Bill of interest to the District (AB 1572)

4. Report from General Manager on Recent or Upcoming Legislative Actions

General Manager Stoldt engaged in discussion on various topics with The Ferguson Group and JEA & Associates. Mr. Stoldt reported he will be attending an ACWA conference in Sacramento May 7-9, 2024, and hopes to meet with the State Water Board to request lifting the Cease and Desist Order.

Other Items

5. Suggest Items to Place on a Future Committee Agenda

- Update from meetings attended in Washington DC by Directors Anderson and Adams and General Manager Stoldt

Adjournment:

There being no further business, Chair Adams adjourned the meeting at 4:28 p.m.

/ s/ Sara C. Reyes

Sara C. Reyes, Committee Clerk to the
MPWMD Legislative Advocacy Committee

Approved by the MPWMD Legislative Advocacy Committee on April 24, 2024
Received by the MPWMD Board of Director's on May 20, 2024

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EXHIBIT 24-C

Final Minutes Monterey Peninsula Water Management District Public Outreach Committee Tuesday, February 20, 2024

Call to Order | Roll Call

Chair Eisenhart called the meeting to order at 3:00 p.m.

Committee members present: Marc Eisenhart – Chair
 Amy Anderson
 George Riley

Committee members absent: None

District staff members present: David J. Stoldt, General Manager
 Stephanie Locke, Water Demand Manager
 Phil Wellman, Public Outreach Consultant with WellmanAd
 Sara Reyes, Executive Assistant/Board Clerk

District Counsel Present: David Laredo with De Lay and Laredo

Comments from the Public: Chair Eisenhart opened public comment; *no comments were directed to the committee.*

Action Item

1. **Consider Adoption of August 28, 2023 Committee Meeting Minutes**

Director Eisenhart introduced the matter and opened public comment; *no comments were directed to the committee.*

A motion was made by Anderson with a second by Riley to approve the August 28, 2023, Committee Meeting Minutes. The motion passed on a roll-call vote of 2-Ayes (Anderson and Riley), 0-Noes, and 1-Abstention (Eisenhart).

Discussion Items

2. **Adopt 2024 Public Outreach Committee Meeting Schedule**

Director Eisenhart introduced the matter and opened public comment; *no comments were directed to the committee.* Director Riley offered a motion to adopt the 2024 meeting schedule. Director Anderson seconded the motion. The motion passed on a roll-call vote of 3-Ayes (Riley, Anderson and Eisenhart), 0-Noes, and 0-Absent.

3. **Status of Public Outreach Projects / WellmanAd**

Phil Wellman, Public Outreach Consultant with WellmanAd presented via slide-deck entitled, MPWMD Public Outreach Report / February 20, 2024. A copy of the presentation is available online on the District website and available upon request at the District office. Mr. Wellman covered projects completed to include:

1. Branding Ads in the Monterey County Weekly and Carmel Pinecone to highlight District staff at work
2. Newsletter mailing to highlight and build awareness of ASR staff
3. Social Media to build up followers
4. 2023 Annual Report

Mr. Wellman also provided an update on the District's website redesign project and shared images of the new web pages. Committee discussion ensued.

4. Review Draft of 2023 Annual Report

General Manager Stoldt provided an overview of this item and asked for edits and changes from the committee. Committee discussion ensued.

5. Discuss Delivery Options for Annual Report

General Manager Stoldt presented the matter, provided an overview, and announced Erik Cushman, Publisher for the Monterey County Weekly, was present and would be speaking on this issue. Mr. Cushman discussed various aspects of the Weekly and answered questions from the committee. Committee discussion ensued.

6. Suggest Items to be Placed on a Future Agenda

None

Adjournment

There being no further business, Chair Eisenhart adjourned the meeting at 4:15 p.m.

/s/ Sara Reyes

Sara Reyes, Committee Clerk to the
MPWMD Public Outreach Committee

Approved by the MPWMD Public Outreach Committee on April 29, 2024

Received by the MPWMD Board of Director's on May 20, 2024



EXHIBIT 24-D

**Final Minutes
Water Supply Planning Committee of the
Monterey Peninsula Water Management District
Tuesday, March 5, 2024**

Call to Order:	Chair Paull called the meeting to order at 3:03 p.m.
Committee Members Present:	Karen Paull, Chair Marc Eisenhart
Committee Members Absent:	Mayor Ian Oglesby
Staff Members Present:	David J. Stoldt, General Manager Sara Reyes, Executive Assistant/Board Clerk Jonathan Lear, Water Resources Manager Maureen Hamilton, District Engineer
District Counsel Present:	David Laredo with De Lay & Laredo Michael Laredo with De Lay & Laredo
Comments from the Public:	Chair Paull opened public comment; no comments were directed to the Committee.
Corrections / Additions to the Agenda	None

Action Items

1. Consider Adoption of the January 8, 2024 Committee Meeting Minutes

Chair Paull introduced Item No. 1 and opened public comment; no comments were directed to the Committee.

