



**Final Minutes
Special Meeting
Board of Directors
Monterey Peninsula Water Management District
October 10, 2023 at 5:30 P.M.**

Meeting Location: The Irvine Auditorium at the Middlebury Institute of International Studies
499 Pierce Street, Monterey, CA 93940 AND
By Teleconferencing Means - Zoom

CALL TO ORDER:

Chair Adams called the meeting to order at 5:30 PM.

ROLL CALL:

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

Board members absent: George Riley (Recusal) *Subject to Rule 24 of the Meeting Rules of the Monterey Peninsula Water Management District*

RULE 24: ABSTENTION

No member shall abstain from voting except when that member has a disabling conflict of interest. In the presence of a declared disabling conflict of interest, the affected director shall enter the declaration in the Board minutes, shall not participate in discussing that agenda item and shall recuse him or herself from the vote. If the Board member is not personally involved in the matter before the Board, that director shall leave the room. The minutes shall record an absence for any circumstance where a Board member is not in the room at the time of a vote.

A letter from Director Riley was read into the record and is attached as **Exhibit A** to these minutes.

District staff members present: David Stoldt, General Manager
Kristina Pacheco, Executive Assistant/Board Clerk
Sara Reyes, Sr. Office Specialist

District staff members absent: None

District Counsel present: David Laredo with De Lay & Laredo

Special District Counsel present: Doug Dennington, Rutan & Tucker, LLP

ADDITIONS AND CORRECTIONS TO THE AGENDA

None

WELCOME AND INTRODUCTIONS

Chair Adams welcomed the public who were present in person and via Zoom and introduced the item to be discussed by the Board. Chair Adams introduced Special Counsel Doug Dennington with Rutan & Tucker, LLP and stated Mr. Tucker will be providing an overview of the purpose of the meeting and the nuances of the law that the Board shall consider.

PRESENTATION

Doug Dennington, Rutan & Tucker, LLP provided a summary of the Condemnation Proceeding and the Resolution of Necessity Process.

PUBLIC HEARING

Chair Adams introduced the matter.

2. Consider Adoption of Resolution 2023-13 A Resolution of the Board of Directors of the Monterey Peninsula Water Management District Determining the Public Interest and Necessity and Related Matters Supporting Acquisition of the Monterey Water System Owned by California American Water Company in Monterey County, California

David J. Stoldt, General Manager, provided an overview of this item and presented via slide-deck presentation titled “Item 2: Public Hearing”. General Manager Stoldt reviewed the discussion and actions taken by the Board to date. General Manager Stoldt, indicated the Board should consider the following, but not limited to:

- The Board’s Measures of Feasibility discussed at the November 12, 2019, Special Board Meeting
- The 3 Components of the Draft Resolution 2023-13
- Appendix B – 83 Findings and Evidence in Support of a Resolution of Necessity
- The several hundred pages of material submitted by the Manatt law firm on October 6, 2023 and delivered to the Directors in advance of the hearing
- The EIR certified by the Board in 2020
- Other Information for the Board to Consider

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

Chris Cook, PE, Director of Operations, and Evan Jacobs, Director of External Affairs at California American Water presented via slide-deck an overview of the Monterey Water System and addressed some of the Findings and Feasibility found in Resolution 2023-13.


Chair Adams opened the public comment.

Fifty-five persons spoke for and against the adoption of Resolution 2023-13. Following public comment, the board engaged in discussion and consideration.

A motion was made by Director Edwards with a second by Director Anderson to adopt Resolution 2023-13, A Resolution of the Board of Directors of the Monterey Peninsula Water Management District Determining the Public Interest and Necessity and Related Matters Supporting Acquisition of the Monterey Water System Owned by California American Water Company in Monterey County, California. The motion passed by roll call vote of 6-Ayes (Eisenhart, Oglesby, Anderson, Paull, Adams, and Edwards), 0-Noes and 1-Absent/Recusal (Riley)

ADJOURNMENT

Chair Adams adjourned the meeting at 8:58 p.m.



Sara Reyes, Sr. Office Specialist

Exhibit A Recusal Letter submitted by George Riley dated October 10, 2023

Minutes Approved by the MPWMD Board of Directors on Monday, December 11, 2023