

This meeting has been noticed according to the Brown Act rules. The Board of Directors meets regularly on the third Monday of each month, except in January, February. The meetings begin at 6:00 PM.



FINAL AGENDA
Regular Meeting
Board of Directors
Monterey Peninsula Water Management District

Monday, June 15, 2020, 6:00 PM, Virtual Meeting

Pursuant to Governor Newsom's Executive Orders N-29-20 and N-33-20, and to do all we can to help slow the spread of COVID-19 (coronavirus), meetings of the Monterey Peninsula Water Management District Board of Directors and committees will be conducted with virtual (electronic) participation only using WebEx.

Join the meeting at this link:

<https://mpwmd.webex.com/mpwmd/onstage/g.php?MTID=e73d502147cc84d9cbf31a5aa32922c3c>

Or join at mpwmd.webex.com.

Meeting number: 126 293 2742

Meeting password: WaterDistrict

Participate by phone: 1-877-668-4493

For detailed instructions on how to connect to the meeting, please see page 5 of this agenda.

You may also view the live webcast on AMP <https://accessmediaproductions.org/>
scroll down to the bottom of the page and select the Peninsula Channel

Staff notes will be available on the District web site at
<http://www.mpwmd.net/who-we-are/board-of-directors/bod-meeting-agendas-calendar/>
by 5 PM on Thursday, June 11, 2020

CALL TO ORDER/ROLL CALL

PLEDGE OF ALLEGIANCE

ADDITIONS AND CORRECTIONS TO AGENDA - The Clerk of the Board will announce agenda corrections and proposed additions, which may be acted on by the Board as provided in Sections 54954.2 of the California Government Code.

Board of Directors

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

General Manager

David J. Stoldt

This agenda was posted at the District office at 5 Harris Court, Bldg. G Monterey on Thursday, June 11, 2020. Staff reports regarding these agenda items will be available for public review on June 11 at the District office and at the Carmel, Carmel Valley, Monterey, Pacific Grove and Seaside libraries. After staff reports have been distributed, if additional documents are produced by the District and provided to a majority of the Board regarding any item on the agenda, they will be available at the District office during normal business hours, and posted on the District website at www.mpwmd.net/who-we-are/board-of-directors/bod-meeting-agendas-calendar/. Documents distributed at the meeting will be made available in the same manner. The next Regular meeting of the Board is set for on July 20, 2020 at 6 pm.

ORAL COMMUNICATIONS - Anyone wishing to address the Board on Consent Calendar, Information Items, Closed Session items, or matters not listed on the agenda may do so only during Oral Communications. Please limit your comment to three (3) minutes. The public may comment on all other items at the time they are presented to the Board.

CONSENT CALENDAR - The Consent Calendar consists of routine items for which staff has prepared a recommendation. Approval of the Consent Calendar ratifies the staff recommendation. Consent Calendar items may be pulled for separate consideration at the request of a member of the public, or a member of the Board. Unless noted with double asterisks "***", Consent Calendar items do not constitute a project as defined by CEQA Guidelines section 15378. **NOTE: If Consent items 1, 2, 3, 4, 5, 8, 17, 18, 19, 20 and 27 are pulled for separate consideration they will be deferred for discussion and action to the July 20, 2020 Board meeting. If any of the remaining Consent items are pulled, each will be discussed and acted upon immediately following approval of Consent items not deferred to July 20, 2020.**

1. Consider Adoption of Minutes of the May 13, 2020 Special Meeting/Budget Workshop and May 18, 2020 Regular Board Meeting
2. Consider Adoption of Resolution 2020-07 Calling an Election for Directors in Voter Divisions 3, 4 and 5 on November 3, 2020, and Approve Services Agreement with Election Department
3. Consider Pursuing Retrofits at Rippling River Center Followed by Release of Unused Grant Funding to City of Monterey's Franklin Street Stormwater Project
4. Recommend the Board Consider an Increase in the Budget for Appraisal Services for Measure J Phase 2 Activities
5. Consider Authorizing the General Manager to Enter into Unexploded Ordnance Support Contractors for the Santa Margarita ASR Project
6. Consider Approval of Amendment No. 4 to Agreement with Regional Government Services Authority for Management and Administrative Services
7. Authorize Funds to Contract for District Engineer
8. Consider Expenditure for Temporary Agency Employee to Assist with Document Scanning for All District Divisions During FY 2020-2021
9. Consider Approval of Agreement with Lynx Technologies for Geographic Information System (GIS) Services
10. Authorize Funds to Contract for Limited-Term Field Positions during FY 2020-21
11. Consider Approval of Three Temporary Field Staff Positions Funded Through an Interagency Contract between MPWMD and NMFS to Provide for Cooperative Research and Monitoring Project
12. Consider Expenditure of Funds for CoreLogic Information Solutions, Inc.
13. Authorize Expenditure for Software Maintenance Agreements
14. Approve Expenditure to Corporation Service Company - Recording Fees
15. Consider Renewal of Contract with JEA & Associates for Legislative and Administrative Services
16. Consider Renewal of Contract with Ferguson Group for Legislative and Administrative Services
17. Consider Expenditure to Amend Contract with Pueblo Water Resources to Provide Hydrogeologic Review for Water Distribution System Permits
18. Consider Contract with Pueblo Water Resources to Provide Aquifer Storage and Recovery Operational Support
19. Consider Authorizing Monterey Bay Analytical Services to Provide Laboratory Support for Aquifer Storage and Recovery Water Quality Monitoring
20. Consider Authoring Monterey Bay Analytical Services to Provide Laboratory Support for Watermaster Water Quality Monitoring
21. Consider Approving 3-Year Agreement with DeVeera, Inc. for Information Technology Services
22. Consider Authorization to Contract with Hayashi Wayland to Conduct Annual Financial Audit for Fiscal Years Ending 2020, 2021, and 2022
23. Consider Adoption of Resolution No. 2020-08 - Amending Fees and Charges Table – Rule 60
24. Consider Adoption of Resolution 2020-09 Certifying Compliance with State Law with Respect to the Levying of General and Special Taxes, Assessments, and Property-Related Fees and Charges
25. Consider Adoption of Resolution 2020-10 Establishing Article XIII(B) Fiscal Year 2020-21 Appropriations Limit
26. Consider Adoption of Resolution 2020-11 Update to Rule 24, Table 3, Capacity Fee History

27. Consider Adoption of Treasurer's Report for April 2020

GENERAL MANAGER'S REPORT

28. Status Report on California American Water Compliance with State Water Resources Control Board Order 2016-0016 and Seaside Groundwater Basin Adjudication Decision
29. Update on Progress re Phase 2 of Measure J Activities

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

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

PUBLIC HEARINGS – Public comment will be received. Please limit your comment to three (3) minutes per item

31. **Consider Adoption of July through September 2020 Quarterly Water Supply Strategy and Budget**

Action: The Board will consider approval of a proposed production strategy for the California American Water Distribution System for the three-month period of July through September 2020. The strategy sets monthly goals for surface and groundwater production from various sources within the California American Water system.

ACTION ITEMS – Public comment will be received. Please limit your comment to three (3) minutes per item

32. **Consider Adoption of Proposed FY 2020-2021 MPWMD Budget and Resolution 2020-06**

Action: The Board will consider adoption of the Fiscal Year 2020-21 MPWMD Budget and the corresponding resolution 2020-06 that would confirm their action.

33. **Consider Sending a Letter to the California Coastal Commission for Consideration of the Monterey Peninsula Water Supply Project**

Action: The Board will consider sending a letter to the California Coastal Commission in advance of its public hearing (not yet scheduled) regarding issuance of a Coastal Development Permit for the Monterey Peninsula Water Supply Project.

34. **Board Review and Action Related to Recent Correspondence Sent to Monterey One Water**

Action: The Board will review its options and decide if any action should be taken regarding the May 1, 2020 correspondence to Monterey One Water.

INFORMATIONAL ITEMS/STAFF REPORTS - The public may address the Board on Information Items and Staff Reports during the Oral Communications portion of the meeting. Please limit your comments to three minutes.

35. Report on Activity/Progress on Contracts Over \$25,000
36. Status Report on Measure J/Rule 19.8 Phase II Spending
37. Monthly Progress Report – Santa Margarita Water Treatment Facility
38. Letters Received Supplemental Letter Packet
39. Committee Reports
40. Monthly Allocation Report
41. Water Conservation Program Report
42. Carmel River Fishery Report for June 2020
43. Monthly Water Supply and California American Water Production Report

ADJOURN TO CLOSED SESSION

As permitted by Government Code Section 54956 et seq., the Board may adjourn to closed or executive session to consider specific matters dealing with pending or threatened litigation, certain personnel matters, or certain property acquisition matters.

Public comment on the closed session items will be received during Oral Communications – see the open session agenda.

1. Anticipated Initiation of Litigation by MPWMD - CA Government Code Sec. 54956.9(g) – One Case

The MPWMD Board will continue its conference with legal counsel on whether to protect its rights and interests by initiating litigation against Monterey One Water related to actions taken and responses given on the Pure Water Monterey Expansion SEIR.

ADJOURNMENT

| Board Meeting Schedule | | | |
|----------------------------|-----------------------|---------|---------------------------|
| Monday, July 20, 2020 | Regular Board Meeting | 6:00 pm | Location to be Determined |
| Monday, August 17, 2020 | Regular Board Meeting | 6:00 pm | Location to be Determined |
| Monday, September 21, 2020 | Regular Board Meeting | 6:00 pm | Location to be Determined |

Upon request, MPWMD will make a reasonable effort to provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services to enable individuals with disabilities to participate in public meetings. MPWMD will also make a reasonable effort to provide translation services upon request. Please submit a written request, including your name, mailing address, phone number and brief description of the requested materials and preferred alternative format or auxiliary aid or service by noon on Friday, June 12, 2020. Requests should be sent to the Board Secretary at arlene@mpwmd.net or call 831-658-5652.

| Board Meeting Television and On-Line Broadcast Schedule View Live Webcast at https://accessmediaproductions.org/ scroll to the bottom of the page and select the Peninsula Channel | |
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| Television Broadcast | Viewing Area |
| Comcast Ch. 25 (Monterey Channel), Mondays view live broadcast on meeting dates, and replays on Mondays, 7 pm through midnight | City of Monterey |
| Comcast Ch. 28, Mondays, replays 7 pm and Saturdays 9 am | Throughout the Monterey County Government Television viewing area. |
| For Xfinity subscribers, go to https://www.xfinity.com/support/local-channel-lineup/ or https://www.xfinity.com/stream/listings - enter your address for the listings and channels specific to your city. | Pacific Grove, Pebble Beach, Sand City, Seaside, Monterey |
| Internet Broadcast | |
| Replays – Mondays, 4 pm to midnight at https://accessmediaproductions.org/ scroll to Peninsula Channel | |
| Replays – Mondays, 7 pm and Saturdays, 9 am www.mgtvonline.com | |
| On demand – three days following meeting date https://videoplayer.telvue.com/player/m_3HX6961GRMsvkqSCdwmGeJ8rwpRZrR/playlists/6023/media/514239?sequenceNumber=1&autostart=true&showtabssearch=true | |
| YouTube – available five days following meeting date - https://www.youtube.com/channel/UCg-2VgzLBmgV8AaSK67BBRg | |

Instructions for Connecting to the WebEx Meeting

Note: If you have not used WebEx previously, when you begin connecting to the meeting you may be asked to download the app. If you do not have a computer, you can participate by phone only.

Begin: Within 10 minutes of the meeting start time from your computer click on this link <https://mpwmd.webex.com/mpwmd/onstage/g.php?MTID=e73d502147cc84d9cbf31a5aa32922c3c>
Or go to: mpwmd.webex.com.

Under “Join a Meeting” enter the meeting number **126 293 2742**, hit the enter key and when prompted enter the meeting password **WaterDistrict**, click “Next” and see the dropdown menu at the bottom of the screen “Use computer for audio” and select the method you will use to hear the meeting – see below.

1) Audio and video connection from computer with WebEx app – view participants/materials on your screen

Click on the “Use computer for audio” drop down list

Click “Join Meeting”

Once in the meeting, mute your microphone.

Turn your microphone on when it is your turn to speak.

2) View material on your computer screen and listen to audio on your phone

From the “Use computer for Audio” drop down list select “Call In”

Click on “Join Meeting” / You will see a toll-free telephone number, access code, and attendee ID # -- enter these numbers on your phone.

Mute the microphone on your computer.

Disable computer speakers using the Settings menu.

3) Join by phone only (no computer) dial 1-877-668-4493 and use the meeting number above.

Protocol for Meetings Conducted by Teleconference

- 1) The Chair will call the meeting to order.
- 2) Receipt of Public Comment – the Chair will ask for comments from the public on all items. Limit your comment to 3 minutes.
 - (a) Computer Audio Connection: Select the “raised hand” icon. When you are called on to speak, please identify yourself.
 - (b) Phone audio connection: Press *9. Wait for the clerk to unmute your phone and then identify yourself and provide your comment. Press *9 to end the call.
- 3) For Action and Discussion Items the Chair will receive a presentation from staff and the Directors may ask questions. Following the question and answer period, the Chair will ask for comments from the public.

Submit Oral or Written Comments

If you are unable to participate via telephone or computer to present oral comments, you may also submit your comments by e-mailing them to comments@mpwmd.net with one of the following subject lines "PUBLIC COMMENT ITEM #" (insert the item number relevant to your comment) or “PUBLIC COMMENT – ORAL COMMUNICATIONS”. Comments must be received by 12:00 p.m. on Monday, June 15, 2020. Comments submitted by noon will be provided to the Board of Directors will be compiled as part of the record.

ITEM: CONSENT CALENDAR

1. CONSIDER ADOPTION OF MINUTES OF THE MAY 13, 2020 SPECIAL MEETING/BUDGET WORKSHOP AND THE MAY 18, 2020 REGULAR BOARD MEETING

Meeting Date: June 15, 2020

Budgeted: N/A

From: **David J. Stoldt,**
General Manager

Program/ N/A
Line Item No.:

Prepared By: Arlene Tavani

Cost Estimate: N/A

General Counsel Review: N/A

Committee Recommendation: N/A

CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: Attached as **Exhibits 1-A and 1-B**, respectively, are draft minutes of the May 13, 2020 Special Meeting/Board Workshop and the May 18, 2020 Regular meeting of the Board of Directors.

RECOMMENDATION: District staff recommends approval of the minutes with adoption of the Consent Calendar.

EXHIBITS

1-A Draft Minutes of the May 13, 2020 Special Meeting/Board Workshop

1-B Draft Minutes of the May 18, 2020 Regular Board Meeting



EXHIBIT 1-A

FINAL MINUTES Special Meeting – Board Workshop Board of Directors Monterey Peninsula Water Management District May 13, 2020

The meeting was called to order at 6:00 pm by Chair Edwards. Pursuant to Governor Newsom's Executive Orders N-29-20 and N-33-20, the meeting was conducted with virtual participation via WebEx.

CALL TO ORDER/ROLL CALL

Directors Present via WebEx:

Alvin Edwards, – Chair, Division 1
Jeanne Byrne – Vice Chair, Division
George Riley, Division 2
Molly Evans, Division 3
Gary D. Hoffmann, P.E. – Division 5
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 Byrne and second of Riley, the agenda was approved without modification on a vote of 7 – 0 by Byrne, Riley, Adams, Edwards, Evans, Hoffmann and Riley.

ADDITIONS AND CORRECTIONS TO THE AGENDA

No review.

OVERVIEW OF TELECONFERENCE PROTOCOLS

No comments were directed to the Board during Oral Communications.

ORAL COMMUNICATIONS

District Counsel Laredo reported that all other Directors were present, except for Director Hoffmann who was absent. The purpose of the closed session was to consider authorizing litigation against Monterey One Water. The Board collectively chose to postpone a decision on initiating litigation, and instead chose to provide Monterey One Water an opportunity to respond to concerns of the District. In the closed session, the six attending directors provided collective direction that the District should send a letter to Monterey One Water demanding resolution of concerns related to certification of the Pure Water

ATTORNEY'S REPORT

- 1. Report on April 30, 2020 Closed Session of the Board**

Monterey Groundwater Replenishment Project SEIR and payment of the recent invoice tended by Monterey One Water. The letter was an offer in settlement meant to avoid initiation of litigation. The Board directed that an opportunity be given for each Director to offer edits to that letter, which would then to be sent by mid-day on May 1, 2020.

Suresh Prasad, Administrative Services Manager and Chief Financial Officer, presented an overview of the draft 2020-2021 budget and responded to questions. A summary of his presentation is available at the District office and can be viewed on the agency website. General Manager Stoldt also responded to questions.

During the question and answer period the following information was provided. (a) The budget does not include new funds for Measure J activities. The \$600,000 shown in the budget are carryover funds for work approved in the 2019-20 fiscal year. Staff determined that it would be inappropriate to budget for additional Measure J activities until the Board made a decision on the Resolution of Necessity, which should occur in September or October 2020. If the Board were to decide to move ahead with a condemnation action against California American Water (Cal-Am), the costs would be paid from the General Reserve. (b) Due to the uncertainty about future income resulting from the COVID economic slowdown, hiring to fill four vacant and new positions would be suspended until January 4, 2021. Temporary fishery positions hired annually during the summer months would be filled. One position that was vacated due to a retirement was replaced with a lower-cost consultant. The revenue total listed in the draft budget did reflect a 15% reduction in User-Fee receipts. (c) The Project Costs listed in the draft budget did not reflect 2.3 million of IRWM project costs, nor the IRWM grant funds that would offset the additional expenditure. The final budget would include the increased project cost and grant revenues. (d) Property liability insurance rates increased 40% over last year, and Workers Compensation Insurance rates increased by 27%. (e) The draft budget did not include funds to establish a sinking fund or reserves to pay off the Mechanics Bank loan. A designated reserve fund could be established for that purpose, or the loan could be paid from General Reserve funds. The Board would be tasked to decide how payment should be handled. (f) It was suggested that the District's Investment Policy should be modified by providing information on the risk level of all investment types listed. (g) There was a request that a report be provided each month on the status of User Fee and Water Supply Charge receipts. Staff responded that the User Fee was tracked on a monthly basis, and there was a 45-day delay in receipt of the information due to Cal-Am's reporting practices. Water Supply Charge receipts were submitted to the District by the County of Monterey in

DISCUSSION ITEMS

1. **Review Proposed MPWMD Fiscal Year 2020-2021 MPWMD Budget and Resolution 2020-06**

December and April of each year. (h) There was a suggestion that a professional reserve study be developed.

Public comment: John Tilley, member of the Ordinance No. 152 Oversight Panel, explained that the Water Supply Charge was implemented to pay for the ASR project and pay back the Mechanics Bank loan. He stated that the Water Supply Charge should not be used to pay for Measure J expenses. He also asked the Board to conduct a discussion on sunseting the Water Supply Charge.

The meeting was adjourned at 7:55 pm.

ADJOURNMENT

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Arlene M. Tavani, Deputy District Secretary



EXHIBIT 1-B

DRAFT MINUTES
Special Meeting
Board of Directors
Monterey Peninsula Water Management District
May 18, 2020

The meeting was called to order at 5:15 pm. Pursuant to Governor Newsom's Executive Orders N-29-20 and N-33-20, the meeting was conducted with virtual participation via WebEx.

CALL TO ORDER/ROLL CALL

Directors Present via WebEx:

Alvin Edwards, – Chair, Division 1
 Jeanne Byrne – Vice Chair, Division 4 (joined meeting at 5:30 pm)
 George Riley, Division 2
 Molly Evans, Division 3
 Gary D. Hoffmann, P.E. – Division 5
 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

No action taken on this item.

ADDITIONS AND CORRECTIONS TO AGENDA

The following comments were directed to the Board during Oral Communications. **(a) John Tilley** requested that agenda item 17 be moved to the beginning of meeting so that the greatest number of persons in attendance could witness the discussion. **(b) Jeff Davi** expressed agreement with comments made by John Tilley. **(c) Tammy Jennings** urged the Board to clear up the log-in issues that delayed commencement of the meeting. **(d) Saoirse Folsom** stated that Director Hoffmann should be censured for sending the May 1, 2020 letter to Monterey One Water.

ORAL COMMUNICATIONS

On a motion by Byrne and second of Riley, the Consent Calendar was approved on a unanimous vote of 7 – 0 by Byrne, Riley, Adams, Edwards, Evans, Hoffmann and Potter.

CONSENT CALENDAR

Adopted.

- 1. Consider Adoption of Minutes of the April 20, 2020 Regular Board Meeting and April 30, 2020 Special**

Adopted.

2. **Meeting/Closed Session of the Board
Consider Adoption of Resolution No.
2020-04 - Amending Fees and Charges
Table - Rule 60**

Adopted.

3. **Consider Adoption of Treasurer's
Report for March 2020**

Received.

4. **Receive and File Third Quarter
Financial Activity Report for Fiscal
Year 2019-20**

Approved.

**Consider Approval of Third Quarter
Fiscal Year 2019-2020 Investment
Report**

A summary of Mr. Stoldt's report is on file at the District office and can be viewed on the agency website. He noted that despite limitations on the movement of residents and operation of businesses due to the shelter-in-place order, water demand was down in April which could be attributed to higher than normal rainfall received that month. For the period of October 1, 2019 through April 30, 2020, rainfall was measured at 85% of normal; unimpaired flow was at 64% of the long-term average; and 916.5 acre-feet of water was injected through aquifer storage and recovery.

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**

A summary of Mr. Stoldt's presentation is available at the District office and can be viewed on the agency website. He provided a progress report on construction of the Santa Margarita Water Treatment Facility, and the storage tank rehabilitation project associated with the Carmel Area Wastewater District/Pebble Beach Community Services Project wastewater reclamation project.

7. **Update on Development of Water
Supply Projects**

No report.

ATTORNEY'S REPORT

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

Director Riley noted that recent meetings of the Seaside Groundwater Basin Watermaster had been cancelled. Chair Edwards thanked staff for enabling the Board and public to participate in on-line meetings. He expressed confidence that access would improve with increased understanding of new virtual meeting software.

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

On a motion by Byrne and second of Adams, the Board voted to adopt findings supporting the Negative Declaration on Ordinance No. 185 and to adopt the second reading of the ordinance. The motion was approved on a vote of 7 – 0 by Byrne, Adams, Edwards, Evans, Hoffmann, Potter and Riley. No comments were directed to the Board during the

PUBLIC HEARINGS

9. **Consider Second Reading and
Adoption of Ordinance No. 185 –
Amending District Rule 24 to Allow
Special Fixture Unit Accounting for
Second Bathrooms in Existing
Dwelling Units and to Permanently**

public hearing on this item.

Evans offered a motion to receive the Water Supply Forecast and adopt Resolution No. 2020-05. The motion was seconded by Riley and approved on a unanimous vote of 7 – 0 by Evans, Riley, Adams, Byrne, Edwards, Hoffmann and Potter. No comments were directed to the Board during the public hearing on this item.

Evans offered a motion to adopt Urgency Ordinance No. 186. The motion was seconded by Adams and approved on a unanimous vote of 7 – 0 by Evans, Adams, Byrne, Edwards, Hoffmann, Potter and Riley.

The following comments were directed to the Board during the public hearing on this item: **(a) Gary Cursio**, Chair of Government Affairs for the Monterey County Hospitality Association, expressed support for adoption of the ordinance. **(b) Kevin Dayton**, representing the Monterey Peninsula Chamber of Commerce, urged the Board to adopt the ordinance. **(c) Alan Haffa**, Councilmember for the City of Monterey, expressed concern for employees of businesses that would be reopening, and also for the 40% reduction in revenue the City of Monterey anticipated due to the COVID pandemic. He urged the District to collaborate with local jurisdictions and businesses on their reopening plans. **(d) Margaret Anne Coppernoll** expressed support for adoption of the ordinance. **(e) Tammy Jennings** urged the Board to approve the ordinance. **(f) Lizanne Sawhney** expressed support for adoption of the ordinance. **(g) Esther Malkin**, representing Monterey Peninsula Renters United, urged the Board to adopt the ordinance. **(h) Jeff Davi** expressed support for adoption of the ordinance. **(i) Carol Chorbajian** spoke in support of the proposed ordinance. **(j) Paul Bruno** expressed support for the proposed ordinance.

Motion #1 – Byrne offered a motion to receive the report as an opinion but not as a representation of reality for every situation. The motion failed for lack of a second.

Motion #2 – Hoffmann offered a motion to reject the report. Potter seconded the motion and it failed on a vote of 3 – 4 with Byrne, Potter and Hoffmann voting in favor of the motion. Riley, Evans, Adams and Edwards were opposed.

Motion #3 – Evans offered a motion that was seconded by Edwards to adopt the report. The motion was approved on a vote of 4 – 3 by Evans, Edwards, Adams and Riley. Opposed were Byrne, Hoffmann and Potter.

The following comments were directed to the Board during the public comment period on this item. **(a) Rick Heuer**, representing the Monterey Peninsula Taxpayers Association,

Adopt Sub-Metering Requirements and Exemptions for Accessory Dwelling Units

- 10. Receive and Confirm Water Supply Forecast for Period of May 1, 2020 through September 30, 2020; Adopt Resolution 2020-05 to Amend Rationing Table (XV-4)**
- 11. Consider Adoption of Urgency Ordinance No. 186 - Temporarily Suspending a Portion of Rule 24-B-1-i Pertaining to Exterior Restaurant Seating in Response to COVID-19 Re-Opening Procedures**

ACTION ITEMS

- 12. Consider Recommendation to the Board to Adopt Final Report “Supply and Demand for Water on the Monterey Peninsula”**

asserted that water needs and availability projections in the report did not meet the long-term growth needs of the area. **(b) Kevin Dayton**, representing the Monterey Peninsula Chamber of Commerce. Stated that the demand estimates in the report were inaccurate and could be used to by those opposed to new development and diversification of the local economy. **(c) Fred Meurer**, representing the Monterey Bay Defense Alliance, recommended that the Board reject the report. He urged the Board to focus on development of the Monterey Peninsula Water Supply Project with desalination, Pure Water Monterey phase 1 and aquifer storage and recovery. **(d) Peter Munteer**, representing the Pacific Grove Chamber of Commerce, stated that the Board should vote against this report and send a message to policy makers at the State level that the patchwork approach was the wrong strategy for solving the area's water supply issues. **(e) Susan Schiavone** requested that the Board adopt the report. **(f) Paul Bruno** asked the Board to reject the report as written. **(g) Melodie Chrislock** representing Public Water Now, recommended that the Board adopt the report and distribute it to State agencies in order to counteract efforts by California American Water Company (Cal-Am) to discredit the report. **(h) Margaret Anne Coppernoll** expressed support for adoption of the report and described it as, "accomplished with outstanding excellence". **(i) Tony Lombardo** recommended that the Board refrain from adopting the report as the District's position on future water demand, because it was inconsistent in many areas including demand projections by the military and jurisdictions. **(j) Saoirse Folsom** opined that it was "absolutely necessary" for the Board to adopt the report. **(k) Jeff Davi**, Co-Chair of the Coalition of Peninsula Businesses, stated that the Coalition did not support adoption of the document as it would perpetuate continuance of water poverty in the area. **(l) J. E. Tynan** stated that he hoped a solution could be reached that would provide the water needed for the Castroville area and the Monterey Peninsula. **(m) Anna Thompson** urged the Board to adopt the report. **(n) Scott Dick**, Government Affairs Director for the Monterey County Association of Realtors, stated that the Association would recommend that the Board reject the report; however, there was no such option listed in the staff report. **(o) Tammy Jennings** urged the Board to adopt the report. **(p) Steve Westhoff**, an attorney with the State Water Resources Control Board (SWRCB) who had been working on Monterey Peninsula/Carmel River issues for two years. He stated that it was the SWRCB's view that the California Public Utilities Commission (CPUC) made a reasonable and conservative determination as to future and current demand. He advised the assembly that the SWRCB had made no determination as to the adequacy of the Pure Water Monterey Expansion project. **(q) Alan Haffa** stated that residents wanted an adequate and affordable water supply. If the report validated the claim that water was available to meet regional housing needs, he would fully support adoption. **(r) Barbara Moore** requested that the Board

adopt the report. **(s) Paco Morales** referenced water poverty in the area and stated that Cal-Am was focused on profit. He expressed concern about rising water rates. **(t) Esther Malkin**, representing Monterey Peninsula Renters United, stated that affordable water was a priority and she commended efforts to find an alternative to Cal-Am. **(u) John Tilley** warned that if responsible decisions weren't made regarding the water supply the result would be unemployment. He advocated for development of a sustainable water supply.

Adams offered a motion that was seconded by Evans to deny the staff recommendation and approve the allocation of water from the District's Reserve allocation for the project and to also add language that the City of Monterey would indemnify the Water Management District, and also that the District should take the leadership role it was elected to carry-out.

Byrne offered an amendment to the motion that the 5 acre-feet of water be allocated to the City of Monterey without specifying how it should be used. The maker of the motion did not accept the amendment.

The original motion was approved on a vote of 5 – 2 by Potter, Evans, Riley, Byrne and Adams. Hoffmann and Edwards were opposed.