A motion was offered by Director Paull with a second by Director Eisenhart to accept the January 8, 2024 Committee Meeting minutes. The motion was unanimously passed with 2-Ayes (Paull, and Eisenhart), 0-Noes and 1-Absent.

2. Adopt 2024 Water Supply Planning Committee Meeting Schedule

Chair Paull introduced Item No. 2 and opened public comment; no comments were directed to the Committee.

A motion was offered by Director Paull with a second by Director Eisenhart to adopt the 2024 meeting schedule. The motion was unanimously passed with 2-Ayes (Paull and Eisenhart), 0-Noes and 1-Absent.

Discussion Items

3. Update on Fort Ord Wells Nos. 10 and 11

Jonathan Lear, Water Resources Manager provided a brief overview of this item and stated there are several pathways to go forward for the wells.

- District pays for destroying Fort Ord Well No. 10
- District splits the cost for destroying Fort Ord Well No. 10
- District transfers ownership to Marina Coast Water District

Chair Paull opened public comment; no comments were directed to the Committee.

4. Seaside Groundwater Basin Watermaster Seawater Intrusion Analysis Report Findings

David Stoldt introduced this item and stated that an overview would be presented by Jonathan Lear, Water Resources Manager. Mr. Lear shared excerpts of the report provided by Montgomery & Associates and reported that the full report is available on the Seaside Basin Watermaster web page at

https://seasidebasinwatermaster.org/Other/2023%20Seawater%20Intrusion%20Analysis%20Report_2024_0227_Board_Final_withAppendices.pdf.

Chair Paull opened public comment; *the following comment was directed to the committee:*

- (1) Susan Schiavone asked what consideration is being taken for the anticipated sea level rise and how that would affect the aquifer at the edge of the water. Has there been any consideration for that, and if so, what is it and does the Sand City Desal plant at all affect that area of the aquifer?

5. Discuss Federal Water Resources Development Act (WRDA) Projects

General Manager Stoldt provided a brief overview on the Water Resources Development Act Projects and materials that were developed by the District and shared in Washington DC at the ACWA conference on February 27-29, 2024. Committee discussion followed.

Chair Paull opened public comment; no comments were directed to the Committee.

ADJOURNMENT

1. Chair Paull adjourned the Regular Meeting at 4:27 PM and recessed into Closed Session

Closed Session

- CS 1.** Conference with Real Property Negotiators (Government Code Sections 54954.5(b), 54956.8/
District Representative: David Stoldt / Negotiation Regarding Properties Affected by California American Water Company and Monterey Peninsula Unified School District

General Counsel Laredo reported from the Closed Session and stated that the committee discussed the background of the property, but no action was taken, and therefore there is no further report from the Closed Session.

Suggest Items to be Placed on Future Agendas

None

Adjournment

1. The committee adjourned from Closed Session at 5:05 PM
2. District Counsel Laredo provided a brief update from Closed Session

There being no further business, Chair Paull adjourned the meeting at 5:07 PM.

/s/ Sara Reyes

Sara Reyes, Committee Clerk to the
MPWMD Water Supply Planning Committee

Reviewed and Approved by the MPWMD Water Supply Planning Committee on May 6, 2024.
Received by the MPWMD Board of Directors on May 20, 2024.

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EXHIBIT 24-E

FINAL MINUTES
Monterey Peninsula Water Management District
Finance and Administration Committee
April 8, 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 2:02 PM.

Committee members present: George Riley, Chair
 Alvin Edwards
 Marc Eisenhart (Alternate)

District staff members present: David Stoldt, General Manager
 Nishil Bali, Chief Financial Officer /Administrative Services Manager
 Jonathan Lear, Water Resources Manager
 Maureen Hamilton, District Engineer
 Sara Reyes, Executive Assistant/Board Clerk
 Simona Mossbacher, HR Coordinator/Contract Specialist

District Counsel present: Michael Laredo, DeLay & Laredo

Additions / Corrections to Agenda:

None

Comments from the Public:

None

Action Items:

1. Consider Adoption of March 11, 2024 Committee Meeting Minutes

On a motion by Edwards and second by Riley, the minutes of the March 11, 2024 meeting were approved 2-0 (Edwards and Riley), 0-Noes, and 1 Abstention (Eisenhart).

2. Consider Adoption of Treasurer's Report for February 2024

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

3. Consider Adoption of Revised Purchasing Policy

On a motion by Riley and second by Edwards the Finance and Administration Committee recommended that the Board adopt the proposed Purchasing Policy in place of the existing Purchasing Policy. The motion was unanimously approved 3 – 0.

Informational Items:**4. 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.

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

This item was presented as information to the committee.

Discussion Item:**6. Review Draft April 15, 2024 Special and Regular Board Meeting Agenda**

The committee reviewed and discussed the agenda. No changes were made by the committee.

