

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.



Preliminary Draft Agenda

Agenda

Special and Regular Meeting

Board of Directors

Monterey Peninsula Water Management District

Monday, April 18, 2022 at 5:00 p.m., Virtual Meeting

As a precaution to protect public health and safety, and pursuant to provisions of AB 361, this meeting will be conducted via Zoom Video/Teleconference only.

Join the meeting at this link:

<https://us06web.zoom.us/j/84896674174?pwd=MFZrMG1ZK3hVK3h5Vnk5aEY1bU1HOT09>

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

Webinar ID: 848 9667 4174

Passcode: 04182022

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 the Peninsula Channel

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 PM on Friday, April 15, 2022

CLOSED SESSION AT 5:00 P.M.

CALL TO ORDER / ROLL CALL

ADDITIONS AND CORRECTIONS ON THE CLOSED SESSION AGENDA BY DISTRICT

COUNSEL- *District Counsel will announce agenda corrections and proposed additions, which may be acted on by the Directors as provided in Sections 54954.2 of the California Government Code.*

Board of Directors

Karen Paull, Chair – Division 4
Mary L. Adams, Vice Chair – Monterey County
Board of Supervisors Representative
Alvin Edwards – Division 1
George Riley – Division 2
Safwat Malek – Division 3
Amy Anderson – Division 5
Clyde Roberson – Mayoral Representative

General Manager
David J. Stoldt

This agenda was posted at the District office at 5 Harris Court, Bldg. G, Monterey, California on Friday, April 15, 2022. After staff reports have been posted and distributed, if additional documents are produced by the District and provided to a majority of the Board regarding any item on the agenda, they will be posted on the District website. Documents distributed on the afternoon of the meeting will be available upon request, and posted to the web within five days of adjournment of the meeting. The next scheduled meeting of the MPWMD Board of Directors will be on Monday, May 16, 2022.

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 Conference with Legal Counsel- the board will confer with District Counsel to review pending litigation pursuant to Government Code Section 54956.9:

- a. Conference with Legal Counsel – the board will review one case of pending litigation (§ 54956.9). MPWMD v. LAFCO -- Monterey Superior Court Case No.: 22CV000925

CONVENE TO CLOSED SESSION

RECONVENE TO OPEN SESSION

REGULAR SESSION | 6:00 p.m.

CALL TO ORDER / ROLL CALL

PLEDGE OF ALLEGIANCE

ADDITIONS AND CORRECTIONS TO 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 March 21, 2022 Regular Board Meeting and April 1, 2022 Special Board Meeting
2. Consider Adopting Draft Resolution No. 2022-11 Authorizing Remote Teleconferencing Meetings of all District Legislative Bodies for the Following 30 Days in Accord with the Ralph M. Brown Act and AB 361 (Rivas)
3. Consider Adoption of Treasurer's Report for February 2022
4. Consider Increase of Funds for Consultant Services for Sleepy Hollow Steelhead Rearing Facility Monitoring and Control Systems
5. Declaration of Surplus Assets
6. Consider Expenditure of Budgeted Funds for the “Mulch Madness” Conservation Event
7. Receive and File District-Wide Annual Water Distribution System Production Summary Report for Water Year 2021
8. Receive and File District-Wide Annual Water Production Summary Report for Water Year 2021
9. Receive Fiscal Year 2020-21 Mitigation Program Annual Report
10. Ratify Appointment to Ordinance No. 152 Citizen’s Oversight Panel

11. Approve Expenditure of Budgeted Funds To Corporation Service Company – Document Recording Fees

GENERAL MANAGER’S REPORT

12. Status Report on California American Water Compliance with State Water Resources Control Board Order 2016-0016 and Seaside Groundwater Basin Adjudication Decision
13. Update on Measure J – Materials
14. Update on Water for Housing Initiative

REPORT FROM DISTRICT COUNSEL

15. Report from District Counsel on Action Taken During Closed Session on Monday, April 18, 2022 at 5:00 p.m.
16. Report from District Counsel: MPWMD, *Petitioner and Plaintiff* v. LAFCO, et al., *Petition for Writ of Mandate and Complaint for Injunctive Relief* - Monterey County Superior Court Case No. 22CV000925

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

17. 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.*

18. Consider Adoption of the 2021 MPWMD Annual Report

Recommended Action: The District’s enabling legislation requires that a public hearing be conducted on the Annual Report and direct staff to finalize the 2021 MPWMD Annual Report.

19. Consider Adoption of Urgency Ordinance No. 190 Extending the Exemption for Outdoor Restaurant Seating Water Permit Requirements Due to the COVID-19 Pandemic

Recommended Action:

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

20. Consider Adoption of District Legislative Advocacy Plan for 2022

Recommended Action: The Board will consider approving the District’s Legislative Advocacy Plan for 2022.

- XX. *Intentionally Left Blank*

Recommended Action:

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 Measure J/Rule 19.8 Phase II Spending
23. Letters Received
24. Committee Reports
25. Monthly Allocation Report
26. Water Conservation Program Report
27. Carmel River Fishery Report for February 2022
28. Monthly Water Supply and California American Water Production Report
29. Quarterly Carmel River Riparian Corridor Management Report
30. Quarterly Water Use Credit Transfer Status Report

ADJOURNMENT

Board Meeting Schedule			
Monday, May 16, 2022	Regular Meeting	6:00 p.m.	Virtual – Zoom
Thursday, May 26, 2022	Special- Budget Workshop	6:00 p.m.	Virtual – Zoom
Monday, June 20, 2022	Regular Meeting	6:00 p.m.	Virtual – Zoom