The following comments were directed to the Board during the public comment period on this item. **(a) Ande Flower**, Principal Planner for the City of Monterey, confirmed that the City was willing to absorb the risk along with developer and offer indemnity. She asked that the Board reconsider the staff recommendation to deny the City's request. **(b) Hans Usler**, City Manager for the City of Monterey, recommended that the Board of Directors authorize the allocation of water from the District reserve for the project. **(c) Steve Westhoff**, SWRCB, stated that the project could move forward with the amount of water used at the site previously. If the project was not expected to use more water than it did in 2009 before the rezoning, it would be okay. He noted that the SWRCB was watching this project closely. **(d) Kevin Dayton**, Government Affairs Liaison for the Monterey Peninsula Chamber of Commerce, suggested the Board double its efforts to find a solution to make the project work. **(e) Alan Haffa** urged the Board to work with the City of Monterey to develop the projects and the affordable housing component. He supported the inclusion of indemnification by the City of Monterey as a condition of approval for the allocation of water for the project. **(f) Kelly deWolf**, representing the United Way of Monterey County, urged the Board to reconsider denial of the City of Monterey's request for water from the District reserve. **(g) Gabriel Sanders**, representing the Monterey County Student Housing Coalition, encouraged the Board to review water use projections and actual use, to determine if water

13. Consider Denial of Request from City of Monterey re Allocation for 2000 and 2600 Garden Road, Monterey

could be found for the proposed low-income housing. He encouraged the District to be innovative in developing solutions. **(h) P K Diffenbaugh**, urged the Board to enable the project to move forward. He expressed concern about the loss of students and teachers in the Monterey Peninsula Unified School District due to the high cost of housing in the area. **(i) Esther Malkin**, representing Monterey Peninsula Renters United, urged the District to do the right thing and become a partner with the City of Monterey to develop the proposed projects. **(j) Paul Bruno** requested that the Board reconsider denial of the City of Monterey's request. He stated that the District should require indemnity and work with the City of Monterey to develop the proposed project. **(k) Tyler Williamson**, Councilmember for the City of Monterey, encouraged the Board to support development of the proposed project. **(l) Madeleine Smith**, graduate student at the Middlebury Institute of International Studies, urged the Board to support the allocation of water for the affordable housing project. **(m) Kimberly Cole**, Community Development Director for the City of Monterey, stated that the City was interested in working with the SWRCB on development of this project in order to meet the State's housing goals. She urged the Board to approve the allocation of water for the project. **(n) Emily Ham**, recent graduate of the Middlebury Institute of International Studies, said there was no time to delay construction of affordable housing projects and asked the Board to reconsider denial and allow the project to continue. **(o) Scott Dick**, Government Affairs Director for the Monterey County Association of Realtors, urged the District to take a risk and support development of the project. **(p) Ashley Gauer**, representing the Monterey Bay Economic Partnership, expressed support for the City of Monterey's request for water from the District's Reserve allocation to supply the project. She stated that the Partnership would advocate for a negotiated settlement with the SWRCB to resolve any issues that were not in alignment with the Governor's housing emergency policies.

On a motion by Adams and second of Potter, agenda items 14, 15 and 17 were deferred to the June 15, 2020 Board meeting. The motion was approved on a unanimous vote of 7 – 0 by Adams, Potter, Byrne, Edwards, Evans, Hoffmann and Riley. No public comment was directed to the Board on this item.

Deferred by motion to June 15, 2020 Board meeting. See action under agenda item 14.

Riley offered a motion that was seconded by Byrne to withdraw its former position of support for installation of Advanced Metering Infrastructure (AMI).

14. Consider Disposition of District Reserve Allocation

15. Consider Pursuing Retrofits at Rippling River Center Followed by Release of Unused Grant Funding to City of Monterey's Franklin Street Stormwater Project

16. Consider Adoption of Policy on Smart Water Meter Installation

Byrne offered an amendment that was accepted by Riley to include in the motion that should AMI be authorized by the CPUC, the District would withdraw its support for any optout charge to the customer. The amended motion was adopted on a vote of 6 – 1 by Riley, Byrne, Adams, Edwards, Evans and Potter. Hoffmann was opposed.

The following comments were directed to the Board during the public comment period on this item. **(a) Saoirse Folsom** requested that the Board take a position in opposition to installation of smart water meters. **(b) Sean Folsom** expressed opposition to installation of smart water meters. He stated that there should be no charge to the customer for opting out of smart water meter installation. **(c) Nina Beety** requested that the Board oppose installation of smart water meters because they presented a health and environmental safety hazard. She asked that Cal-Am be requested to replace the AMI meters with analog meters when requested, at no charge to the customer. **(d) Anna Thompson**, resident of Carmel, expressed opposition to installation of smart water meters and any charge to the customer for opting out of installation of those meters. **(e) Tammy Jennings**, resident of Monterey, expressed agreement with comments presented by of Saoirse Folsom and Nina Beety. **(f) Susan Schiavonne**, resident of Seaside, expressed opposition to installation of smart water meters and a charge to customers that choose to optout of installation. **(g) Melodie Chrislock** spoke in opposition to installation of smart water meters.

Deferred by motion to June 15, 2020 Board meeting. See action under agenda item 14.

There was no discussion of these items.

The meeting was adjourned at 10 pm.

17. Board Review and Action Related to Recent Correspondence Sent to Monterey One Water

INFORMATIONAL ITEMS/STAFF REPORTS

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

ADJOURNMENT

Arlene M. Tavani, Deputy District Secretary

ITEM: CONSENT CALENDAR**2. CONSIDER ADOPTION OF RESOLUTION 2020-07 CALLING AN ELECTION FOR DIRECTORS IN VOTER DIVISIONS 3, 4 AND 5 ON NOVEMBER 3, 2020, AND APPROVE SERVICES AGREEMENT WITH ELECTION DEPARTMENT****Meeting Date: June 15, 2020 Budgeted: 2020-21 Budget****From: David J. Stoldt
General Manager Program/
Line Item: N/A****Prepared By: Arlene Tavani Cost Estimate: \$250,000****General Counsel Review: N/A****Committee Recommendation: The Administrative Committee reviewed this item on June 9, 2020 and recommended approval.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines section 15378.**

SUMMARY: On November 3, 2020, an election is scheduled for directors in voter divisions 3, 4 and 5. The Monterey County Elections Department requires that a resolution calling for the November 3 election be adopted by the Board of Directors and submitted no later than July 1, 2020. The proposed resolution is attached as **Exhibit 2-A**.

The Elections Department has estimated that the approximate cost to conduct the election will be between \$6 and \$8 per registered voter. The 2020-21 Budget has allotted \$200,000 to cover election costs, however, this authorization seeks \$250,000. The additional \$50,000 is to cover the increase in costs based on the actual amount billed by the Election Department. Section 10002 of the Elections Code specifies that the District shall reimburse the County Elections Department in full for the election services performed. Staff requests that the Board authorize the General Manager to enter into a service agreement with the Elections Department (**Exhibit 2-B**).

RECOMMENDATION: The Administrative Committee recommends the Board should adopt the resolution attached as **Exhibit 2-A**, calling for an election in voter divisions 3, 4 and 5 on November 3, 2020; and authorize the General Manager to enter into a service agreement with Monterey County Elections to conduct the election (**Exhibit 2-B**).

IMPACT ON STAFF/RESOURCES: The Fiscal Year 2020-21 Budget identifies \$200,000 under the Election Expenses category to cover the cost of this District election, however, the authorization is for a not-to-exceed amount of \$250,000. The budget is scheduled for adoption at the June 15, 2020 Board meeting.

EXHIBITS

2-A Draft Resolution 2020-07 Ordering an Election in Voter Divisions 3, 4 and 5 on November 3, 2020

2-B Service Agreement for the Provision of Election Services

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EXHIBIT 2-A

**DRAFT
MPWMD RESOLUTION NO 2020-07**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
ORDERING AN ELECTION IN VOTER DIVISIONS 3, 4 AND 5
REQUESTING COUNTY ELECTIONS TO CONDUCT THE ELECTION,
AND REQUESTING CONSOLIDATION OF THE ELECTION**

WHEREAS, pursuant to Elections Code Section 10002, the governing body of any district may by resolution request the Board of Supervisors of the county to permit the county elections official to render specified services to the district relating to the conduct of an election; and

WHEREAS, the resolution of the governing body of the district shall specify the services requested; and

WHEREAS, pursuant to Elections Code Section 10002, the district shall reimburse the county in full for the services performed upon presentation of a bill to the district; and

WHEREAS, pursuant to Elections Code Section 10400, whenever two or more elections, including bond elections, of any legislative or congressional district, public district, city, county or other political subdivision are called to be held on the same day, in the same territory, or in territory that is in part the same, they may be consolidated upon the order of the governing body or bodies or officer or officers calling the elections; and

WHEREAS, pursuant to Elections Code Section 10403, whenever an election called by a district, city or other political subdivision for the submission of any question, proposition, or office to be filled is to be consolidated with a statewide election, and the question, proposition, or office to be filled is to appear upon the same ballot as that provided for that statewide election, the district, city or other political subdivision shall, at least 88 days prior to the date of the election, file with the County Board of Supervisors, and a copy with the elections official, a resolution of its governing board requesting the consolidation, and setting forth the exact form of any question, proposition, or office to be voted upon at the election, as it is to appear on the ballot. Upon such request, the Board of Supervisors may order the consolidation.

WHEREAS, pursuant to Elections Code Section 10400, such election for cities and special districts may be either completely or partially consolidated; and

WHEREAS, the resolution requesting the consolidation shall be adopted and filed at the same time as the adoption of the ordinance, resolution, or order calling the election; and

WHEREAS, various district, county, state and other political subdivision elections may be or have been called to be held on November 3, 2020; and

WHEREAS, the Board of Directors for the Monterey Peninsula Water Management District

(Water Management District) desires to call an election in Water Management District voter divisions 3, 4 and 5; and

WHEREAS, seats in divisions 3, 4 and 5 are for the full four-year terms, each; and

WHEREAS pursuant to Election Code Section 10515 should only one person file for candidacy in voter divisions 3, 4 or 5, the county elections official shall cancel the election in the affected division, and the Board of Supervisors of the County of Monterey shall appoint that candidate to fill the vacancy. Should no person file for candidacy in voter divisions 3, 4 or 5, the county elections official shall cancel the election in the affected division, and the Board of Supervisors of the County of Monterey shall appoint the candidate to fill the vacancy; and

WHEREAS pursuant to Elections Code Section 13307 Division 13, and as directed by the Water Management District Board of Directors on June 15, 2020, each candidate's Statement of Qualifications shall be limited to 400 words. Each candidate shall be responsible for paying the cost of publishing his or her Statement of Qualifications in the Voter's Information Pamphlet at the time of the filing of the statement; and

WHEREAS pursuant to Elections Code Section 10551, if a tie vote makes it impossible to determine which of two or more candidates has been elected, the county elections official shall notify the Water Management District Board of Directors, who shall forthwith notify the candidates who have received the tie votes to appear before it either personally or by representative at a time and place designated. The Water Management District Board of Directors shall, at that time and place, determine the tie by lot and declare the results.

NOW THEREFORE, BE IT RESOLVED AND ORDERED that the governing body of the Monterey Peninsula Water Management District hereby orders an election be called and consolidated with any and all elections also called to be held on **November 3, 2020** insofar as said elections are to be held in the same territory or in territory that is in part the same as the territory of the Water Management District, and requests the Board of Supervisors of the County of Monterey to order such consolidation under Elections Code Section 10401 and 10403.

BE IT FURTHER RESOLVED AND ORDERED that pursuant to Elections Code Section 10002 said governing body hereby requests the Board of Supervisors of the County of Monterey to permit the Monterey County Elections Department to provide any and all services necessary for conducting an election and agrees to pay for said services in full, and

BE IT FURTHER RESOLVED AND ORDERED that the Monterey County Elections Department conduct the election for the purpose of electing **three (3)** Members to this Governing Board on the **November 3, 2020** ballot:

| SEATS OPEN | OFFICE | TERM | DIVISION |
|------------|----------|---------|----------|
| 1 | Director | 4 years | 3 |
| 1 | Director | 4 years | 4 |
| 1 | Director | 4 years | 5 |

BE IT FURTHER RESOLVED AND ORDERED that pursuant to Elections Code Section 13307 Division 13, and as directed by the Water Management District Board of Directors on June 15, 2020, each candidate's Statement of Qualifications shall be limited to 400 words. Each candidate shall be responsible for paying the cost of publishing his or her Statement of Qualifications in the Voter's Information Pamphlet at the time of the filing of the statement; and

BE IT FURTHER RESOLVED AND ORDERED that pursuant to Election Code Section 10515 should only one person file for candidacy in voter divisions 3, 4 or 5, the county elections official shall cancel the election in the affected division, and the Board of Supervisors of the County of Monterey shall appoint that candidate to fill the vacancy. Should no person file for candidacy in voter divisions 3, 4 or 5, the county elections official shall cancel the election in the affected division, and the Board of Supervisors of the County of Monterey shall appoint the candidate to fill the vacancy; and

BE IT FURTHER RESOLVED AND ORDERED that pursuant to Elections Code Section 10551, if a tie vote makes it impossible to determine which of two or more candidates has been elected, the county elections official shall notify the Water Management District Board of Directors, who shall forthwith notify the candidates who have received the tie votes to appear before it either personally or by representative at a time and place designated. The Water Management District Board of Directors shall, at that time and place, determine the tie by lot and declare the results.

On a motion of Director _____ and second by Director _____ the foregoing resolution is duly adopted this 15th day of June 2020 by the following votes:

AYES:

NOES:

ABSENT:

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify that the foregoing is a resolution duly adopted on the 15th day of June 2020.

Witness my hand and seal of the Board of Directors this ____ day of ____, 2020.

David J. Stoldt, Secretary to the Board

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SERVICE AGREEMENT FOR THE PROVISION OF ELECTION
SERVICES BETWEEN MONTEREY PENINSULA WATER MANAGEMENT DISTRICT AND
MONTEREY COUNTY REGISTRAR OF VOTERS

NOVEMBER 3, 2020

This Agreement, entered into this ____ day of _____, 2020, by and between MONTEREY PENINSULA WATER MANAGEMENT DISTRICT and Monterey County Registrar of Voters (hereinafter referred to as Registrar of Voters);

WHEREAS, it is necessary and desirable that the Registrar of Voters be retained for the purpose of conducting an election hereinafter described for the MONTEREY PENINSULA WATER MANAGEMENT DISTRICT (hereinafter referred to as the District);

NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES HERETO AS FOLLOWS:

SERVICES TO BE PERFORMED BY THE DISTRICT:

- 1) No later than the 88th day prior to the election the District shall submit a board approved resolution which requests the Registrar of Voters for Monterey County to conduct an election for the District on NOVEMBER 3, 2020, and requesting election related services of the Registrar of Voters.
- 2) The District shall submit to the Registrar of Voters in writing the exact number of offices to be voted on and/or the exact ballot wording to be voted by no later than the 88th day prior to the election, or by the 83rd day prior to the election if Elections Code §§ 10225, 10229, and 10407 are applicable.
- 3) The District shall prepare and deliver to the Registrar of Voters the Voter Guide information containing, as applicable, the ballot measure and tax rate statements. The last day for the submission of primary arguments (300 words) and impartial analysis shall be no later than AUGUST 13, 2020. The last day for the submission of rebuttal arguments (250 words) is AUGUST 20, 2020.

- 4) The District shall be responsible for reviewing and approving the language of the sample ballot and official ballot wording for candidates and measures.

SERVICES TO BE PERFORMED BY REGISTRAR OF VOTERS:

- 1) The Registrar of Voters shall publish the Notice of Election and the Notice to File Declarations of Candidacy for the District offices to be voted on, and/or the Notice to File Arguments for or against any measure.
- 2) The Registrar of Voters shall select and contract with the sample and official ballot printer(s) on behalf of the District.
- 3) The Registrar of Voters shall prepare and deliver to the printer the official ballot information.
- 4) The Registrar of Voters shall issue, receive and process all ballots on behalf of the District matters.
- 5) The Registrar of Voters shall procure all necessary and appropriate polling place locations, hire polling place workers, and conduct the election in accordance with all applicable state, federal and local laws.
- 6) The Registrar of Voters shall prepare a Canvass of Votes Cast and submit a Certificate of Registrar of Voters to the District regarding the District matters.
- 7) The Registrar of Voters shall conduct other various and miscellaneous election activities as required including but not limited to all those required as the District's Election Official other than those described under "Services to be Performed by the District".

TERMS:

This Agreement shall be in effect for the performance of all services incident to the preparation and conduct of the election to be held on NOVEMBER 3, 2020.

The parties will use best efforts to perform services herein. However, in the event the Registrar of Voters is unable to perform services required under this Agreement that are beyond his control, including an employee strike, vendor conditions, natural disasters, war, or other similar conditions, the Registrar of Voters will be relieved of all obligations under this Agreement. The Registrar will provide reasonable notice, if practical, of any conditions beyond his control, including notice at least 60 days prior to NOVEMBER 3, 2020 of vendor conditions affecting the election services. In the event a vendor does not perform, the Registrar will attempt to obtain substitute services.

CONSIDERATION:

In consideration of the performance of services and supplies provided by the Registrar of Voters, the District shall pay to the Registrar of Voters a sum equal to the actual cost of such services, expenses, and supplies related to the work performed on behalf of District. In the event that this Agreement is terminated prematurely, the District shall pay to the Registrar a sum equal to the actual cost of such services performed or supplies/expenses incurred as of the effective date of the termination.

The District shall make payment within 30 days of receipt of invoice from Registrar of Voters.

DISTRICT:

Signature: _____ Date: _____

Print Name: _____

Title: _____

COUNTY:

Signature: _____ Date: _____

Print Name: _____

Title: _____

ITEM: CONSENT CALENDAR**3. CONSIDER PURSUING RETROFITS AT RIPPLING RIVER CENTER FOLLOWED BY RELEASE OF UNUSED GRANT FUNDING TO CITY OF MONTEREY'S FRANKLIN STREET STORMWATER PROJECT**

| | | | |
|----------------------|---|------------------------------------|-----------------|
| Meeting Date: | June 15, 2020 | Budgeted: | No |
| From: | David J. Stoldt, General Manager | Program/ Line Item No.: | 4-2-3-D |
| Prepared By: | Stephanie Locke | Cost Estimate: | \$66,000 |

General Counsel Review: N/A**Committee Recommendation: The Administrative Committee considered this item on May 12, 2020, and recommended staff pursue Rippling River retrofits prior to releasing grant funds to City of Monterey.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines section 15378.**

SUMMARY: The District contracted with Ecology Action to undertake water saving retrofits and conservation communication in Seaside using IRWM grant funding. The project, called HEART (Highly Effective Applied Retrofit Targets), began in August 2018 and was completed in early 2019. Approximately \$66,000 remains in the grant due to lack of participation in the Seaside Disadvantaged Communities (DAC).

As Ecology Action's team is no longer available to reinstate the HEART program in other DACs, the Water Demand Committee discussed the possibility of redirecting the remaining funds to the City of Monterey's Franklin Street storm drain project, which is also a recipient of the same IRWM grant funds. The City of Monterey requested that the remaining funds be reallocated to its \$815,000 project. The City's project was previously awarded \$182,992.00 in grant funding.

In early 2018, staff received a request from a 100% subsidized housing project in Carmel Valley for assistance with retrofitting to meet the District's multi-family dwelling water efficiency requirements. As the site was not identified as being in a DAC at the time, assistance for Rippling River was not pursued. The facility has 79 units and provides housing to elderly and disabled residents. The site needs assistance to replace most toilets and to retrofit showerheads and faucets. There is also a community laundry facility that is required to have High Efficiency Clothes Washers, the water pressure is required to meet efficiency requirements, and there is a well on site for irrigation that has problems. Recently, a higher scaled DAC map identified the Carmel Valley Village area as one that meets the DAC grant criteria.

Staff is requesting authorization to use a portion of the remaining grant funds to contract with a plumber (or plumbers) to retrofit toilets, showerheads and faucet aerators at Rippling River, check for/repair leaks, test the water pressure, and install or repair a pressure regulating device if needed.

Staff anticipates that the cost of this program will be less than \$40,000 (\$500/unit), and will issue a Request for Proposals to obtain the least cost that meets the required criteria.

Staff discussed the Rippling River project with the grant manager, Community Foundation of Santa Cruz County. The project was forwarded to the Department of Water Resources (DWR) who determined that it meets the grant criteria. Staff is in the process of amending the scope of work for the grant and preparing a scope of work for the RFP. Funds remaining after the Rippling River Center project is completed should be released to the City of Monterey's project.

The Administrative Committee discussed this item on May 12, 2020, and recommended that the retrofits at Rippling River be pursued.

RECOMMENDATION: The Board should authorize staff to contract for the project at Rippling River Center in Carmel Valley using remaining IRWM grant funding. The Board should also authorize shifting unused funds to the City of Monterey's project.

BACKGROUND: The City of Monterey's project scope includes the installation of a new storm drain along Franklin Street, between Alvarado and Figueroa Streets, and intersection improvements along Franklin Street to improve City storm drain facilities and prevent flooding. The storm drain is designed to intercept runoff in the downtown area which is susceptible to flooding. This DAC is one of the main employment locations for the disadvantaged community. Flooding can affect the businesses in the area which in turn affects the work force. Plus, there is also the high risk of washing off pollutants that can be harmful to the environment. The project beneficiary is the public. The new storm drain pipe in Franklin Street will intercept and redirect drainage that currently discharges into the Lighthouse Tunnel Pump Station and then into Monterey Bay without treatment. Drainage will be redirected to Lake El Estero which has assimilative capacity and will eventually be used as reclamation source water.

EXHIBIT

None

ITEM: CONSENT CALENDAR**4. RECOMMEND THE BOARD CONSIDER AN INCREASE IN THE BUDGET FOR APPRAISAL SERVICES FOR MEASURE J PHASE 2 ACTIVITIES**

| | | | |
|----------------------|--|------------------------------------|------------------------------------|
| Meeting Date: | June 15, 2020 | Budgeted: | N/A |
| From: | David J. Stoldt General Manager | Program/ Line Item No.: | N/A |
| Prepared By: | David J. Stoldt | Cost Estimate: | \$126,000 w/contingency |

General Counsel Approval: N/A**Committee Recommendation:** The Administrative Committee reviewed this item on June 9 and recommended approval.**CEQA Compliance:** Not a project under CEQA.

SUMMARY: At the November 18, 2019 Board meeting additional areas of consulting work were identified that would help best position the Board to vote on a Resolution of Public Necessity sometime in 2020. Such activities, which are presently ongoing include: Formal Appraisal and Rate Study, Findings and Other Legal Work, Operations Plan, and CEQA Work.

At its December 16, 2019 meeting the Board approved an overall budget for the scope of services totaling \$1,241,000. At this time, the District has received a proposal for MAI real estate appraisal services to work jointly with Raftelis, the consultants performing the formal valuation. However, the overall approved budget would not be exceeded (see BACKGROUND, below.)

The appraiser, Chris Carneghi MAI, has estimated the budget to be up to \$120,000 because of the large number of properties and the overall complexity. Mr. Carneghi has done this type of highly specialized work before and has experience providing expert testimony in eminent domain legal cases. His proposal is attached as **Exhibit 4-A** with sensitive information related to real property negotiation removed.

RECOMMENDATION: The Administrative Committee recommends the Board approve increasing the budget for appraisal services for Measure J phase 2 activities to \$120,000 and set aside an additional 5% contingency.

BACKGROUND: The overall budget approved by the Board in December 2019 is shown in the table at the top of the next page. The CEQA consultant fee proposal came in far less than budgeted, therefore this proposed change to the MAI Appraiser allows the overall budget to remain \$246,650 less than the overall approved budget.

Budget Summary

| Item | Consultant | Approved Budget | Current Budget |
|------------------------|--|-----------------------|------------------------|
| Appraisal & Rate Study | Raftelis MAI Appraiser | \$200,000 \$35,000 | \$200,000 \$120,000 |
| Findings & Other Legal | Rutan & Tucker | \$225,000 | \$225,000 |
| Operations Plan | Close & Associates Jacobs Engineering | \$145,000 \$87,000 | \$145,000 \$87,000 |
| CEQA Work | Rincon Consultants | \$450,000 | \$130,000 |
| Other | | \$40,000 | \$40,000 |
| Contingency (5%) | | \$59,000 | \$47,350 |
| TOTAL | | \$1,241,000 | \$994,350 |

EXHIBIT

4-A Proposal of Chris Carneghi MAI

CHRIS CARNEGHI, MAI
COMMERCIAL REAL ESTATE APPRAISAL AND CONSULTING

June 1, 2020

Mr. David C. Laredo
Delay & Laredo
606 Forest Avenue
Pacific Grove, CA 93950

dave@laredolaw.net
831-646-1502

Dear Mr. Laredo:

This letter is a proposal for Chris Carneghi, MAI to provide you and your client, Monterey Peninsula Water Management District, with consulting, appraisal and possible expert witness testimony concerning the possible acquisition/condemnation of 110 parcels of land associated with the California American Water Monterey District (Cal-Am Water System). The specific parcels to be appraised are shown on the attached 3-page table and associated map which I was provided. The Monterey Peninsula Water Management District (MPWMD) is reportedly considering the acquisition by condemnation of this land from the privately owned Cal-Am Water Company.

We would appraise the fair market value of the land/real estate only, at its highest and best use, consistent with the rules of real estate valuation applicable to eminent domain proceedings in California. We would not value timber, equipment (tanks, pumps, pipes etc.) associated with the water system, business or goodwill. Our appraisal would address the as is fee simple fair market value of the real estate interest in the property to be acquired as of the date of inspection or condemnation (typically the date of deposit), whichever occurs first.

It is agreed that our consulting and/or appraisal work would be used for assisting MPWMD in making an offer to purchase the property and in possible litigation relating to the condemnation of the property. The format of our appraisal report will be a valuation statement as required by the California CCP. The report will be prepared for Delay & Laredo and MPWMD in connection with this proposed condemnation and the report should not be used or relied upon by any other parties for any reason.

In order to expedite our appraisal assignment, we will need a preliminary title report for each of the properties. To the extent a title report is not available at the time of the appraisal we will value the fee simple interest with a limiting condition assuming there are no easements or encumbrances that would affect the market value. However, you indicated there may be a conservation easement on the watershed land and to the extent such an easement exists we will need to be provided this information. We will also require any other material you have that would assist us in analyzing the property. Your cooperation in providing us this information is required in order for us to complete our work in a timely manner.

For inspection of the subject properties it is typically a requirement that the property owner be offered the opportunity to accompany the appraisers on an inspection. To the extent that access to the property is not made available we will inspect from the public street and note this as a limitation of the appraisal in the report. Given social distancing requirements we will not be doing interior inspections of any buildings at the current time.

It will take approximately 90 days from receipt of notice to proceed in order to complete the appraisal report. You will receive our complete appraisal in a valuation statement format as a PDF document via email. It is your responsibility to read the report and to inform the appraiser of any errors or omissions of which you are aware, prior to utilizing the report or making it available to any third party. The assignment will be done in conformity with the requirements of the Code of Professional Ethics and Standards of Professional Practice of the Appraisal Institute.

The fee for this work will be billed and payable on a time and expense basis including any travel; my billing rate is \$450 per hour. I will be working with Bradley Carneghi, MAI from Carneghi-Nakasako and Associates whose rate is \$375 per hour. Should the assignment extend beyond the end of the 2021 calendar year the fee structure shall be in accordance with our then reasonably prevailing hourly rates. Although this is not intended as a floor or ceiling and we will only bill for the time spent, I would expect our fees could be in the range of \$100,000 to \$120,000 before the start of trial preparation/testimony. A retainer and a signed letter of authorization is required in order to begin work on an assignment.

For further information on my qualifications to do this work please visit www.carneghi.com. If this proposal is acceptable to you, please sign one copy of this letter and return it to me with a check in the amount of \$30,000. Alternatively, you can do an electronic ACH funds transfer per the attached instructions. Your signature serves as the authorization to proceed and guarantees payment of the fees billed and payable on a monthly basis. Accounts are due in full Net 30 days. If payment is not received within 30 days, the unpaid balance will be subject to a finance charge of 1.0% per month. If there should be a dispute concerning payment of our fees in this matter, this contract will be interpreted according to the Laws of the State of California and the prevailing party will also be entitled to attorney fees and collection costs. The parties agree that the limitation of liability for Chris Carneghi, MAI shall be the total amount Client has paid or owes to Chris Carneghi, MAI for any claim arising from the performance of services under this Engagement Letter. If you have any questions concerning this proposal, please contact me. We look forward to working with you on this assignment.

Sincerely,

A handwritten signature in blue ink, appearing to read "Chris Carneghi", is written over a horizontal line.

Chris Carneghi, MAI
Certified General Real Estate Appraiser
State of California No. AG001685

Mr. David C. Laredo

3

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June 1, 2020

c Mr. David J. Stoldt
General Manager
Monterey Peninsula Water Management District
5 Harris Court – Bldg. G
Monterey, CA 93940
Office: 831.658.5651
Cell: 508-954-8414
dstoldt@mpwmd.net

Enclosures

Accepted By: _____ Date: _____

Print Name: _____ Title: _____

Company: _____

E-mail/Phone: _____

**CHRIS CARNEGHI, MAI
COMMERCIAL REAL ESTATE APPRAISAL**

**ACH TRANSFER INSTRUCTIONS
(AUTOMATIC CLEARING HOUSE)**

Clients may electronically transfer money to:

To help properly apply the funds, the following information should be referenced on the ACH transfer:

Invoice Number or Name or Address of the Real Estate

**1602 The Alameda, Suite 103, San Jose, CA 95126 408-535-0900 Ext. 113:
chris@carneghi.com**

QUALIFICATIONS OF CHRIS L. CARNEGHI, MAI
California Certified General Real Estate Appraiser No. AG001685

Chris Carneghi is a commercial real estate appraiser with more than 30-years' experience in the San Francisco Bay Area and Silicon Valley. He is a Member of the Appraisal Institute (MAI), is licensed as a California Certified General Real Estate appraiser and sits on the County of Santa Clara Assessment Appeals Board I.

His areas of expertise include:

- Ground leases
- Assessment appeals
- Condemnations
- Arbitrations
- Expert witness valuation testimony

Mr. Carneghi frequently provides litigation support and has provided testimony as an expert witness in court and in private arbitration proceedings. He has often acted as either a neutral or party arbitrator in resolving matters of real estate values, rents and related issues. He has been qualified as a real estate appraisal expert and provided testimony in all Bay Area California Superior Courts and in Federal United States Bankruptcy Court. He has been qualified as a real estate expert and testified in Federal Tax Court, in California Public Utilities Commission (PUC) hearings and in hearings conducted at the American Arbitration Association (AAA) and Judicial Arbitration and Mediation Service (JAMS) in various locations. He has also testified in Hawaii concerning ground lease issues.