Adjournment

There being no further business, Chair Riley adjourned the meeting at 3:21 PM.

/s/ Sara Reyes

Sara Reyes, Committee Clerk to the
MPWMD Finance and Administration Committee

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ITEM: INFORMATIONAL ITEM/STAFF REPORT**25. MONTHLY ALLOCATION REPORT**

Meeting Date:	May 20, 2024	Budgeted:	N/A
From:	David J. Stoldt, General Manager	Program:	N/A
		Line Item No.:	
Prepared By:	Gabriela Bravo	Cost Estimate:	N/A

General Counsel Review: N/A**Committee Recommendation: N/A****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines section 15378.**

SUMMARY: As of April 30, 2024, a total of **26.575** acre-feet (**7.8%**) of the Paralta Well Allocation remained available for use by the Jurisdictions. Pre-Paralta water in the amount of **30.501** acre-feet is available to the Jurisdictions, and **28.123** acre-feet is available as public water credits.

Exhibit 25-A shows the amount of water allocated to each Jurisdiction from the Paralta Well Allocation, the quantities permitted in April 2024 (“changes”), and the quantities remaining. The Paralta Allocation had no debits in April 2024.

Exhibit 25-A also shows additional water available to each of the Jurisdictions. Additional water from expired or canceled permits that were issued before January 1991 are shown under “PRE-Paralta.” Water credits used from a Jurisdiction’s “public credit” account are also listed. Transfers of Non-Residential Water Use Credits into a Jurisdiction’s Allocation are included as “public credits.” **Exhibit 25-B** shows water available to Pebble Beach Company and Del Monte Forest Benefited Properties, including Macomber Estates, Griffin Trust. Another table in this exhibit shows the status of Sand City Water Entitlement and the Malpaso Water Entitlement.

BACKGROUND: The District’s Water Allocation Program, associated resource system supply limits, and Jurisdictional Allocations have been modified by a number of key ordinances. These key ordinances are listed in **Exhibit 25-C**.

EXHIBITS**25-A** Monthly Allocation Report**25-B** Monthly Entitlement Report**25-C** District’s Water Allocation Program Ordinances

EXHIBIT 25-A
MONTHLY ALLOCATION REPORT
 Reported in Acre-Feet
 For the month of April 2024

Jurisdiction	Paralta Allocation*	Changes	Remaining	PRE-Paralta Water	Changes	Remaining	Public Credits	Changes	Remaining	Total Available
Airport District	8.100	0.000	5.197	0.000	0.000	0.000	0.000	0.000	0.000	5.197
Carmel-by-the-Sea	19.410	0.000	1.398	1.081	0.000	1.081	0.910	0.000	0.182	2.661
Del Rey Oaks	8.100	0.000	0.000	0.440	0.000	0.000	0.000	0.000	0.000	0.000
Monterey	76.320	0.000	0.298	50.659	0.000	0.181	38.121	0.000	2.451	2.920
Monterey County	87.710	0.000	10.578	13.080	0.000	0.352	7.827	0.000	1.181	12.121
Pacific Grove	25.770	0.000	0.000	1.410	0.000	0.014	15.874	0.000	0.002	0.016
Sand City	51.860	0.000	0.000	0.838	0.000	0.000	24.717	0.000	23.163	23.163
Seaside	65.450	0.000	0.497	34.438	0.000	28.873	2.693	0.000	1.144	30.514
District Reserve	9.000	0.000	8.607	N/A			N/A			8.607
TOTALS	342.720	0.000	26.575	101.946	0.000	30.501	90.142	0.000	28.123	85.199

Allocation Holder	Water Available	Changes this Month	Total Demand from Water Permits Issued	Remaining Water Available
Quail Meadows	33.000	0.000	32.320	0.680
Water West	12.760	0.000	10.074	2.686

* Does not include 15.280 Acre-Feet from the District Reserve prior to adoption of Ordinance No. 73.

EXHIBIT 25-B
MONTHLY ALLOCATION REPORT
ENTITLEMENTS
Reported in Acre-Feet
For the month of April 2024

Recycled Water Project Entitlements

Entitlement Holder	Entitlement	Changes this Month	Total Demand from Water Permits Issued	Remaining Entitlement/and Water Use Permits Available
Pebble Beach Co. *	191.900	0.600	32.282	159.618
Del Monte Forest Benefited Properties (Pursuant to Ord No. 109)	173.100	0.304	76.967	96.133
Macomber Estates	10.000	0.000	10.000	0.000
Griffin Trust	5.000	0.000	4.829	0.171
CAWD/PBCSD Project Totals	380.000	1.017	124.078	255.922

Entitlement Holder	Entitlement	Changes this Month	Total Demand from Water Permits Issued	Remaining Entitlement/and Water Use Permits Available
City of Sand City	206.000	0.000	23.169	182.831
Malpaso Water Company	80.000	0.113	23.150	56.850
D.B.O. Development No. 30	13.950	0.000	3.908	10.042
City of Pacific Grove	38.390	0.250	11.138	27.252
Cypress Pacific	3.170	0.000	3.170	0.000

* Increases in the Del Monte Forest Benefited Properties Entitlement will result in reductions in the Pebble Beach Co. Entitlement.

