



**Final**

**RESOLUTION NO. 2022-26**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT  
AUTHORIZING THE GRANT APPLICATION, ACCEPTANCE, AND EXECUTION  
FOR THE EXPANSION OF THE PURE WATER MONTEREY PROJECT**

**WHEREAS**, The Monterey Peninsula Water Management District (“District”) is organized and exists under the Monterey Peninsula Water Management District Law (Chapter 527 of the Statutes of 1977, and published at Water Code Appendix, Section 118-1, et seq.) (“District Law”); and

**WHEREAS**, Pursuant to Section 325 of the District Law, and except as otherwise limited by the District Law, the District has the power to do any and every lawful act necessary in order that sufficient water may be available for any present or future beneficial use or uses of the lands or inhabitants within the District, including, but not limited to, irrigation, domestic, fire protection, municipal, commercial, industrial, recreational, and all other beneficial uses and purposes; and

**WHEREAS**, Pursuant to Section 328 of the District Law, the District has the power, among other things, (a) to acquire public or private water systems necessary or proper to carry out the purposes of the District Law; (b) to store water in surface or underground reservoirs within or outside of the District for the common benefit of the District; (c) To conserve and reclaim water for present and future use within the District; (d) To appropriate and acquire water and water rights, and import water into the District and to conserve and utilize, within or outside of the District, water for any purpose useful to the District; and

**WHEREAS**, Section 326 of the District Law authorizes the District to fix, revise, and collect rates and charges for the services, facilities, or water furnished by it, and authorizes the District to collect its rates and charges via the tax roll or other billing methods. Section 308 of the District Law authorizes the District, by resolution or ordinance, to fix and collect rates and charges for the providing of any service it is authorized to provide; and

**WHEREAS**, The District engages in a variety of activities that supply water to properties within the District via a distribution system owned by California American Water (CAW), including water supplied by the Aquifer Storage and Recovery project and the Pure Water Monterey project; and

**WHEREAS**, the Board of Directors of Monterey One Water (the “Agency”) proposes to implement the Expansion of the Pure Water Monterey Project (the “Project”) in partnership with the District; and

**WHEREAS**, the Expansion of the Pure Water Monterey Project is being implemented in response to a drought scenario, as defined by Water Code section 13198(a) and is intended to (1) reduce vulnerability to drought, (2) relieve a Cease and Desist Order imposed by the State Water Board, (3) address immediate impacts on human health and safety and fish and wildlife resources, (4) provide water to persons or communities that are disadvantaged; and

**WHEREAS**, the District has the legal authority and is authorized to enter into a funding agreement with the State of California; and

**WHEREAS**, the District intends to apply for grant funding from the California Department of Water Resources for the Expansion of the Pure Water Monterey Project;

**NOW, THEREFORE, BE IT RESOLVED**, as follows:

1. That pursuant and subject to all of the terms and provisions of the Budget Act of 2022, the District's General Manager, or designee, is hereby authorized and directed to prepare and file an application for funding with the Department of Water Resources, and take such other actions as necessary or appropriate to obtain grant funding.
2. The District's General Manager, or designee, is hereby authorized and directed to execute the funding agreement with the Department of Water Resources and any amendments thereto.
3. The District's General Manager, or designee, is hereby authorized and directed to submit any required documents, invoices, and reports required to obtain grant funding.

**PASSED AND ADOPTED** on this 19<sup>th</sup> day of September 2022 on a motion by Director Edwards with a second by Director Anderson by the following vote, to wit:


AYES: Director Edwards, Paull, Anderson, Roberson, Adams, Malek and Riley

NAYS: None

ABSENT: None

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify the foregoing ordinance was duly adopted on the 19<sup>th</sup> day of September 2022.

Dated: September 22, 2022

  
David J. Stoldt,  
Secretary to the Board