EXPERIENCE

Mr. Carneghi is an expert commercial real estate appraiser, arbitrator and consultant in the fields of real estate and urban economics. He has conducted numerous real estate appraisals of commercial properties including office buildings, research and development (R&D) buildings, industrial facilities, retail stores and shopping centers, hotels, apartments, condominiums and vacant land. Mr. Carneghi's real estate appraisal expertise is focused on urban/suburban buildings, development projects and land. He has extensive experience in appraising real estate for condemnations, rental and other appraisal arbitration matters, property tax assessment appeals, real estate loans, assessment districts, community facilities districts and similar public finance bond financing. Analysis and valuation of leasehold, leased fee and other real estate interests are standard areas of practice. Mr. Carneghi holds the MAI designation from the Appraisal Institute and is licensed as a California Certified General Real Estate appraiser.

After graduating with academic distinction from the University of California at Berkeley, he worked for several years with Paul Fullerton, MAI, on real estate market research with emphasis on downtown rejuvenation studies. He then spent two years with Kaiser-Aetna, a national real estate development partnership, managing market research and financial analysis for their special projects office. Following that he was the project economist for the City of San Jose Economic Development and Redevelopment Program. In 1977, Mr. Carneghi established the firm of Urban Economics Corporation, a real estate consulting firm. In 1979, he merged Urban Economics with the firm of Fullerton-Mills, a real estate appraisal firm established in 1972. The merger resulted in Mills-Carneghi, Inc., later renamed Carneghi and Partners, Inc.

QUALIFICATIONS OF CHRIS L. CARNEGHI, MAI
California Certified General Real Estate Appraiser No. AG001685

Other related experience includes teaching, speaking and publications on various facets of real estate appraisal, arbitration and market research which are listed below.

PROFESSIONAL AFFILIATIONS & STATE CERTIFICATION

MAI Designation: (No. 6566) Appraisal Institute
Chairman Admissions Committee: AIREA Chapter 11, 1987
State of California Certified General Real Estate Appraiser No. AG001685

EDUCATION

Bachelor's Degree: Urban Studies, University of California at Berkeley
Master's Degree: Business Administration, San Jose State University

SPEAKING

Topic: Different Rules for Different Courts: Appraisers in a Legal Setting
Location: 2018 Annual Fall Conference No. CA Chapter Appraisal Institute

Topic: Legal Pitfalls in Arbitration; Lambert v. Carneghi
Location: No. CA Chapter Appraisal Institute, Spring Litigation Conference, Woodside, 2011

Topic: Real Estate Appraisal Principals and Concepts
Location: City of San Jose, Office of Economic Development, 2011

Topic: Real Estate Appraisal Principals and Concepts
Location: City of San Jose, Real Estate Services and Asset Management Division, 2010

Topic: The Bankruptcy Process: Appraiser / Attorney Interaction
Location: No. CA Chapter Appraisal Institute, Spring Litigation Conference, Woodside, 2010

Topic: Property Tax Assessment Appeal & Procedures
Location: No. CA Chapter Appraisal Institute, Spring Litigation Conference, Woodside, 2009

Topic: Appraisal Arbitration Workshop
Location: No. CA Chapter Appraisal Institute, CE Workshop, Pleasanton, 2005

Topic: Qualifying Appraisal Clients, Engaging Assignments, and Product Pricing
Location: No. CA Chapter Appraisal Institute, Fall Conference, San Francisco, 2004

Topic: Exchange and Deposition - Litigation Process Involving a RE Appraiser Expert
Location: No. CA Chapter Appraisal Institute, Fall Conference, San Francisco, 2003

Topic: Issue of Specific Defendant Compensation for an Unrecorded Public Interest in a
Condemned Parcel of Land

QUALIFICATIONS OF CHRIS L. CARNEGHI, MAI
California Certified General Real Estate Appraiser No. AG001685

Location: Case Studies in Eminent Domain Seminar; Northern California Chapter of Appraisal Institute, Oakland, 2003

Topic: Rent Arbitration in Volatile Market Conditions

Location: San Francisco Real Estate Roundtable, 2002

Topic: Demolition and Toxic Contamination Problems in Real Estate Appraising

Location: Santa Clara County Assessor's Training Conference, 2002

Topic: Appraisal Crossfire: Controversies in the Profession

Location: Appraisal Institute San Francisco Bay Area Fall Conference, 1997

Topic: Reviewing the Reviewer in Real Estate Appraisal

Location: Appraisal Institute San Francisco Bay Area Fall Conference, 1993

Topic: Property Acquisition Workshop - Nonprofit Housing

Location: San Francisco Redevelopment Agency, 1993

Topic: Americans with Disabilities Act (ADA) & Unreinforced Masonry Buildings (UMB)

Location: Appraisal Institute San Francisco Bay Area Fall Conference, 1992

Topic: Private Real Estate and Public Planning

Location: San Jose State University, Urban Planning 143 & 275F, 1992

Topic: Real Estate Appraising in a Changing Market

Location: Peat Marwick Real Estate Study Group, April 1989, 1984 and 1985

Topic: Capitalization of 1st Yr. Income in a Market Involving Rent Concessions

Location: AIREA Chapter 11 Meeting, 1989

Topic: Appraised Values - Downtown Area

Location: City of San Jose Real Estate/Relocation/Appraisal Division, 1988

Topic: Rent Concessions in the Appraisal Process

Location: AIREA Chapter 11 Meeting, 1987

Topic: Appraising: Where Are We?

Location: AIREA Chapter 11 Meeting, 1985

Topic: Development Approach to Industrial Land Valuation in an Inflationary Period

Location: Society of Industrial Realtors Appraisal Committee, San Francisco, 1982

Topic: Market-Feasibility Studies for Mortgage Revenue Bond Programs

Location: Dean Witter Reynolds Seminar, St. Francis Hotel, San Francisco, 1981

Topic: Feasibility Studies in Real Estate Valuation

QUALIFICATIONS OF CHRIS L. CARNEGHI, MAI
California Certified General Real Estate Appraiser No. AG001685

Location: Valley Seminar sponsored by Sierra Chapter SREA, Modesto Jr College, 1981

Topic: Economic Feasibility of Downtown Office Buildings

Location: Building Owners and Managers Association Northwest Regional Conference,
Spokane, Washington, 1979

TEACHING

Course: Real Estate Appraisal (RE 302), Instructor

Location: Golden Gate University, San Francisco, Spring 1989

Course: Topics in Real Estate (BA 296), Guest Lecturer

Location: University of California at Berkeley, Spring 1988

Course: Real Estate and Urban Planning (URB P 196H), Instructor

Location: San Jose State University, Spring 1981

Course: Real Estate Appraisal Problems (BUS 104), Instructor

Location: San Jose State University, Fall 1980, Spring 1981

PUBLICATIONS

Article: Appraisal Arbitration: The Role of the Real Estate Appraiser in Resolving Value
Disputes

Publication: The Appraisal Journal, April 1999

Article: Determining Ground-Lease Rental Rates

Publication: The Appraisal Journal, April 1994

Article: Real Estate Appraising Under R41c

Publication: San Jose Business Journal, March 1987

Article: Specialty Shopping Centers: Factors of Success and Failure

Publication: The Appraisal Journal, October 1981

Article: San Jose Office Market

Publication: Western Real Estate News, 1976

QUALIFICATIONS OF BRAD CARNEGHI, MAI
California Certified General Real Estate Appraiser No. AG044571

Brad Carneghi is a commercial real estate appraiser and principal of Carneghi-Nakasako & Associates. For the past decade, Mr. Carneghi has been providing real estate appraisal and consulting services in the broader San Francisco Bay Area including Santa Clara County/Silicon Valley, San Mateo, Alameda, Santa Cruz, Monterey, and San Benito Counties.

Mr. Carneghi has a range of experience in the analysis and appraisal of both commercial and residential real estate. He has appraised a wide range of property types including: industrial and warehouse facilities; retail strip and shopping centers; multi-family and single family developments; hotels/motels; office buildings of all classes and size; apartment complexes; vacant land; ground leased properties; and a diverse selection of special use properties.

Mr. Carneghi holds the prestigious MAI designation awarded by the Appraisal Institute which has long been recognized by courts of law, government agencies, financial institutions, and investors as a mark of excellence in the field of real estate valuation and analysis.

EXPERIENCE

| | |
|------------------------------|---|
| May 2016 to Present | Principal, Carneghi-Nakasako & Associates, a successor firm to Carneghi and Partners, Inc. Provides appraisal and consulting services in real estate and urban economics throughout the Bay Area, with an emphasis on Silicon Valley and surrounding markets. |
| September 2007 to April 2016 | Project Manager, Carneghi and Partners, Inc. Clients included financial institutions, government agencies, law firms, development companies and individuals. |

PROFESSIONAL AFFILIATION

California Certified General Real Estate Appraiser No. AG044571
Appraisal Institute – MAI Designation: No. 513302

EDUCATION

University of California, Santa Cruz – Bachelor of Arts – Degree in Anthropology – 2006

Mr. Carneghi has successfully completed all general and advanced appraisal courses offered by the Appraisal Institute as a requirement of designated membership. Appraisal courses completed by Mr. Carneghi covered a wide range of topics in the appraisal of both residential and commercial real estate including: ethical and legal real estate appraisal compliance standards (USPAP); effective market research procedures; land valuation; accurate construction cost estimation; income analysis and valuation; real estate sales comparison methods; and detailed report writing.

Mr. Carneghi most recently completed the 7-Hour 2018/2019 USPAP update in early-2018.

ITEM: CONSENT CALENDAR**5. CONSIDER AUTHORIZING THE GENERAL MANAGER TO ENTER INTO UNEXPLODED ORDNANCE SUPPORT CONTRACTS FOR THE SANTA MARGARITA ASR PROJECT**

| | | | |
|----------------------|--|--------------------------------|---|
| Meeting Date: | June 15, 2020 | Budgeted: | Yes |
| From: | David J. Stoldt General Manager | Program/ Line Item: | Water Supply Projects 35-04-786004 |
| Prepared By: | Maureen Hamilton | Cost Estimate: | \$29,016.57 |

General Counsel Review: N/A**Committee Recommendation:** The Administrative Committee reviewed this item on June 9, 2020 and voted 2-1 to recommend authorization.**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: When Fort Ord Reuse Authority (FORA) sunsets on June 30, 2020, the agreement between FORA and MPWMD for FORA to provide unexploded ordnance (UXO) support services for the Santa Margarita ASR construction project (Project) will not be valid. The Project is expected to continue ground disturbing activities into July 2020 and would be forced to halt those activities without a valid UXO support contract.

Staff proposes to enter into a contract to provide unexploded ordnance (UXO) support services required to continue Project construction. The Administrative Committee reviewed this item on June 6, 2020 and voted 2-1 to recommend authorization, but at a much higher cost estimate, approximately \$47,000. We now have better cost information and the requested amount is significantly lower.

RECOMMENDATION: The Administrative Committee recommends the Board authorize the General Manager to enter into a UXO support contract with Weston Solutions on a time and materials basis in an amount not to exceed (NTE) \$26,378.70 plus 10% contingency, totaling \$29,016.57.

BACKGROUND: The Santa Margarita ASR site is located on FORA-owned Environmental Services Cooperative Agreement (ESCA) property near the southeast corner of General Jim Moore Boulevard and Eucalyptus Road in the City of Seaside. FORA required that any party conducting land-disturbing activity on FORA property enter into a Reimbursement Agreement (RA) with FORA to supply ESCA and UXO support services including UXO construction support. MPWMD is required to fund all ESCA technical and UXO support costs for construction activities on the site. FORA informed MPWMD staff, via email, that on July 1, 2020 the RA for UXO support will no longer be valid. The City has informed MPWMD staff, verbally and via email, that work may continue at the site so long as MPWMD has a valid UXO contract in place. There has been no other formal correspondence regarding these requirements.

UXO support services scope includes ensuring intrusive activities are coordinated in advance with UXO-qualified personnel providing support; encountered munitions and suspect munitions are visually evaluated to determine whether they are or may be Munitions and Explosives of Concern (MEC), munitions debris (MD), or non-munitions debris (e.g., metal scrap); such munitions or debris that poses an explosive hazard are reported and managed properly; and other reporting. Most services are supplied by FORA subcontractors.

On April 9, 2014, the Board approved a RA with FORA for pre-construction support costs for the Project in the amount of \$24,000. On July 16, 2018 the Board authorized the General Manager to amend the FORA services agreement to provide UXO construction support services for the Project by the NTE amount \$55,215. As of May 31, 2020, there is \$46,937.28 remaining of the July 2018 \$55,215 authorization.

The Project obtained a Digging and Excavating on the Former Fort Ord permit (Grading Permit) from the City of Seaside for the Project construction. As stated earlier, City staff informed MPWMD staff that the Grading Permit will require a UXO support contract to remain valid after June 30, 2020. If the Grading Permit is invalidated, ground disturbing work required for construction of the Project must cease.

District staff reached out to FORA's UXO support subcontractor Weston Solutions to secure services outlined above. Weston Solutions has a unique understanding of the ESCA and UXO complexities, procedures, and processes and how to achieve success. They have an understanding of the Seaside, California, Code of Ordinances Title 15, Final Remedial Design/Remedial Action (RD/RA) work plan, Land Use Controls Implementation Plan (LUCIP) and the UXO Construction Support Work Plan for the Project and have experience performing construction support on the former Fort Ord and within the Seaside Munitions Response Areas.

City staff confirmed a contract with Weston Solutions for UXO support services meets the City requirement for a UXO support contract and the Grading Permit would remain valid with evidence of said contract. The FORA RA would be terminated simultaneously upon execution of a contract with Weston Solutions.

The rate sheet Weston provided for the Project UXO support has lower rates than the rates that were negotiated between Weston and FORA.

| Function | Weston-FORA 2020 Rate | Weston-MPWMD Rate |
|-----------------------|------------------------------------|--------------------------------|
| Project Manager | \$229.29/h | \$202.50/h |
| Billing Analyst IV | \$134.52/h Financial Analyst IV | \$74.68/h |
| Senior UXO Specialist | \$160.80/h | \$153.98/h |
| Rental Car and Fuel | \$66/d + 4.50/gal | \$105/d |
| Per diem | \$76/d | \$83.60/d |
| Hotel | \$169.4-\$226.6 seasonal variation | \$171-\$223 seasonal variation |

Additionally, MPWMD will save the 5% FORA overhead on subcontractors.

EXHIBITS

None

ITEM: CONSENT CALENDAR**6. CONSIDER APPROVAL OF AMENDMENT NO. 4 TO AGREEMENT WITH REGIONAL GOVERNMENT SERVICES AUTHORITY FOR MANAGEMENT AND ADMINISTRATIVE SERVICES**

| | | | |
|----------------------|---|-------------------------------------|--------------------------|
| Meeting Date: | June 15, 2020 | Budgeted: | Yes |
| From: | David J. Stoldt, General Manager | Program/ Line Item No. : | Professional Fees |
| Prepared By: | Suresh Prasad | Cost Estimate: | \$70,000 |

General Counsel Review: N/A**Committee Recommendation: The Administrative Committee reviewed this item on June 9, 2020 and recommended approval.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY:

On December 12, 2016, the District entered into an Agreement for Management and Administrative Services with Regional Government Services (RGS). The Agreement was for a period of six months that ended on June 30, 2017.

On June 19, 2017, the District entered Amendment No. 1 RGS. The Agreement was for a period of twelve months that ended on June 30, 2018.

On June 18, 2018, the District entered Amendment No. 2 RGS. The Agreement was for a period of twelve months that ended on June 30, 2019.

On June 17, 2019, the District entered Amendment No. 3 RGS. The Agreement was for a period of twelve months that will end on June 30, 2020.

Based on current experience for the past three years, staff recommends extending the services of RGS for 12 months for a not-to-exceed price of \$70,000. This amendment will be from July 1, 2020 to June 30, 2021, attached as **Exhibit 6-A**.

RECOMMENDATION: The Administrative Committee recommends authorizing the General Manager or the Administrative Services Manager/CFO to execute Amendment No. 4 to existing Agreement with RGS to provide management and administrative services for an amount not to exceed \$70,000. The approval of this item is contingent upon the adoption of FY 2020-2021 budget by the Board.

BACKGROUND: With the retirement of the District's full time Human Resources Analyst, staff evaluated the District's human resources need and realized that the most efficient way to fill the position would be to contract part-time human resources services.

RGS is a governmental, joint powers authority, formed in 2001, who exclusively serves public sector agencies. RGS will serve as a consultant for management and administrative services to provide human resources support for the District on a part-time, continuous basis and will provide onsite office hours of two four-hour days per week. Activities include researching and recommending best practices on policies, procedures, personnel transactions; coaching and training managers on sensitive performance issues; providing training on team building and conflict resolution; developing, monitoring, and managing leave of absence; conducting non-executive recruitments; and assisting in preparation of labor negotiations.

RGS has been providing services to the District since December 12, 2016, and the existing Agreement is anticipated to remain in force through June 30, 2019. RGS will assign RGS employees to serve as the Human Resources Advisor(s) to the District and will provide support by performing District's human resources management practices, policies and systems and by providing ongoing Human Resources Management services.

EXHIBIT

6-A Amendment No. 4 to Agreement for Management and Administrative Services



**REGIONAL
GOVERNMENT
SERVICES**

SERVING PUBLIC AGENCIES SINCE 2002

**AMENDMENT NO. 4 TO MANAGEMENT AND ADMINISTRATIVE
SERVICES AGREEMENT**

This fourth amendment to the Management and Administrative Services Agreement between the **MONTEREY PENINSULA WATER MANAGEMENT DISTRICT** ("Agency") and Regional Government Services Authority, hereinafter called "RGS" is made and entered into this 1st day of July, 2020.

RECITALS

The Agency and RGS entered into an Agreement for services dated December 20, 2016. This Amendment is entered into with reference to the following facts and circumstances:

- A. Agency desires to amend the provisions of the Management and Administrative Services Agreement to extend the Human Resources Services.
- B. RGS is desirous of these changes as well.

Based upon the forgoing recitals, Agency and RGS agree to the terms of continued services set forth in Exhibit A.

- C. All other terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Additional Services Amendment to be executed on the date first above written by their respective officers duly authorized in that behalf.

Dated: _____

MONTEREY PENINSULA WATER
MANAGEMENT DISTRICT

Suresh Prasad

Dated: _____

RGS

Richard H. Averett, Executive Director

RGS provides quality, innovative, cost-effective services exclusively to public agencies.

Main 650.587.7300 Fax 650.587.7311 P.O. Box 1350 Carmel Valley, CA 93924

www.rgs.ca.gov

**MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
Amendment #4**

EXHIBIT A

Scope of Services

Subject to the terms and conditions of this Agreement, Regional Government Services Authority (RGS) shall assign RGS employee(s) to serve as the Human Resources Advisor(s) to the Monterey Peninsula Water Management District (District), which may require performing any or all of the functions described below:

- 2.1. Research best practices and draft human resources administrative policies, procedures, forms and templates to develop an effective and compliant system of human resources management practices and personnel transactions.
- 2.2. Identify key cultural perspectives within workgroups in order to provide effective communications to managers, supervisors, employees, and labor groups.
- 2.3. Confer with staff and employee representatives as requested to obtain input and/or feedback regarding policy and procedure recommendations; or to obtain information relevant to the resolution of personnel issues.
- 2.4. Create policy implementation plans and timelines, including identification of roles/activities to be carried out by the District's managers and supervisors.
- 2.5. Coach or train managers and supervisors on policies and implementation, prepare educational and informational and procedural documents, and participate in implementation meetings as needed.
- 2.6. Coach supervisors as needed in team building, conflict resolution, and other collaborative workplace skills.
- 2.7. Draft required management communications to employees and labor organizations and facilitate compliance with legal obligations as well as effective relationship building.
- 2.8. Draft specific documentation relevant to resolving a range of personnel issues; coach supervisors on conducting sensitive personnel conversations.
- 2.9. Design and coordinate payroll and benefits workflows with finance and departmental staff to ensure effective transactional operations; may process such transactions as needed.
- 2.10. Develop and conduct managerial, supervisory, or employee training courses.
- 2.11. Analyze a variety of information and recommend appropriate management action; provide written documentation of analysis and recommendations as needed.
- 2.12. Conduct recruitments as requested, and design selection processes and instruments to be used.
- 2.13. Draft or update individual job classification descriptions on an as-needed basis, and make preliminary compensation recommendations.
- 2.14. Monitor and manage medical leaves of absence, modified returns-to-work, and other illness/injury/disability issues as needed from initial injury through return to work or separation from employment; ensuring correct communications to all parties, and creating appropriate documentation.
- 2.15. Assist in preparation for labor negotiations, compiling data, recommending language revisions, and identifying administrative or operational options.
- 2.16. Conduct research and prepare essential functions information as needed

3. RGS Advisor(s) will:
 - 3.1. Perform the functions as assigned by the RGS lead advisor.
 - 3.2. Be reasonably available to perform the services during the normal work week.
 - 3.3. Meet as often as necessary for the purpose of consulting about the scope of work performed with the appropriate agency project manager and with the RGS lead advisor.
 - 3.4. Perform other duties as are consistent with the services described herein and approved by the RGS lead advisor.
4. Projects and activities may be modified on request of the District. District will only be invoiced for the actual hours worked.
 - 4.1. The hourly bill rate does not include mark-up for direct external costs which will be invoiced to the District at cost.
 - 4.2. Except for regular office hours, travel time to/from the District will be billed at Advisor's hourly rate. In addition, costs related to travel such as airfare, overnight accommodations, car rentals, and other incidentals will be billed at actual cost.
5. These services will begin immediately upon authorization of a contract for services.

The extension of services will be effective starting July 1, 2020 and this agreement is anticipated to remain in force through June 30, 2021, unless extended by mutual consent of both parties.

Hourly rates and "Not-to-Exceed" (NTE) schedule are amended as follows:

RGS STAFF

| CLASSIFICATION | HOURLY RATE* |
|--------------------------------|---------------------|
| Chief Operating Officer | \$135 to \$220 |
| Deputy Chief Operating Officer | \$130 to \$195 |
| Senior/Lead Advisor | \$125 to \$190 |
| Advisor | \$115 to \$160 |
| Project Advisor | \$105 to \$125 |
| Project Coordinator | \$85 to \$120 |
| Technical Specialist | \$75 to \$115 |

*The Hourly Rate does not include direct external costs which will be invoiced to Agency with no markup.

The cost of services for the period July 1, 2020 – June 30, 2021 is estimated to not exceed (NTE) seventy thousand dollars (\$70,000).

ITEM: CONSENT CALENDAR**7. AUTHORIZE FUNDS TO CONTRACT FOR DISTRICT ENGINEER**

| | | | |
|----------------------|---|------------------------------------|-----------------------|
| Meeting Date: | June 15, 2020 | Budgeted: | Yes |
| From: | David J. Stoldt, General Manager | Program/ Line Item No.: | |
| Prepared By: | Suresh Prasad | Cost Estimate: | Up to \$85,000 |

General Counsel Approval: N/A**Committee Recommendation:** The Administrative Committee reviewed this item on June 9, 2020 and recommended approval.**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: Planning and Engineering Manager/District Engineer, Larry Hampson, retired on May 31, 2019. Some of his duties were transferred to existing District staff. However, there is a need for his specialized skills and knowledge of District projects, such as the Sleepy Hollow Intake Facility Project. He will provide assessment and oversight on District projects. Mr. Hampson's unique experience and historical knowledge, after 28 years with the District, make him the only individual who can carry out these functions. The District is also required to have a registered Professional Engineer on staff and Mr. Hampson is a registered Professional Engineer.

It would greatly benefit the District to offer a limited-term, part-time contract as a retired annuitant to Mr. Hampson. The contract would be for Mr. Hampson to act as a District Engineer at his former hourly rate of \$78.03, for up to 960 hours from July 1, 2020 through June 30, 2021. He would not receive any benefits, other than those mandated by state and federal law.

RECOMMENDATION: The Administrative Committee recommends the Board authorize the expenditure of funds to hire retired annuitant for up to 960 hours of work from July 1, 2020 through June 30, 2021. Approval of this item will be contingent upon final adoption of the FY 2020-2021 budget.

IMPACTS TO STAFF/RESOURCES: The cost to the District for a 12-month, part-time contract would not exceed \$85,000.

EXHIBIT

None

ITEM: CONSENT CALENDAR**8. CONSIDER EXPENDITURE FOR TEMPORARY AGENCY EMPLOYEE TO ASSIST WITH DOCUMENT SCANNING FOR ALL DISTRICT DIVISIONS DURING FY 2020-2021**

| | | | |
|----------------------|---|------------------------------------|----------------------------|
| Meeting Date: | June 15, 2020 | Budgeted: | Yes |
| From: | David J. Stoldt, General Manager | Program/ Line Item No.: | Temporary Personnel |
| Prepared By: | Suresh Prasad | Cost Estimate: | \$43,500 |

General Counsel Approval: N/A**Committee Recommendation: The Administrative Committee reviewed this item on June 9, 2020 and recommended approval.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY: As part of the District's efforts to reduce physical storage needs of hard copy documents, archive historical documents, and efficiently manage these documents, all paper documents will need to be scanned, tagged and cataloged by a skilled temporary worker employed by a local staffing agency.

RECOMMENDATION: The Administrative Committee recommends the Board authorize the expenditure of funds for a local staffing agency to provide an individual, or successive individuals if necessary, to perform scanning projects for the District. Approval of this item will be contingent upon final adoption of the FY 2020-2021 budget.

BACKGROUND: The District has many historical documents, personnel records, and environmental data across all divisions. Migrating these records into a document management system will preserve the data, increase efficiency for retrieval, and promote the workflow of certain tasks.

The assistance of a temporary worker to digitize these documents will allow staff to continue with their regular daily tasks. The temporary worker would focus on data scanning during the time of his or her assignment and would not provide other clerical or office assistance.

EXHIBIT

None

ITEM: CONSENT CALENDAR

9. CONSIDER APPROVAL OF AGREEMENT WITH LYNX TECHNOLOGIES FOR GEOGRAPHIC INFORMATION SYSTEM (GIS) SERVICES

| | | | |
|----------------------|---|-----------------------------------|--------------------------|
| Meeting Date: | June 15, 2020 | Budgeted: | Yes |
| From: | David J. Stoldt, General Manager | Program/ Line Item No. | Professional Fees |
| Prepared By: | Suresh Prasad | Cost Estimate: | \$35,000 |

General Counsel Review: N/A

Committee Recommendation: The Administrative Committee reviewed this item on June 9, 2020 and recommended approval.

CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: With the departure of District's full-time GIS Specialist, there was a need to find a replacement to fill that position. Based on the size of the District, the replacement of a full-time GIS position can most effectively be filled with a part-time GIS consultant.

On June, 2017, the District entered in to an Agreement for GIS Professional Services with Lynx Technologies. The Agreement was for a period of 12 months that ended on June 30, 2018.

On June 18, 2018, the Board authorized to extend the contract for GIS Professional Services for 12 months, which ended on June 30, 2019.

On June 17, 2019, the Board authorized to extend the contract for GIS Professional Services for another 12 months, which will end on June 30, 2020.

A revised scope of services for GIS Professional Services has been prepared by Lynx Technologies for the Boards review. If approved, this Agreement will extend for another 12 months with effect from from July 1, 2020 to June 30, 2021.

Currently, the Pebble Beach Community Services District is using services of Lynx Technologies to provide GIS services for their district on a part-time basis. In addition, several other cities are also utilizing the services of Lynx Technologies for their GIS needs.

RECOMMENDATION: The Administrative Committee recommends the Board authorize the General Manager or the Administrative Services Manager/CFO to enter into an agreement with Lynx Technologies to provide GIS services for an amount not to exceed \$35,000. The approval of this item is contingent upon the adoption of FY 2020-2021 budget by the Board.

BACKGROUND: Lynx Technologies will serve as a consultant for GIS services to provide support for the District on a part-time, continuous basis and will provide onsite office hours of 1-2 days per week based on the workload.

The Agreement with Lynx Technologies will be from July 1, 2020 to June 30, 2021. Lynx Technologies will assign an employee to serve as the GIS consultant to the District and will provide support by performing District's GIS services on an ongoing basis. Details of these functions being performed by Lynx Technologies are included in Scope of Services (**Exhibit 9-A**).

EXHIBIT

9-A GIS Professional Services Scope of Services

June 03, 2020

Mr. Suresh Prasad
Chief Financial Officer
Monterey Peninsula Water Management District
5 Harris Court, Bldg. G
Monterey, CA 93942

Re: GIS Professional Services

Dear Suresh:



Thank-you for the opportunity to submit this scope of work to provide GIS professional services for the Monterey Peninsula Water Management District. Services will be performed as directed by you, and Lynx Technologies will provide appropriate staffing to conduct on- and offsite services on a time and materials basis.

The purpose of this agreement is to provide support for the District's Geographical Information System (GIS). Core tasks for the upcoming year include:

- Create ESRI Organizational Account for ArcGIS Online. Work with staff to develop maps and apps for field data collection and monitoring and other public portal / outreach programs
- Continue to develop internal Geocortex site. Set up workflow so that permitting staff can enter an address or APN and determine if the site is in the district boundary or not.
- Ongoing support the Accela Permitting software Web Mapping GUI and XAPO.
- Provide systematic updates of parcel feature data and Monterey County assessor data changes
- Continue to develop the GIS SQL/SDE Enterprise database to warehouse all spatial and tabular data to support the business functions of the organization.

Ongoing tasks and priorities will be determined after the initial discovery phase. Lynx staffing will be assigned commensurate with the required skill required. Subject matter vary but may involve any of the roles listed or related below:

- Base feature layer maintenance including parcels, streets, addresses, roadway, tract, and boundary changes, including associated tables and annotation.
- Data maintenance of other layers within the GIS such as utility networks, planning and engineering overlays.
- Onsite work to collect and capture data. For example, staff could be assigned to go through engineering data to infill missing data, or there may be a special project that District staff requires a GIS technician in which significant interaction is required.

- Field work as required, this may include field inspection, or high precision GPS capture of well data.
- Database design
- Produce maps for board presentation
- Ad hoc GIS analysis
- ArcGIS Desktop training for District staff

Each assignment will proceed with an estimate of required hours; a detailed scope of work will be provided for unusual or one-time projects. A simple email exchange of hours and approval is all that will be required for maintenance work.