EXHIBIT 25-C

District's Water Allocation Program Ordinances

Ordinance No. 1 was adopted in September 1980 to establish interim municipal water allocations based on existing water use by the jurisdictions. Resolution 81-7 was adopted in April 1981 to modify the interim allocations and incorporate projected water demands through the year 2000. Under the 1981 allocation, Cal-Am's annual production limit was set at 20,000 acre-feet.

Ordinance No. 52 was adopted in December 1990 to implement the District's water allocation program, modify the resource system supply limit, and to temporarily limit new uses of water. As a result of Ordinance No. 52, a moratorium on the issuance of most water permits within the District was established. Adoption of Ordinance No. 52 reduced Cal-Am's annual production limit to 16,744 acre-feet.

Ordinance No. 70 was adopted in June 1993 to modify the resource system supply limit, establish a water allocation for each of the jurisdictions within the District, and end the moratorium on the issuance of water permits. Adoption of Ordinance No. 70 was based on development of the Paralta Well in the Seaside Groundwater Basin and increased Cal-Am's annual production limit to **17,619** acre-feet. More specifically, Ordinance No. 70 allocated 308 acre-feet of water to the jurisdictions and 50 acre-feet to a District Reserve for regional projects with public benefit.

In addition to releasing water from the development of the Paralta Well, Ordinance No. 70 established a "special reserve" of 12.76 acre-feet of water saved by system improvements to the former Water West System when it was purchased and integrated into Cal-Am. This reserve was made available to properties in the former Water West System on a first-come, first-served basis. The ordinance also increased Cal-Am's production limit for savings related to the annexation of the Quail Meadows subdivision.

Ordinance No. 73 was adopted in February 1995 to eliminate the District Reserve and allocate the remaining water equally among the eight jurisdictions. Of the original 50 acre-feet that was allocated to the District Reserve, 34.72 acre-feet remained and was distributed equally (4.34 acre-feet) among the jurisdictions.

Ordinance No. 74 was adopted in March 1995 to allow the reinvestment of toilet retrofit water savings on single-family residential properties. The reinvested retrofit credits must be repaid by the jurisdiction from the next available water allocation and are limited to a maximum of 10 acre-feet. This ordinance sunset in July 1998.

Ordinance No. 75 was adopted in March 1995 to allow the reinvestment of water saved through toilet retrofits and other permanent water savings methods at publicly owned and operated facilities. Fifteen percent of the savings are set aside to meet the District's long-term water conservation goal and the remainder of the savings are credited to the jurisdictions allocation. This ordinance sunset in July 1998.

Ordinance No. 83 was adopted in April 1996 and set Cal-Am's annual production limit at **17,621** acre-feet and the non-Cal-Am annual production limit at **3,046** acre-feet. The modifications to the production limit were made based on the agreement by non-Cal-Am water users to permanently reduce annual water production from the Carmel Valley Alluvial Aquifer in exchange for water service from Cal-Am. As part of the agreement, fifteen percent of the historical non-Cal-Am production was set aside to meet the District's long-term water conservation goal.

Ordinance No. 87 was adopted in February 1997 as an urgency ordinance establishing a community benefit allocation for the planned expansion of the Community Hospital of the Monterey Peninsula (CHOMP). Specifically, a special reserve allocation of 19.60 acre-feet of production was created exclusively for the benefit of CHOMP. With this new allocation, Cal-Am's annual production limit was increased to **17,641** acre-feet and the non-Cal-Am annual production limit remained at **3,046** acre-feet.

Ordinance No. 90 was adopted in June 1998 to continue the program allowing the reinvestment of toilet retrofit water savings on single-family residential properties for 90-days following the expiration of Ordinance No. 74. This ordinance sunset in September 1998.

Ordinance No. 91 was adopted in June 1998 to continue the program allowing the reinvestment of water saved through toilet retrofits and other permanent water savings methods at publicly owned and operated facilities.

Ordinance No. 90 and No. 91 were challenged for compliance with CEQA and nullified by the Monterey Superior Court in December 1998.

Ordinance No. 109 was adopted on May 27, 2004, revised Rule 23.5 and adopted additional provisions to facilitate the financing and expansion of the CAWD/PBCSD Recycled Water Project.

Ordinance No. 132 was adopted on January 24, 2008, established a Water Entitlement for Sand City and amended the rules to reflect the process for issuing Water Use Permits.

Ordinance No. 165 was adopted on August 17, 2015, established a Water Entitlement for Malpas Water Company and amended the rules to reflect the process for issuing Water Use Permits.

