



**Final Minutes
Special and Regular Meeting
Board of Directors
Monterey Peninsula Water Management District
January 22, 2024 at 5:00 P.M.**

Meeting Location: District Office, Main Conference Room
5 Harris Court, Building G, Monterey, CA 93940 AND
By Teleconferencing Means - *Zoom*

CLOSED SESSION AT 5:00 P.M.

CALL TO ORDER:

Chair Anderson called the meeting to order at 5:02 PM.

ROLL CALL:

Board members present:	Amy Anderson, Chair George Riley, Vice Chair Marc Eisenhart Karen Paull Ian Oglesby Alvin Edwards Mary Adams
Board members absent:	None
District staff members present:	David Stoldt, General Manager Sara Reyes, Executive Assistant/Board Clerk
District staff members absent:	None
District Counsel present:	David Laredo with De Lay & Laredo Fran Farina with De Lay & Laredo Michael Laredo with De Lay & Laredo

ADDITIONS AND CORRECTIONS TO THE AGENDA:

None

PUBLIC COMMENT ON THE CLOSED SESSION AGENDA:

Chair Anderson opened Oral Communications; *the following comments were directed to the Board:*

- (1) Melodie Chrislock, congratulated the Board on the LAFCO case and congratulated the Board for taking the voters mandate Measure J seriously and for the expertise and courage and leadership that has been demonstrated.

CLOSED SESSION:

District Counsel Laredo led the Board into Closed Session.

- CS 1. Conference with Legal Counsel – Existing Litigation Pursuant to CA Gov Code Sec. 54956.9 of the Government Code) - MPWMD v. LAFCO - Case 22 CV 000935
- CS 2. Conference with Legal Counsel – Existing Litigation Pursuant to CA Gov Code Sec. 54956.9 of the Government Code) - MPWMD v. Cal-Am – Case No. Not Yet Assigned
- CS 3. Public Employee Performance Evaluation, (Pursuant to CA Gov Code Sec. 54957 of the Government Code) - Title: General Manager

RECESS TO CLOSED SESSION:

The Board recessed Closed Session at 5:10 p.m.

REGULAR SESSION AT 6:00 P.M.

CALL TO ORDER:

Chair Anderson called the meeting to order at 6:04 p.m.

ROLL CALL:

Board members present: Amy Anderson, Chair
George Riley, Vice Chair
Marc Eisenhart
Karen Paull
Ian Oglesby
Alvin Edwards
Mary Adams

Board members absent: None

District staff members present: David Stoldt, General Manager
Nishil Bali, Administrative Services Manager/Chief Financial Officer
Jonathan Lear, Water Resources Manager
Maureen Hamilton, District Engineer
Stephanie Locke, Water Demand Manager
Thomas Christensen, Environmental Resources Manager
Sara Reyes, Executive Assistant/Board Clerk

District staff members absent: None

District Counsel present: David Laredo with De Lay & Laredo
Fran Farina with De Lay & Laredo
Michael Laredo with De Lay & Laredo

PLEDGE OF ALLEGIANCE:

The assembly recited the Pledge of Allegiance.

ADDITIONS AND CORRECTIONS TO THE AGENDA:

None

ORAL COMMUNICATIONS:

Chair Anderson opened Oral Communications; *the following comments were directed to the Board:*

- (1) Michael Baer, offered special congratulations to Chair Anderson and wished her a successful year in leading the Board into another successful year. Mr. Baer requested an update on how many of the injection wells are functioning and how many will be used to inject water once ASR is initiated. He also asked what has been done with California American Water (Cal-Am) so that we don't have a repeat of last year's performance where they did not get the Carmel River water allocation out to the community.
- (2) Margaret Anne Coppernoll, referred to a report by General Manager Stoldt from a previous meeting where he had indicated that the State Water Resources Control Board may have supplanted a model in the Cal-Am certified Environmental Impact Report (EIR) on the Monterey Peninsula Water Supply Desalination Project. Ms. Coppernoll asked if the model was supplanted after the California Public Utilities Commission had approved and certified the final EIR or when exactly this model supplanting took place.

PRESENTATION TO MARY ADAMS, MONTEREY COUNTY BOARD OF SUPERVISORS REPRESENTATIVE | 2023 BOARD CHAIR

The General Manager and the Board commended Director Adams for her leadership, commitment, and accomplishments during her tenure as Board Chair. Director Adams thanked the Board and District Staff for their hard work and accomplishments during the past year.

CONSENT CALENDAR:

Chair Anderson introduced the matter.

Director Paull requested to pull items 2 and 4 for discussion and Director Eisenhart requested to pull Item 3 for comments. Nishil Bali, Chief Financial Officer/Administrative Services Manager and General Manager Stoldt answered questions from the Board on Items 2 and 4.

There being no further discussion, a motion was offered by Director Riley with a second by Director Paull to approve the Consent Calendar. The motion passed by a voice vote of 7-Ayes (Adams, Oglesby, Eisenhart, Anderson, Paull, Edwards and Riley), and 0-Noes.

The following agenda items were accepted as part of the Consent Calendar:

1. **Consider Adoption of Minutes of the Special and Regular Board Meeting on December 11, 2023**
2. **Consider Adoption of Resolution 2024-01 Rescinding Resolution 2023-15**
3. **Consider Approving a Contract with Tierra Plan in an Amount Not-To-Exceed \$8,000 to Maintain and Provide Additional Development to the MPWMD Stream Flow Data Portal as a Public-Facing Database Web Server**
4. **Consider Adoption of Treasurer's Report for November 2023**
5. **Review Annual Disclosure Statement of Employee/Board Reimbursements for Fiscal Year 2022-2023**
6. **Consider Approval of Annual Update on Investment Policy**
7. **Ratify Board Committee Assignments for Calendar Year 2024**

GENERAL MANAGER'S REPORT:

Chair Anderson introduced the matter.