The total annual budget will not exceed \$35,000. This would provide sufficient funds for onsite staff for up to 2 days per week.

All work will be billed on a time and materials basis according to the following rate schedule:

Project Manager/Analyst: \$75/hr.

GIS Technician: \$65/hr

Clerical: \$50/hr

If you have any questions regarding this proposal I can be reached on my cell phone at any time: (408) 482-3255, or by email: patrickk@lynxgis.com. Again, thank-you for the opportunity to submit this proposal and I look forward to working with you.

Sincerely,



Patrick Kelleher

Lynx Technologies

ITEM: CONSENT CALENDAR**10. AUTHORIZE FUNDS TO CONTRACT FOR LIMITED-TERM FIELD POSITIONS DURING FY 2020-2021**

| | | | |
|----------------------|---|-----------------------|--|
| Meeting Date: | June 15, 2020 | Budgeted: | Yes |
| From: | David J. Stoldt, General Manager | Program/ | Aquatic Resources Fisheries |
| | | Line Item No.: | 2-3-1 I, 2-3-2 B, C, F; 2-3-4 D |
| Prepared By: | Suresh Prasad | Cost Estimate: | Up to \$91,620 |

General Counsel Approval: N/A**Committee Recommendation:** The Administrative Committee reviewed this item on June 9, 2020 and recommended approval.**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: The District has funded limited-term positions to assist District staff in the completion of field activities for many years. These positions are not on the District organization chart and these incumbents are not included in the District bargaining units. The schedules for these positions are part-time and largely seasonal in nature. Contracts are for six-month periods of time or less. However, limited-term employees may be offered subsequent contracts up to a total of 1,000 hours per year. Funding for these positions is included in the proposed 2020-2021 Fiscal Year (FY) budget.

Authorization is requested to hire several part-time limited-term *Water Resources Assistants* for a total of 2,293 hours. The hours will be used for summer-fall juvenile fish rescues, fall population sampling, Sleepy Hollow Steelhead Rearing Facility operations and weekend coverage, spring smolt rescues, and winter adult steelhead weir operations (new additional work)]. These positions are essential to staff crews led by permanent staff, as well as to prevent the accrual of excessive compensatory time and overtime for higher level regular full-time positions. The Water Resources Assistants would be paid \$15.75 to \$16.00 per hour and cost up to \$36,120.

Authorization is also requested to hire several part-time limited-term *Fisheries Aides* for up to a total of 3,763 hours of work during FY 2020-2021. These individuals will assist staff with basic labor tasks in the intensive rescues of steelhead juveniles and smolts in the lower Carmel River, as well as fall population sampling, spring smolt rescues, and winter adult steelhead weir operations. The Fisheries Aides would be paid \$14.75 to \$15.00 per hour and cost up to \$55,500.

RECOMMENDATION: The Administrative Committee recommends the Board authorize the expenditure of funds to hire several limited-term Water Resources Assistants for up to a total of 2,293 hours of work; several Fisheries Aides for up to 3,763 hours of work. The approval of this item is contingent upon the adoption of FY 2019-2020 budget by the Board.

IMPACTS TO STAFF/RESOURCES: The total cost of the limited-term contracts described above would not exceed \$91,620. It should also be noted that limited-term employees receive no District benefits. In addition to their hourly wages, additional costs to the District are limited to legally mandated payroll taxes and workers compensation insurance premiums.

BACKGROUND:

- A. Water Resources Assistants: This job classification was created in December 1998 to assist staff in the Water Resources Division with field and administrative tasks, including rescuing of juvenile steelhead in the lower Carmel River, surveying of steelhead populations and spawning habitat, and monitoring of groundwater and surface water resources within the Monterey Peninsula Water Resource System. It is needed to help ensure that tasks for the District's Fisheries Mitigation Program are completed on schedule. They have also been integral in conducting the California Stream Bioassessment Procedure (CSBP), developed by the Department of Fish and Game as a rapid bioassessment protocol and method to track overall stream health. Without the assistance of limited-term help, the ability to conduct these tasks would be compromised. Additionally, the Water Resources Assistants will support regular staff with lagoon water quality monitoring, well production and groundwater quality historical data compilation, and grant projects. These employees will work in the Water Resources Division and be supervised by the Senior Fisheries Biologist.

- B. Fisheries Aides: Over the past two decades, District staff has initiated rescues when streamflow receded below ten cubic feet per second at Highway One. This has occurred anytime between March and September. The District will be rescuing and transporting three groups of steelhead, including smolts, kelts (spawned-out adults) and juveniles. The smolts and kelts will be transported downstream to the lagoon or ocean, while juveniles will be transported upstream to permanent habitats above the Narrows. Additional help is needed to successfully perform this critical function. If staff attempted to conduct rescues with fewer workers, more fish would be lost because a smaller crew cannot effectively keep up with the number needing rescue and cannot work fast enough to keep up with the retreating river front. It would also increase the risk of on-the-job injuries for people working too strenuously as they attempt to complete two critical jobs in the same period of time. The incumbents of this position will work in the Water Resources Division and be supervised by the Senior Fisheries Biologist.

EXHIBIT

None

ITEM: CONSENT CALENDAR**11. CONSIDER APPROVAL OF THREE TEMPORARY FIELD STAFF POSITIONS FUNDED THROUGH THE INTERAGENCY CONTRACT BETWEEN MPWMD AND NMFS TO PROVIDE FOR A COOPERATIVE RESEARCH AND MONITORING PROJECTS**

| | | | |
|----------------------|---|------------------------------------|--|
| Meeting Date: | June 15, 2020 | Budgeted: | Yes |
| From: | David J. Stoldt, General Manager | Program/ Line Item No.: | |
| Prepared By: | Suresh Prasad | Cost Estimate: | Up to \$21,000 (reimbursable) |

General Counsel Approval: N/A**Committee Recommendation:** The Administrative Committee reviewed this item on June 9, 2020 and recommended approval.**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: In 2017, the District entered into an interagency contract with National Oceanographic and Atmospheric Agency's (NOAA) National Marine Fisheries Service-Southwest Fisheries Science Center (NMFS-SWFSC) for the purposes of conducting juvenile steelhead population studies. As part of the three-year contract, for fiscal year 2018-2021, MPWMD will provide local employees to support up to three positions. The positions will be filled at one of five levels, depending on increasing skill level, possession of specific certifiable skills in electrofishing, surgical fish tagging, and red-legged frog identification and avoidance. Field work will be conducted for three months from August through October for a total of 1,166 combined hours.

The contract is limited to \$21,000 per year. The funding for this contract comes from Cal-Am as a requirement of Water Rights Order 20016-0016. This field work will dovetail and complement the fall population sampling that MPWMD already does and include the tagging of fish that we sample. The data collected will guide future steelhead management by the NMFS and California Department of Fish and Wildlife and may contribute information needed in a future Water Allocations Supplemental Environmental Impact Report, envisioned for some time after 2020.

Authorization is requested to hire a combination of limited-term Water Resources Assistants, Fisheries Aides, Fish Rescue Crew Leader, Fisheries Technician, Field Biology Assistant not to exceed the allocated contract amount for the year. These positions would prevent the accrual of excessive compensatory time and overtime for higher level regular full-time positions.

RECOMMENDATION: The Administrative Committee recommends the Board approve three temporary field staff positions for cooperative research and monitoring projects with the NOAA/NMFS for fiscal year 2020-2021. This is fully reimbursed project so the impact to the District will be zero.

IMPACTS TO STAFF/RESOURCES: The total cost of the limited-term staffing described above would not exceed the interagency contract amount. MPWMD will provide the administrative overhead for onboarding, payroll administration, and use of District's vehicles.

EXHIBIT

None

ITEM: CONSENT CALENDAR**12. CONSIDER EXPENDITURE OF FUNDS FOR CORELOGIC INFORMATION SOLUTIONS, INC.**

| | | | |
|----------------------|---|------------------------------------|---|
| Meeting Date: | June 15, 2020 | Budgeted: | Yes |
| From: | David J. Stoldt, General Manager | Program/ Line Item No.: | Services & Supplies 26-05-761000 |
| Prepared By: | Stephanie Locke | Cost Estimate: | \$14,000 |

General Counsel Approval: N/A**Committee Recommendation: The Administrative Committee reviewed this item on June 9, 2020 and recommended approval.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY: The District uses CoreLogic Information Solution's online RealQuest Professional services. The RealQuest service supports the District's programs by providing property information needed for researching and noticing properties, documenting ownership and use information for deed restriction preparation, and enforcement of the District's water efficiency standards. The service is utilized daily by the Water Demand Division, and occasionally by the Water Resources and Environmental Resources Divisions. There are no other reasonably accessible alternative sources for the information provided by RealQuest.

The RealQuest license includes:

- Property Profile/Reports
- Street Map Search
- Parcel Maps
- Street Maps Plus
- User sign-on and passwords for eight staff (seven in Water Demand; one in Water Resources and Environmental Resources)
- Access to recorded documents and associated document imaging

Staff is requesting authorization to spend \$14,000.00 to continue use of CoreLogic's RealQuest Professional services. Funding for this expenditure is included in the Fiscal Year 2020-2021 budget.

RECOMMENDATION: The Administrative Committee recommends the Board authorize an expenditure of up to \$14,000.00 for Fiscal Year 2020-2021 to obtain CoreLogic's RealQuest Professional.

IMPACT TO STAFF/RESOURCES: None.

EXHIBIT

None

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ITEM: CONSENT CALENDAR**13. AUTHORIZE EXPENDITURE FOR SOFTWARE MAINTENANCE AGREEMENTS**

Meeting Date: June 15, 2020 **Budgeted:** Yes

From: David J. Stoldt, General Manager **Program/Line Item No.** Services and Supplies Data Processing

Prepared By: Suresh Prasad **Cost Estimate:** \$122,500

Committee Recommendation: The Administrative Committee reviewed this item on June 9, 2020 and recommended approval.

CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: Staff seeks authorization to continue with our software maintenance agreements for geographic information systems (GIS), information technology (IT) support, financial accounting, water demand system, watershed analysis, ground & surface water modeling, and topographic data processing software. These software applications are for use at the District for various IT, GIS, water demand, and accounting functions and used by staff in their daily routine functions.

RECOMMENDATION: The Administrative Committee recommends the Board approve expenditures not-to-exceed \$122,500 to purchase the items listed in the table below:

| Product | Price |
|--|------------------|
| ESRI ArcGIS (District Wide) | 10,500 |
| Latitude Geographics GeoCortex (District Wide) | 5,200 |
| Adobe Renewal (District Wide) | 6,500 |
| Office 365 Renewal (District Wide) | 10,000 |
| Docuware (Financial) | 15,000 |
| Tyler Technologies (Financial) | 28,000 |
| GovInvest (Financial) | 6,500 |
| Accela Support (Water Demand) | 35,500 |
| Kisters North America (Hydrological) | 5,300 |
| TOTAL | \$122,500 |

IMPACT TO STAFF/RESOURCES: The FY 2020-2021 Information Technology budget includes funds of \$122,500 in the District budget for these line item purchases.

BACKGROUND: The GIS platform serves many purposes for MPWMD data analysis needs that include: map production, spatial analysis in support of engineering, water resource management, fisheries, conservation, and rationing analysis. All of these functions require the

examination of geographic data, management, and dissemination of these data throughout the District. The effectiveness of the GIS to better serve the MPWMD staff and the public is dependent on the ability of staff to analyze geospatial data.

The IT and Accounting programs require various software applications to allow staff to complete their day-to-day duties and tasks as well as provide real-time financial information of the District.

The water demand services require the use of software to process permit applications, process connection charges, perform inspections and provide other property related reporting to staff and the board.

The Kisters platform serves many purposes for MPWMD data analysis needs that include: stream flow and rainfall data processing, storage, and reporting. All of these functions require the examination, management, and dissemination of these data throughout the District. The effectiveness of the Kisters Platform to better serve the MPWMD staff and the public is dependent on the ability of staff to operate the Aquifer Storage and Recovery Project.

EXHIBIT

None

ITEM: CONSENT CALENDAR**14. APPROVE EXPENDITURE TO CORPORATION SERVICE COMPANY -
RECORDING FEES**

| | | | |
|----------------------|---|------------------------------------|--|
| Meeting Date: | June 15, 2020 | Budgeted: | Yes |
| From: | David J. Stoldt, General Manager | Program/ Line Item No.: | Recording Fees 26-05-781900 |
| Prepared By: | Stephanie Locke | Cost Estimate: | \$16,000 (partially reimbursed) |

General Counsel Review: N/A**Committee Recommendation: The Administrative Committee reviewed this item on June 9, 2020 and recommended approval.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY: The District records approximately 65 documents each month with average recording fees of \$35. The documents are electronically recorded through Corporation Service Company (CSC). Electronic recording costs less than the former method of transmitting documents via courier to the Monterey County Recorder's Office. Approximately 40 percent of the recording fees are reimbursed by the applicant. Recorded documents include deed restrictions related to access to water records and limitations on use, Well Confirmation of Exemptions, Water Distribution System Permits, and notices of non-compliance/compliance and removal.

CSC requires immediate payment at the time a document is recorded. To facilitate this, the District maintains a deposit account that is regularly refilled to cover recording costs. Staff is seeking approval of \$16,000 of budgeted funds for document recording during Fiscal Year 2020-2021.

RECOMMENDATION: The Administrative Committee recommends the Board approve the expenditure of up to \$16,000 for recording fees for Fiscal Year 2020-2021.

IMPACT TO STAFF/RESOURCES: Funds for this expenditure are included in the Fiscal Year 2020-2021 budget.

EXHIBIT

None

ITEM: CONSENT CALENDAR

15. CONSIDER RENEWAL OF CONTRACT WITH JEA & ASSOCIATES FOR LEGISLATIVE AND ADMINISTRATIVE SERVICES

| | | | |
|----------------------|---|------------------------------------|--|
| Meeting Date: | June 15, 2020 | Budgeted: | Yes |
| From: | David J. Stoldt, General Manager | Program/ Line Item No.: | Services & Supplies Professional Fees |
| Prepared By: | David J. Stoldt | Cost Estimate: | \$35,000 |

General Counsel Review: N/A

Committee Recommendation: The Administrative Committee reviewed this item on June 9, 2020 and recommended approval.

CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: John Arriaga of JEA & Associates has worked with the District since May 2008 in implementing its legislative goals. As proposed, JEA and Associates would continue to undertake legislative and administrative activities to support the District's priorities during Fiscal Year 2020-2021. See the Scope of Services attached as **Exhibit 15-A**.

RECOMMENDATION: The Administrative Committee recommends that the Board approve the contract with JEA & Associates for a not-to-exceed amount of \$35,000 for Fiscal Year 2020-2021.

IMPACT TO DISTRICT RESOURCES: The estimate for services includes \$30,000 in monthly retainer fees of \$2,500 per month, and \$5,000 for chargeable expenses. The \$2,500 retainer has remained unchanged over the District's twelve-year relationship with JEA & Associates. Funds for this expenditure are included in the FY 2020-2021 budget under Services and Supplies, Professional Fees.

EXHIBIT

15-A JEA & Associates Scope of Services for FY 2020-2021

EXHIBIT 15-A**AGREEMENT**

This AGREEMENT is entered into as of the date hereinafter specified by and between JEA & Associates and Monterey Peninsula Water Management District (MPWMD). WHEREAS MPWMD wishes to engage JEA & Associates to provide legislative and administrative services to MPWMD as outlined in the scope of services below.

NOW THEREFORE, the parties hereto do mutually agree to the following terms and conditions:

Scope of Services

1. JEA & Associates would propose to undertake legislative and administrative activities as directed and/or requested by the MPWMD, using our political and general experience to accomplish established goals. Specifically, working with the MPWMD on the State Water Resources Regional Control Board's (SWRCB's) Cease and Desist Order (CDO) for the California American Water (CAW) unauthorized diversions from the Carmel River and also working with the California Public Utilities Commission (CPUC) and other entities on this issue.
2. JEA & Associates would schedule, coordinate and participate in meetings with the Governor's Administration, the California Legislature, the CPUC, the SWRCB and others in addressing key issues and concerns regarding the CDO and attend public hearings of the CPUC, the SWRCB and of other agencies as requested and directed by the MPWMD.
3. Monitor Dept. of Water Resources (DWR) and SWRCB meetings/workshops and report to the MPWMD's staff on Commission policy and funding initiatives. Closely monitor the development of program criteria for Bond funds and assist the MPWMD staff with any project applications submitted for funding.
4. Recommend to MPWMD Board/staff program and project funding strategies and assist in the execution of the strategies with the DWR and SWRCB. Work with the MPWMD Board and appropriate staff in coordinating DWR and SWRCB tours of MPWMD projects and programs. Assist MPWMD in gaining legislative support for grant and funding applications before the DWR and SWRCB.
5. Monitor Legislature's policy and budget committee hearings on water, lobby/testify on behalf of the MPWMD on program allocation and budget earmarks as directed. Organize advocacy efforts with legislative leadership and political friends of the MPWMD to insure coordination of efforts on behalf of funding requests. Monitor and report on budget conference committee actions and advocate for budget "trailer" and/or "caboose" bill language for the MPWMD as may be required.
6. Recommend policy positions on specific pieces of legislation/budget items of importance/relevance to the MPWMD and advocate/lobby/testify on positions of the MPWMD before the Legislature, Governor's Office and any relevant state agency, board

EXHIBIT 15-A

and commission. Provide copies of introduced or amended bills, committee analysis or reports and any relevant committee testimony on identified legislation/budget items. Obtain behind-the-scenes intelligence and vital information on legislative discussions/actions being contemplated by the Legislature, the Governor's Office or other interest groups.

7. Prepare and present written reports for the MPWMD as directed.
8. To enable JEA & Associates to carry out the prescribed scope of work, it is requested that the MPWMD provide our firm with technical assistance, expertise and information as may be necessary or required.
9. John Arriaga of JEA & Associates will be the principal contact from our firm and the responsible person in dealing with the MPWMD, its Board of Directors and staff as may be necessary. He will be assisted by Laurie Johnson and Erica Arriaga of the firm as may be required.

Fee Structure

JEA & Associates is prepared to provide the services as outlined in this proposal for a monthly retainer of \$2,500 a month, due & payable on the first day of each month plus chargeable expenses. This amount/retainer is based on our anticipation of the workload. We would like an understanding that should its level of activity exceed 25 hours per month on a regular basis, our firm and the MPWMD will mutually discuss any adjustments to this fee schedule as it determines the actual scope of activity and volume of work found to be required to carry out the goals of the MPWMD. Chargeable expenses include travel and work-related entertainment expenses, which shall be expressly authorized by the MPWMD prior to such expenses being incurred.

This contract will be in effect July 1, 2020. Either party may terminate this Agreement, for any reason, upon not less than 30 days of prior written notice to the other party.

Signature:

John E. Arriaga
President
JEA & Associates

Date

David Stoldt
General Manager
Monterey Peninsula Water Management District

Date

ITEM: CONSENT CALENDAR**16. CONSIDER RENEWAL OF CONTRACT WITH THE FERGUSON GROUP FOR LEGISLATIVE AND ADMINISTRATIVE SERVICES**

| | | | |
|----------------------|--|------------------------------------|--|
| Meeting Date: | June 15, 2020 | Budgeted: | Yes |
| From: | David J. Stoldt General Manager | Program/ Line Item No.: | Services & Supplies Professional Fees |
| Prepared By: | David J. Stoldt | Cost Estimate: | \$99,500 |

General Counsel Approval: N/A**Committee Recommendation: The Administrative Committee reviewed this item on June 9, 2020 and recommended approval.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY: At its April 20, 2020 meeting the District Board adopted the 2020 Legislative Advocacy Plan to establish District legislative and government affairs priorities for FY 2020-21. The first four items in the Plan are in regard to the District's Federal strategy and includes a continued relationship with The Ferguson Group (TFG.) TFG has shown a deep understanding of the federal budget, legislative process, funding opportunities, and regulatory setting. TFG has helped the District and Monterey One Water (M1W) advance relationships with both Congress and regulatory departments related to water, including but not limited to BLM, NOAA (NMFS), USBR, USDA, and EPA. In FY 2018-19 the Pure Water Monterey project was notified it will receive a \$4.1 million federal grant, a result of the joint efforts of the District and M1W, assisted by TFG.

The FY 2020-21 scope of work will include, but is not limited to:

- Identifying legislation or proposed regulatory changes that may impact the District.
- Track additional Title XVI and WIIN Act funding for Pure Water Monterey
- Track Trump Administration budget actions and Infrastructure Funding/Financing Proposals
- Consult with staff to develop positions on relevant legislation.
- Advocate the District's position on bills and matters of interest.
- Identify funding opportunities and notify of timing, requirements, and advocate on behalf of District or District's partners (e.g. WaterSMART) for, but not limited to:
 - ✓ Fisheries and watersheds
 - ✓ Pure Water Monterey Expansion
 - ✓ CSIP Annexations
 - ✓ Desalination (if proceeding)
- Prepare materials for briefing – talking points, briefing books, letters, as necessary
- Coordinate with other water district lobbyists and organizations
- Maintain close relationships with Monterey legislative delegation

- Represent the District in meetings with staff, directors, or independently with congressional members and staff, administration officials, regulatory agencies.
- Coordinate federal outreach with District's State governmental outreach
- Identify funding opportunities and notify of timing, requirements, and advocate on behalf of District
- Direct contact with associations including ACWA, WaterReuse, etc.
- Prepare materials for briefing – talking points, briefing books, letters, as necessary
- Coordinate with other water district lobbyists and organizations
- Maintain close relationships with Monterey legislative delegation
- Organize timely trips as needed, but at least once a year separate from ACWA trip.
- Provide similar services for the District's project partner(s), as needed and at the direction of the District.
- Periodic reporting of activities

RECOMMENDATION: The Administrative Committee recommends that the Board authorize the General Manager to enter into an agreement with TFG for FY 2020-21. A further recommendation is that the Legislative Advocacy Committee review the need for, and scope of, such activities for FY 2020-21.

IMPACT TO DISTRICT RESOURCES: The estimate for services includes \$96,000 in monthly retainer fees of \$8,000 per month, and \$3,500 for chargeable expenses. The \$8,000 retainer has remained unchanged over the District's four-year relationship with TFG. Funds for this expenditure are included in the FY 2020-2021 budget under Services and Supplies, Professional Fees.

DISCUSSION: In 2016, three consultants provided statements of qualifications that were evaluated with equal weight in 4 criteria: (i) Experience - with municipalities, special districts, agency's & other governmental entities; (ii) Experience - with specific federal agencies; (iii) Experience - with specific water-related issues; and (iv) Personnel assigned. The General Manager and each of the Legislative Advocacy Committee members were asked to perform their own evaluation, to inform the Committee recommendation. Additionally, qualitative factors such as professional appearance of the submittal, overall quality of the submittal, consultant familiarity with the District, outside third-party references, and so on were considered. Finally, the proposing firms' cost proposals were considered. TFG was the recommended firm.

EXHIBIT

16-A Form of Engagement Letter for TFG for FY 2020-2021

The Ferguson Group

Advocacy. Consulting. Grants.



July 1, 2020

Mr. David J. Stoldt
General Manager
Monterey Peninsula Water Management District
5 Harris Court, Building G
Monterey, CA 93940

RE: Letter of Agreement – July 1, 2020 – June 30, 2021

Dear Mr. Stoldt:

The Ferguson Group, LLC (TFG) is pleased to submit this letter of agreement to continue to provide Washington representation and consulting services to Monterey Peninsula Water Management District (MPWMD), as outlined in the TFG "Response to RFQ for Federal Legislative and Agency Lobbyist" services dated December 1, 2016, for the twelve-month period of July 1, 2020 through June 30, 2021. As described in the RFQ response, TFG will provide Washington representation services to MPWMD and perform such work as directed by MPWMD on a fixed fee basis, at the rate of \$8,000 per month. Among other things, TFG will continue to assist MPWMD in securing federal financial assistance, raising the visibility of the MPWMD projects, and securing congressional support for the activities of the MPWMD. Among other things, TFG will focus on securing federal assistance for the Carmel River Management Plan, including upgrading the monitoring program on the Carmel River to a full Life Cycle Monitoring Station. TFG will also assist MPWMD with scheduling and preparing for advocacy meetings with the MPWMD congressional delegation, key House and Senate Committee offices and administration officials, and, perform such other tasks as directed by MPWMD.

In addition to the monthly fixed fee, MPWMD will be responsible for reimbursable expenses associated with carrying out the requested work, including long distance telephone calls, faxes, document production, overnight delivery, in-Town courier services, meals and out-of-Town travel (both pre-approved by MPWMD), and in-Town travel (taxicabs). Reimbursable expenses for the twelve-month contract period shall not exceed \$3,500, as indicated in the aforementioned RFQ response.

Either party may terminate this agreement at any time by giving the other party at least thirty (30) days prior notice, in writing, of such termination.

We greatly appreciate the opportunity to continue our work with MPWMD and look forward to a very productive year. If the terms of this letter of agreement are acceptable, please sign both originals, and return one to us at your earliest convenience.

Sincerely,

W. Roger Gwinn
CEO

ITEM: CONSENT CALENDAR**17. CONSIDER EXPENDITURE TO AMEND CONTRACT WITH PUEBLO WATER RESOURCES TO PROVIDE HYDROGEOLOGIC REVIEW FOR WATER DISTRIBUTION SYSTEM PERMITS**

| | | | |
|----------------------|---|------------------------------------|---------------------------------|
| Meeting Date: | June 15, 2020 | Budgeted: | Yes |
| From: | David J. Stoldt, General Manager | Program/ Line Item No.: | WDS Permitting 2-8-2 |
| Prepared By: | Gabriela Bravo | Cost Estimate: | \$2,000 |

General Counsel Review: N/A**Committee Recommendation: The Administrative Committee reviewed this item on June 9, 2020 and recommended approval.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY: The Board will consider authorizing the General Manager to amend an existing contract with Pueblo Water Resources, Inc. (Pueblo) to authorize a maximum of \$2,000 for Fiscal Year (FY) 2020-2021 (July 1, 2020 through June 30, 2021) to continue to help District staff carry out MPWMD Rules and Regulations governing Water Distribution Systems (WDS), specifically in regards to hydrogeologic review of Well pumping test reports and related tasks. The \$2,000 limit would be tracked as follows:

Program 2-8-2, "Hydrologic Impact Review," with up to \$2,000 as 100% reimbursable from applicants.

Exhibit 17-A is the proposed contract amendment scope of work and cost estimate from Pueblo for FY 2020-2021. The proposed \$2,000 total limit is the same as FY 2019-2020. The hydrogeologic review will be primarily associated with Level 3 WDS Permits under the current rules. The applicant must show that a Well (or other water source) will reliably meet the applicant's needs and will not adversely affect the Monterey Peninsula Water Resource System or Sensitive Environmental Receptors as defined in District Rule 11.

RECOMMENDATION: The Administrative Committee recommends that the Board authorize the General Manager to renew the District professional services contract with Pueblo for a not-to-exceed amount of \$2,000 for FY 2020-2021.

BACKGROUND AND DISCUSSION: Pueblo has been retained since June 2006 to assist staff with WDS Permit processing on an as-needed basis. All amounts are maximums; only actual hours of service are billed. Invoiced hours submitted by consultants for review of each application are reimbursed by the applicant before the applicant receives the signed WDS Permit. Pueblo's rates are competitive with other consulting firms with experienced, registered hydrogeologists. Pueblo is very knowledgeable about local hydrogeology and MPWMD

procedures and is cost-efficient for this work. Pueblo also has contracts with the District for Aquifer Storage and Recovery tasks in the Seaside Groundwater Basin.

Continued WDS applications are expected due to restrictions on the availability of California American Water supply for new construction and remodels. Consultant assistance is essential to adequately process permit applications in compliance with the State Permit Streamlining Act and to help the Water Resources Division address technical questions relating to the WDS process.

IMPACT TO DISTRICT RESOURCES: Pueblo's technical work is directed by the Water Demand Division staff. Pueblo's work product is used as evidence in preparing WDS Permit documents, including the required Findings of Approval.

EXHIBIT

17-A Pueblo Water Resources Scope of Work and Fee Schedule for FY 2020-2021



CONTRACT AMENDMENT BETWEEN PUEBLO WATER RESOURCES AND MONTEREY PENINSULA WATER MANAGEMENT DISTRICT

The original October 11, 2006 professional services contract with **Pueblo Water Resources, Inc.**, amended on July 17, 2007; July 4, 2008; July 8, 2009; July 13, 2010; August 18, 2011; August 6, 2012; August 7, 2013; August 7, 2014; July 14, 2015; August 6, 2016; July 19, 2017; July 18, 2018, July 2019; is hereby again amended as follows:

Section I, Scope of Services. The attached scope of work for July 1, 2020, through June 30, 2021, replaces Exhibit A.

Section II, Compensation. (Sections A and B) The fee schedule is replaced by a new fee schedule, also attached. The work schedule is amended to state that the term of the contract is for the period July 1, 2020, through June 30, 2021. The final invoice for work performed through June 30, 2021, must be received by the District no later than June 15, 2021.

(Section II-C, Maximum Payment) Maximum Payment for the period July 1, 2020, through June 30, 2021, is \$2,000, and is designated for review of hydrogeologic assessments to be reimbursed by Water Distribution System (WDS) Permit applicants (MPWMD Program 2-8-2), subject to prior approval by the MPWMD General Manager.

I have read this Contract Amendment and agree to its terms.

Robert C. Marks, Principal
Pueblo Water Resources, Inc.
Fed Tax ID#: 20-4443519

Dated

David J. Stoldt
MPWMD General Manager

Dated



June 1, 2020
Project No. 15-0065

Monterey Peninsula Water Management District
Post Office Box 85
Monterey, California 93942

Attention: Ms. Gabby Ayala

Subject: Proposal for Continuing Professional Hydrogeologic Services; WDS Permitting Assistance, Fiscal Year 2020-2021

Dear Gabby:

Pursuant to your request, Pueblo Water Resources, Inc. (PWR) is pleased to submit this proposal for continuing assistance with the processing of Water Distribution Systems (WDS) permit applications during Fiscal Year 2020-2021 (FY 2020-2021). It is our understanding that the District desires PWR to provide continued technical assistance with the review and evaluation of Well Source and Pumping Impact Assessments (assessments) for compliance with District Technical Procedures. Presented in this proposal is a scope of services and associated budget to provide the requested services.

