



FINAL MINUTES

**Regular Meeting
Board of Directors
Monterey Peninsula Water Management District
Monday, January 25, 2021**

*Pursuant to Governor Newsom's Executive Orders N-29-20 and N-33-20,
the meeting was conducted with virtual participation via Zoom.*

The meeting was called to order at 6:01 pm by Chair Edwards.

CALL TO ORDER

Directors Present via Zoom:

Alvin Edwards, - Chair, Division 1
Karen Paull, - Vice-Chair, Division 4
George Riley, Division 2
Vacant, Division 3
Amy Anderson, Division 5
Mary Adams – Monterey County Board of Supervisors Rep.
Clyde Roberson – Mayoral Representative

ROLL CALL

Directors Absent: None

General Manager present: David J. Stoldt

District Counsel present: David Laredo

The assembly recited the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

No changes

ADDITIONS AND CORRECTIONS TO AGENDA

General Manager Stoldt presented a plaque to outgoing Director Dave Potter for two years of exceptional service as the mayoral representative to the board. The General Manager, the Directors and District Counsel thanked Mayor Potter for his years of service to the board and as a public servant within the community. Dave Potter thanked everyone for their professionalism, friendship and wished the district well.

RECOGNITION OF OUTGOING DIRECTOR DAVE POTTER

The following comments were directed to the Board during Oral Communications.

ORAL COMMUNICATIONS

(a) **Susan Schiavone**, thanked Mayor Potter for his work to the community, the board and as Mayor of Carmel. She noted and congratulated the Board and Monterey One Water (M1W) on securing a \$15.5 million grant from the U.S. Department of Interior, Bureau of Reclamation for Pure Water Monterey. In addition, she thanked Chair Edwards for appointing her to the Ordinance No. 152 Oversight Panel.

No further comments were received by the board under oral communications.

A motion was made by Director Riley and second by Director Adams to adopt the Consent Calendar except for Item No. 3 which was pulled for discussion and voted upon separately. Director Roberson abstained from voting on Item No. 1.

(a) The motion was carried by and approved unanimously on a vote of 6 – 0 by Director Riley, Paull, Anderson, Adams, Roberson and Edwards to approve Consent Calendar Items No. 2, 4, 5, 6 and 7.

(b) Consent Calendar Item No. 1 was approved on a vote of 5 – 1 by Director Riley, Paull, Anderson, Adams and Edwards approving for and Director Roberson abstaining.

No public comment was received and provided to the board prior to approval of the consent calendar.

Adopted.

Adopted

Director Edwards acknowledge Susan Schiavone for her continued service to the Ordinance No. 152 Oversight Panel and the entire Ordinance No. 152 Oversight Panel on their efforts and contributions.

A motion was made by Director Edwards and second by Director Roberson to approve Item No. 3. The motion was carried by and approved on a vote of 6 – 0 by Director Riley, Paull, Anderson, Adams, Roberson and Edwards.

No public comment was received for this item.

Received

Approved the General Manager to enter into a contract amendment with Martin Feeney for \$2,970 to compensate the neutralization step completed during the commissioning of PWM Well 1.

Reviewed and Adopted

Adopted

CONSENT CALENDAR

1. **Consider Adoption of Minutes of the December 14, 2020 Regular and December 23, 2020 Special Meetings of the Board of Directors**
2. **Ratify Board Committee Assignments for Calendar Year 2021**
3. **Ratify Appointments to Ordinance No. 152 Oversight Panel**
4. **Review Annual Disclosure Statement of Employee/Board Reimbursements for Fiscal Year 2019-2020**
5. **Consider Authorizing a Contract Amendment with Martin Feeney for Performing Project Management for the Final Conditioning of the Pure Water Monterey Injection Well Field**
6. **Consider Approval of Annual Update on Investment Policy**
7. **Consider Adoption of Treasurer's Report for October 2020**

David J. Stoldt, General Manager presented and discussed his MS PowerPoint presentation. *A copy of the presentation is on file at the District office and can be viewed on the agency website.*

Stoldt reported out on actual versus target production for Water Year (WY) 2021 for MPWRS and Water Projects and Rights, noting that the Carmel River is within target and on Pure Water Monterey actuals vs targets numbers are now being reported. On Monthly Production from All Sources for Customer demand, specifically measuring for customer demand; Mr. Stoldt highlighted the total for WY2021 is slightly less than WY2020 and summarized daily rainfall recorded at San Clemente Rain Gage.

