



**Final
Resolution No. 2022-30**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
AUTHORIZING AN APPLICATION, ACCEPTANCE, AND EXECUTION
WITH THE CALIFORNIA STATE WATER RESOURCES CONTROL BOARD
FOR DEEP INJECTION WELL NO. 6 OF 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 District intends to apply for grant funding from the California State Water Resources Control Board for Deep Injection Well No. 6 of the Expansion of the Pure Water Monterey Project (the “Project”); and

WHEREAS, the California State Water Resources Control Board is currently awarding funding through the California General Fund through California Assembly Bill AB-179, the “Budget Act of 2022”; 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 work with the California State Water Resources Control Board to meet established deadlines for entering into a cooperative agreement.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of the Monterey Peninsula Water Management District resolves as follows:

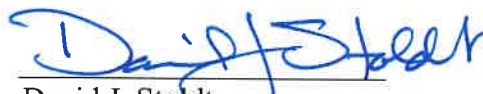
1. That pursuant and subject to all of the terms and provisions of the Budget Act of 2022, the District’s General Manager, or designee, is hereby authorized and directed to prepare and file a Financial Assistance Application for a financing agreement from the State Water Resources Control Board for the planning, design, and construction of the Project, 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 provide the assurances, certifications, and commitments required for the financial assistance application, including executing a financial assistance agreement from the State Water Resources Control Board and any amendments or changes thereto.
3. The District’s General Manager, or designee, is hereby authorized and directed to carry out the District’s responsibilities under the financing agreement, including certifying disbursement requests on behalf of the District and compliance with applicable state and federal laws.

PASSED AND ADOPTED on this 17th day of October 2022 on a motion by Director Anderson with a second by Director Edwards by the following vote, to wit:

AYES: Director Edwards, Riley, Malek, Paull, Anderson, Adams and Roberson
NOES: None
ABSENT: None

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify the foregoing is a resolution adopted on 17th day of October 2022.

Dated: October 17, 2022


David J. Stoldt,
Secretary to the Board