



FINAL MINUTES
Regular Meeting
Board of Directors
Monterey Peninsula Water Management District
February 17, 2016

The meeting was called to order at 7 pm in the MPWMD conference room.

CALL TO ORDER/ROLL CALL

Directors Present:

Jeanne Byrne – Chair, Division 4
Robert S. Brower, Sr. – Vice Chair, Division 5
Molly Evans – Division 3
Andrew Clarke – Division 2
David Pendergrass – Mayoral Representative
David Potter – Monterey County Board of Supervisors

Directors Absent:

Brenda Lewis – Division 1

General Manager present: David J. Stoldt

District Counsel present: Heidi Quinn

The assembly recited the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

On a motion by Potter and second of Brower, Action Item 21 was withdrawn from the agenda. The motion was approved on a unanimous vote of 6 – 0 by Directors Potter, Brower, Byrne, Clarke, Evans and Pendergrass. Director Lewis was absent.

ADDITIONS AND CORRECTIONS TO AGENDA

No comments were directed to the Board during Oral Communications.

ORAL COMMUNICATIONS

On a motion by Pendergrass and second of Potter, the Consent Calendar was approved with the exception of Item 4 that was pulled for separate consideration. The motion was adopted on a vote of 6 – 0 by Directors Pendergrass, Potter, Brower, Byrne, Clarke and Evans. Director Lewis was absent.

CONSENT CALENDAR

Adopted.

1. **Consider Adoption of Minutes of the January 27, 2016 Special Board Meeting**

Adopted.

2. **Consider Adoption of Resolution 2016 - 02 Declaring the Week of March 14 – 20, 2016 to be Fix a Leak Week**

Approved an expenditure of \$5,000.

On a motion by Brower and second of Clarke, an expenditure of \$45,000 was approved on a vote of Brower, Clarke, Byrne, Evans, Pendergrass and Potter. Lewis was absent.

Approved an expenditure of \$50,000.

Approved an expenditure of \$15,000.

Adopted.

Adopted.

Approved.

Approved.

A summary of Stoldt's report can be viewed on the agency website or at the District office. Stoldt reported that the summary lists no actual production from water users subject to Table 13 water rights because the production totals were not available when the chart was prepared. The chart also does not reflect 211 acre-feet of water produced in January 2016 from the ASR project. He reported that at the end of January 2016, rainfall received was 129 percent of the long-term average, and streamflow was at 58 percent of long-term average.

No oral report – refer to staff note.

A summary of Stoldt's report can be viewed on the agency website or at the District office. Stoldt reported that the state's emergency conservation regulations required that water users within the Water Management District achieve an 8 percent reduction in water use from 2014 levels. The community has achieved an 18 percent reduction. The emergency conservation

3. **Consider Expenditure for Purchase of Internet License for Water Wise Gardening in Monterey County**
4. **Consider Expenditure for Water Conservation Equipment**
5. **Consider Contract with United States Geological Survey to Calibrate the Carmel River Basin Simulation Model**
6. **Consider Expenditure to Enter into Agreement with Tyler Technologies for Purchase and Implementation of Incode Utility Billing Software**
7. **Consider Adoption of Resolution No. 2016-04 - Amendment to Rule 24, Table 1 - Residential Fixture Unit Count Values**
8. **Consider Adoption of Treasurer's Report for December 2015**
9. **Receive and File Second Quarter Financial Activity Report for Fiscal Year 2015-16**
10. **Consider Approval of Second Quarter FY 2015-2016 Investment Report**

GENERAL MANAGER'S REPORT

11. **Status Report on California American Water Compliance with State Water Resources Control Board Order 2009-0060 and Seaside Groundwater Basin Adjudication Decision**
12. **Update on Development of Water Supply Projects**
13. **Report on Drought Response**

regulations have been extended through October 2016. The 8 percent requirement is still in effect.

Counsel Quinn reported that the Board met in closed session to consider item 2. Direction was provided and no reportable action was taken.

Evans reported that on February 4 and 5, 2016, she attended the Water 101 Workshop offered by the Water Education Foundation. She noted that workshop was very informative. She was briefed on water projects throughout the state and participated in a review of the Brown Act open meeting rules. Evans planned to also attend in February, a conference titled How to Be a Better Board Member offered by the California Special Districts Association. Potter reported that on February 17, 2016, he and Brower attended a meeting of the Seaside Groundwater Basin Watermaster that included a discussion of development of a Groundwater Sustainability Plan (GSP). Potter noted that there are areas of overlapping jurisdiction in the Corral de Tierra area and suggested that the Water Management District should participate with the Monterey County Water Resources Agency in development of the GSP.