David J. Stoldt, General Manager presented and discussed his MS PowerPoint presentation. *A copy of the presentation is on file at the District office and can be viewed on the agency website.*

David Stoldt provided an update on water supply projects. For Pure Water Monterey (PWM), Stoldt reported that all wells have received their final conditioning, reported out on numbers at Deep Injection Wells (DIW) and Vadose Zone Well (VZW), 755 Acre Feet (AF) injected for customer use (thru last Wednesday), injecting approximately 10 AF per day. In addition, provided the board with an update on the new injection wells and explained the location of various DIWs at PWM. Stoldt has no update for the board on the desalination plant and will connect with Cal-Am for further status updates, if any. Stoldt reviewed and discussed with the board the Aquifer Storage & Recovery (ASR) construction contract expenditures and board authorized expenditure charts. GM praised Maureen Hamilton for her project management abilities as it relates to the ASR. Stoldt reviewed the: Drought Monitor images/graphs for the Western States and California and Reservoir Conditions in California. Stoldt gave an overview of the Water Year Classification by recorded rainfall (data from 1992 to present) noting the CY2021 is in line with Water Year 1924 – as the “Lowest Rainfall Total on Record.” In addition, the unimpaired streamflow (data from 1902 to present) charts at the San Clemente Dam is in line with another critically dry year. Stoldt provided a high-level overview of the historical graph covering the ten (10) worst first months rainfall AND a 3 to 4 week & three (3) month precipitation prediction.

David J. Stoldt, General Manager (GM) presented and discussed his MS PowerPoint presentation. *A copy of the presentation is on file at the District office and can be viewed on the agency website.*

GM Stoldt reviewed the District’s Ad Week for the **Week of January 11, 2021**. Stoldt provided an overview of 2020 Fish Rescues from the Main River and Tributaries and

GENERAL MANAGER’S REPORT

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

9. Update on Development of Water Supply Projects

10. Report to the Board on Fish Rescues for 2020

rescues from the last twenty (20) years.

District Counsel Laredo reported out on the closed session matter from the MPWMD Regular Board Meeting on December 14, 2021, Item No. 28 on a lawsuit filed by California American Water Company against the district. Laredo reported that this was a CEQA challenge on the district's certification of the Environmental Impact Report (EIR) for the potential acquisition of the Monterey water system and the boundary adjustment that is going before LAFCO of Monterey County. Laredo provided a status report during Closed Session and provided direction to the Board and staff to vigorously defend the District's Certification of the EIR.

Director Riley: Attended the Special District's meeting with Guest Speaker CA State Assemblymember Mark Stone who presented on a number of state-wide issues from COVID-19, the Economic Disruption due to COVID-19 and Fires. Riley was able to provide a presentation on Public Banking at the same meeting.

Director Adams: Attended the Special District's meeting and was happy to see and hear Director Riley's presentation on Public Banking.

Stephanie Locke, Water Demand Manager presented and discussed her MS PowerPoint presentation. *A copy of the presentation is on file at the District office and can be viewed on the agency website.*

A motion was made by Director Riley and second by Director Roberson to receive public comment, approve the first reading of draft Ordinance No. 187 and directed staff to return in four (4) months for the 2nd hearing. The motion was carried by and approved unanimously on a vote of 6 – 0 by Director Riley, Paull, Anderson, Adams, Roberson and Edwards.

The following comments were directed to the Board during the public comment period on this item:

(a) **Colonel Varman Chhoeung**, Garrison Commander with the Presidio of Monterey, acknowledged staff and the board for their efforts in considering the action item. He expressed the need for the board to move forward on this matter to allow for a twenty (20) year extension of water use credits to allow for future construction projects.

(b) **Captain Paul Dale**, expressed appreciation of the district's efforts for water conservation, however the Navy

REPORT FROM DISTRICT COUNSEL

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

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

PUBLIC HEARINGS

12. Consider First Reading of Ordinance 187 – (1) Establishing the Department of Defense as a Jurisdiction and adding a Water Use Credit Process Specific to the Department of Defense, and (2) Authorizing the General Manager to Extend Water Use Credits for One Year for Justifiable Cause.

was not consulted and would like an opportunity to work with district staff to make necessary amendments to assist the water credits and water allocation needs of the Navy and recommended a six (6) month postponement.

David Stoldt, General Manager presented and summarized the Staff Report.

A motion was made by Director Adams and second by Director Paull to place the Senior Water Resources Engineer Position on the District's current salary schedule. The motion was carried by and approved unanimously on a vote of 6 – 0 by Director Riley, Paull, Anderson, Adams, Roberson and Edwards.

No public comment was received for this action item.

