



**FINAL
MINUTES
Regular Meeting
Board of Directors
Monterey Peninsula Water Management District
April 20, 2020**

Board Vice Chair Byrne called the meeting to order at 7 pm. Pursuant to Governor Newsom's Executive Orders N-29-20 and N-33-20, the meeting was conducted with virtual (electronic) participation via WebEx.

CALL TO ORDER/ROLL CALL

Directors Present via WebEx:

Alvin Edwards, – Chair, Division 1 (joined at
Jeanne Byrne – Vice Chair, Division 4
George Riley, Division 2
Molly Evans, Division 3
Gary D. Hoffmann, P.E. – Division 5 (joined at
Mary Adams – Monterey County Board of Supervisors Rep.
David Potter – Mayoral Representative

Directors Absent: None

General Manager present: David J. Stoldt

District Counsel present: David Laredo

The assembly recited the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

On a motion by Evans and second of Adams, agenda item 15 was continued to a future meeting of the Board. The motion was approved on a vote of 5 – 0 by Evans, Adams, Byrne, Riley and Potter. Directors Hoffmann and Edwards were absent.

ADDITIONS AND CORRECTIONS TO AGENDA

On a motion by Potter, the remainder of the agenda was approved for consideration by the Board as presented on a vote of 5 – 0 by Evans, Adams, Byrne, Riley and Potter. Directors Hoffmann and Edwards were absent.

Staff reviewed the protocol for the meeting.

OVERVIEW OF TELECONFERENCE PROTOCOLS

Directors Edwards and Hoffmann joined the meeting.

No comments were presented to the Board.

ORAL COMMUNICATIONS

On a motion by Evans and second of Riley, the Consent Calendar was approved with the exception of agenda items 2 and 3 that were pulled for separate consideration. The motion was approved on a vote of 6 – 0 by Evans, Riley, Byrne, Edwards, Adams and Potter. Hoffmann was absent for the vote as his internet access was interrupted.

CONSENT CALENDAR

Adopted.

On a motion by Evans and second of Potter, agenda items 2 and 3 were approved on a of a vote of 6 – 0 by Evans, Potter, Adams, Edwards, Evans and Riley. Hoffmann was absent.

Approved. See action under item 2.

Received.

Adopted.

Director Hoffmann rejoined the meeting during the General Manager’s Report.

General Manager Stoldt announced the death of William Gianelli, former MPWMD Director and the first Board Chair. He also worked as Director of the California Department of Water Resources from 1967 – 1973. The San Luis Powerplant has been named the William R. Gianelli Powerplant. Mr. Stoldt also reported the following. (a) Monterey One Water released the supplemental EIR on the Pure Water Monterey Expansion Project. (b) There will be no moratorium in the Bishop, Ryan Ranch and Hidden Hills areas according to an agreement approved by the California Public Utilities Commission. (c) Regarding Measure J, the District released the Notice of Preparation of an EIR on the boundary adjustment. A scoping session was scheduled for April 21, 2020. (d) Work on Aquifer Storage and Recovery and the Sleepy Hollow construction project had been managed during the shelter-in-place order. (e) Mr. Stoldt presented the Status Report on California-American Water Compliance. The presentation was available for review on the District’s website.

No reports were presented by Directors.

1. **Consider Adoption of Minutes of the March 16, 2020 Regular Board Meeting and March 20, 2020 Special Board Meeting**
2. **Receive and File District-Wide Annual Water Distribution System Production Summary Report for Water Year 2019**
3. **Receive and File District-Wide Annual Water Production Summary Report for Water Year 2019**
4. **Receive Fiscal Year 2018-2019 Mitigation Program Annual Report**
5. **Consider Adoption of Treasurer’s Report for February 2020**

GENERAL MANAGER’S REPORT

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

DIRECTORS REPORTS (INCLUDING ab 1234 REPORTSS ON TRIPS, CONVERENCE ATTENDANCE AND MEETINGS)

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

On a motion by Byrne and second of Adams, the first reading of Ordinance No 185 was approved on a unanimous vote of 7 – 0 by Byrne, Adams, Edwards, Evans, Hoffmann, Riley and Potter.

Public Comment: John Tilley expressed support for adoption of the Ordinance.

Riley made a motion that was seconded by Evans to adopt the 2019 Annual Report with two amendments: (1) Under the heading “Proposition 1 Integrated Regional Water Management (IRWM) Program” add a sentence stating that membership in the Regional Water Management Group increased in 2019; and (2) Under the heading “Requirements for Future Capital Improvements” in the first line, replace the word “expected” with “planned.” The motion was approved on a unanimous vote of 7 – 0 by Riley, Evans, Adams, Byrne, Edwards, Hoffmann and Potter. No comments were directed to the Board during the public hearing on this item.