8. **Status Report on California American Water Compliance with State Water Resources Control Board Order 2016-0016 and Seaside Groundwater Basin Adjudication Decision**
 - Jonathan Lear, Water Resources Manager, was introduced by General Manager Stoldt to share information from the District's website on Hydrologic Data that is available online to people.
 - General Manager Stoldt presented a newsletter entitled Hastings Happenings to share information on the Hastings Reserve from the University of California Berkeley project to replace a ford across the river with a bridge across the river and the District.

- Maureen Hamilton, District Engineer, was introduced by General Manager Stoldt to share information on a project funded by the Proposition 1 Integrated Regional Water Management Implementation Round 1 Grant. Ms. Hamilton presented via a slide-deck presentation titled “Del Monte Manor Low Impact Development Improvement Project Ribbon Cutting Ceremony”. The ceremony was held in the City of Seaside on January 5, 2024. *A copy of the presentation is available at the District office and can be found on the District website.*
- General Manager Stoldt provided information on the status of this agenda item via slide-deck presentation titled “Status Report on Cal-Am Compliance with SWRCB Orders and Seaside Basin Decision as of January 1, 2024”. Board discussion ensued. *A copy of the presentation is available at the District office and can be found on the District website.*

9. Report on Legislative Outreach for Calendar Year 2023

General Manager Stoldt referred to the staff report in the meeting packet and briefly discussed the Legislative Outreach Communications for 2023. Board discussion ensued.

REPORT FROM DISTRICT COUNSEL:

Chair Anderson introduced the matter.

10. Update on Pending Litigation

District Counsel reported on two pending litigation items that were discussed in closed session.

- The District's lawsuit against LAFCO may be appealed in February and until then the District will explore if LAFCO would like to settle.
- The District's lawsuit against Cal-Am seeking to acquire Cal-Am's Water Distribution System: Cal-Am has yet to file a responsive pleading. Judge Wills is the new assigned judge.
- Cal-Am's Water Purchase Proceeding: This is before the Public Utilities Commission in Phase 2 of the process to review Cal-Am's water demand and water supply projections.

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

Chair Anderson introduced the matter.

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

Director Riley reported he attended the Special District Association dinner meeting on January 16, 2024 and heard information on a class investment tool as well as from Kate McKenna with LAFCO.

Director Edwards stated that he attended the Seaside Basin Watermaster meeting on January 3, 2024 and stated Director Oglesby has been reelected as Chair and Judge Wills has been assigned to the Seaside Basin Watermaster.

Chair Anderson opened the public comment for Item Nos. 8-11; no comments were directed to the Board.

PUBLIC HEARING:

Chair Anderson introduced the matter.

12. Consider First Reading of Ordinance No. 194 Amending Rule 11 and Adding Rule 23.10 to Establish a Water Entitlement for the City of Seaside

Stephanie Locke, Water Demand Manager, provided an overview of her staff report, answered questions and presented via slide-deck presentation titled “Consider First Reading of Ordinance No 194, Amending Rule 11 and Adding Rule 23.10 to Establish a Water Entitlement for the City of Seaside”. Board discussion ensued. *A copy of the presentation is available at the District office and can be found on the District website.*

Chair Anderson opened the public comment; no comments were directed to the Board.

A motion was offered by Director Edwards with a second by Director Paull to approve the first reading of Ordinance No. 194, Amending Rule 11 and Adding Rule 23.10 to Establish a Water Entitlement for the City of Seaside. The motion passed by roll-call vote of 7-Ayes (Oglesby, Adams, Eisenhart, Paull, Edwards, Riley and Anderson). 0-Noes.

DISCUSSION ITEM:

Chair Anderson introduced the matter.

13. Discuss Aquifer Storage & Recovery Third Injection Well Concept

General Manager Stoldt provided an overview of his staff report and answered questions from the Board. Board discussion ensued.

INFORMATIONAL ITEMS/STAFF REPORTS:

- 14. Report on Activity/Progress on Contracts Over \$25,000
- 15. Status Report on Measure J/Rule 19.8 Phase II Spending
- 16. Letters Received
- 17. Committee Reports
- 18. Monthly Allocation Report
- 19. Water Conservation Program Report
- 20. Carmel River Fishery Report for November 2023
- 21. Monthly Water Supply and California American Water Production Report

These items were informational only and no action was taken. Copies of these reports are available at the District office and can be found on the District website.

ADJOURNMENT:

- 1. Chair Anderson adjourned the Regular Session at 7:35 PM.
- 2. Recessed the Board into continued Closed Session at 7:35 PM.
- 3. The Board Adjourned from Closed Session at 8:00 PM.


Sara Reyes, Deputy District Secretary

Minutes Approved by the MPWMD Board of Directors on Monday, February 12, 2024

Chair Anderson opened the public comment; no comments were directed to the Board.

A motion was offered by Director Edwards with a second by Director Paull to approve the first reading of Ordinance No. 194, Amending Rule 11 and Adding Rule 23.10 to Establish a Water Entitlement for the City of Seaside. The motion passed by roll-call vote of 7-Ayes (Oglesby, Adams, Eisenhart, Paull, Edwards, Riley and Anderson). 0-Noes.

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