



FINAL MINUTES
Ordinance No. 152 Oversight Panel of the
Monterey Peninsula Water Management District
February 29, 2016

Call to Order The meeting was called to order at 10:30 am in the conference room at the offices of the Monterey Peninsula Water Management District.

Committee members present:

John Bottomley
Paul Bruno
Jason Campbell
Jody Hanson - arrived at 10:34 am
Todd Kruper
John Bottomley
George Riley
Christine Monteith - arrived at 10:34 am
John Tilley

MPWMD Staff members present:

David J. Stoldt, General Manager
Suresh Prasad, Administrative Services Manager
Arlene Tavani, Executive Assistant

District Counsel Present:

David Laredo

Committee members absent:

All present

Comments from the Public:

No comments were directed to the committee.

Action Items

1. **Consider Modification to Committee Quarterly Meeting Schedule**
No action taken. The quarterly meeting schedule was not modified.

Discussion Items

2. **Review Supreme Court Decision on MPWMD User Fee**
Stoldt distributed a copy of Supreme Court decision in S208838 in which the court determined that the California Public Utilities Commission (CPUC) did not have authority to review the Water Management District's user fee that was collected on the California American Water utility bill on behalf of the District. The case was reassigned to the CPUC. Stoldt explained that when the District is able to access the user fee, it may be possible for the District to recoup the monies that have not been collected since 2012. He asked the committee members if they would support collection of the user fee along with the water supply charge, and possibly collection of the fees accumulated since 2012. The responses are listed here. (a) I think you will choose not to collect. (b) You should collect those fees, because if the District loses in the legal challenge on

collection of the water supply charge, that user fee might be needed to pay back water supply charges. (c) If you collect the water supply charge and the user fee, those will equal a higher amount. (d) Double collection is an issue. (e) Prefer that past user fees not be collected. It is best to continue collection of the water supply charge because those funds are good collateral for repayment of loans for project construction. (f) You should collect as much money as possible. You should retain the right to recapture the uncollected user fees. (g) Apply the uncollected user fees to pay off the loan. (h) Agree with previous speaker– you could then sunset the water supply charge. (i) Repayment of the Rabobank loan should be a priority. (j) I would approve collection of the uncollected user fee to pay off the Rabobank loan. This would be justified because if you had been able to collect the user fee since 2012, you would not have needed the Rabobank loan.

3. Review Mid-Year Budget Adjustments to Water Supply Charge

Prasad reviewed Exhibit 3-A that was submitted in the committee packet. Bruno stated that his company bids on construction of water project infrastructure related to the water supply projects, but believes he has no conflict of interest as a member of the Ordinance No. 152 Oversight Panel.

4. Review of Revenue and Expenditures of Water Supply Charge Related to Water Supply Activities

Prasad reviewed Exhibits 4-A and 4-B that were submitted with the committee packet.

Other Items

5. Report on Cal-Am Rate Design Proceeding: No discussion.

6. Water Supply Project Update

Stoldt noted that for the current injection season, the Aquifer Storage and Recovery project injected nearly 300 acre-feet of Carmel River water into the Seaside Groundwater Basin.

Adjourn: The meeting was adjourned at 11:50 am.