On a motion by Byrne and second by Evans, an amendment to the contract with Pueblo Water Resources in an amount not-to-exceed \$20,114 was approved on a unanimous vote of 7- 0 by Byrne, Evans, Adams, Edwards, Hoffmann, Potter and Riley. No comments were directed to the Board during the public comment period on this item.

Byrne offered a motion that was seconded by Potter to authorize the General Manager to enter into a reimbursement agreement in the amount of \$28,567. The motion was approved on a vote of 6 – 0 by Byrne, Potter, Adams, Edwards, Evans and Riley. Hoffmann’s internet connection was interrupted so he was absent for the vote. No comments were directed to the Board during the public hearing on this item.

On a motion by Potter and second of Evans, the 2020 Legislative Advocacy Plan was adopted on a vote of 6 – 0 by Potter, Evans, Adams, Byrne, Edwards and Riley. Hoffmann’s internet connection was interrupted so he was absent for the vote. No comments were directed to the Board during the public comment period on this item.

Evans offered a motion that was seconded by Riley to submit the letter of support presented as Exhibit A in the staff note. The motion was approved on a vote of 6 – 1 by Evans, Riley, Adams, Byrne, Edwards and Potter. Hoffmann was opposed.

PUBLIC HEARINGS

8. **Consider First Reading of Draft Ordinance No. 185 – Amending District Rule 24 to Allow Special Fixture Unit Accounting for Second Bathrooms in Existing Dwelling Units and to Permanently Adopt Sub-Metering Requirements and Exemptions for Accessory Dwelling Units**
9. **Consider Adoption of 2019 MPWMD Annual Report**

ACTION ITEMS

10. **Consider Amendment to Contract with Pueblo Water Resources to Comply with Regional Water Quality Control Board Direction to Move ASR to the State’s General Waiver**
11. **Consider Entering into a Reimbursement Agreement with California American Water and Act as Lead CEQA Agency for Construction of a Bypass Pipeline to Allow Simultaneous Pure Water Monterey Recovery and ASR Injection – Not a Project – Section 15378 of CEQA Guidelines**
12. **Consider Adoption of 2020 Legislative Advocacy Plan**
13. **Consider Letter of Support for Certification of Supplemental Environmental Impact Report for Pure Water Monterey Expansion Back-Up Project**

Public Comment: (a) The following persons spoke in support of the Board sending a letter endorsing certification of the Final EIR: Anna Thompson, Theresa Kollerer, Melodie Chrislock, Amy Anderson, Walt Notley- a Monterey Peninsula Ratepayer, Rafael Ramos - resident of Monterey, and Tammy Jennings. (b) John Tilley, Coalition of Peninsula Businesses, stated that it was borderline unethical for members of Public Water Now to provide public comment on this item as the group sought payment for its efforts as an intervenor in legal proceedings related to the project.

Byrne offered a motion that was seconded by Potter to approve the staff recommendation that a written response be sent to the State Water Resources Control Board that included the recommendations from the March 24, 2020 call with SWRCB staff. The motion was adopted on a unanimous vote of 7 – 0 by Byrne, Potter, Adams, Edwards, Evans, Potter and Riley. No public comment was directed to the Board.

Deferred to a future meeting of the Board. Refer to agenda item Additions and Corrections to Agenda.

No discussion of these items.

The meeting was adjourned at 9:17 pm.

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14. **Consider Written Response to State Regarding Water Right 20808 A, B and C**

15. **Consider Development of Policy on Option to Refuse Smart Water Meter Installation**

INFORMATIONAL ITEMS/STAFF REPORTS

16. **Report on Activity/Progress on Contracts Over \$25,000**
17. **Status Report on Measure J/Rule 19.8 Phase II Spending**
18. **Monthly Progress Report – Santa Margarita Water Treatment Facility**
19. **Legislative Tracking Update**
20. **Letters Received**
21. **Committee Reports**
22. **Monthly Allocation Report**
23. **Water Conservation Program Report**
24. **Carmel River Fishery Report for April 2020**
25. **Quarterly Carmel River Riparian Corridor Management Program Report**
26. **Monthly Water Supply and California American Water Production Report**

ADJOURNMENT


Arlene M. Tavani, Deputy District Secretary