SCOPE OF SERVICES

Task 1 – Assist with Assessment Reports

This task consists of the review and evaluation of assessments submitted by applicants for compliance with District technical procedures, and providing written documentation summarizing our findings for each reviewed assessment. This task also includes providing assistance with the preparation of any hydrogeologic evaluations requested by the District related to the WDS program. Consistent with past practice, our work will be performed with direct oversight of the General Manager or his/her designee (e.g., the District Senior Hydrogeologist) on an as-needed / as-directed basis.

Fees

Our services will be billed on a time-plus expenses basis in accordance with our current Fee Schedule (attached) for a **not-to-exceed amount of \$2,000**. Consistent with past practice, we will track our costs associated with each WDS applicant separately to facilitate reimbursement by the applicants. In the event that the overall number or complexity of the assessments to be evaluated requires effort beyond the established budget, we will notify you in writing as soon as possible.

Monterey Peninsula Water Management District
Proposal for Water Distribution System Permitting Support – FY 2020-2021
June 1, 2020 (Project No. 15-0066)



We appreciate the opportunity to provide assistance to the District and look forward to the timely and successful performance of the work. As always, if you have any questions please contact me.

Sincerely,

Pueblo Water Resources, Inc.

Robert C. Marks, P.G., C.Hg.
Principal Hydrogeologist

RCM

Attachments: 2020 Fee Schedule



**PUEBLO WATER RESOURCES, INC
2020 FEE SCHEDULE**

Professional Services

| | |
|-----------------------------|----------|
| Principal Professional..... | \$215/hr |
| Senior Professional..... | \$200/hr |
| Project Professional..... | \$185/hr |
| Staff Professional..... | \$155/hr |
| Technician..... | \$145/hr |
| Illustrator..... | \$130/hr |
| Word Processing..... | \$110/hr |

Other Direct Charges

| | |
|-----------------------------|---------------|
| Subcontracted Services..... | Cost Plus 15% |
| Outside Reproduction..... | Cost Plus 15% |
| Travel Expenses..... | Cost Plus 15% |
| Per Diem* | \$150/day |
| Vehicle | \$75/day |

Equipment Charges

| | |
|--|-----------------------|
| Drilling Fluid Test Kit..... | \$100/day, \$400/week |
| Field Water Quality Meter (Hach DR890)..... | \$75/day, \$275/week |
| Orion ORP/pH/Temp Probe..... | \$75/day, \$275/week |
| Water Level Probes (In-Situ Mini-Troll/Level Troll)..... | \$100/day, \$300/week |
| Fuji Ultrasonic Flowmeter..... | \$200/day, \$750/week |

*Regionally and seasonally specific to project.

ITEM: CONSENT CALENDAR**18. CONSIDER CONTRACT WITH PUEBLO WATER RESOURCES TO PROVIDE
AQUIFER STORAGE AND RECOVERY OPERATIONAL SUPPORT**

| | | | |
|----------------------|--|------------------------------------|--|
| Meeting Date: | June 15, 2020 | Budgeted: | Yes |
| From: | David J. Stoldt General Manager | Program/ Line Item No.: | Water Supply Projects 1-2-1 |
| Prepared By: | Jonathan Lear | Cost Estimate: | \$75,000 |

General Counsel Review: N/A**Committee Recommendation:** The Administrative Committee reviewed this item on June 9, 2020 and recommended approval.**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines section 15378.

SUMMARY: The District's Carmel River Aquifer Storage and Recovery (ASR) project is operated under a cooperative agreement between the District and California American Water (Cal-Am.) Under this agreement, the District operates the wells during injection season and collects and reports data required to meet permit requirements for the State Water Resources Control Board Division of Water Rights (DWR) and the Regional Water Quality Control Board. The District also provides data to the Seaside Groundwater Basin Watermaster (Watermaster) related to the Storage and Recovery agreement between Cal-Am and the Watermaster. Pueblo Water Resources (PWR) is used on an annual basis to support District staff with the field work, data collection, conduct supervision of unanticipated emergency repairs, and report preparation to operate the ASR Project in all phases of operation and comply with permit requirements. PWR has been selected because their expertise and knowledge of the Project's equipment, operations, reporting, and regulation allow their team to efficiently plug into any component of the program efficiently and provide support with little notice and direction. No other firm has the direct qualifications and experience on this project to match what PWR has to offer the District.

DISCUSSION: Due to the seasonal and climate driven nature of work associated with ASR operations, the District has opted to not hire full time operators dedicated solely to ASR, but to hire PWR as support staff on an as-needed basis to keep costs of ASR operation low. PWR will assist in field work, support data networks, assist in the preparation of compliance reports, and provide project construction/repair oversight on an as needed basis. PWR has 17 years of experience in supporting this particular project and is familiar with the ASR procedures and regulations and therefore is able to plug in quickly with little spin up time when their services are needed. Budget estimate is based on a wet water year type where there would be over 150 operational days and this contract of support would provide up to 10 weeks of support. If WY 2021 is not a wet water year, less support will be needed and the full budget will not be spent. Additionally, as the project infrastructure ages through normal wear and tear, components break down and need repair to maintain the functionality of the program. The District contracts directly with C-57 contractors to repair the infrastructure and relies on PWR to supervise the

repair/construction activities to make sure the work is completed to District standards. Staff proposes to retain PWR to support the District with operations on an as-needed basis for the WY 2021 ASR season.

RECOMMENDATION: The Administrative Committee recommends the Board authorize the General Manager to enter into an agreement on an as-needed basis, not to exceed \$75,000 with PWR to support the District with WY 2021 ASR operations.

BACKGROUND: The District completes annual water quality monitoring at the ASR facilities as outlined in the ASR Sample and Analysis Plan, which is a requirement for project operations by the Regional Water Quality Control Board. The District also monitors and reports streamflow and diversion volumes to the DWR, NOAA Fisheries, and State Department of Fish and Wildlife for permit compliance. In addition, the District reports volumes of water injected and recovered to the Watermaster as required by the Storage and Recovery agreement between Cal-Am and the Watermaster. The District has used PWR for 17 years to support the development and operation of the Carmel River ASR project. Because of PWR's experience with this project, they are able to provide high quality assistance to the District with little notice and direction.

IMPACT TO STAFF/RESOURCES: Funds for this project are included in the FY 2020-21 budget under "Water Supply Projects," line item 1-2-1. Funds expended to complete this work will be shared between the District and Cal-Am through the ASR Management and Operations agreement between the District and Cal-Am.

EXHIBIT

18-A Pueblo Water Resources, Inc. 2020 Fee Schedule



**PUEBLO WATER RESOURCES,
INC 2020 FEE SCHEDULE**

Professional Services

| | |
|-----------------------------|----------|
| Principal Professional..... | \$205/hr |
| Senior Professional..... | \$190/hr |
| Project Professional..... | \$175/hr |
| Staff Professional..... | \$145/hr |
| Technician..... | \$135/hr |
| Illustrator..... | \$120/hr |
| Word Processing..... | \$100/hr |

Other Direct Charges

| | |
|-----------------------------|---------------|
| Subcontracted Services..... | Cost Plus 15% |
| Outside Reproduction..... | Cost Plus 15% |
| Travel Expenses..... | Cost Plus 15% |
| Per Diem* | \$150/day |
| Vehicle | \$75/day |

Equipment Charges

| | |
|--|-----------------------|
| Drilling Fluid Test Kit..... | \$100/day, \$400/week |
| Field Water Quality Meter (Hach DR890)..... | \$75/day, \$275/week |
| Orion ORP/pH/Temp Probe..... | \$75/day, \$275/week |
| Water Level Probes (In-Situ Mini-Troll/Level Troll)..... | \$100/day, \$300/week |
| Fuji Ultrasonic Flowmeter..... | \$200/day, \$750/week |

*Regionally and seasonally specific to project.

ITEM: CONSENT CALENDAR**19. CONSIDER AUTHORIZING MONTEREY BAY ANALYTICAL SERVICES TO PROVIDE LABORATORY SUPPORT FOR AQUIFER STORAGE AND RECOVERY WATER QUALITY MONITORING**

| | | | |
|----------------------|--|--------------------------------|--------------------------------------|
| Meeting Date: | June 15, 2020 | Budgeted: | Yes |
| From: | David J. Stoldt General Manager | Program/ Line Item: | Water Supply Projects N/A |
| Prepared By: | Jonathan Lear | Cost Estimate: | \$40,000 |

General Counsel Review: N/A**Committee Recommendation: The Administrative Committee reviewed this item on June 9, 2020 and recommended approval.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines section 15378.**

SUMMARY: Staff proposes to use Monterey Bay Analytical Services (MBAS) to complete water quality analysis in support of the District's Aquifer Storage and Recovery (ASR) Project. The District currently has a business relationship with MBAS and is billed on a net 30 following completion of laboratory analysis.

RECOMMENDATION: The Administrative Committee recommends the Board authorize the General Manager to spend up to \$40,000 to complete laboratory analysis related to the ASR Project in WY 2020.

BACKGROUND: The District is currently reporting data collected under the Sampling and Analysis Plan and reporting data annually to the Regional Water Quality Control Board (RWQCB) to meet compliance for project operations. Water quality sampling is driven by project operations which are controlled largely by the availability of excess runoff on the Carmel River Watershed, so the total cost of the water quality program is unknown, however the average cost of the program is less than the budget placeholder of \$40,000. All funds spent on this program are reimbursed by CalAm through the ASR agreement. It should also be noted, at the request of the RWQCB, the District is currently enrolling the ASR Project in the General Waiver for Injection of Water Treated to Drinking Water Standards and there will likely be a change in monitoring related to the switch in regulatory process. If there is an effect on budget, staff will bring this to the attention of the Committee at that time.

EXHIBIT

None

ITEM: CONSENT CALENDAR**20. CONSIDER AUTHORIZING MONTEREY BAY ANALYTICAL SERVICES TO PROVIDE LABORATORY SUPPORT FOR WATERMASTER WATER QUALITY MONITORING**

| | | | |
|----------------------|--|--------------------------------|--------------------------------------|
| Meeting Date: | June 15, 2020 | Budgeted: | Yes |
| From: | David J. Stoldt General Manager | Program/ Line Item: | Water Supply Projects N/A |
| Prepared By: | Jonathan Lear | Cost Estimate: | \$10,000 |

General Counsel Review: N/A**Committee Recommendation:** The Administrative Committee reviewed this item on June 9, 2020 and recommended approval.**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines section 15378.

SUMMARY: Staff proposes to use Monterey Bay Analytical Services (MBAS) to complete water quality analysis in support of the Seaside Groundwater Basin Watermaster. The District currently has a business relationship with MBAS and is billed on a net 30 following completion of laboratory analysis.

RECOMMENDATION: The Administrative Committee recommends the Board authorize the General Manager to spend up to \$10,000 to complete laboratory analysis related to the Watermaster in WY 2020.

BACKGROUND: The District provides water quality monitoring and data management support to the Seaside Watermaster to meet the requirements outlined in the Seaside Groundwater Basin Monitoring and Management Plan. The Plan is a requirement outlined in the 2007 Adjudication Decision. The Monitoring and Management plan was adopted by the Monterey County Superior Court in 2008 and outlines a series of monitor and production wells to be sampled each water year. The District has a contract with the Watermaster to carry out this work on their behalf. District staff uses MBAS to complete the laboratory analysis for the sampling required by the Plan.

EXHIBIT

None

ITEM: CONSENT CALENDAR**21. CONSIDER APPROVING 3-YEAR AGREEMENT WITH DEVEERA, INC. FOR INFORMATION TECHNOLOGY SERVICES**

| | | | |
|----------------------|---|-------------------------------------|---|
| Meeting Date: | June 15, 2020 | Budgeted: | Yes |
| From: | David J. Stoldt, General Manager | Program/ Line Item No. : | IT Services |
| Prepared By: | Suresh Prasad | Cost Estimate: | \$195,000 (20-21 \$63,000; 21-22 \$65,000; 22-23 \$67,000) |

General Counsel Review: District Counsel reviewed this agreement in September 2019.
Committee Recommendation: The Administrative Committee reviewed this item on June 9, 2020 and recommended approval.
CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: With the retirement of District's Information Technology (IT) Manager, there was a need to immediately find a replacement to fill that position. Based on the size and needs of the District, the replacement of a full time IT Manager position can most effectively be filled with the services of a consultant firm.

With only two and half weeks of retirement notice from the outgoing IT Manager, District staff immediately started contacting IT consulting firms in the area to solicit proposals. Three firms were contacted (Rayne Technology, DeVeera, Inc., and Alvarez Technology).

Staff met with all three firms and went over the District's requirements for IT services. All three firms had representatives spend few hours on-site going through the discovery process to gather information. Information gathered during this discovery process was used to compile proposals delivered by the IT firms. Some of the services provided will be monitoring server 24/7, server and workstation preventative maintenance, virus and anti-spam protection, network monitoring, and help desk support, etc.

After evaluating the District's IT infrastructure inventory, all three firms recommended the District immediately change its backup and disaster recovery (BDR) system. In the event of catastrophic IT failure, the District's old BDR system would have taken weeks to rebuild and recover data. There could potentially have been irrecoverable data losses. With the proposed change in updating the BDR system, the recovery time would be reduced to approximately few hours with no loss of data.

Since outsourcing IT services was a new concept to the District, staff trialed with outsourcing the IT services on a short-term basis. This short-term trial period was from September 2019 through June 2020.

On September 16, 2019, the Board approved a 9-month contract with DeVeera Inc. to perform IT managed services for the District. During the initial term of the contract, DeVeera implemented the BDR system which is now backing up District data on an hourly basis. There were other IT pending projects that were completed during the initial term.

Staff reached out to DeVeera for a contract extension. DeVeera has proposed continuing the IT services for the District for a 3-year term with 3% increase each year in costs. Continuing with outsourcing IT services will yield savings of approximately \$100,000 per year by not hiring a full-time employee.

RECOMMENDATION: The Administrative Committee recommends the Board authorize the General Manager or the Administrative Services Manager/CFO to enter into a 3-year agreement with DeVeera, Inc. to provide Information Technology services for a not-to-exceed amount of \$195,000 (includes 10% contingency).

EXHIBIT

21-A Proposals for IT managed services from DeVeera Inc.

This Managed Services Agreement ("Agreement") made between **DeVeera Inc.**, located at 5 Mandeville Ct, Monterey, CA 93940 ("Service Provider"), and **Monterey Peninsula Water Management District** with principal office 5 Harris Ct Bldg. G, Monterey, CA 93940 ("Customer-") is July 1, 2020 ("Effective Date"). The parties agree as follows:

1. Services. Service Provider agrees to provide Customer the services described in Schedule C ("Managed Services") for the Equipment listed in Schedule D to this Agreement ("Equipment"). Service Provider may from time to time change the Services provided to Customer under this Agreement.

2. Term and Termination.

(a) Term. The Initial Term of this Agreement is for a period of 3 years commencing on the Effective Date, unless terminated in accordance with the terms of this Agreement. The parties may mutually agree to additional terms.

(b) Termination. This Agreement may be terminated as follows: (i) Either party may terminate this Agreement at the end of the contract term with thirty (30) days' written notice to the other party prior to the end of the initial or additional term; (ii) Upon Service Provider's failure to perform or observe any material term or condition of this Agreement and failure to correct within thirty (30) days after receipt of written notice from Customer of such failure, Customer may immediately terminate the Services affected by such breach; or (iii) Upon Customer's failure to pay any outstanding charges within fifteen (15) days of receipt of written notice from Service Provider of delinquency, Service Provider may terminate this Agreement on 30 days' notice.

(c) Effect of Termination. Upon termination of this Agreement Customer will be liable for all charges incurred as of the date of termination except in the case of Provider's material breach or failure to perform. Sections 2, 6, 10, 11, 12, 14, and 16 shall survive termination of this Agreement.

3. Eligibility. Customer Equipment (workstations and servers) must (d) Customer acknowledges that from time to time (a) Service Provider may identify additional items that need to be purchased by Customer, and (b) changes in Customer's systems may be required in order for Service Provider to meet Customer's requirements. In connection therewith, Customer agrees to work in good faith with Service Provider to effectuate such purchases or changes. In the event that Service Provider is required to purchase any assets, including computer hardware and/or software, in connection with Service Provider providing the Services, all such assets will remain the sole property of Service Provider.

4. Payment.

(a) Fees. Service Provider will charge Customer in advance (on the 1st of each month) for services unless an alternate payment schedule is set forth in Schedule B. Payment of service will be made within thirty (30) days from date of billing.

(b) Taxes. Amounts payable by Customer hereunder do not include local, state, or federal sales, use, value-added, or other taxes or tariffs of the United States of America or other countries based on the licenses or services provided under this Agreement or Customer's use thereof. Customer will pay all such taxes or tariffs as may be imposed upon Service Provider or Customer, except income taxes imposed on Service Provider by the United States of America or any state or local government therein. Customer will be invoiced for, and Customer will pay, any such taxes or tariffs if Service Provider is required to pay them on Customer's behalf.

(c) Failure to Pay. Customer acknowledges that its failure to pay timely any of the fees payable hereunder, or any portion thereof, will be a material breach of this Agreement for which Service Provider may, in addition to pursuing all other remedies, withhold Services and/or terminate this Agreement.

(d) Annual Price Increase. The dollar amounts of any items specifically stated in the Agreement to be subject to adjustment for inflation of 3%. Backup data service contract is excluded from this price increase.

5. Customer Responsibilities.

(a) Customer Authorized Contact. Customer will identify one individual to be Service Provider's primary Customer contact and another individual to be the secondary contact as noted on Schedule A. Customer represents that these people have authorization to make decisions on behalf of Customer and may be relied upon by Service Provider when providing the Services. Customer may unilaterally change its contract upon notice to Service Provider.

(b) Provision of Materials and Services to Service Provider. Customer agrees to timely furnish, at its own expense, all personnel, all necessary computer hardware, software and related materials and appropriate and safe work spaces for purposes of Service Provider performing the Services. Customer will also provide Service Provider with access to all information, passwords and facilities requested by Service Provider that is necessary for Service Provider to perform the Services. Access may be denied for any reason at any time, however if access to information, passwords or facilities is denied, Customer understands that the Service Provider may be unable to perform their duties adequately and if such a situation should exist, the Service Provider will be held harmless.

Customer will be responsible for the quality, completeness and workmanship of any item or service furnished by it and for ensuring that the materials provided to Service Provider do not infringe or violate the rights of any third party. Customer will maintain adequate backup for all data and other items furnished to Service Provider.

(c) Timeliness. Any timetable for the Services is dependent on timely receipt from Customer of all necessary items and authorizations to be supplied by it. In the event of a delay in delivery of any such items by Customer, any estimated completion date will be deferred for a period equal to the time lost by reason of the delay.

(d) Software Installation or Replication. If Service Provider is required to install or replicate Customer software as part of the Services, Customer will independently verify that all such software is properly licensed. Customer's act of providing any software to Service Provider will be deemed Customer's affirmative acknowledgment to Service Provider that Customer has a valid license that permits Service Provider to perform the Services related thereto. In addition, Customer will retain the duty and obligation to monitor Customer's equipment for the installation of unlicensed software unless Service Provider in a written SOW expressly agrees to conduct such monitoring. Customer will indemnify and hold harmless Service Provider against all damages and expenses it may incur (including reasonable attorney's fees and disbursements) related to Customer providing infringing materials to Service Provider or any Customer breach of this Section 5(d).

6. Proprietary Rights.

(a) Service Provider Intellectual Property. The parties acknowledge and agree that Service Provider may use preexisting proprietary computer software, methodology, techniques, software libraries, tools, algorithms, materials, products, ideas, skills, designs, know-how or other intellectual property owned by Service Provider or its licensors, and Service Provider may also create additional intellectual property based thereon in the performance of the Services (all of the foregoing, the "Service Provider Intellectual Property"). Customer agrees that any and all proprietary rights to the Service Provider Intellectual Property, as it existed as of the date hereof and as it may be modified or created in the course of providing the Services, including patent, copyright, trademark, and trade secret rights, to the extent they are available, are the sole and exclusive property of Service Provider, free from any claim or retention of rights thereto on the part of Customer, and Customer hereby assigns to Service Provider any rights it may have in any of the foregoing. Service Provider shall indemnify and hold harmless Customer against all damages and expenses it may incur (including reasonable attorney's fees and disbursements) related to Service Provider using or providing infringing materials to Customer or any Service Provider breach of this Section 6(a).

(b) Customer Rights to Deliverables. Service Provider hereby grants to Customer a perpetual, worldwide, royalty-free, nonexclusive, non-transferable right and license to use, execute, reproduce, transmit, display, perform, create derivative works from, make, have made, sell and import the deliverables provided hereunder, including such Service Provider Intellectual Property solely as it may be incorporated therein, only for its own internal business purposes and to provide services to its customers consistent with the purposes of the Services.

(c) Customer Data Ownership and Responsibility. Customer shall have sole responsibility for the accuracy, quality, integrity, legality, reliability, appropriateness, and intellectual property ownership or right to use of any data, information or material proprietary to Customer and provided or submitted by Customer to the Services in the course of using the Services (collectively, "Customer Data"). Customer has, and shall retain, ownership of all Customer Data. In the event that this Agreement is terminated, Service Provider shall return to Customer all of the Customer Data within 30 days of termination if Customer so requests at the time of termination.

(d) Restrictions. Customer will not copy, use, modify, or distribute any Service Provider Intellectual Property except as expressly licensed in this Agreement. Customer will not remove the Service Provider Intellectual Property from any

deliverables or cause or permit the modification, distribution, reverse engineering, de-compilation, disassembly or other translation of the Service Provider Intellectual Property. Customer will not alter, change, or remove from the Service Provider Intellectual Property any identification, including copyright and trademark notices, and further agrees to place all such markings on any copies thereof. Service Provider shall not copy, use, modify, or distribute any Customer data except as expressly provided in this Agreement. Service Provider shall not cause or permit the alteration, modification, distribution, de-compilation, disassembly or other translation of Customer data.

7. Relationship of Parties; No Solicitation of Employees. Service Provider is an independent contractor. Neither party has the right or authority to assume or to create any obligation or responsibility on behalf of the other party. This Agreement shall not be construed to create a joint venture or partnership between the parties. During the term of this Agreement and for a period of one (1) year thereafter, each party to this Agreement will not, without the prior written approval of the other party, solicit for employment any employee(s) of the other party or directly or indirectly induce any such employee to terminate his or her employment with the other party.

8. Services Warranty. Service Provider warrants that it will perform the Services substantially in accordance with the specifications set forth in Schedule C. For any breach of the foregoing warranty, Service Provider will exercise commercially reasonable efforts to re-perform any non-conforming services that were performed within the ten (10) business day period immediately preceding the date of Customer's written notice to Service Provider specifying in reasonable detail such nonconformance. If Service Provider concludes that conformance is impracticable, then this Agreement shall be terminated and Service Provider will refund all fees paid by Customer to Service Provider hereunder, if any, allocable to such nonconforming Services within thirty (30) days.

9. Third Party Products. Product warranties for third party products, if any, are provided by the manufacturers thereof and not by Service Provider. Service Provider's sole obligation is to act on behalf of Customer to assist in the satisfaction of any such warranty.

10. DISCLAIMERS.

Customer must meet minimum eligibility requirements in order to be eligible for a maintenance program. See Schedule B for minimum eligibility requirements. If a computer does not meet the minimum eligibility requirements Service Provider may provide the services necessary at service rates listed in Schedule B to achieve eligibility on the equipment.

(a) Customer Responsibility for Equipment. Customer shall provide a suitable working environment for any Equipment located at Customer's facility. Such environment includes, but is not limited to the appropriate temperature, static electricity and humidity controls and properly conditioned electrical supply for each piece of Equipment. Customer shall bear the risk of loss of any Equipment located at Customer's facility except in the case of Service Provider's negligence or willful conduct.

(b) The express remedies set forth in Section 8 will constitute Customer's exclusive remedies, and Service Provider's sole obligation and liability, for any claim (a) that a Service or deliverable provided hereunder does not conform to specifications or is otherwise defective, or (b) that the Services were performed improperly.

(c) Service Provider shall not be responsible for impairments to the Services caused by acts within the control of Customer or its employees, agents, contractors, suppliers or licensees, the interoperability of Customer applications, or other cause reasonably within Customer's control and not reasonably related to services provided under this Agreement.

(d) EXCEPT FOR THE WARRANTIES MADE BY SERVICE PROVIDER IN SECTION 8, WHICH ARE LIMITED WARRANTIES AND THE ONLY WARRANTIES PROVIDED TO CUSTOMER, THE SERVICES AND DELIVERABLES ARE PROVIDED STRICTLY "AS IS." SERVICE PROVIDER DOES NOT MAKE ANY ADDITIONAL WARRANTIES, EXPRESS, IMPLIED, ARISING FROM COURSE OF DEALING OR USAGE OF TRADE, OR STATUTORY, AS TO THE DELIVERABLES OR SERVICES PROVIDED HEREUNDER, OR ANY MATTER WHATSOEVER. THE PARTIES DISCLAIM ALL WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, SATISFACTORY QUALITY, AND TITLE.

(e) SERVICE PROVIDER DOES NOT WARRANT THAT THE SERVICES OR ANY DELIVERABLES WILL MEET ANY CUSTOMER REQUIREMENTS NOT SET FORTH HEREIN, THAT ANY DELIVERABLES WILL OPERATE IN THE COMBINATIONS THAT

CUSTOMER MAY SELECT FOR USE, THAT THE OPERATION OF ANY DELIVERABLES WILL BE UNINTERRUPTED OR ERROR-FREE, OR THAT ALL ERRORS WILL BE CORRECTED. IF PRE- PRODUCTION (E.G., "ALPHA" OR "BETA") RELEASES OF SOFTWARE ARE PROVIDED TO CUSTOMER, SUCH COPIES ARE PROVIDED "AS-IS" WITHOUT WARRANTY OF ANY KIND.

(f) Except as may be done in accordance with Section 16(b), no statement by any Service Provider employee or agent, orally or in writing, will serve to create any warranty or obligation not set forth herein or to otherwise modify this Agreement in any way whatsoever.

(g) Service Provider shall make no claim against Customer alleging damages or personal injury to its agents, employees, or contractors by any cause whatsoever except in the case of Customer's sole negligence or willful misconduct.

11. LIMITATION OF LIABILITY. Except for claims pertaining to Confidential Information, third-party claims under the indemnification provisions of this Agreement, or damages resulting from a party's gross negligence or willful misconduct, neither party will be liable to the other for any indirect, special, punitive, exemplary or consequential damages, or incidental losses or damages of any kind, including, but not limited to, lost profits, lost savings or loss of use of facilities or equipment, regardless of whether arising from breach of contract, warranty, tort, strict liability or otherwise, even if advised of the possibility of such loss or damage, or if such loss or damage could have been reasonably foreseen.

12. Force Majeure. With the exception of Customer payment for services rendered, neither party shall be responsible for any failure to perform nor delay caused where such failure or delay is due to circumstances reasonably beyond the party's control.

13. Confidentiality. "Confidential Information" means all nonpublic technical or business information, including the terms of this Agreement and Customer data, disclosed by one party to the other party and marked as proprietary or which is of a nature or presented under circumstances that would cause one to reasonably conclude it should be treated as confidential. The receiving party shall hold such information in confidence for three years after termination of this Agreement, restrict disclosure of such information solely to its employees with a business need to know such information, and use a degree of care no less than the degree of care as it uses for its own proprietary information to prevent the unauthorized disclosure, use or publication of such proprietary information.

14. Insurance.

(a) **Nature and Amounts.** Service Provider agrees to maintain sufficient insurance coverage to enable it to meet its obligations created by this Agreement and by law. Without limiting the foregoing, to the extent this Agreement creates exposure generally covered by the following insurance policies, Service Provider will maintain at its sole cost and expense at least the following insurance covering its obligations under this Agreement: (a) Commercial General Liability including (i) bodily injury, (ii) property damage, (iii) contractual liability coverage, and (iv) personal injury, in an amount not less than One Million Dollars (\$1,000,000) per occurrence; (b) Business Automobile Liability for owned, hired and non-owned vehicles in an amount of not less than One Million Dollars (\$1,000,000) for each accident; (c) Workers Compensation at statutory limits; and (d) Professional Liability Insurance covering errors and omissions and wrongful acts in the performance of the Services. Such insurance will bear a combined single limit per occurrence of not less than One Million Dollars (\$1,000,000). Commercial General Liability and Business Automobile Liability policies shall provide an endorsement naming Customer, its officers, agents, and employees as Additional Insureds with respect to liability arising out of Service Provider's Services, and shall further provide that such insurance is primary insurance to any insurance or self-insurance maintained by the Customer and that the insurance of the Additional Insureds shall not be called upon to contribute to a loss covered by the Service Provider's insurance.

15. General.

(a) **Entire Agreement.** This Agreement together with the Schedules, which are hereby incorporated herein by this reference, contain all the agreements, representations, and understandings of the parties and supersedes any previous understandings, commitments, or agreements, oral or written, with respect to the subject matter of this Agreement. To the extent there is any inconsistency between a term of this Agreement and a term of any Schedule, the term of this Agreement will govern the performance of Services between the Parties, and confers no rights upon any of the Parties'

thereunder.

(b) Modification. This Agreement may not be modified or amended except in a writing signed by a duly authorized representative of each party that expressly states the sections of this Agreement to be modified; no other act, usage, or custom will be deemed to amend or modify this Agreement. Each party hereby waives any right it may have to claim that this Agreement was subsequently modified other than in accordance with this Section 16(b).

(c) No Waiver. No failure on the part of either party to exercise, and no delay in exercising, any right, power, or privilege will operate as a waiver thereof; nor will any single or partial exercise of any right hereunder preclude any other or further exercise thereof or the exercise of any other right. The waiver by either party of any default or breach of this Agreement will not constitute a waiver of any other or subsequent default or breach.

(d) Jurisdiction. This Agreement shall be governed by the laws of the State of California without regard to its choice of law provisions. Venue shall be in Monterey County.

