



FINAL MINUTES  
**Regular Meeting**  
**Board of Directors**  
**Monterey Peninsula Water Management District**  
*November 19, 2018*

Chair Clark called the meeting to order at 7:00 pm in the MPWMD conference room.

**CALL TO ORDER/ROLL CALL**

*Directors Present:*

Andrew Clarke – Chair, Division 2  
Molly Evans – Vice Chair, Division 3  
Brenda Lewis, Division 1  
Jeanne Byrne – Division 4  
Vacant. – Division 5  
Ralph Rubio – Mayoral Representative  
Mary Adams – Monterey County Board of Supervisors Rep.

*Directors Absent:* None

*General Manager present:* David J. Stoldt

*District Counsel present:* David Laredo

The assembly recited the Pledge of Allegiance.

**PLEDGE OF ALLEGIANCE**

Chair Clarke called for a moment of silence for the people effected by the Camp fire who lost family members, friends, homes and jobs. He noted that during these difficult times it is important that we remember what is important in life.

On a motion by Byrne, seconded by Lewis, the agenda was approved as presented on a unanimous vote of 6 – 0 by Byrne, Lewis, Adams, Clarke, Evans and Rubio.

**ADDITIONS AND CORRECTIONS TO AGENDA**

The following comments were directed to the Board during Oral Communications. **(a) Phyllis Meurer** stated that the feasibility study and any analysis to be prepared in compliance with MPWMD Rule 19.8, Policy of Pursuing Public Ownership of Monterey Peninsula Water System, should be a public document. **(b) Melodie Chrislock**, member of Public Water Now, expressed confidence in the Board of Directors ability to do the right thing with respect to preparation of a feasibility study. **(c) Nina Beety** presented a letter dated November 19, 2018, addressed to the California American Water Company requesting ADA accommodation for electromagnetic sensitivity. She asked for the removal of Neptune digital water meters from her

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property and her neighbors' properties and replacement with mechanical water meters. (d) **Edie Lemon** requested that the Board represent the voters that did not support Measure J. (e) **Alvin Edwards** thanked everyone who voted for passage of Measure J. He also thanked Directors Clarke, Lewis and Rubio for their work on the Water Management District Board and for supporting development of the Pure Water Monterey Project.

Chair Clarke presented an award to Director Lewis for eight years of her service on the Board of Directors.

Vice Chair Evans presented an award to Chair Clarke for his four years of service on the Board of Directors. General Manager Stoldt presented a plaque to Chair Clarke, in honor of his service as Chair in 2018.

Chair Clarke presented an award to Director Rubio in recognition of service on the Board of Directors

On a motion by Rubio and second of Adams, the Consent Calendar was approved on a unanimous vote of 6 – 0 by Rubio, Adams, Byrne, Clarke, Evans and Lewis.

Approved.

Authorized allocation of \$40,000 from the Pueblo Water Resources Contract.

Approved a contract with a retainer of \$5,780 per month and \$245 per hour for special services.

Approved.

Received.

Adopted.

A summary of Mr. Stoldt's report is available at the District office and on the agency's website. He noted that on the first page of the presentation, in the column titled MPWRS Total, the number 869 should be corrected to 868. He reported that in October, ¼ inch of rain was received.

#### **PRESENTATIONS IN APPRECIATION OF OUTGOING DIRECTORS**

Brenda Lewis – Director Division 1

Andrew Clarke – Director Division 2

Ralph Rubio – Mayoral Representative

#### **CONSENT CALENDAR**

- 1. Consider Adoption of Minutes of the October 15, 2018 Regular Board Meeting**
- 2. Consider Allocating Funds from Pueblo Water Resources Contract to McCampbell Laboratories to Provide Support Operations**
- 3. Consider Approval of Legal Services Contract with DeLay and Laredo, Attorneys at Law**
- 4. Consider Approval of First Quarter Fiscal Year 2018-19 Investment Report**
- 5. Receive and File First Quarter Financial Activity Report for Fiscal Year 2018-19**
- 6. Consider Adoption of Treasurer's Report for September 2018**

#### **GENERAL MANAGER'S REPORT**

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

Mr. Stoldt referenced the staff report on this item.

Mr. Stoldt directed the Board's attention to the staff note on this item that summarized legislative outreach activities.

District Counsel Laredo reported that on all closed session agenda items the Board received a status report. No action was taken.

No comments.

No Public Hearing items were submitted for Board consideration

On a motion by Byrne, seconded by Evans, Resolution 2018-21 was approved on a unanimous vote of 6 – 0 by Byrne, Evans, Adams, Clarke, Lewis and Rubio. No public comments were directed to the Board during the public comment period on this item.

The Board interviewed each candidate, received public comment and proceeded to take action. The Directors offered three motions for selection of the Division 5 representative. The Board first took action on Motion 1. No further action was required on Motions 2 and 3.

Motion 1: Rubio offered a motion to appoint Gary D Hoffmann, P.E. to the position of Division 5 Director. The motion was approved on a vote of 4 – 2 by Byrne, Clarke, Evans and Rubio. Adams and Lewis were opposed.