Pendergrass offered a motion that was seconded by Clarke to adopt Ordinance No. 169 on second reading with the following changes. (1) Page 25 of the ordinance, item E.3, delete the phrase “and conditions 163-E-1 and 163-E-2 have been met.” (2) Page 31 of the ordinance, item E.1, paragraph 2, correct the

ATTORNEY’S REPORT

14. **Report from District Counsel on 6:00 PM Closed Session of the Board**
 1. Conference with Legal Counsel – Existing Litigation (Gov. Code 54956.9 (a))
 - A. MPWMD v CPUC (Cal-Am); CA Supreme Court Case No. S208838
 - B. Application of Cal-Am to CPUC (No. 12-04-019) - Mon. Pen. Water Supply Project
 2. Conference with Labor Negotiators (Gov. Code 54957.6)
Agency Designated Representatives: David Stoldt, Suresh Prasad and Cynthia Schmidlin
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)

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

PUBLIC HEARINGS

16. **Consider Second Reading and Adoption of Ordinance No. 169– An Ordinance of the Board of Directors of the Monterey Peninsula Water Management**

spelling of “responsibiliity.” The motion was approved unanimously on a vote of 6 – 0 by Pendergrass, Clarke, Brower, Byrne, Evans and Potter. Lewis was absent. No comments were directed to the Board during the public hearing on this item.

On a motion by Brower and second of Pendergrass, Ordinance No. 171 was adopted on second reading by a unanimous vote of Brower, Pendergrass, Byrne, Clarke, Evens and Potter. Lewis was absent. No comments were directed to the Board during the public hearing on this item.

Brower offered a motion that was seconded by Evans to adopt the Fiscal Year 2015-16 Mid-Year Budget adjustment. The motion was approved on a unanimous vote of 6 – 0 by Brower, Evans, Byrne, Clarke, Pendergrass and Potter. Lewis was absent. No comments were directed to the Board during the public hearing on this item.

On a motion by Potter and second of Evans, Meeting Rule 2.5 was amended according to the proposed rotation schedule outlined in the staff report. Beginning in December 2016 - the rotation schedule for Vice Chair would begin with Division 2, followed by the Mayoral representative, Division 3, Division 1, Division 4, the Monterey County Board of Supervisors Representative, and then Division 5. The motion was approved unanimously on a vote of 6 – 0 by Potter, Evans, Brower, Byrne, Clarke and Pendergrass. Lewis was absent. No comments were directed to the Board during the public comment period on this item.

Brower offered a motion that was seconded by Clarke to adopt Resolution No. 2016-03. The motion was approved unanimously on a vote of Brower, Clarke, Byrne, Evans, Pendergrass and Potter. Lewis was absent.

Tom Rowley, representing the Monterey Peninsula Taxpayers Association, addressed the Board on this item. He expressed the Association’s opinion that the user fee could only be reinstated after the Water Management District instituted a new Proposition 218 process.

No action. The item was withdrawn from the agenda on a unanimous vote of the Board.

There was no discussion of the Informational Items/Staff Reports.

District Repealing Regulation XV, the Expanded Water Conservation and Standby Rationing Plan, and Replacing it with Regulation XV, the Monterey Peninsula Water Conservation and Rationing Plan

17. Consider Second Reading and Adoption of Ordinance No. 171 – Setting Compensation for Board Members

18. Consider Adoption of Fiscal Year 2015-16 Mid-Year Budget Adjustment

ACTION ITEMS

19. Consider Adoption of Amendment to Meeting Rule 2.5 - Rotation of Vice Chair into the Position of Chair

20. Consider Adoption of Resolution 2016-03 – Reestablish User Fee and Suspend Collection of User Fee for Remainder of Fiscal Year 2015-16

21. Consider Expenditure for Preparation of Agency Classification/Compensation Study

INFORMATIONAL ITEMS/STAFF REPORTS

22. Letters Received

23. Committee Report

24. Monthly Allocation Report

25. Water Conservation Program Report

26. **Carmel River Fishery Report for
January 2016**

27. **Monthly Water Supply and
California American Water
Production Report**

The meeting was adjourned at 7:50 pm.

ADJOURNMENT


Arlene M. Tavani, Deputy District Secretary

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