(e) Interpretation. Any provision of this Agreement held to be void, illegal, or unenforceable shall be restated to lawfully reflect the parties' original intent to the fullest extent possible. All other provisions shall remain in full force and effect.

(f) Notices. Any notice required under this Agreement shall be sent by registered mail, return receipt requested, facsimile, overnight express mail, or personal delivery to the address of the party set forth at the beginning of this Agreement. Notices sent by registered mail shall be deemed effective on the third business day following mailing. Notices sent otherwise shall be deemed effective on receipt. A party may change its address for notices upon thirty days prior written notice.

(g) Assignment. Neither Customer nor Service Provider may assign its rights or obligations under this Agreement without Service Provider's prior written consent which shall not be unreasonably withheld.

(h) Purchase Orders. Customer may, for purposes of administrative convenience, use Customer's standard form of purchase order to order Services. The parties understand and agree that any terms or conditions on any such purchase order in any way different from or in addition to the terms and conditions of this Agreement will have no effect whatsoever and Service Provider hereby rejects all such terms and conditions.

X

Jay Patel
President, DeVeera Inc.

X

Suresh Prasad
Chief Financial Officer, MPWMD

Schedule A - Customer Contact Information

| | Customer Information |
|------------------------------|--|
| Company Name | Monterey Peninsula Water Management District |
| Billing Contact Name | |
| Billing Contact Phone Number | |
| Billing Contact Email | |
| Address Line 1 | 5 Harris Court |
| Address Line 2 | Building G |
| City, St, Zip Code | Monterey, Ca 93940 |

| | Primary Customer Contact Information |
|---|--------------------------------------|
| Primary Customer Contact | |
| Primary Contact Phone | |
| Primary Contact Email | |
| Primary Contact Schedule | MONDAY – FRIDAY 8:00 AM TO 5:00 PM |
| Primary Contact After-Hours Phone Number | |

| | Secondary Customer Contact Information |
|---|--|
| Primary Customer Contact | |
| Primary Contact Phone | |
| Primary Contact Email | |
| Primary Contact Schedule | |
| Primary Contact After-Hours Phone Number | |

Schedule B - Pricing and Services

| Technology Services for New Projects | Rate |
|--|--|
| <ul style="list-style-type: none"> Software Development and custom application / work flow development. | \$150 per hour |
| <ul style="list-style-type: none"> New Services/Equipment outside managed services contract Network Security and Compliance (Security Assessment & Audits, GDPR, HIPAA, PCI, FISMA, SOX) Wireless Networking (Cloud Wi-Fi, routing and firewall / in-wall cabling) Business Phone Solutions (Cloud & on-premises) Security Devices (Cloud managed NVR, Camera, Face-recognition and LPR) General Engineering Services | Government Rate \$125 per hour / as needed. |
| <ul style="list-style-type: none"> Project Management for services outside managed services contract | 10% of project cost |
| Managed Services Daily, weekly, monthly support of servers, workstations, networks, printers, other devices for <ul style="list-style-type: none"> 28 Users & 24 Server | \$4,751 per month |
| <ul style="list-style-type: none"> Anti-Virus for all Workstations and Servers Included | Included in Monthly |
| TOTAL MONTHLY | \$ 4,751.00 |
| General Terms for projects outside managed services contract <ul style="list-style-type: none"> For projects and new work, payment will be due within 30 days upon completion of the project. Payment will be due within 30 days of installation for requested hardware.. Standard business day support not covered by a managed services contract will incur a minimum of 1 hour billable. Specific details may vary by client and by contract. Inflation Adjustment increase of 3% annually on Managed Services. | |

Managed IT Services Detail

- **Site Documentation**

A senior engineer will create a DeVeera Care documentation specifically for your company. The documentation will hold important information about your technology infrastructure and will be kept online for easy access by you and DEVEERA Solutions. DeVeera will give Client Representative Portal access for entire site documentation. The Documentation covers important items that are needed for ongoing technology support including:

- Data Backup Schedules
- Hardware and Software Asset Inventory
- ISP and Website information
- Password Inventory for all critical Hardware, Software, and third-party Web Portals
- DNS Records, Website hosting information, Microsoft 365 administration accounts
- Network Map, including all remote sites and VPNs
- NVR and Security Camera System Documentation
- VLANs for Printers and Phone System
- Hardware and Software including licenses, support and warranty

- **Server Monitoring**

This 24x7 monitoring service will allow us to watch your Servers to detect and report problems before they escalate into downtime, data loss, or expensive repair issues. Some of the items we monitor include:

- Operating System/Terminal Server
- Network Services
- Active Directory
- Applications such as Exchange, SQL Server, Citrix
- Critical Event Logs
- **Application Status**
- System Performance Data
- Backup Monitoring and Administration

- **Server and Workstation Preventative Maintenance**

This service allows us to provide preventative maintenance activities on your servers, workstations and laptops to help prevent problems before they escalate into downtime, data loss, or expensive repair issues. We include the following preventative maintenance services on an ongoing basis.

- Patch Management (white-listed Critical Security patches for Microsoft operating systems and applications)
- Temporary File and Internet Debris Removal
- Hard Drive integrity checks (SMART enabled computers only)
- Service Pack Installation
- Third Party Application updates
- Server, network switch and firewall firmware updates

- **Network Device Monitoring**

This 24X7 monitoring service includes availability monitoring for Network Devices such as:

- Local area network IP devices (routers, firewalls, network-enabled printers, etc.)
- Local area network SNMP enabled devices (switches, etc.)
- Gateway VPN tunnels
- Externally hosted web and email servers

- **Virus Protection**

Get comprehensive virus protection for desktops, servers, and e-mail servers without the need for costly software or hardware. We eliminate the trouble of annual maintenance renewals and the risk of expired protection. Virus protection never expires and software is regularly updated while your systems are protected under the Managed Services program.

- **Antivirus Signature Monitoring**

Our Managed Services program makes sure that antivirus software is updated with the most recent virus definitions, helping create a secure environment for your network. While we cannot guarantee complete protection from a virus outbreak (new viruses appear every day), our proactive monitoring is among the best available.

- **Spyware Detection and Removal**

Thanks to a remote filtering service we offer, we can stop most spyware without requiring you to purchase and maintain expensive in-house hardware or software.

- **Remote Access and Support**

Our secure remote support tool enables us to respond more quickly to problems by accessing your network from our office and eliminating the delay of waiting for an engineer to come on site.

- **Guaranteed 1 hour telephone response time during business hours for Technical Problems submitted by telephone from you or your authorized staff members.**

- **UNLIMITED Help Desk Telephone and Remote Support. As Needed On-Site Support**

Our team of knowledgeable, courteous technicians is available to answer basic questions and solve problems quickly over the phone or through remote support. If, after 30 minutes, the Help Desk Technician has not been able to identify a clear path to resolution, or it is determined that an on-site visit is necessary, the support issue will be escalated to a senior Engineer.

- **Server Administration**

Included as part of the Help Desk Telephone and Remote Support service, our technicians will perform a variety of common server administration tasks for no additional fee.

- Create, disable, and maintain user accounts
- Change or reset user account passwords
- Manage security rights and security group membership
- Create and manage directory shares
- On-site Backup tape collection and store at our location

- **Monthly Status Report**

Each month we will provide a comprehensive report of the overall health of your technology, plus any issues and repairs experienced over the previous month. A ticket digest will also be given, which gives information on how many tickets were created and fixed with response times.

- **Quarterly Review and Planning Meeting**

We will use this time to assess your personal comfort level with your current technology, prioritize any outstanding issues, and plan technology needs to support anticipated changes to your business in upcoming months.

- **Local Onsite Support**

If you experience any type of problem that cannot be resolved remotely, our team of technicians will troubleshoot and resolve the issue onsite at **NO ADDITIONAL SERVICE FEE**.

- **24/7 Monitoring and Management**

The Client Site is monitored and managed 24x7 by our Network Operations Center (NOC) Team. If an issue occurs during any backup or with the hardware we are immediately notified and take corrective action. The DEVEERA NOC performs daily tests to verify the integrity of base and incremental images. Should an incremental have a corruption, DEVEERA Engineers copy the corrupt image from the offsite Data Center to the Backup Appliance and run the verification again. If this does not solve the problem then immediate corrective action is taken to get the backup to a consistent state.

- **Annual Technology Audit**

Annually, we will perform an extensive analysis of your network's trends and performance, as well as review your company's goals and technology plan. This annual review will allow us to make specific recommendations for improving your network performance, office productivity, and help you to plan and budget for future IT needs.

Other Services

- **DEVEERA Anti-Spam**

We'll restore confidence in email with managed email threat protection. Our Anti-Spam provides protection against spam, viruses, and phishing exploits outside the corporate network.

Schedule C - Plan Details (Not Covered)*Items Not Covered Under DeVeera Care*

The following items are excluded from the DEVEERA Support Plan:

Hardware and Software

The cost of any hardware or software will be billed in addition to your service plan, including:

- Hardware and/or software required to troubleshoot and resolve break/fix issues
- Hardware upgrades to covered equipment
- Software upgrades to covered operating systems and business applications
- New hardware, software or other equipment

Installation of New Hardware, Software, and Other Equipment Services required to research, select, and implement new hardware, software, and other equipment will NOT be billed on an hourly basis. Once implemented, the maintenance of new hardware, software, and other equipment will be incorporated into your DeVeera Care plan.

Non-Supported Software and Equipment

DEVEERA cannot effectively manage the performance of your network and individual systems when new software and equipment is installed without our knowledge and participation. Software and equipment not explicitly listed Schedule Do this document will not be covered, unless the software or equipment is pre-approved and installed with the participation of a DEVEERA senior technician.

Problems Caused by Non-Supported Software and Equipment

Resolution of problems caused by non-covered software or equipment will be billed on an hourly basis in addition to your service plan at the rates listed in Schedule B of this document. (more than 5 users).

Network Relocation

Server, workstation and printer moves will be billed on an hourly basis if Client is moving from one location to another location. If hardware is being moved within the current location from one office to another office is included as part of this contract.

In-Depth Software Training

The DEVEERA helpdesk can be extremely effective in answering quick software "how to" and "what to do" questions. In-depth training quotes will be provided on a case-by-case basis.

The following items are excluded from the DeVeera CarePlan:

Hardware and Software

The cost of any hardware or software will be billed in addition to your service plan

Local Data

Local data may reside on your desktop and laptop machines. If the local machines are not backed up to the server or using our secure desktop package, the data on the local machines will not be backed up.

ITEM: CONSENT CALENDAR**22. CONSIDER AUTHORIZATION TO CONTRACT WITH HAYASHI WAYLAND TO CONDUCT ANNUAL FINANCIAL AUDIT FOR FISCAL YEAR ENDING 2020, 2021, and 2022**

| | | | |
|----------------------|---|------------------------------------|--|
| Meeting Date: | June 15, 2020 | Budgeted: | Yes |
| From: | David J. Stoldt, General Manager | Program/ Line Item No.: | Services & Supplies Professional Fees |
| Prepared By: | Suresh Prasad | Cost Estimate: | \$48,000 for 2020, \$49,500 for 2021, \$51,000 for 2022 Plus additional fee for CAFR & GASB |

General Counsel Approval: N/A**Committee Recommendation: The Administrative Committee reviewed this item on June 9, 2020 and recommended approval.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY: The District is required to have an audit of its financial records performed on an annual basis. The three-year agreement with the firm of Hayashi Wayland (HW) to conduct the annual audit expired with the completion of the audit for Fiscal Year (FY) 2018-2019. Due to the uniqueness of the District's operations, including its involvement with the CAWD/PBCSD Wastewater Reclamation Project (Project), there is a high learning curve for auditors to become sufficiently knowledgeable with the District's financial records to enable them to complete a timely and adequate audit. HW has also conducted audits of the Project in the past, and although the Project currently utilizes a different auditing firm, HW's familiarity with the Project makes it much easier for them to incorporate the Project's current financial information into the District's audit report. This experience and familiarity will be beneficial to the District as it embarks upon the Pure Water Monterey project operation. Based on this familiarity with the operations of the District and the Project, as well as the excellent quality of past audits, District staff is requesting a new three-year proposal from HW.

HW has submitted a three-year proposal to conduct the audits for fiscal year ending 2020, 2021, and 2022 in the amount of \$148,500. The base audit fee includes costs to cover for Governmental Accounting Standards Board (GASB) 68 standards, which includes standards for pension reporting. In addition, additional fee would be incurred each year for Comprehensive Annual Financial Report compilation as well as for implementation and testing of other GASB standards, such as GASB75, new reporting standards for Other Post-Employment Benefits, and State Controllers Report. The fee estimated for FYE 2020 including the additional services is a not-to-exceed price of \$68,000.

RECOMMENDATION: The Administrative Committee recommends that the Board authorize the Chief Financial Officer to enter into a three-year agreement with Hayashi Wayland to conduct the annual audit of the District's financial records for a total cost of \$148,500 plus additional fee for CAFR compilation and implementation of GASB standards.

BACKGROUND: Annually, the District is required to complete an independent audit of its financial operations in conformance with the requirements set by the Governmental Accounting Standards Board and the California State Controller. Due to the uniqueness of the District's operations, including its involvement with the Reclamation Project, the District has used the accounting firm of HW to conduct the annual audit of the District's financial records since 1989.

EXHIBIT

22-A Hayashi Wayland Audit Proposal



HAYASHI | WAYLAND

May 12, 2020

To the Board of Directors/Administrative Committee
Monterey Peninsula Water Management District
P.O. Box 85
Monterey, California 93942

Attention: Suresh Prasad, C.F.O.

The purpose of this letter is to set your fee expectations regarding the audit(s) for the year(s) ended June 30, 2020 or June 30, 2020, 2021 and 2022.

Our fee estimates are based to a large extent on the quality, timeliness, and accuracy of the audit documentation that you and your staff prepare and the number and complexity of adjustments required to your general ledger(s). We will prepare a detailed list of the expected audit documentation which you will need to prepare before beginning the audit(s). The audit documentation will need to be completed prior to fieldwork at which time we perform a review of them in your offices. The estimates do not include any accounting assistance required to assist you in properly preparing the required audit documentation listed in the "Prepared by Client (PBC) List". The estimates also do not include additional time required to reconcile the audit documentation to appropriate detail and/or to the general ledger(s). Additional time will be billed at standard rates. The estimates assume that the audit documentation will be completely ready one week before the agreed upon starting dates for the audit(s). The following are our estimates:

Audit(*) Single Year - 2020 \$51,000

Audit(*) 3 Year Engagement:

| | |
|------|----------|
| 2020 | \$48,000 |
| 2021 | \$49,500 |
| 2022 | \$51,000 |

* Includes fees for compliance with the group audit standards.

In addition to the base audit fee estimated above, there will be additional fees annually for the implementation and ongoing testing of GASB pronouncements, any required CAFR assistance and preparation of the "Annual Report of Financial Transactions of Special Districts". The implementation of new standards requires us to perform more extensive procedures than in the past, resulting in an additional time commitment from both your employees and our audit personnel.

We estimate annual fees for the additional services as follows:

| | |
|---|----------------|
| GASB Implementation/testing | \$7,000-10,000 |
| CAFR Assistance | \$7,500 |
| Annual Report of Financial Transactions | \$2,500 |



Monterey Peninsula Water Management District
May 6, 2020
Page 2

If you have any questions regarding this fee estimate, please feel free to contact me.

Sincerely,

Rae "Digitally signed
by Rae Gularte
Date: 2020.05.12
12:53:28 -07'00'
Gularte,
Rae Gularte, CPA
Hayashi Wayland



ITEM: CONSENT CALENDAR

23. CONSIDER ADOPTION OF RESOLUTION NO. 2020-08 -- AMENDING FEES AND CHARGES TABLE – RULE 60

Meeting Date: June 15, 2020 **Budgeted:** N/A

| | | |
|--------------|---|------------------------------------|
| From: | David J. Stoldt, General Manager | Program/ Line Item No.: |
|--------------|---|------------------------------------|

Prepared By: Gabriela Ayala **Cost Estimate:** N/A

General Counsel Review: N/A

Committee Recommendation: The Administrative Committee reviewed this item on June 9, 2020 and recommended approval.

CEQA Compliance: N/A

SUMMARY: Resolution 2020-08 (**Exhibit 23-A**) updates Rule 60, Fees and Charges Table, to reflect actual time incurred by the District to process amendments to Water Use Permits and to plan check projects for Water Permit waivers. Fees and charged by the District are intended to have a positive correlation to the actual time, effort, and cost of providing the services and taking the actions set forth in the Fees and Charges Table.

RECOMMENDATION: The Administrative Committee recommends that the Board adopt Resolution 2020-04, A Resolution of the Board of Directors of the Monterey Peninsula Water Management District Amending Rule 60, Fees and Charges Table. This item will be approved if adopted along with the Consent Calendar on the Board agenda.

BACKGROUND: Ordinance No. 120, adopted March 21, 2005, allows changes to the Fees and Charges Table by resolution rather than by ordinance. The Fees and Charges Table was last updated on September 18, 2017, by adoption of Ordinance No. 177.

EXHIBIT

23-A Resolution No. 2020-08



EXHIBIT 23-A

RESOLUTION 2020-08

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
AMENDING RULE 60, FEES AND CHARGES TABLE**

WHEREAS: Fees and charges of the Monterey Peninsula Water Management District (MPWMD) are set forth in the MPWMD Rules and Regulations;

WHEREAS: The MPWMD Board of Directors created a new Fees and Charges Table in MPWMD Rule 60 pursuant to Ordinance No. 120, which became effective on April 20, 2005;

WHEREAS: Fees and Charges shall bear a positive correlation to the actual time, effort and cost of providing the services and actions set forth in the Fees and Charges Table;

NOW, THEREFORE, BE IT RESOLVED: That the Board of Directors of the Monterey Peninsula Water Management District hereby shall amend the Fees and Charges Table Line 58 (as amended by Resolution 2020-08) as set forth below (additions shown in ***bold italics*** and deletions shown in ~~strikeout~~); and that this change shall be effective immediately:

| | | |
|----|--|---|
| 58 | Amendment to a Water Use Permit (Water Entitlement Process) (also may require Capacity Fees pursuant to Rule 24) | \$450 <i>plus \$90 per hour for more than 5 hours</i> |
|----|--|---|

On motion by _____, and second by _____, the foregoing Resolution is adopted upon this 15th day of June 2020, by the following vote:

AYES:

NAYS:

ABSENT:

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify the foregoing resolution was duly adopted on the 15th day of June 2020.

Witness my hand and seal of the Board of Directors this ____ day of June 2020.

David J. Stoldt, Secretary to the Board

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ITEM: CONSENT CALENDAR**24. CONSIDER ADOPTION OF RESOLUTION 2020-09 CERTIFYING
COMPLIANCE WITH STATE LAW WITH RESPECT TO THE LEVYING OF
GENERAL AND SPECIAL TAXES, ASSESSMENTS, AND PROPERTY-
RELATED FEES AND CHARGES**

| | | | |
|----------------------|---|------------------------------------|-----------------|
| Meeting Date: | June 15, 2020 | Budgeted: | Yes |
| From: | David J. Stoldt, General Manager | Program/ Line Item No.: | Revenues |
| Prepared By: | Suresh Prasad | Cost Estimate: | \$9,000 |

General Counsel Approval: N/A**Committee Recommendation: The Administrative Committee reviewed this item on June 9, 2020 and recommended approval.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY: At its February 23, 2012 meeting, the Board directed staff to implement a Proposition 218 process for the development of water supply fees and charges, including the hiring of a rate consultant and the development of the necessary ordinances, resolutions, and notices for implementation thereof.

At its April 16, 2012 meeting, the Board reviewed as an informational item two alternative draft resolutions for the collection mechanism of the proposed annual Water Supply Charge. At its June 27, 2012 meeting the Board reviewed and approved Resolution 2012-06 for collection of Water Supply Charge through County Assessor's Office. At this time, the Board is asked to adopt Resolution 2020-09 certifying compliance with State law with respect to the Water Supply Charge to allow the County of Monterey to continue collection of the Water Supply Charge on the property tax bill. This Resolution gets adopted by our Board annually.

The County will charge the District 0.25% of the amount that is collected by the County. The approximate collection fee for this fiscal year will be \$9,000.

RECOMMENDATION: The Administrative Committee recommends the Board review and adopt Resolution 2020-09 and authorize the County of Monterey for collection of Water Supply Charge on the property tax bill.

BACKGROUND: There were two alternatives for the water supply charge collection mechanism: Alternative A was bills sent directly by the District or through a third-party mailing house; Alternative B was the use of the semi-annual County Assessor's bill, similar to what is the current practice for Carmel Area Wastewater District and the water recipients under the Castroville Seawater intrusion Project. At its June 27, 2012 meeting the Board reviewed and

approved Resolution 2012-06 for collection of Water Supply Charge on the County Assessor's Office.

EXHIBIT

24-A Resolution 2020-09

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EXHIBIT 24-A**RESOLUTION 2020-09**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
CERTIFYING COMPLIANCE WITH STATE LAW WITH RESPECT
TO THE LEVYING OF GENERAL AND SPECIAL TAXES, ASSESSMENTS,
AND PROPERTY-RELATED FEES AND CHARGES**

WHEREAS, Monterey Peninsula Water Management District (“Public Agency”) requests that the Monterey County Auditor-Controller enter those general or special taxes, assessments, or property-related Fees or charges identified in Exhibit “A” on the tax roll for collection and distribution by the Monterey County Treasurer-Tax Collector commencing with the property tax bills for fiscal year 2020-21;

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. The Public Agency hereby certifies that it has, without limitation, complied with all legal procedures and requirements necessary for the levying and imposition of the general or special taxes, assessments, or property-related fees or charges identified in Exhibit “A”, regardless of whether those procedures and requirements are set forth in the Constitution of the State of California, in State statutes, or in the applicable decisional law of the State of California.

2. The Public Agency further certifies that, except for the sole negligence or misconduct of the County of Monterey, its officers, employees, and agents, with regards to the handling of the Cd or electronic file identified as Exhibit “A”, the Public Agency shall be solely liable and responsible for defending, at its sole expense, cost, and risk, each and every action, suit, or other proceeding brought against the County of Monterey, its officers, employees, and agents for every claim, demand, or challenge to the levying or imposition of the general or special taxes, assessments, or property-related fees or charges identified in Exhibit “A” and that it shall pay or satisfy any judgment rendered against the County of Monterey, its officers, employees, and agents on every such action, suit, or other proceeding, including all claims for refunds and interest thereon, legal fees and court costs, and administrative expenses of the County of Monterey to correct the tax rolls.

On motion of Director _____, and second by Director _____, the foregoing resolution is duly adopted this 15th day of June 2020 by the following votes:

AYES:

NAYS:

ABSENT:

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify that the foregoing is a resolution duly adopted on the 15th day of June 2020.

Witness my hand and seal of the Board of Directors this ____ day of June 2020.

David J. Stoldt,
Secretary to the Board

EXHIBIT "A"
TO
RESOLUTION CERTIFYING COMPLIANCE WITH STATE LAW WITH RESPECT
TO THE LEVYING OF GENERAL AND SPECIAL TAXES, ASSESSMENTS, AND
PROPERTY-RELATED FEES AND CHARGES
FISCAL YEAR 2020-21

GENERAL TAXES:

SPECIAL TAXES:

ASSESSMENTS:

PROPERTY-RELATED FEES AND CHARGES:

The annual Water Supply Charge may only be used to fund District water supply activities, including capital acquisition and operational costs for Aquifer Storage and Recovery and Groundwater Replenishment purposes, as well as studies related to projects necessary to ensure sufficient water is available for present beneficial water use.

ITEM: CONSENT CALENDAR**25. CONSIDER ADOPTION OF RESOLUTION 2020-10 ESTABLISHING
ARTICLE XIII (B) FISCAL YEAR 2020-2021 APPROPRIATIONS LIMIT**

| | | | |
|----------------------|--|------------------------------------|------------|
| Meeting Date: | June 15, 2020 | Budgeted: | N/A |
| From: | David J. Stoldt General Manager | Program/ Line Item No.: | N/A |
| Prepared By: | Suresh Prasad | Cost Estimate: | N/A |

General Counsel Review: N/A**Committee Recommendation:** The Administrative Committee reviewed this item on June 9, 2020 and recommended approval.**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: Article XIII (B) of the California Constitution requires that an appropriations limit be calculated on an annual basis. Attached as **Exhibit 25-A** is Resolution 2020-10, A Resolution of the Board of Directors of the Monterey Peninsula Water Management District Establishing an Appropriations Limit for Fiscal Year 2020-2021. The resolution establishes an appropriations limit of \$1,842,149 for fiscal year 2020-2021 as calculated on the Property Tax Appropriations Limit worksheet, which is **Attachment 1** to the resolution. The worksheet also shows that District estimates that it will receive \$2,050,000 in property tax revenues during the fiscal year. After subtracting exempt appropriations of \$4,135,900 from the estimated property tax revenues, the appropriations subject to the limit are \$(2,085,900), which is under the appropriations limit calculated under the provisions of Article XIII (B), resulting in estimated excess tax revenue of \$0.00.

RECOMMENDATION: The Administrative Committee recommends adoption of Resolution 2020-10, A Resolution of the Board of Directors of the Monterey Peninsula Water Management District Establishing an Appropriations Limit for Fiscal Year 2020-2021 in the amount of \$1,842,149.

EXHIBIT**25-A** Resolution 2020-10

EXHIBIT 25-A**RESOLUTION 2020-10**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
ESTABLISHING AN APPROPRIATIONS LIMIT
FOR FISCAL YEAR 2020-2021**

WHEREAS, Article XIII (B) of the California Constitution requires that each local government agency annually establish an appropriations limit; and

WHEREAS, the Monterey Peninsula Water Management District desires to establish its appropriations limit for the purpose of setting its budget;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Monterey Peninsula Water Management District hereby determines that the 2020-2021 appropriations limit for the District is \$1,842,149 based on a 2020-2021 multiplier of 1.0223, as shown on Attachment 1.

On motion of Director _____, and second by Director _____, the foregoing resolution is duly adopted this 15th day of June 2020 by the following votes:

AYES:

NAYS:

ABSENT:

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify that the foregoing is a resolution duly adopted on the 15th day of June 2020.

Witness my hand and seal of the Board of Directors this ____ day of June 2020.

David J. Stoldt,
Secretary to the Board

ATTACHMENT 1**PROPERTY TAX APPROPRIATION LIMIT
2020-2021 BUDGET**

| | | |
|------------------------------------|----------------------------|--------|
| Appropriations Limit for 2019-2020 | \$1,802,037 | |
| Multiplier | <u>1.0223</u> | note 1 |
| Appropriations Limit for 2020-2021 | \$1,842,149 | |
| Appropriations Subject to Limit: | | |
| Property Tax | \$2,050,000 | note 2 |
| Exempt Appropriations | <u>(\$4,135,900)</u> | |
| Total | <u><u>-\$2,085,900</u></u> | |
| Appropriations Limit for 2020-2021 | <u><u>\$1,842,149</u></u> | |
| Estimated Excess Tax Revenue | <u><u>\$0</u></u> | |

NOTES:

1. Source: Price and Population Data for Local Jurisdictions
Department of Finance, May 2020

$$\text{Price } 1.0373 \times \text{Population } 0.9855 = 1.0223$$

| | |
|-----------------|----------------------|
| Price | 1.0373 |
| Population | <u>0.9855</u> |
| Ratio of change | <u><u>1.0223</u></u> |

2. Property tax revenue estimate \$2,050,000

ITEM: CONSENT CALENDAR**26. CONSIDER ADOPTION OF RESOLUTION 2020-11 UPDATE TO RULE 24, TABLE 3, CAPACITY FEE HISTORY**

| | | | |
|----------------------|--|------------------------------------|------------|
| Meeting Date: | June 15, 2020 | Budgeted: | N/A |
| From: | David J. Stoldt General Manager | Program/ Line Item No.: | N/A |
| Prepared By: | Gabriela Bravo | Cost Estimate: | N/A |

General Counsel Review: N/A**Committee Recommendation: The Administrative Committee considered this item on June 9, 2020 and recommended approval.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY: District Rule 24 requires that the Capacity Fee History Table shall be updated annually by Resolution of the Board to reflect the current year's Capacity Fee. Resolution 2020-11 (**Exhibit 26-A**) updates Rule 24, Table 3: Capacity Fee History, to reflect current's year capacity fee of the District. A marked-up version of the proposed table is found as **Exhibit 26-B**.

RECOMMENDATION: The Administrative Committee recommends that the Board adopt Resolution 2020-11, A Resolution of the Board of Directors of the Monterey Peninsula Water Management District Update to Rule 24, Table 3, Capacity Fee History.

BACKGROUND: District's Rule 24, allows changes to the Capacity Fee History Table by resolution rather than by ordinance. The Capacity Fee History Table was last updated on June 17, 2019, by adoption by resolution.

EXHIBIT**26-A** Resolution No. 2020-11**26-B** Table 3: Capacity Fee History



EXHIBIT 26-A

RESOLUTION NO. 2020-11

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
UPDATE RULE 24, TABLE 3: CAPACITY FEE HISTORY**

WHEREAS, Capacity Fee charges of the Monterey Peninsula Water Management District (MPWMD) are set forth in the MPWMD Rules and Regulations; and

WHEREAS, Rule 24 (C) of the District stipulates that the Capacity Fee History Table shall be updated annually by Resolution of the Board to reflect the current year's Capacity Fee;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of Monterey Peninsula Water Management District hereby shall update the Capacity Fee Table as set forth in **Attachment 1** to this Resolution; and that these changes shall become effective immediately.

On motion of Director _____, and second by Director _____, the foregoing resolution is duly adopted this 15th day of June, 2020, by the following votes:

AYES:

NAYES:

ABSENT:

I, David J. Stoldt, Secretary of the Board of Directors of the Monterey Peninsula Water Management District, hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted on the 15^h day of June, 2020.

Witness my hand and seal of the Board of Directors, this ____ day of June, 2020.