Board Meeting Television and On-Line Broadcast Schedule View Live Webcast at https://accessmediaproductions.org/ scroll to the bottom of the page and select the Peninsula Channel	
Television Broadcast	Viewing Area
Comcast Ch. 25 (Monterey Channel), Mondays view live broadcast on meeting dates, and replays on Mondays, 7 pm through midnight	City of Monterey
Comcast Ch. 28, Mondays, replays only 7 pm	Throughout the Monterey County Government Television viewing area.
For Xfinity subscribers, go to https://www.xfinity.com/support/local-channel-lineup/ or https://www.xfinity.com/stream/listings - enter your address for the listings and channels specific to your city.	Pacific Grove, Pebble Beach, Sand City, Seaside, Monterey
Internet Broadcast	
Replays – Mondays, 4 pm to midnight at https://accessmediaproductions.org/ scroll to Peninsula Channel	
Replays – Mondays, 7 pm and Saturdays, 9 am www.mgtvonline.com	
YouTube – available five days following meeting date - https://www.youtube.com/channel/UCg-2VgzLBmgV8AaSK67BBRg	

Upon request, 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 by noon on Friday, April 18, 2022 to joel@mpwmd.net, or at (831) 658-5652. Alternatively, you may reach Sara Reyes, Admin Services Division at (831) 658-5610.

Instructions for Connecting to the Zoom Meeting

Note: If you have not used Zoom previously, when you begin connecting to the meeting you may be asked to download the app. If you do not have a computer, you can participate by phone.

Begin: Within 10 minutes of the meeting start time from your computer click on this link: <https://us06web.zoom.us/j/84896674174?pwd=MFZrMG1ZK3hVK3h5Vnk5aEY1bU1HQOT09> or paste the link into your browser.

DETERMINE WHICH DEVICE YOU WILL BE USING
(PROCEED WITH ONE OF THE FOLLOWING INSTRUCTIONS)

USING A DESKTOP COMPUTER OR LAPTOP

1. In a web browser, type: <https://www.zoom.us>
2. Hit the enter key
3. At the top right-hand corner, click on “Join a Meeting”
4. Where it says “Meeting ID”, type in the Meeting ID# above and click “Join Meeting”
5. Your computer will begin downloading the Zoom application. Once downloaded, click “Run” and the application should automatically pop up on your computer. (If you are having trouble downloading, alternatively you can connect through a web browser – the same steps below will apply).
6. You will then be asked to input your name. It is imperative that you put in your first and last name, as participants and attendees should be able to easily identify who is communicating during the meeting.
7. From there, you will be asked to choose either ONE of two audio options: Phone Call or Computer Audio:

COMPUTER AUDIO

1. If you have built in computer audio settings or external video settings – please click “Test Speaker and Microphone”.
2. The client will first ask “Do you hear a ringtone?” •If no, please select “Join Audio by Phone”.
 - If yes, proceed with the next question:
3. The client will then ask “Speak and pause, do you hear a replay?” •If no, please select “Join Audio by Phone”.
 - If yes, please proceed by clicking “Join with Computer Audio”

PHONE CALL

1. If you do not have built in computer audio settings or external video settings – please click “Phone Call”
2. Select a phone number based on your current location for better overall call quality.

+1 669-900-9128 (San Jose, CA)	+1 253-215-8782 (Houston, TX)
+1 346-248-7799 (Chicago, IL)	+1 301-715-8592 (New York, NY)
+1 312-626-6799 (Seattle, WA)	+1 646-558-8656 (Maryland)
3. Once connected, it will ask you to enter the Webinar ID No. and press the pound key
4. It will then ask you to enter your participant ID number and press the pound key.
5. You are now connected to the meeting.

USING AN APPLE/ANDROID MOBILE DEVICE OR SMART PHONE

1. Download the Zoom application through the Apple Store or Google Play Store (the application is free).
2. Once download is complete, open the Zoom app.
3. Tap “Join a Meeting”
4. Enter the Meeting ID number
5. Enter your name. It is imperative that you put in your first and last name, as participants and attendees should be able to easily identify who is communicating during the meeting.
6. Tap “Join Meeting”
7. Tap “Join Audio” on the bottom left hand corner of your device
8. You may select either ONE of two options: “Call via Device Audio” or “Dial in”

DIAL IN

1. If you select “Dial in”, you will be prompted to select a toll-free number to call into.
2. Select a phone number based on your current location for better overall call quality.

+1 669-900-9128 (San Jose, CA)	+1 253-215-8782 (Houston, TX)
+1 346-248-7799 (Chicago, IL)	+1 301-715-8592 (New York, NY)
+1 312-626-6799 (Seattle, WA)	+1 646-558-8656 (Maryland)
3. The phone will automatically dial the number, and input the Webinar Meeting ID No. and your Password.

4. Do not hang up the call, and return to the Zoom app
5. You are now connected to the meeting.

Presenting Public Comment

Receipt of Public Comment – the Chair will ask for comments from the public on all items. Limit your comment to 3 minutes but the Chair could decide to set the time for 2 minutes.

- (a) Computer Audio Connection: Select the “raised hand” icon. When you are called on to speak, please identify yourself.
- (b) Phone audio connection **with** computer to view meeting: Select the “raised hand” icon. When you are called on to speak, dial *6 to unmute and please identify yourself.
- (c) Phone audio connection only: Press *9. Wait for the clerk to unmute your phone and then identify yourself and provide your comment. Press *9 to end the call.

Submit Written Comments

If you are unable to participate via telephone or computer to present oral comments, you may also submit your comments by e-mailing them 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". Comments must be received by 12:00 p.m. on Monday, April 18, 2022. Comments submitted by noon will be provided to the Board of Directors and compiled as part of the record of the meeting.