Ordinance No. 166 was adopted on December 15, 2015, established a Water Entitlement for D.B.O. Development No. 30.

Ordinance No. 168 was adopted on January 27, 2016, established a Water Entitlement for the City of Pacific Grove.

ITEM: INFORMATIONAL ITEM/STAFF REPORT**26. WATER CONSERVATION PROGRAM REPORT****Meeting Date: May 20, 2024** **Budgeted: N/A****From: David J. Stoldt,
General Manager** **Program/
Line Item No. N/A****Prepared By: Kyle Smith** **Cost Estimate: N/A****General Counsel Review: N/A****Committee Recommendation: N/A****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

I. MANDATORY WATER CONSERVATION RETROFIT PROGRAM

District Regulation XIV requires the retrofit of water fixtures upon Change of Ownership or Use with High Efficiency Toilets (HET) (1.28 gallons-per-flush), 2.0 gallons-per-minute (gpm) Showerheads, 1.2 gpm Washbasin faucets, 1.8 gpm Kitchen, Utility, and Bar Sink faucets, and Rain Sensors on all automatic Irrigation Systems. Property owners must certify the Site meets the District's water efficiency standards by submitting a Water Conservation Certification Form (WCC), and a Site inspection is occasionally conducted to verify compliance. Properties that do not require an inspection are issued a Conservation Certification document.

A. Changes of Ownership

Information is obtained monthly from *Realquest.com* on properties transferring ownership within the District. The information is compared against the properties that have submitted WCCs. Details on **67** property transfers that occurred between April 1, 2024, and April 30, 2024, were added to the database.

B. Certification

The District received **46** WCCs between April 1, 2024, and April 30, 2024. Data on ownership, transfer date, and status of water efficiency standard compliance were entered into the database.

C. Verification

From April 1, 2024, and April 30, 2024, **28** properties were verified compliant with Rule 144 (Retrofit Upon Change of Ownership or Use). Of the **28** verifications, **9** properties verified compliance by submitting certification forms and/or receipts. District staff completed **33** Site inspections. Of the **33** properties verified, **19 (57%)** passed.

D. CII Compliance with Water Efficiency Standards

Effective January 1, 2014, all Non-Residential properties were required to meet Rule 143, Water Efficiency Standards for Existing Non-Residential Uses. To verify compliance

with these requirements, property owners and businesses are sent notification of the requirements and a date that inspectors will be on Site to check the property. In April, District inspectors performed **no** verification inspections.

MPWMD is forwarding its CII inspection findings to California American Water (Cal-Am) for their verification with the Rate Best Management Practices (Rate BMPs) that are used to determine the appropriate Non-Residential rate division. Compliance with MPWMD's Rule 143 achieves Rate BMPs for indoor water uses. Properties with landscaping must also comply with Cal-Am's outdoor Rate BMPs to avoid Division 4 (Non-Rate BMP Compliant) rates. In addition to sharing information about indoor Rate BMP compliance, MPWMD notifies Cal-Am of properties with landscaping. Cal-Am then conducts an outdoor audit to verify compliance with the Rate BMPs. During April 2024, MPWMD referred **no** property to Cal-Am for verification of outdoor Rate BMPs.

E. Water Waste Enforcement

The District has a Water Waste Hotline 831-658-5653 or an online form to report Water Waste occurrences at www.mpwmd.net or www.montereywaterinfo.org. There were **seven** Water Waste responses during the past month. There were **no** repeated incidents that resulted in a fine.

II. WATER DEMAND MANAGEMENT

A. Permit Processing

As of July 6, 2021, the District has been processing both electronic and in person applications for Water Permits. Information can be found at <https://www.mpwmd.net/regulations/water-permits>.

District Rule 23 requires a Water Permit application for all properties that propose to expand or modify water use on a Site, including New Construction and Remodels. District staff processed and issued **63** Water Permits from April 1, 2024, and April 30, 2024. **Nine** Water Permits were issued using Water Entitlements (Pebble Beach Company, Malpas Water, etc.). **No** Water Permits involved a debit to a Public Water Credit Account. In addition to those Water Permits issued in April **ten** Meter Permits and **seven** Hydrant Meter Permits were issued. All Water Permits have a disclaimer informing applicants of the Cease-and-Desist Order against California American Water and that MPWMD reports Water Permit details to California American Water.

District Rule 24-3-A allows the addition of a second Bathroom in an existing Dwelling Unit. Of the **63** Water Permits issued from April 1, 2024, and April 30, 2024, **one** was issued under this provision.

B. Permit Compliance

District staff completed **no** conditional Water Permit finals during April 2024. Staff completed **104** site inspections. **63** properties passed and **24** failed due to unpermitted fixtures.

C. Deed Restrictions

District staff prepares deed restrictions that are recorded on the property title to provide notice of District Rules and Regulations, enforce Water Permit conditions, and provide notice of public access to water records. In April 2001, the District Board of Directors adopted a policy regarding the processing of deed restrictions. District staff provided Notary services for 43 Water Permits with deed restrictions.