Motion 2: Adams nominated Kate Daniels as the Division 5 Director. No action was taken on the motion.

**8. Update on Major District Projects**

**9. Report on Legislative Outreach for Calendar Year 2018**

**ATTORNEY'S REPORT**

**10. Report on 5:30 pm Closed Session of the Board**

- 3. Conference with Legal Counsel – Existing Litigation (Gov Code 54946.9 (a))**
  - A. Application of California American Water to CPUC (No. 12-04-019) – Monterey Peninsula Water Supply Project
  - B. Marina Coast Water District v CPUC (No. S251935)
  - C. City of Marina v CPUC (No. S251935)
- 4. Conference with Legal Counsel – Threatened Litigation (Gov. Code 56956.9 (b)) – One Case**

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

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

**PUBLIC HEARINGS**

**ACTION ITEMS**

**12. Consider Adoption of Resolution No. 2018-21 Amending Table 2: Non-Residential Water Use Factors**

**13. Consider Selection of Appointee to Serve as Division 5 Director for a Term Ending November 2020 (the Board will receive statements from candidates prior to action on this item.)**

Motion 3: Lewis nominated Judi Lehman as the Division 5 Director. No action was taken on the motion.

Public Comment: **(a) Lisa Vandersluis** asserted that the public should be in control of the local water supply. **(b) Ron Weitzman** urged the Board to appoint a Division 5 representative that evening. **(c) Bob Siegfried**, representing the Carmel Valley Association, told the Board that transparency, honesty, and forthrightness were the desired traits for a Division 5 representative. **(d) Timothy Barrett** expressed support for Kate Daniels as the Division 5 representative. **(e) Peter Mountier**, representing the Pacific Grove Chamber of Commerce, expressed a preference for unity and compromise on the Board of Directors along with a diversity of viewpoints. **(f) Anna Thompson** expressed support for Kate Daniels as the Division 5 representative. **(g) Harvey Billig**, resident of Carmel, expressed support for Judi Lehman as the Division 5 representative. **(h) Dan Turner**, resident of Monterey, warned that if the successful appointee was not a supporter of Measure J, a move to recall that appointee could be imminent. **(i) Tyler Williamson**, Monterey City Councilperson elect, identified Kate Daniels and Judy Lehman as candidates that had experience listening to the voice of the people. **(j) Erik Sand**, resident of Carmel Valley, stated that the community chose to take responsibility for its water supply. **(k) John Tilley**, resident of the District, expressed support for a candidate who would support the District's mission statement. **(l) Rene Boskoff**, representing the Coalition of Peninsula Businesses, read a letter dated November 16, 2018, expressing support for a candidate who could demonstrate a commitment to solving the need for a sustainable, safe, secure and stable water supply. **(m) Jody Hanson**, President and CEO of the Monterey County Hospitality Association, stated that the District's job is to create a water supply. The successful candidate must be someone who would listen and balance the community's interests. **(n) Gary Cursio**, representing the Monterey County Hospitality Association, recommended the Board replace Robert Brower with a person who held a similar mindset. **(o) Melodie Chrislock** recommended the appointment of Kate Daniels or Judi Lehman as the Division 5 representative. **(p) Dan Limesand**, representing Montage Health, asked the Board to appoint a candidate with sufficient knowledge of water matters and who would exhibit a balanced approach to the job. **(q) Susan Schiavone**, resident of Seaside, recommended the Board appoint the best person for the job who could look past the politics and honestly evaluate the feasibility of purchasing California-American Water facilities. **(r) Paul Bruno** spoke in support of candidate Scott Dick, or someone else who would represent Bob Brower's views. **(s) Jeff Davi**, third generation resident on the Monterey Peninsula, urged the Board to appoint a person who would represent Bob Brower's focus, yet would strike a balance on the Board; and a person who all six directors could support. **(t) David Henderson** expressed support for the appointment of Scott

Dick as the Division 5 representative. (u) **Amy Anderson**, resident of Carmel, urged the Board to appoint a clear thinker. She opined that a candidate who did not support Measure J would not address the feasibility study with an open mind. (v) **Marilee Milton**, resident of Voter Division 5, stated it was important that the successful candidate could determine feasibility in an unbiased manner.

**Chair Clarke called a recess at 9:10 pm**

**The meeting reconvened at 9:20 pm**

Deputy Clerk, Arlene Tavani, administered the oath of office to Gary D. Hoffmann P.E., Division 5 Director.

There was no discussion of these items.


Chair Clarke adjourned the meeting at 9:23 pm in honor of Directors Lewis and Rubio.

**ADMINISTER OATH OF OFFICE TO  
DIVISION 5 DIRECTOR**

**INFORMATIONAL ITEMS/STAFF  
REPORTS**

14. **Letters Received**
15. **Committee Report**
16. **Monthly Allocation Report**
17. **Water Conservation Program Report**
18. **Carmel River Fishery Report**
19. **Monthly Water Supply and California  
American Water Production Report**

**ADJOURNMENT**

  
Arlene M. Tavani, Deputy District Secretary