David J. Stoldt, General Manager and Jonathan Lear, Water Resources Manager presented and discussed the MS PowerPoint presentation. *A copy of the presentation is on file at the District office and can be viewed on the agency website.*

Motion No. 1: A motion was made by Director Adams to postpone consideration of adoption of staff recommendation from a month from now. Motion fails due to a lack of a second.

Motion No. 2: A motion was made by Director Riley to deny the project and second by Director Edwards. The motion was carried by and approved on a vote of 5 – 1 by Director Riley, Paull, Anderson, Roberson and Edwards voting for and Director Adams voting no.

The following comments were directed to the Board during the public comment period on this item:

(a) **Michael Baer** inquired about the costs involved and expressed a need for an image of the project at hand to better gain a better understanding of the project and how to make it more efficient. Mr. Baer asked for an explanation as to why the District is paying for the project. He believes it should be paid by Monterey One Water (M1W) as it is their project and problem.

(b) **Chris Cook** stated that he will work with Jon Lear to create simplified graphs to assist all in better understanding of the project at hand.

(c) **Anna Thompson** acknowledged and echoed some of Mr. Baer's concerns and questions pertaining to costs and cost effectiveness. She noted a number of unresolved questions, to include: who will pay for the project, who is responsible party in building the project, how long it will take to build the pipeline and why is it pressing/urgent to move this project along.

(d) **Susan Schiavone** supports Director Adams in her desire to delay action and wait for M1W to decide and discuss the

ACTION ITEMS

13. **Consider Placing the Senior Water Resources Engineer Position on the District's Current Salary Scale**

14. **Consider Adoption of an Addendum to the District's Prior ASR Environmental Impact Report for Construction of a Bypass Pipeline to Allow Simultaneous Pure Water Monterey Recovery and ASR Injection (Subject to CEQA Review per CEQA Guideline Sections 15162 and 15164)**

undecided SEIR for expansion. She would like to know about the potential costs and how long it will take to build the project.

(e) **John Tilley**, Co-Chair of Peninsula Businesses supports the approval of the pipeline as a back-up to water supply and suggested to use a ten (10) year average for water flows.

David J. Stoldt, General Manager presented and summarized the staff report and e-mail received from the County Elections Department on the costs on conducting a consolidated election, stand alone mail ballot election and stand-alone (includes poll places and vote by mail) election and what the process entails. In addition, discussed the timeline and the alternative which is to appoint an applicant to the vacant Division 3 seat.

The following comments were directed to the Board during the public comment period on this item:

- (a) **Marc Eisenhart**, inquired, as an applicant if there will be an opportunity to meet and speak with the Directors.
- (b) **Michael Baer** is unclear and sought clarification as to why there must be a district-wide election when the vacancy is specific only to the Division 3 vacancy on the board.
- (c) **Anna Thompson** asked the board to make an appointment as opposed to conducting an election.

David J. Stoldt, General Manager presented and discussed his MS PowerPoint presentation. *A copy of the presentation is on file at the District office and can be viewed on the agency website.*

Mr. Stoldt provided an update, progress made by the district and various timelines associated with the district's application to the Monterey County Local Agency Formation Commission, review process, hearing and next steps the district will need to take.

The following comments were directed to the Board during the public comment period on this item:

- (a) **Michael Baer** asked how the public can be involved, what the process really looks like and if the process will be conducted in closed session or vetted out in public.

There was no discussion of these items.

DISCUSSION ITEMS

15. Options for Election of Director Division 3

16. Timeline on Future Decision Points - Feasibility of Public Ownership of California American Water Monterey Water System

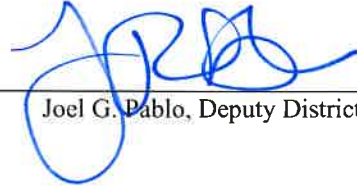
INFORMATIONAL ITEMS/STAFF REPORTS

- 17. Report on Activity/Progress on Contracts Over \$25,000
- 18. Status on Measure J/Rule 19.8 Spending
- 19. Monthly Progress Report – Santa Margarita Water Treatment Facility
- 20. Letters Received
- 21. Committee Reports
- 22. Monthly Allocation Report
- 23. Water Conservation Program Report

24. **Carmel River Fishery Report for December 2019**
25. **Monthly Water Supply and California American Water Production Report**
26. **Quarterly Carmel River Riparian Corridor Management Program Report**
27. **Semi-Annual Groundwater Quality Monitoring Report**

The meeting was adjourned at approximately 9:07 pm.

ADJOURNMENT



Joel G. Pablo, Deputy District Secretary

Minutes Approved by the MPWMD Board of Directors on Monday, March 15, 2021

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