D. Rebates

The full list of available rebates can be found in Rule 141:

<https://www.mpwmd.net/rules/Rule141-TableXIV-1.pdf>. Below is the rebate information for April 2024.

EXHIBIT

26-A Rebate report for April 2024

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REBATE PROGRAM SUMMARY		April-2024			2024 YTD		1997 - Present		
I. Application Summary									
A.	Applications Received	77			311		31,317		
B.	Applications Approved	68			274		24,536		
C.	Single Family Applications	68			269		27,422		
D.	Multi-Family Applications	0			4		1,628		
E.	Non-Residential Applications	0			1		363		
II. Type of Devices Rebated		Number of Devices	Rebate Paid	Estimated AF	Gallons Saved	Year to Date Number	Year to Date Paid	Year to Date Estimated AF	
A.	High Efficiency Toilet (HET)	10	\$874.00	0.050000	16,293	38	\$3,199.00	0.19000	
B.	Ultra HET	3	\$375.00	0.030000	9,776	13	\$1,625.00	0.13000	
C.	Toilet Flapper			0.000000	0	0	\$0.00	0.00000	
D.	High Efficiency Dishwasher	11	\$1,375.00	0.033000	10,753	51	\$6,748.00	0.15300	
E.	High Efficiency Clothes Washer - Res	36	\$18,000.00	0.579600	188,863	146	\$72,471.00	2.35060	
F.	High Efficiency Clothes Washer - Com			0.000000	0	1	\$1,000.00	0.09000	
G.	Instant-Access Hot Water System			0.000000	0	5	\$1,000.00	0.02500	
H.	Zero Use Urinals			0.000000	0	0	\$0.00	0.00000	
I.	Pint Urinals			0.000000	0	0	\$0.00	0.00000	
J.	Cisterns	3	\$1,232.20	0.000000	0	6	\$4,532.20	0.00000	
K.	Smart Controllers	2	\$419.99	0.000000	0	3	\$719.99	0.00000	
L.	Rotating Sprinkler Nozzles			0.000000	0	0	\$0.00	0.00000	
M.	Moisture Sensors			0.000000	0	1	\$25.00	0.00000	
N.	Lawn Removal & Replacement			0.000000	0	0	\$0.00	0.00000	
O.	Graywater			0.000000	0	0	\$0.00	0.00000	
P.	Other - Smart Flowmeters	6	\$1,025.99	0.000000	0	26	\$4,781.99	0.00000	
Q.	Smart Toilet Leak Detectors			0.000000	0	0	\$0.00	0.00000	
III. TOTALS		71	\$23,302.18	0.692600	225,684	290	\$96,102.18	2.93860	
IV. TOTALS Since 1997						Paid Since 1997: \$ 6,454,857		595.17 Acre-Feet Per Year Saved Since 1997 (from quantifiable retrofits)	

ITEM: INFORMATIONAL ITEM/STAFF REPORT**27. CARMEL RIVER FISHERY REPORT FOR APRIL 2024****Meeting Date: May 20, 2024 Budgeted: N/A****From: David J. Stoldt, General Manager Program/ Line Item No.: N/A****Prepared By: Cory Hamilton Cost Estimate: N/A****General Counsel Review: N/A****Committee Recommendation: N/A****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

AQUATIC HABITAT AND FLOW CONDITIONS: Wet weather continued in April keeping river flows well above the long-term average for this time of the year, and on par with the conditions in 2017 and 2023. Steelhead migration conditions were excellent for both adult and juvenile fish in the main stem, and excellent in the tributaries.

To date, only four adult steelhead have been captured in the Los Padres Dam trap and moved above the dam. Flows were still too high to start annual Redd (steelhead nest) surveys, although there have been steelhead observed spawning in select spot checks where there is adequate river access. Fry (baby steelhead) were observed along the stream banks in many different locations indicating that steelhead had successfully hatched.

April's streamflow at the Sleepy Hollow Weir gaging station ranged from 172 to 406 cfs (mean 264 cfs), while flows at the Highway 1 gage ranged from 190 to 392 cfs (mean 292).

There were 1.89 inches of rainfall in April as recorded at the San Clemente gauge. The total rainfall for Water Year (WY) 2024 (which started October 1, 2023) is 23.5 inches, or 115% of the long-term year-to-date average of 20.49 inches.

CARMEL RIVER LAGOON: In April, the lagoon's Water Surface Elevation ranged from approximately 4.25-10.5 feet (NGVD 1988) (see graph below).

Water quality depth-profiles were conducted at five sites on April 25, 2024, while the lagoon mouth was open, water surface elevation was 5.25 feet, and river inflow was 224 cfs. Steelhead migration and rearing conditions were excellent. Salinity levels were low, ranging from 0.1-3.9 ppt, water temperature ranged from 57-63 degrees Fahrenheit, and dissolved oxygen (DO) levels ranged from 0.5-11 mg/l.

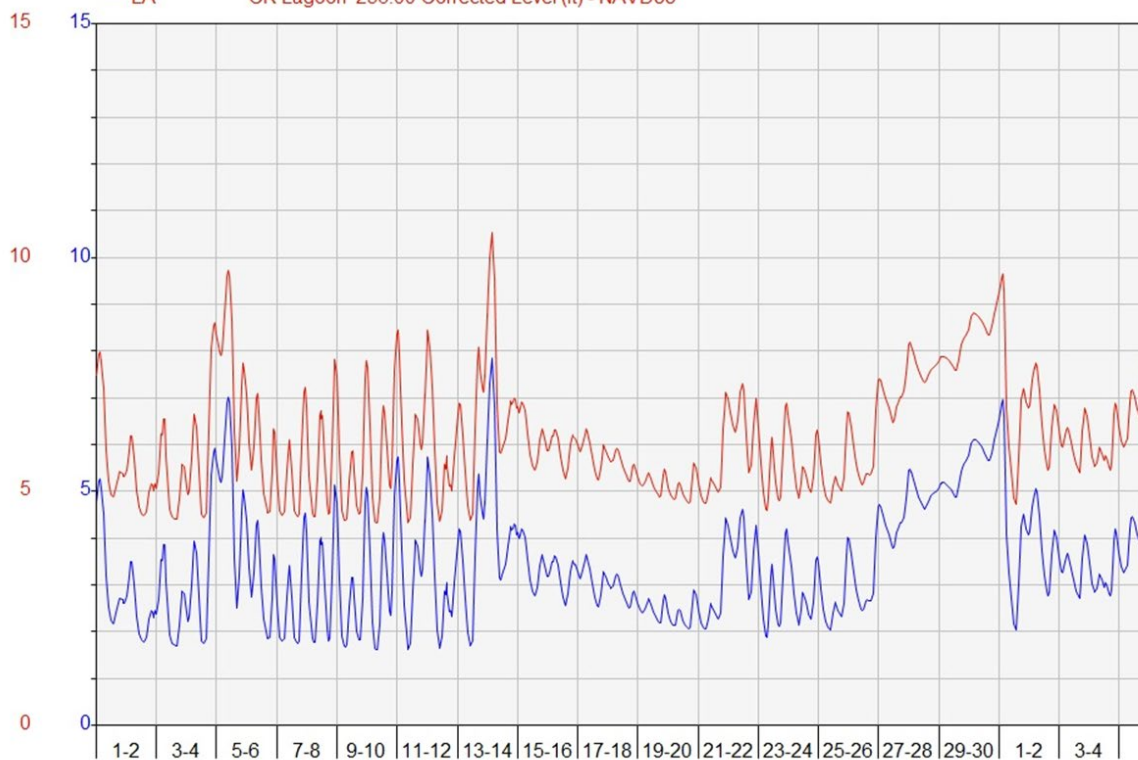
Monterey Peninsula Water Management District

HYPLOT V134 Output 05/06/2024

Period 35 Day 04/01/2024 to 05/06/2024

2024

— LA CR Lagoon 232.00 Raw Level (ft) - NGVD29
— LA CR Lagoon 236.00 Corrected Level (ft) - NAVD88



ITEM: INFORMATIONAL ITEM/STAFF REPORT**28. MONTHLY WATER SUPPLY AND CALIFORNIA AMERICAN WATER PRODUCTION REPORT**

Meeting Date: May 20, 2024 **Budgeted:** N/A

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

Prepared By: Jonathan Lear **Cost Estimate:** N/A

General Counsel Review: N/A

Committee Recommendation: N/A

CEQA Compliance: 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.

Exhibit 28-A shows the water supply status for the Monterey Peninsula Water Resources System (MPWRS) as of **April 1, 2024**. This system includes the surface water resources in the Carmel River Basin, the groundwater resources in the Carmel Valley Alluvial Aquifer and the Seaside Groundwater Basin. **Exhibit 28-A** is for Water Year (WY) 2024 and focuses on three factors: rainfall, runoff, and storage. The rainfall and Streamflow values are based on measurements in the upper Carmel River Basin at Sleepy Hollow Weir.

Water Supply Status: Rainfall through **March** 2024 totaled **4.94 inches** and brings the cumulative rainfall total for WY 2024 to **20.88 inches**, which is **111%** of the long-term average through **March**. Estimated unimpaired runoff through **March** totaled **12,350 acre-feet (AF)** and brings the cumulative runoff total for WY 2024 to **38,575 AF**, which is **72%** of the long-term average through **March**. Usable storage for the MRWPRS was **29,850 acre-feet**, which is **94%** of average through **March**, and equates to **90%** percent of system capacity.

Production Compliance: Under State Water Resources Control Board (SWRCB) Cease and Desist Order No. 2016-0016 (CDO), California American Water (Cal-Am) is allowed to produce no more than 3,376 AF of water from the Carmel River in WY 2024. Through **March**, using the CDO accounting method, Cal-Am has produced **1,109 AF** from the Carmel River (excluding **218 AF** of Table 13 and **35 AF** of Mal Paso.) In addition, under the Seaside Basin Decision, Cal-Am is allowed to produce 1,474 AF of water from the Coastal Subareas and 0 AF from the Laguna Seca Subarea of the Seaside Basin in WY 2024. Through **March**, Cal-Am has produced **671 AF** from the Seaside Groundwater Basin. Through **March**, **798 AF** of Carmel River Basin groundwater have been diverted for Seaside Basin injection; **0 AF** have been recovered for customer use, **117 AF** have been diverted under Table 13 water rights, and **1,926 AF** of Pure Water Monterey recovered. Cal-Am has produced **3,995 AF** for customer use from all sources through **March**. **Exhibit 28-B** shows production by source. Some of the values in this report may be revised in the future as Cal-Am finalizes their production values and monitoring data.

EXHIBITS

28-A Water Supply Status: **April 1, 2024**

28-B Monthly Cal-Am production by source: WY 2024

EXHIBIT 28-A

**Monterey Peninsula Water Management District
Water Supply Status
May 1, 2024**

Factor	Oct – Apr 2024	Average To Date	Percent of Average	Oct – Apr 2023
Rainfall (Inches)	23.50	20.49	115%	34.61
Runoff (Acre-Feet)	72,774	62,856	116%	197,092
Storage ⁵ (Acre-Feet)	30,400	31,370	96%	30,920

Notes:

1. Rainfall and runoff estimates are based on measurements at San Clemente Dam. Annual rainfall and runoff at Sleepy Hollow Weir average 21.22 inches and 67,246 acre-feet, respectively. Annual values are based on the water year that runs from October 1 to September 30 of the following calendar year. The rainfall and runoff averages at the Sleepy Hollow Weir site are based on records for the 1922-2022 and 1902-2022 periods respectively.
2. The rainfall and runoff totals are based on measurements through the dates referenced in the table.
3. Storage estimates refer to usable storage in the Monterey Peninsula Water Resources System (MPWRS) that includes surface water in Los Padres and San Clemente Reservoirs and ground water in the Carmel Valley Alluvial Aquifer and in the Coastal Subareas of the Seaside Groundwater Basin. The storage averages are end-of-month values and are based on records for the 1989-2022 period. The storage estimates are end-of-month values for the dates referenced in the table.
4. The maximum storage capacity for the MPWRS is currently 33,130 acre-feet.

Production vs. CDO and Adjudication to Date: WY 2024

(All values in Acre-Feet)

Year-to-Date Values	MPWRS					Water Projects and Rights				Water Projects and Rights Total
	Carmel River Basin ^{2, 6}	Seaside Groundwater Basin		Ajudication Compliance	MPWRS Total	ASR Recovery	PWM Recovery	Table 13 ⁷	Sand City ³	
		Coastal	Laguna Seca							
Target	1,510	895	0	895	2,405	0	2,405	138	175	2,718
Actual ⁴	1,267	642	67	709	1,976	0	2,266	315	36	2,617
Difference	243	253	-67	186	429	0	139	-177	139	101
WY 2023 Actual	894	750	62	812	1,706	0	2,675	410	92	3,178

1. This table is current through the date of this report.
2. For CDO compliance, ASR, Mal Paso, and Table 13 diversions are included in River production per State Board.
3. Sand City Desal, Table 13, and ASR recovery are also tracked as water resources projects.
4. To date, 1155 AF and 315 AF have been produced from the River for ASR and Table 13 respectively.
5. All values are rounded to the nearest Acre-Foot.
6. For CDO Tracking Purposes, ASR production for injection is capped at 600 AFY.
7. Table 13 diversions are reported under water rights but counted as production from the River for CDO tracking.

Monthly Production from all Sources for Customer Service: WY 2024

(All values in Acre-Feet)

	Carmel River Basin	Table 13	Mal Paso	Seaside Basin	ASR Recovery	PWM Recovery	Sand City	Total
Oct-23	220	0	7	347	0	254	0	828
Nov-23	224	0	6	169	0	305	19	724
Dec-23	192	0	5	40	0	393	17	647
Jan-24	278	23	5	38	0	270	0	613
Feb-24	40	94	6	38	0	380	0	558
Mar-24	155	101	6	39	0	324	0	625
Apr-24	158	98	5	38	0	339	0	639
May-24								
Jun-24								
Jul-24								
Aug-24								
Sep-24								
Total	1,267	315	41	709	0	2,266	36	4,633
WY 2023	894	410	53	812	0	2,675	92	4,937

1. This table is produced as a proxy for customer demand.
2. Numbers are provisional and are subject to update.