David J. Stoldt, Secretary to the Board

Attachment 1**TABLE 3: CAPACITY FEE HISTORY**

| YEAR | CAPACITY FEE |
|------------------|--------------------|
| 1985 | \$10,623.20 |
| 1985-86 | \$11,133.00 |
| 1986-87 | \$11,433.59 |
| 1987-88 | \$11,890.93 |
| 1988-89 | \$12,295.22 |
| 1989-90 | \$12,983.75 |
| 1990-91 | \$13,529.07 |
| 1991-92 | \$14,056.70 |
| 1992-93 | \$14,661.00 |
| 1993-94 | \$15,202.00 |
| 1994-95 | \$15,325.00 |
| 1995-96 | \$15,692.00 |
| 1996-97 | \$15,960.00 |
| 1997-98 | \$16,551.00 |
| 1998-99 | \$17,048.00 |
| 1999-00 | \$17,832.00 |
| 2000-01 | \$18,492.00 |
| 2001-02 | \$19,565.00 |
| 2002-03 | \$19,976.00 |
| 2003-04 | \$20,415.00 |
| 2004-05 | \$20,517.00 |
| 2005-06 | \$20,948.00 |
| 2006-07 | \$21,618.00 |
| 2007-08 | \$22,331.00 |
| 2008-09 | \$22,979.00 |
| 2009-10 | \$23,163.00 |
| 2010-11 | \$23,567.00 |
| 2011-12 | \$24,227.00 |
| 2012-13 | \$24,735.00 |
| 2013-14 | \$25,328.00 |
| 2014-15 | \$26,037.00 |
| 2015-16 | \$26,661.00 |
| 2016-17 | \$27,380.00 |
| 2017-18 | \$28,420.00 |
| 2018-19 | \$29,329.00 |
| 2019-20 | \$30,502.00 |
| 2020-2021 | \$30,837.00 |

EXHIBIT 26-B**TABLE 3: CAPACITY FEE HISTORY**

| YEAR | CAPACITY FEE |
|------------------|--------------------|
| 1985 | \$10,623.20 |
| 1985-86 | \$11,133.00 |
| 1986-87 | \$11,433.59 |
| 1987-88 | \$11,890.93 |
| 1988-89 | \$12,295.22 |
| 1989-90 | \$12,983.75 |
| 1990-91 | \$13,529.07 |
| 1991-92 | \$14,056.70 |
| 1992-93 | \$14,661.00 |
| 1993-94 | \$15,202.00 |
| 1994-95 | \$15,325.00 |
| 1995-96 | \$15,692.00 |
| 1996-97 | \$15,960.00 |
| 1997-98 | \$16,551.00 |
| 1998-99 | \$17,048.00 |
| 1999-00 | \$17,832.00 |
| 2000-01 | \$18,492.00 |
| 2001-02 | \$19,565.00 |
| 2002-03 | \$19,976.00 |
| 2003-04 | \$20,415.00 |
| 2004-05 | \$20,517.00 |
| 2005-06 | \$20,948.00 |
| 2006-07 | \$21,618.00 |
| 2007-08 | \$22,331.00 |
| 2008-09 | \$22,979.00 |
| 2009-10 | \$23,163.00 |
| 2010-11 | \$23,567.00 |
| 2011-12 | \$24,227.00 |
| 2012-13 | \$24,735.00 |
| 2013-14 | \$25,328.00 |
| 2014-15 | \$26,037.00 |
| 2015-16 | \$26,661.00 |
| 2016-17 | \$27,380.00 |
| 2017-18 | \$28,420.00 |
| 2018-19 | \$29,329.00 |
| 2019-20 | \$30,502.00 |
| 2020-2021 | \$30,837.00 |

ITEM: CONSENT CALENDAR**27. CONSIDER ADOPTION OF TREASURER'S REPORT FOR APRIL 2020**

| | | | |
|----------------------|---|------------------------------------|------------|
| Meeting Date: | June 9, 2020 | Budgeted: | N/A |
| From: | David J. Stoldt, General Manager | Program/ Line Item No.: | N/A |
| Prepared By: | Suresh Prasad | Cost Estimate: | N/A |

General Counsel Review: N/A**Committee Recommendation:** The Administrative Committee considered this item on June 9, 2020 and recommended approval.**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: Exhibit 27-A comprises the Treasurer's Report for April 2020. Exhibit 27-B and Exhibit 27-C are listings of check disbursements for the period April 1-30, 2020. Check Nos. 36928 through 37012, the direct deposits of employee's paychecks, payroll tax deposits, and bank charges resulted in total disbursements for the period in the amount of \$863,190.55. There were no conservation rebates for this period. Exhibit 27-D reflects the unaudited version of the financial statements for the month ending April 30, 2020.

RECOMMENDATION: The Administrative Committee recommends adoption of the March 2020 Treasurer's Report and financial statements, and ratification of the disbursements made during the month.

EXHIBITS

- 27-A** Treasurer's Report
- 27-B** Listing of Cash Disbursements-Regular
- 27-C** Listing of Cash Disbursements-Payroll
- 27-D** Financial Statements

**MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
TREASURER'S REPORT FOR APRIL 2020**

| <u>Description</u> | | | | | | | PB |
|-------------------------------------|---------------------|-------------------------------|------------------------|------------------------------------|----------------------------------|------------------------|-------------------------------------|
| | <u>Checking</u> | <u>MPWMD Money Market</u> | <u>L.A.I.F.</u> | <u>Wells Fargo Investments</u> | <u>Multi-Bank Securities</u> | <u>MPWMD Total</u> | <u>Reclamation Money Market</u> |
| Beginning Balance | \$65,641.28 | \$409,659.68 | \$13,650,944.72 | \$1,011,547.02 | \$2,822,294.52 | \$17,960,087.22 | \$247,685.21 |
| Fee Deposits | | 434,927.58 | | | | 434,927.58 | 427,399.21 |
| MoCo Tax & WS Chg Installment Pymt | | 2,300,628.32 | | | | 2,300,628.32 | |
| Interest Received | | | 61,937.18 | 808.28 | 3,241.68 | 65,987.14 | |
| Transfer - Money Market/LAIF | | 300,000.00 | (300,000.00) | | | 0.00 | |
| Transfer - Money Market/Checking | 943,345.94 | (943,345.94) | | | | 0.00 | |
| Transfer - Money Market/Multi-Bank | | | | | | 0.00 | |
| Transfer - Money Market/Wells Fargo | | | | | | 0.00 | |
| Transfer to CAWD | | | | | | 0.00 | (240,000.00) |
| Voided Checks | | | | | | 0.00 | |
| Bank Corrections/Reversals/Errors | | | | | | 0.00 | |
| Bank Charges/Other | (441.66) | | (0.17) | | | (441.83) | |
| Credit Card Fees | (1,156.56) | | | | | (1,156.56) | |
| Returned Deposits | - | | | | | 0.00 | |
| Payroll Tax/Benefit Deposits | (100,268.90) | | | | | (100,268.90) | |
| Payroll Checks/Direct Deposits | (131,252.49) | | | | | (131,252.49) | |
| General Checks | (630,070.94) | | | | | (630,070.94) | |
| Bank Draft Payments | - | | | | | 0.00 | |
| Ending Balance | \$145,796.67 | \$2,501,869.64 | \$13,412,881.73 | \$1,012,355.30 | \$2,825,536.20 | \$19,898,439.54 | \$435,084.42 |

Check Report

By Check Number

Date Range: 04/01/2020 - 04/30/2020



Monterey Peninsula Water Management Dist

| Vendor Number | Vendor Name | Payment Date | Payment Type | Discount Amount | Payment Amount | Number |
|-----------------------|--|--------------|--------------|-----------------|----------------|--------|
| Bank Code: APBNK | -Bank of America Checking | | | | | |
| Payment Type: Regular | | | | | | |
| 00249 | A.G. Davi, LTD | 04/03/2020 | Regular | 0.00 | 395.00 | 36928 |
| 11822 | CSC | 04/03/2020 | Regular | 0.00 | 5,000.00 | 36929 |
| 00046 | De Lay & Laredo | 04/03/2020 | Regular | 0.00 | 63,889.00 | 36930 |
| 18734 | DeVeera Inc. | 04/03/2020 | Regular | 0.00 | 6,808.00 | 36931 |
| 08990 | Fort Ord Reuse Authority | 04/03/2020 | Regular | 0.00 | 3,236.08 | 36932 |
| 00993 | Harris Court Business Park | 04/03/2020 | Regular | 0.00 | 721.26 | 36933 |
| 04717 | Inder Osahan | 04/03/2020 | Regular | 0.00 | 1,255.54 | 36934 |
| 00259 | Marina Coast Water District | 04/03/2020 | Regular | 0.00 | 65.65 | 36935 |
| 00259 | Marina Coast Water District | 04/03/2020 | Regular | 0.00 | 65.65 | 36936 |
| 00275 | Monterey County Herald | 04/03/2020 | Regular | 0.00 | 427.91 | 36937 |
| 00282 | PG&E | 04/03/2020 | Regular | 0.00 | 9.53 | 36938 |
| 04736 | Pitney Bowes Global Financial Svc, LLC | 04/03/2020 | Regular | 0.00 | 398.10 | 36939 |
| 00262 | Pure H2O | 04/03/2020 | Regular | 0.00 | 65.24 | 36940 |
| 09989 | Star Sanitation Services | 04/03/2020 | Regular | 0.00 | 90.86 | 36941 |
| 04359 | The Carmel Pine Cone | 04/03/2020 | Regular | 0.00 | 726.00 | 36942 |
| 09425 | The Ferguson Group LLC | 04/03/2020 | Regular | 0.00 | 327.90 | 36943 |
| 17965 | The Maynard Group | 04/03/2020 | Regular | 0.00 | 1,515.15 | 36944 |
| 00221 | Verizon Wireless | 04/03/2020 | Regular | 0.00 | 942.80 | 36945 |
| 06009 | yourservicesolution.com | 04/03/2020 | Regular | 0.00 | 1,992.00 | 36946 |
| 00767 | AFLAC | 04/10/2020 | Regular | 0.00 | 907.16 | 36950 |
| 00022 | BioAssessment Services | 04/10/2020 | Regular | 0.00 | 3,090.00 | 36951 |
| 00024 | Central Coast Exterminator | 04/10/2020 | Regular | 0.00 | 104.00 | 36952 |
| 00224 | City of Monterey | 04/10/2020 | Regular | 0.00 | 697.75 | 36953 |
| 00028 | Colantuono, Highsmith, & Whatley, PC | 04/10/2020 | Regular | 0.00 | 467.50 | 36954 |
| 00046 | De Lay & Laredo | 04/10/2020 | Regular | 0.00 | 54,431.25 | 36955 |
| 00758 | FedEx | 04/10/2020 | Regular | 0.00 | 154.05 | 36956 |
| 00768 | ICMA | 04/10/2020 | Regular | 0.00 | 2,520.09 | 36957 |
| 19574 | Isaac Rodriguez | 04/10/2020 | Regular | 0.00 | 292.10 | 36958 |
| 00094 | John Arriaga | 04/10/2020 | Regular | 0.00 | 5,000.00 | 36959 |
| 05830 | Larry Hampson | 04/10/2020 | Regular | 0.00 | 932.46 | 36960 |
| 00118 | Monterey Bay Carpet & Janitorial Svc | 04/10/2020 | Regular | 0.00 | 1,260.00 | 36961 |
| 00274 | Monterey One Water | 04/10/2020 | Regular | 0.00 | 163.21 | 36962 |
| 13396 | Navia Benefit Solutions, Inc. | 04/10/2020 | Regular | 0.00 | 808.32 | 36963 |
| 00036 | Parham Living Trust | 04/10/2020 | Regular | 0.00 | 850.00 | 36964 |
| 00154 | Peninsula Messenger Service | 04/10/2020 | Regular | 0.00 | 476.00 | 36965 |
| 00755 | Peninsula Welding Supply, Inc. | 04/10/2020 | Regular | 0.00 | 64.50 | 36966 |
| 00282 | PG&E | 04/10/2020 | Regular | 0.00 | 34.78 | 36967 |
| 00282 | PG&E | 04/10/2020 | Regular | 0.00 | 24.42 | 36968 |
| 18544 | Psomas | 04/10/2020 | Regular | 0.00 | 11,084.50 | 36969 |
| 19573 | Richard B Marvin | 04/10/2020 | Regular | 0.00 | 238.05 | 36970 |
| 02838 | Solinst Canada Ltd | 04/10/2020 | Regular | 0.00 | 619.41 | 36971 |
| 04719 | Telit Io T Platforms, LLC | 04/10/2020 | Regular | 0.00 | 233.70 | 36972 |
| 00271 | UPEC, Local 792 | 04/10/2020 | Regular | 0.00 | 1,995.00 | 36973 |
| 18163 | Wex Bank | 04/10/2020 | Regular | 0.00 | 596.59 | 36974 |
| 00760 | Andy Bell | 04/17/2020 | Regular | 0.00 | 1,422.00 | 36975 |
| 06268 | Comcast | 04/17/2020 | Regular | 0.00 | 195.03 | 36976 |
| 00281 | CoreLogic Information Solutions, Inc. | 04/17/2020 | Regular | 0.00 | 981.26 | 36977 |
| 19448 | David Frank Stone | 04/17/2020 | Regular | 0.00 | 34.63 | 36978 |
| 00046 | De Lay & Laredo | 04/17/2020 | Regular | 0.00 | 28,094.00 | 36979 |
| 00192 | Extra Space Storage | 04/17/2020 | Regular | 0.00 | 885.00 | 36980 |
| 12655 | Graphicsmiths | 04/17/2020 | Regular | 0.00 | 19.20 | 36981 |
| 00277 | Home Depot Credit Services | 04/17/2020 | Regular | 0.00 | 18.84 | 36982 |
| 03857 | Joe Oliver | 04/17/2020 | Regular | 0.00 | 1,255.54 | 36983 |

EXHIBIT 27-B

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Check Report**Date Range: 04/01/2020 - 04/30/2020**

| Vendor Number | Vendor Name | Payment Date | Payment Type | Discount Amount | Payment Amount | Number |
|-----------------------|-------------------------------|---------------------|---------------------|------------------------|-----------------------|---------------|
| 16823 | Mercer-Fraser Company | 04/17/2020 | Regular | 0.00 | 155,754.04 | 36984 |
| 00282 | PG&E | 04/17/2020 | Regular | 0.00 | 10,526.00 | 36985 |
| 00282 | PG&E | 04/17/2020 | Regular | 0.00 | 9.86 | 36986 |
| 00159 | Pueblo Water Resources, Inc. | 04/17/2020 | Regular | 0.00 | 29,491.05 | 36987 |
| 13394 | Regional Government Services | 04/17/2020 | Regular | 0.00 | 739.60 | 36988 |
| 00176 | Sentry Alarm Systems | 04/17/2020 | Regular | 0.00 | 309.25 | 36989 |
| 09351 | Tetra Tech, Inc. | 04/17/2020 | Regular | 0.00 | 1,278.54 | 36990 |
| 09425 | The Ferguson Group LLC | 04/17/2020 | Regular | 0.00 | 8,000.00 | 36991 |
| 14680 | Tope Tree Service | 04/17/2020 | Regular | 0.00 | 3,500.00 | 36992 |
| 00269 | U.S. Bank | 04/17/2020 | Regular | 0.00 | 5,063.83 | 36993 |
| | **Void** | 04/17/2020 | Regular | 0.00 | 0.00 | 36994 |
| 08105 | Yolanda Munoz | 04/17/2020 | Regular | 0.00 | 540.00 | 36995 |
| 01188 | Alhambra | 04/23/2020 | Regular | 0.00 | 38.41 | 36996 |
| 00252 | Cal-Am Water | 04/23/2020 | Regular | 0.00 | 152.55 | 36997 |
| 00252 | Cal-Am Water | 04/23/2020 | Regular | 0.00 | 123.51 | 36998 |
| 00252 | Cal-Am Water | 04/23/2020 | Regular | 0.00 | 78.24 | 36999 |
| 00230 | Cisco Systems, Inc. | 04/23/2020 | Regular | 0.00 | 617.20 | 37000 |
| 00235 | Green Rubber- Kennedy AG | 04/23/2020 | Regular | 0.00 | 1,451.01 | 37001 |
| 00986 | Henrietta Stern | 04/23/2020 | Regular | 0.00 | 1,255.54 | 37002 |
| 05829 | Mark Bekker | 04/23/2020 | Regular | 0.00 | 915.00 | 37003 |
| 13396 | Navia Benefit Solutions, Inc. | 04/23/2020 | Regular | 0.00 | 808.32 | 37004 |
| 00282 | PG&E | 04/23/2020 | Regular | 0.00 | 145.29 | 37005 |
| 08925 | Quinn Company | 04/23/2020 | Regular | 0.00 | 3,089.02 | 37006 |
| 18739 | Reiff Manufacturing | 04/23/2020 | Regular | 0.00 | 665.00 | 37007 |
| 19573 | Richard B Marvin | 04/23/2020 | Regular | 0.00 | 36.80 | 37008 |
| 04709 | Sherron Forsgren | 04/23/2020 | Regular | 0.00 | 869.02 | 37009 |
| 19098 | Specialty Construction, Inc. | 04/23/2020 | Regular | 0.00 | 194,499.20 | 37010 |
| 00766 | Standard Insurance Company | 04/23/2020 | Regular | 0.00 | 1,419.65 | 37011 |
| 00258 | TBC Communications & Media | 04/23/2020 | Regular | 0.00 | 963.00 | 37012 |
| Total Regular: | | | | 0.00 | 630,220.94 | |

EXHIBIT 27-B

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Check Report**Date Range: 04/01/2020 - 04/30/2020**

| Vendor Number | Vendor Name | Payment Date | Payment Type | Discount Amount | Payment Amount | Number |
|---------------------------------|------------------------------------|--------------|--------------|-----------------|-------------------|------------|
| Payment Type: Bank Draft | | | | | | |
| 00266 | I.R.S. | 04/10/2020 | Bank Draft | 0.00 | 12,328.58 | DFT0001606 |
| 00266 | I.R.S. | 04/10/2020 | Bank Draft | 0.00 | 2,602.44 | DFT0001607 |
| 00267 | Employment Development Dept. | 04/10/2020 | Bank Draft | 0.00 | 4,663.57 | DFT0001608 |
| 00266 | I.R.S. | 04/10/2020 | Bank Draft | 0.00 | 504.20 | DFT0001609 |
| 00266 | I.R.S. | 04/09/2020 | Bank Draft | 0.00 | 122.82 | DFT0001611 |
| 00266 | I.R.S. | 04/09/2020 | Bank Draft | 0.00 | 117.44 | DFT0001612 |
| 00267 | Employment Development Dept. | 04/09/2020 | Bank Draft | 0.00 | 0.56 | DFT0001613 |
| 00266 | I.R.S. | 04/09/2020 | Bank Draft | 0.00 | 502.20 | DFT0001614 |
| 00769 | Laborers Trust Fund of Northern CA | 04/10/2020 | Bank Draft | 0.00 | 28,094.00 | DFT0001615 |
| 00256 | PERS Retirement | 04/10/2020 | Bank Draft | 0.00 | 15,212.02 | DFT0001616 |
| 00266 | I.R.S. | 04/24/2020 | Bank Draft | 0.00 | 11,666.15 | DFT0001618 |
| 00266 | I.R.S. | 04/24/2020 | Bank Draft | 0.00 | 2,490.56 | DFT0001619 |
| 00267 | Employment Development Dept. | 04/24/2020 | Bank Draft | 0.00 | 4,356.23 | DFT0001620 |
| 00266 | I.R.S. | 04/24/2020 | Bank Draft | 0.00 | 363.38 | DFT0001621 |
| 00768 | ICMA | 04/24/2020 | Bank Draft | 0.00 | 2,520.09 | DFT0001622 |
| 00256 | PERS Retirement | 04/24/2020 | Bank Draft | 0.00 | 14,724.66 | DFT0001632 |
| Total Bank Draft: | | | | 0.00 | 100,268.90 | |

| | Bank Code APBNK | Summary | | |
|----------------|-----------------|---------------|----------|------------|
| Payment Type | Payable Count | Payment Count | Discount | Payment |
| Regular Checks | 116 | 81 | 0.00 | 630,220.94 |
| Manual Checks | 0 | 0 | 0.00 | 0.00 |
| Voided Checks | 0 | 1 | 0.00 | 0.00 |
| Bank Drafts | 24 | 16 | 0.00 | 100,268.90 |
| EFT's | 0 | 0 | 0.00 | 0.00 |
| | 140 | 98 | 0.00 | 730,489.84 |

EXHIBIT 27-B

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Check Report

Date Range: 04/01/2020 - 04/30/2020

| Vendor Number | Vendor Name | Payment Date | Payment Type | Discount Amount | Payment Amount | Number |
|---|-------------|--------------|--------------|-----------------|----------------|--------|
| Bank Code: REBATES-02-Rebates: Use Only For Rebates | | | | | | |
| Payment Type: Regular | | | | | | |
| 19441 | Kari Brown | 04/23/2020 | Regular | 0.00 | -150.00 | 36518 |
| Total Regular: | | | | 0.00 | -150.00 | |

Bank Code REBATES-02 Summary

| Payment Type | Payable Count | Payment Count | Discount | Payment |
|----------------|------------------|------------------|----------|---------|
| Regular Checks | 0 | 0 | 0.00 | 0.00 |
| Manual Checks | 0 | 0 | 0.00 | 0.00 |
| Voided Checks | 0 | 1 | 0.00 | -150.00 |
| Bank Drafts | 0 | 0 | 0.00 | 0.00 |
| EFT's | 0 | 0 | 0.00 | 0.00 |
| | 0 | 1 | 0.00 | -150.00 |

All Bank Codes Check Summary

| Payment Type | Payable Count | Payment Count | Discount | Payment |
|----------------|------------------|------------------|-------------|-------------------|
| Regular Checks | 116 | 81 | 0.00 | 630,220.94 |
| Manual Checks | 0 | 0 | 0.00 | 0.00 |
| Voided Checks | 0 | 2 | 0.00 | -150.00 |
| Bank Drafts | 24 | 16 | 0.00 | 100,268.90 |
| EFT's | 0 | 0 | 0.00 | 0.00 |
| | 140 | 99 | 0.00 | 730,339.84 |

Fund Summary

| Fund | Name | Period | Amount |
|------|----------------|--------|-------------------|
| 99 | POOL CASH FUND | 4/2020 | 730,339.84 |
| | | | 730,339.84 |

EXHIBIT 27-C

Monterey Peninsula Water Management Dist

Payroll Bank Transaction Report

By Payment Number

Date: 4/1/2020 - 4/30/2020

Payroll Set: 01 - Monterey Peninsula Water Management District

| Payment Number | Payment Date | Payment Type | Employee Number | Employee Name | Check Amount | Direct Deposit Amount | Total Payment |
|----------------|--------------|--------------|-----------------|-----------------------|--------------|-----------------------|---------------|
| 5022 | 04/10/2020 | Regular | 1024 | Stoldt, David J | 0.00 | 5,742.47 | 5,742.47 |
| 5023 | 04/10/2020 | Regular | 1025 | Tavani, Arlene M | 0.00 | 2,170.62 | 2,170.62 |
| 5024 | 04/10/2020 | Regular | 1044 | Bennett, Corryn D | 0.00 | 2,070.81 | 2,070.81 |
| 5025 | 04/10/2020 | Regular | 1018 | Prasad, Suresh | 0.00 | 4,019.48 | 4,019.48 |
| 5026 | 04/10/2020 | Regular | 1019 | Reyes, Sara C | 0.00 | 1,832.10 | 1,832.10 |
| 5027 | 04/10/2020 | Regular | 1075 | Valencia, Mariel C | 0.00 | 1,540.71 | 1,540.71 |
| 5028 | 04/10/2020 | Regular | 1042 | Hamilton, Maureen C. | 0.00 | 3,375.03 | 3,375.03 |
| 5029 | 04/10/2020 | Regular | 6063 | Hampson, Larry M | 0.00 | 2,237.56 | 2,237.56 |
| 5030 | 04/10/2020 | Regular | 1009 | James, Gregory W | 0.00 | 3,189.33 | 3,189.33 |
| 5031 | 04/10/2020 | Regular | 1011 | Lear, Jonathan P | 0.00 | 4,986.09 | 4,986.09 |
| 5032 | 04/10/2020 | Regular | 1012 | Lindberg, Thomas L | 0.00 | 2,605.04 | 2,605.04 |
| 5033 | 04/10/2020 | Regular | 1043 | Suwada, Joseph | 0.00 | 1,961.38 | 1,961.38 |
| 5034 | 04/10/2020 | Regular | 1045 | Atkins, Daniel N | 0.00 | 1,917.30 | 1,917.30 |
| 5035 | 04/10/2020 | Regular | 1004 | Chaney, Beverly M | 0.00 | 2,621.31 | 2,621.31 |
| 5036 | 04/10/2020 | Regular | 1005 | Christensen, Thomas T | 0.00 | 4,338.06 | 4,338.06 |
| 5037 | 04/10/2020 | Regular | 1007 | Hamilton, Cory R | 0.00 | 2,306.54 | 2,306.54 |
| 5038 | 04/10/2020 | Regular | 1048 | Lumas, Eric M | 0.00 | 1,765.97 | 1,765.97 |
| 5039 | 04/10/2020 | Regular | 6068 | Marvin, Richard B | 0.00 | 507.92 | 507.92 |
| 5040 | 04/10/2020 | Regular | 6047 | Rodriguez, Isaac | 0.00 | 528.14 | 528.14 |
| 5041 | 04/10/2020 | Regular | 1001 | Bravo, Gabriela D | 0.00 | 2,528.83 | 2,528.83 |
| 5042 | 04/10/2020 | Regular | 1076 | Jakic, Tricia | 0.00 | 2,288.30 | 2,288.30 |
| 5043 | 04/10/2020 | Regular | 1010 | Kister, Stephanie L | 0.00 | 2,621.28 | 2,621.28 |
| 5044 | 04/10/2020 | Regular | 1017 | Locke, Stephanie L | 0.00 | 3,568.58 | 3,568.58 |
| 5045 | 04/10/2020 | Regular | 1040 | Smith, Kyle | 0.00 | 2,231.12 | 2,231.12 |
| 5046 | 04/10/2020 | Regular | 1047 | Timmer, Christopher | 0.00 | 2,135.22 | 2,135.22 |
| 5047 | 04/09/2020 | Regular | 7015 | Adams, Mary L | 0.00 | 348.14 | 348.14 |
| 5048 | 04/09/2020 | Regular | 7014 | Evans, Molly F | 0.00 | 490.46 | 490.46 |
| 5049 | 04/09/2020 | Regular | 7017 | Hoffmann, Gary D | 0.00 | 374.02 | 374.02 |
| 5050 | 04/09/2020 | Regular | 7018 | Riley, George T | 0.00 | 498.69 | 498.69 |
| 5051 | 04/24/2020 | Regular | 1024 | Stoldt, David J | 0.00 | 5,742.48 | 5,742.48 |
| 5052 | 04/24/2020 | Regular | 1025 | Tavani, Arlene M | 0.00 | 2,170.64 | 2,170.64 |
| 5053 | 04/24/2020 | Regular | 1044 | Bennett, Corryn D | 0.00 | 2,070.82 | 2,070.82 |
| 5054 | 04/24/2020 | Regular | 1018 | Prasad, Suresh | 0.00 | 4,019.49 | 4,019.49 |
| 5055 | 04/24/2020 | Regular | 1019 | Reyes, Sara C | 0.00 | 1,832.10 | 1,832.10 |
| 5056 | 04/24/2020 | Regular | 1075 | Valencia, Mariel C | 0.00 | 1,540.71 | 1,540.71 |
| 5057 | 04/24/2020 | Regular | 1042 | Hamilton, Maureen C. | 0.00 | 3,375.06 | 3,375.06 |
| 5058 | 04/24/2020 | Regular | 6063 | Hampson, Larry M | 0.00 | 2,049.91 | 2,049.91 |
| 5059 | 04/24/2020 | Regular | 1009 | James, Gregory W | 0.00 | 3,189.34 | 3,189.34 |
| 5060 | 04/24/2020 | Regular | 1011 | Lear, Jonathan P | 0.00 | 4,121.62 | 4,121.62 |
| 5061 | 04/24/2020 | Regular | 1012 | Lindberg, Thomas L | 0.00 | 2,605.04 | 2,605.04 |
| 5062 | 04/24/2020 | Regular | 1043 | Suwada, Joseph | 0.00 | 1,961.39 | 1,961.39 |
| 5063 | 04/24/2020 | Regular | 1045 | Atkins, Daniel N | 0.00 | 1,917.30 | 1,917.30 |
| 5064 | 04/24/2020 | Regular | 1004 | Chaney, Beverly M | 0.00 | 2,621.33 | 2,621.33 |
| 5065 | 04/24/2020 | Regular | 1005 | Christensen, Thomas T | 0.00 | 3,591.09 | 3,591.09 |
| 5066 | 04/24/2020 | Regular | 1007 | Hamilton, Cory R | 0.00 | 2,306.54 | 2,306.54 |
| 5067 | 04/24/2020 | Regular | 1048 | Lumas, Eric M | 0.00 | 1,765.98 | 1,765.98 |
| 5068 | 04/24/2020 | Regular | 6068 | Marvin, Richard B | 0.00 | 101.58 | 101.58 |
| 5069 | 04/24/2020 | Regular | 6047 | Rodriguez, Isaac | 0.00 | 190.71 | 190.71 |
| 5070 | 04/24/2020 | Regular | 1001 | Bravo, Gabriela D | 0.00 | 2,528.84 | 2,528.84 |
| 5071 | 04/24/2020 | Regular | 1076 | Jakic, Tricia | 0.00 | 2,288.32 | 2,288.32 |
| 5072 | 04/24/2020 | Regular | 1010 | Kister, Stephanie L | 0.00 | 2,621.28 | 2,621.28 |
| 5073 | 04/24/2020 | Regular | 1017 | Locke, Stephanie L | 0.00 | 3,568.58 | 3,568.58 |
| 5074 | 04/24/2020 | Regular | 1040 | Smith, Kyle | 0.00 | 2,231.13 | 2,231.13 |
| 5075 | 04/24/2020 | Regular | 1047 | Timmer, Christopher | 0.00 | 2,135.22 | 2,135.22 |
| 36947 | 04/09/2020 | Regular | 7007 | Byrne, Jeanne | 747.47 | 0.00 | 747.47 |
| 36948 | 04/09/2020 | Regular | 7009 | Edwards, Alvin | 809.88 | 0.00 | 809.88 |

| EXHIBIT 27-C | | | | | 138 | | |
|----------------|--------------|--------------|-----------------|-----------------|--------------|-----------------------|---------------|
| Payment Number | Payment Date | Payment Type | Employee Number | Employee Name | Check Amount | Direct Deposit Amount | Total Payment |
| 36949 | 04/09/2020 | Regular | 7004 | Potter, David L | 348.14 | 0.00 | 348.14 |
| Total: | | | | | 1,905.49 | 129,347.00 | 131,252.49 |



MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
STATEMENT OF REVENUES AND EXPENDITURES
FOR THE MONTH APRIL 30, 2020

| | Mitigation | Conservation | Water Supply | Current Period Activity | FY 2019/2020 Year-to-Date Actual | FY 2019/2020 Annual Budget | Prior FY Year-to-Date Actual |
|------------------------------------|----------------|----------------|------------------|-------------------------|----------------------------------|----------------------------|------------------------------|
| REVENUES | | | | | | | |
| Property taxes | \$ - | \$ 118,903 | \$ 856,104 | \$ 975,007 | \$ 2,114,512 | \$ 2,050,000 | \$ 1,969,406 |
| Water supply charge | - | - | 1,354,183 | 1,354,183 | 3,305,647 | 3,400,000 | 3,337,566 |
| User fees | 243,525 | 93,201 | 56,782 | 393,508 | 3,764,735 | 5,000,000 | 3,418,507 |
| Mitigation revenue | - | - | - | - | - | - | - |
| Capacity fees | - | - | 8,498 | 8,498 | 477,179 | 400,000 | 535,007 |
| Permit fees | - | 7,024 | - | 7,024 | 165,220 | 231,000 | 227,926 |
| Investment income | 13,419 | 12,757 | 55,061 | 81,237 | 240,888 | 180,000 | 201,958 |
| Miscellaneous | - | - | - | - | 6,221 | 15,000 | 1,666 |
| Sub-total district revenues | 256,944 | 231,885 | 2,330,628 | 2,819,457 | 10,074,401 | 11,276,000 | 9,692,037 |
| Project reimbursements | - | 22,221 | - | 22,221 | 1,580,400 | 1,411,000 | 310,765 |
| Legal fee reimbursements | - | 300 | - | 300 | 1,650 | 16,000 | 3,600 |
| Grants | 3,624 | - | - | 3,624 | 263,701 | 468,000 | 1,170,008 |
| Recording fees | - | 1,650 | - | 1,650 | 29,980 | 6,000 | 4,092 |
| Sub-total reimbursements | 3,624 | 24,171 | - | 27,795 | 1,875,732 | 1,901,000 | 1,488,464 |
| Reserves | - | - | - | - | - | 4,862,350 | - |
| Total revenues | 260,568 | 256,056 | 2,330,628 | 2,847,252 | 11,950,133 | 18,039,350 | 11,180,501 |
| EXPENDITURES | | | | | | | |
| Personnel: | | | | | | | |
| Salaries | 65,995 | 40,311 | 78,422 | 184,729 | 2,078,356 | 2,754,600 | 2,086,236 |
| Retirement | 5,762 | 3,528 | 6,970 | 16,259 | 525,142 | 593,500 | 470,273 |
| Unemployment Compensation | - | - | - | - | 3,417 | 3,000 | 2,649 |
| Auto Allowance | 92 | 92 | 277 | 462 | 4,847 | 6,000 | 4,847 |
| Deferred Compensation | 143 | 143 | 429 | 714 | 7,500 | 9,400 | 7,439 |
| Temporary Personnel | - | - | - | - | 58,961 | 55,100 | 58,825 |
| Workers Comp. Ins. | 1,878 | 156 | 1,382 | 3,416 | 39,785 | 71,300 | 42,550 |
| Employee Insurance | 15,009 | 9,590 | 14,332 | 38,931 | 372,823 | 479,100 | 355,178 |
| Medicare & FICA Taxes | 1,302 | 649 | 1,268 | 3,218 | 39,157 | 49,100 | 35,383 |
| Personnel Recruitment | - | - | - | - | 649 | 3,000 | 912 |
| Other benefits | - | - | - | - | 1,277 | 1,500 | 976 |
| Staff Development | 41 | 26 | 423 | 490 | 9,026 | 28,500 | 12,525 |
| Sub-total personnel costs | 90,222 | 54,494 | 103,503 | 248,219 | 3,140,940 | 4,054,100 | 3,077,793 |
| Services & Supplies: | | | | | | | |
| Board Member Comp | 1,049 | 1,008 | 1,048 | 3,105 | 29,025 | 33,900 | 23,760 |
| Board Expenses | - | - | - | - | 9,150 | 5,100 | 6,682 |
| Rent | 985 | 230 | 915 | 2,130 | 21,550 | 23,200 | 18,173 |
| Utilities | 744 | 453 | 605 | 1,802 | 25,279 | 33,200 | 25,057 |
| Telephone | 3,216 | 1,549 | 1,493 | 6,257 | 35,676 | 50,700 | 57,863 |
| Facility Maintenance | 982 | 623 | 790 | 2,395 | 60,293 | 41,200 | 30,525 |
| Bank Charges | 655 | 416 | 528 | 1,598 | 14,648 | 3,900 | 4,823 |
| Office Supplies | 991 | 629 | 798 | 2,418 | 13,709 | 17,400 | 10,811 |
| Courier Expense | 241 | 153 | 194 | 589 | 5,300 | 6,100 | 3,240 |
| Postage & Shipping | - | - | - | - | 3,228 | 6,800 | 3,199 |
| Equipment Lease | 356 | 226 | 286 | 868 | 10,432 | 13,900 | 11,012 |
| Equip. Repairs & Maintenance | - | - | - | - | 5,824 | 7,000 | 4,664 |
| Photocopy Expense | - | - | - | - | - | - | - |
| Printing/Duplicating/Binding | - | - | - | - | - | 500 | 32 |
| IT Supplies/Services | 6,804 | 4,315 | 5,476 | 16,595 | 189,327 | 150,000 | 125,781 |
| Operating Supplies | 40 | 1,447 | - | 1,487 | 13,033 | 16,900 | 11,653 |
| Legal Services | 8,549 | 6,085 | 7,952 | 22,586 | 178,246 | 400,000 | 265,356 |



MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
STATEMENT OF REVENUES AND EXPENDITURES
FOR THE MONTH APRIL 30, 2020

| | Mitigation | Conservation | Water Supply | Current Period Activity | FY 2019/2020 Year-to-Date Actual | FY 2019/2020 Annual Budget | Prior FY Year-to-Date Actual |
|--|------------------|-------------------|---------------------|-------------------------|----------------------------------|----------------------------|------------------------------|
| Professional Fees | 6,452 | 4,092 | 5,193 | 15,738 | 250,425 | 360,600 | 265,292 |
| Transportation | 516 | 38 | 113 | 667 | 24,915 | 35,000 | 20,829 |
| Travel | 567 | - | - | 567 | 12,907 | 31,100 | 21,149 |
| Meeting Expenses | - | - | - | - | 8,696 | 6,100 | 2,716 |
| Insurance | 2,397 | 1,520 | 1,930 | 5,847 | 58,570 | 65,100 | 50,025 |
| Legal Notices | 65 | 41 | 52 | 158 | 158 | 3,100 | - |
| Membership Dues | - | - | - | - | 32,794 | 33,400 | 31,771 |
| Public Outreach | - | - | - | - | 3,040 | 2,500 | 1,974 |
| Assessors Administration Fee | - | 2,447 | 26,115 | 28,562 | 28,562 | 20,000 | 19,947 |
| Miscellaneous | - | - | - | - | 379 | 3,000 | 17,071 |
| Sub-total services & supplies costs | 34,610 | 25,270 | 53,488 | 113,368 | 1,035,163 | 1,369,700 | 1,033,405 |
| Project expenditures | 38,552 | 32,261 | 502,579 | 573,392 | 4,472,517 | 11,550,000 | 4,034,697 |
| Fixed assets | 4,403 | 2,792 | 3,544 | 10,738 | 41,391 | 213,900 | 318,297 |
| Contingencies | - | - | - | - | - | 70,000 | - |
| Election costs | - | - | - | - | - | - | 221,004 |
| Debt service: Principal | - | - | - | - | - | - | - |
| Debt service: Interest | - | - | - | - | 63,748 | 230,000 | 65,400 |
| Flood drought reserve | - | - | - | - | - | - | - |
| Capital equipment reserve | - | - | - | - | - | 49,500 | - |
| General fund balance | - | - | - | - | - | 302,150 | - |
| Pension reserve | - | - | - | - | - | 100,000 | - |
| OPEB reserve | - | - | - | - | - | 100,000 | - |
| Other | - | - | - | - | - | - | - |
| Total expenditures | 167,787 | 114,817 | 663,113 | 945,717 | 8,753,760 | 18,039,350 | 8,750,596 |
| Excess (Deficiency) of revenues over expenditures | \$ 92,781 | \$ 141,239 | \$ 1,667,515 | \$ 1,901,535 | \$ 3,196,373 | \$ - | \$ 2,429,906 |

ITEM: PUBLIC HEARING**31. CONSIDER ADOPTION OF JULY THROUGH SEPTEMBER 2020
QUARTERLY WATER SUPPLY STRATEGY AND BUDGET**

| | | | |
|----------------------|---|------------------------------------|------------|
| Meeting Date: | June 15, 2020 | Budgeted: | N/A |
| From: | David J. Stoldt, General Manager | Program/ Line Item No.: | N/A |
| Prepared By: | Jonathan Lear | Cost Estimate: | N/A |

General Counsel Review: N/A**Committee Recommendation: N/A****CEQA Compliance: Notice of Exemption, CEQA, Article 19, Section 15301 (Class 1)****ESA Compliance: Consistent with the September 2001 and February 2009 Conservation Agreements between the National Marine Fisheries Service and California American Water to minimize take of listed steelhead in the Carmel River and Consistent with SWRCB WR Order Nos. 95-10, 98-04, 2002-0002, and 2016-0016.**

SUMMARY: The Board will accept public comment and take action on the **July through September 2020** Quarterly Water Supply Strategy and Budget for California American Water's (CalAm's) Main Water Distribution System, which is within the Monterey Peninsula Water Resources System (MPWRS). The proposed budget, which is included as **Exhibits 31-A**, shows monthly production by source of supply required to meet projected customer demand in CalAm's Main system during the **July through September 2020** period. The proposed strategy and budget is designed to maximize the long-term production potential and protect the environmental quality of the Seaside Groundwater and Carmel River Basins.

Exhibit 31-A shows anticipated production by CalAm's Main system for each production source and the actual production values for the water year to date through the end of **May 2020**. Cal-Am's annual Main system production for Water Year (WY) 2020 will not exceed 10,130 acre-feet (AF). Sources available to meet customer demand are 1,820 AF from the Coastal Subareas of the Seaside Groundwater Basin as set by the Seaside Basin Adjudication Decision and 8,310 AF from the Carmel River as set by WRO 2016-16. Additional water projects and water rights available are an estimated 917 AF from ASR Phase 1 and 2 recovery and 150 AF from the Sand City Desalination Plant. The schedule of production from the Carmel Valley Alluvial Aquifer is consistent with State Water Resources Control Board (SWRCB) Order Nos. 95-10, 98-04, 2002-0002, and 2016-0016. In compliance with WRO 2016-0016, any water diverted under these rights must be used to reduce unlawful diversion from the Carmel River Basin.

RECOMMENDATION: The Board should receive public input, close the Public Hearing, and discuss the proposed quarterly water supply budget. District staff recommends adoption of the proposed budget. The budget is described in greater detail in **Exhibit 31-B, Quarterly Water Supply Strategy Report: July – September 2020.**

BACKGROUND: The Water Supply Strategy and Budget prescribes production within CalAm's Main system and is developed on a quarterly schedule. Staff from the District, CalAm, the National Marine Fisheries Services (NMFS), State Water Resources Control Board's Division of Water Rights (SWRCB-DWR), and the California Department of Fish and Wildlife (CDFW) cooperatively develop this strategy to comply with regulatory requirements and maximize the environmental health of the resource system while meeting customer demand. To the greatest extent pumping in the Carmel Valley is minimized in the summer months and the Seaside wells are used to meet demand by recovering native water and banked Carmel River water. Also, it was agreed that CalAm will operate its wells in the Lower Carmel Valley in a downstream to upstream order.

When flows decline below 20 cfs at the District's Don Juan Gage, CalAm will stop production from its Upper Carmel Valley Wells. The permitted diversion season for ASR is between December 1 and May 31. ASR recovery will begin when flows decline to shift production away from the river. This schedule is estimated with wet year streamflow conditions and daily demand for Carmel Valley. There is also a projected goal of producing 25 AF of treated brackish groundwater from the Sand City Desalination Plant in each of these three months. At the June meeting, District Staff asked the group again if the members would consider budgeting less than 25 AF per month for the Sand City Desalination Plant. The group reinforced their previous decision to leave the full allocation citing the desire to protect the Carmel River and encourage CalAm to repair the plant if it is producing less than the budgeted amount.

Rule 101, Section B of the District Rules and Regulations requires that a Public Hearing be held at the time of determination of the District water supply management strategy. Adoption of the quarterly water supply strategy and budget is categorically exempt from the California Environmental Quality Act (CEQA) requirements as per Article 19, Section 15301 (Class 1). A Notice of Exemption will be filed with the Monterey County Clerk's office, pending Board action on this item.

EXHIBITS

31-A Quarterly Water Supply Strategy and Budget for Cal-Am Main System: July – September 2020

31-B Quarterly Water Supply Strategy and Budget Report: July – September 2020

California American Water Main Distribution System
Quarterly Water Supply Strategy and Budget: July - September 2020
Proposed Production Targets by Source and Projected Use in Acre-Feet

| SOURCE/USE | MONTH | | | YEAR-TO-DATE | | |
|------------------------------|--------------|--------------|--------------|-----------------|----------|-------------|
| | Jul-20 | Aug-20 | Sep-20 | Oct-19 - May-20 | % of YTD | % of Annual |
| <u>Source</u> | | | | | | |
| Carmel Valley Aquifer | | | | 4,057 | 85.4% | 49.0% |
| Upper Subunits | 0 | 0 | 0 | | | |
| Lower Subunits (95-10) | 743 | 745 | 670 | | | |
| ASR Diversion | 0 | 0 | 0 | | | |
| Table 13 Diversion (Service) | 0 | 0 | 0 | | | |
| Total | 743 | 745 | 670 | 0 | | |
| Seaside Groundwater Basin | | | | 1,349 | 122.6% | 74.1% |
| Coastal Subareas | 157 | 157 | 157 | | | |
| ASR Recovery | 305 | 305 | 306 | 0 | | |
| Sand City Desalination | 25 | 25 | 25 | 113 | 56.7% | 37.8% |
| Total | 1,230 | 1,232 | 1,158 | 113 | | |
| <u>Use</u> | | | | | | |
| Customer Service | 1,230 | 1,232 | 1,158 | 5,966 | | |
| Table 13 in Basin Use | 0 | 0 | 0 | | | |
| Total Customer Use | 1,230 | 1,232 | 1,158 | 5,966 | 93.9% | 58.9% |
| ASR Injection | 0 | 0 | 0 | | | |
| Total | 1,230 | 1,232 | 1,158 | | | |

Notes:

1. The annual budget period corresponds to the Water Year, which begins on October 1 and ends on September 30 of the following Calendar Year.
2. Total monthly production for "Customer Service" in CAW's main system was calculated by multiplying total annual production (10,131 AF) times the average percentage of annual production for July, August, and September (9.5%, 9.5%, and 8.7%, respectively). According to District Rule 160, the annual production total was based on the assumption that production from the Coastal Subareas of the Seaside Groundwater Basin would not exceed 1,820 AF and production from Carmel River sources, without adjustments for water produced from water resources projects, would not exceed 8,310 AF in WY 2019. The average production percentages were based on monthly data for customer service from WY 2014 and 2015.
3. The production targets for CAW's wells in the Seaside Coastal Subareas are based on the need for CAW to produce its full Standard Allocation to be in compliance with SWRCB WRO No. 2016-0016.
4. It should be noted that monthly totals for Carmel Valley Aquifer sources may be different than those shown in MPWMD Rule 160, Table XV-3. These differences result from monthly target adjustments needed to be consistent with SWRCB WRO 98-04, which describes how Cal-Am Seaside well field is to be used to offset production in Carmel Valley during low-flow periods. Adjustments are also made to the Quarterly Budgets to ensure that compliance is achieved on an annual basis with MPWMD Rule 160 totals.
5. ASR recovery values will be evaluated and adjusted according to climate and River conditions.

EXHIBIT 31-B

Quarterly Water Supply Strategy and Budget Report California American Water Main Water Distribution System: July – September 2020

1. Management Objectives

The Monterey Peninsula Water Management District (District) desires to maximize the long-term production potential and protect the environmental quality of the Carmel River and Seaside Groundwater Basins. In addition, the District desires to maximize the amount of water that can be diverted from the Carmel River Basin and injected into the Seaside Groundwater Basin while complying with the instream flow requirements recommended by the National Marine Fisheries (NMFS) to protect the Carmel River steelhead population. To protect the River, ASR water banked in the winter will be recovered in the summer months. To accomplish these goals, a water supply strategy and budget for production within California American Water's (CalAm's) Main water distribution system is reviewed quarterly to determine the optimal strategy for operations, given the current hydrologic and system conditions, and legal constraints on the sources and amounts of water to be produced.

2. Quarterly Water Supply Strategy: April - June 2020

On June 4, 2020, the Quarterly Water Budget Group comprised of representatives from the District, CalAm, the National Marine Fisheries Services (NMFS), State Water Resources Control Board's Division of Water Rights (SWRCB-DWR), and the California Department of Fish and Wildlife (CDFW) met and discussed the proposed water supply strategy and related topics for upcoming quarter.

Carmel River Basin CalAm will operate its wells in the Lower Carmel Valley in a downstream to upstream sequence, as needed to meet customer demand. For this quarterly water budget, it was agreed that CalAm would stop producing water from the Upper Valley Wells upon entering the "Low Flow" regime. To the maximum extent, pumping will be shifted away from the river wells and Seaside native and banked ASR water will be used to meet demand in the summer months. Any new sources of water reduce the water available to be pumped from the river on a one to one basis consistent with SBO 2016-0016. The group decided that the water savings between demand and legal supplies would be used to benefit the Carmel River Basin and would be used to increase the amount of carry over credit as described in the CDO.

Seaside Groundwater Basin CalAm will continue to produce water from the Coastal Subareas of the Seaside Basin during this period, as necessary to meet system demand and facilitate ASR diversions to storage. There is also a goal to produce 25 AF of treated brackish groundwater from the Sand City Desalination Plant in each of these three months. It is recognized that, based on recent historical use, CalAm's production from the Laguna Seca Subarea during this period cannot be reduced to zero, as is set by CalAm's allocation specified in the Seaside Basin Adjudication Decision. Under the amended Seaside Basin Decision, CalAm is allowed to use production savings in the Coastal Subareas to offset over-production in the Laguna Seca Subarea. The group decided to discontinue producing the budget

table for the Laguna Seca area with the reasoning of the Adjudicated allotment has already been reduced to zero. CalAm is addressing this by constructing an interconnection with the Main System and working with the Seaside Watermaster to address any over pumping of the Seaside Groundwater Basin.

ITEM: ACTION ITEM**32. CONSIDER ADOPTION OF PROPOSED FY 2020-2021 MPWMD BUDGET AND RESOLUTION 2020-06**

| | | | |
|----------------------|---|------------------------------------|------------|
| Meeting Date: | June 15, 2020 | Budgeted: | N/A |
| From: | David J. Stoldt, General Manager | Program/ Line Item No.: | N/A |
| Prepared By: | Suresh Prasad | Cost Estimate: | N/A |

General Counsel Review: N/A**Committee Recommendation:** N/A**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: At the May 13, 2020 Board Budget Workshop meeting, staff presented the proposed budget for Fiscal Year 2020-2021. After receiving staff's presentation and responses to questions regarding the proposed budget, the Board requested comments and changes have been incorporated in this version of the budget. Staff has reviewed the budget and made further adjustments to the proposed budget. The latest version of the proposed budget for Fiscal Year (FY) 2020-2021 is attached as **Exhibit 32-B**. While preparing the proposed budget, District staff was mindful of the continued economic conditions due to COVID19 and as well as the current status of the District's three main funding sources (User Fee Revenue, Property Tax Revenue, and Water Supply Charge). This budget assumes continuation of the adopted annual Water Supply Charge and the User Fee revenue from ratepayers of California American Water in FY 2020-2021. This budget also takes into account District's existing Mechanics Bank (formerly Rabobank) ASR loan debt obligation. Proposed expenditures and revenues each total \$24,421,800, which is higher for expenditures and revenues from the amount budgeted in FY 2019-2020. A more detailed justification of the proposed budget is provided in the transmittal letter which is part of the budget document. This proposed budget does include the use of reserves to balance the proposed budget. The FY 2020-2021 Budget also assumes payment of \$230,000 towards debt service (interest and principal) for the Rabobank ASR Loan, as well as setting aside \$500,000 towards the balloon payment due in June 2023. The budget document has been presented in same format as in prior years.

RECOMMENDATION: Staff recommends that the Board adopt Resolution No. 2020-06, A Resolution of the Board of Directors of the Monterey Peninsula Water Management District Adopting the Budget for Fiscal Year 2020-2021.

BACKGROUND: After compilation of the original requests from all Divisions, a detailed review and several adjustments by Division Managers and the General Manager, culminated this budget with proposed expenditures and revenues for FY 2020-2021 totaling \$24,421,800, of which \$4,953,400 or 20% includes reimbursement funds from grants, California American Water and other agencies. Additionally, general reserves in the amount of \$1,439,400 was used to balance this budget, of which \$500,000 was transferred towards Mechanics bank reserve fund.

In the past, District budgets had been balanced by use of previously accumulated reserves. At the District's strategic planning session on September 29, 2004, staff recommended that a balanced budget be prepared for FY 2005-2006 using a combination of revenue and expenditure adjustments to eliminate the use of reserve funds. At the January 19, 2005 budget workshop, the Board adopted an eight-part strategy for balancing the FY 2005-2006 Budget. In being mindful of the 2005 Board adopted strategy, every effort was made to balance this proposed budget without the use of reserves. This proposed FY 2020-2021 Budget was balanced with the use of reserves to maintain all of District's programs and services. The use of reserve was primarily due to expenditures related to Pure Water Monterey project. This budget assumes the continued collection of the annual Water Supply Charge, User Fee revenues from ratepayers of the California American Water, and Property Tax revenues from the County.

EXHIBITS

32-A Draft Resolution No. 2020-06

32-B Draft Fiscal Year 2020-2021 Proposed Budget



EXHIBIT 32-A

RESOLUTION NO. 2020-06

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
ADOPTING THE BUDGET FOR FISCAL YEAR 2020-2021**

WHEREAS, the General Manager has proposed a budget for Fiscal Year 2020-2021, a copy of which is on file at the District's office.

WHEREAS, the Board of Directors has examined, and deliberated on, the budget during meetings held on May 13, 2020 and June 15, 2020.

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

1. That the said budget as approved at the June 15, 2020 Board of Directors Meeting is hereby approved and adopted as the budget for the Monterey Peninsula Water Management District for Fiscal Year 2020-2021.
2. That the General Manager may delegate the authority to implement this resolution to the Administrative Services Manager/Chief Financial Officer.
3. That the General Manager is authorized and directed to transfer funds from one activity to another within a given fund, and from one Division to another Division, as such times are appropriate, in accordance with generally-accepted accounting principles and consistent with the objectives outlined in the approved budget.
4. That any contract for professional services, or other expenditures for procuring equipment, supplies or services, included in the budget that exceeds \$15,000 shall be executed by the General Manager only upon approval by the Board of Directors at a meeting of the Board of Directors.

On a motion by Director _____ and seconded by Director _____ the foregoing resolution is duly adopted this 15th day of June 2020 by the following votes:

Ayes:

Nays:

Absent:

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify that the foregoing is a resolution duly adopted on the 15th day of June 2020.

Witness my hand and seal of the Board of Directors this 15th day of June 2020.

David J. Stoldt
Secretary to the Board

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Fiscal Year 2020-2021 Draft Budget

June 15, 2020



2020-2021 BUDGET

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RESOLUTION NO. 2020-XX

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
ADOPTING THE BUDGET FOR FISCAL YEAR 2020-2021**

WHEREAS, the General Manager has proposed a budget for Fiscal Year 2020-2021, a copy of which is on file at the District's office.

WHEREAS, the Board of Directors has examined, and deliberated on, the budget during meetings held on May 13, 2020 and June 15, 2020.

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

1. That the said budget as approved at the June 15, 2020 Board of Directors Meeting is hereby approved and adopted as the budget for the Monterey Peninsula Water Management District for Fiscal Year 2020-2021.
2. That the General Manager may delegate the authority to implement this resolution to the Administrative Services Manager/Chief Financial Officer.
3. That the General Manager is authorized and directed to transfer funds from one activity to another within a given fund, and from one Division to another Division, as such times are appropriate, in accordance with generally-accepted accounting principles and consistent with the objectives outlined in the approved budget.
4. That any contract for professional services, or other expenditures for procuring equipment, supplies or services, included in the budget that exceeds \$15,000 shall be executed by the General Manager only upon approval by the Board of Directors at a meeting of the Board of Directors.

On a motion by Director _____ and seconded by Director _____ the foregoing resolution is duly adopted this 15th day of June 2020 by the following votes:

Ayes:

Nays:

Absent:

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify that the foregoing is a resolution duly adopted on the 15th day of June 2020.

Witness my hand and seal of the Board of Directors this 15th day of June 2020.

David J. Stoldt
Secretary to the Board

June 15, 2020

Chairperson Edwards and Board Members
 Monterey Peninsula Water Management District
 5 Harris Court, Building G
 Monterey, California 93940

Dear Chairperson Edwards and Board Members:

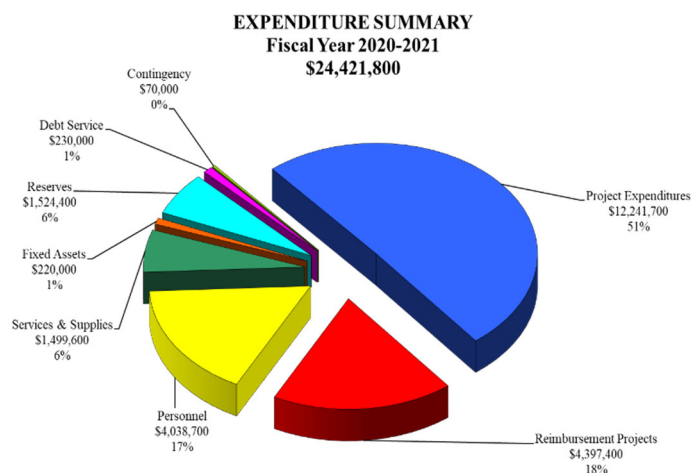
Budget Overview

This letter transmits the recommended budget for Fiscal Year (FY) 2020-2021. While preparing the budget, District staff was mindful of the continuing uncertain economic conditions caused by COVID19 as well as the current status of the District's existing funding sources, including the user fee revenue, water supply charge and property tax revenue. In preparing this year's budget, staff again adhered to the strategy to adopt balanced budgets as directed by the Board of Directors in 2005. The FY 2020-2021 Budget does include use of reserves in order to maintain District programs and services, and it does assume continued collection of the previously adopted Water Supply Charge and Property Tax revenue. This budget also includes continued collection of the User Fee revenue from ratepayers of California American Water.

After compilation of the original requests from all Divisions, a detailed review, and several adjustments by Division Managers and the General Manager, culminated this budget with proposed expenditures and revenues for FY 2020-2021 totaling \$24,421,800, of which \$4,953,400 or 20% includes reimbursement funds from grants, California American Water ratepayers and other agencies.

Expenditures

As shown in the graph on the right and in the expenditures portion of the FY 2020-2021 Budget, the budgeted expenditures of \$24,421,800 which is higher from the amount budgeted in FY 2019-2020. The project expenditures portion of the budget includes \$11,119,400 towards water supply projects Aquifer Storage Recovery 1 & 2, Pure Water Monterey (Groundwater Replenishment Project), Local Water Projects, and other Water Supply Projects), \$840,300 towards mitigation projects, \$282,000 towards non-



Chairperson Edwards and Board Members

Page 2 of 3

June 15, 2020

reimbursable conservation & rebate program activities, and \$4,397,400 towards reimbursement project costs. The reimbursable project expenditure budget includes funds for the operation of ASR 1 & 2, Los Padres Dam Alternative Study, Sleepy Hollow Intake construction, IRWM Implementation Project, grant funded projects, and conservation rebate program costs. The budget was prepared with the assumption that Cal-Am would continue to reimburse the District for the operation of ASR 1 & 2.

Other large project expenditures include \$41,500 for riparian and erosion control activities, \$786,700 for the operation of the Sleepy Hollow fish rearing facility and related fish rescue activities, \$106,400 for lagoon and hydrologic monitoring, \$2,317,100 for IRWM Implementation Project, \$375,000 for conservation related activities, and \$700,000 for water conservation rebates. The rebate amount is reimbursable by Cal-Am ratepayers. The project expenditure budget also includes \$3,000,000 for a new well related to the Pure Water Monterey project which will be reimbursed from the rates over time.

The budget for legal expenses is \$400,000 which is maintained at the same level from last fiscal year. The budget also assumes payment of \$230,000 for debt service (interest and principal) towards the Rabobank ASR loan. The budget also includes \$220,000 for fixed assets purchases. The FY 2020-2021 Budget also includes a Capital Improvement Project Forecast as requested by the Board of Directors in 2005.

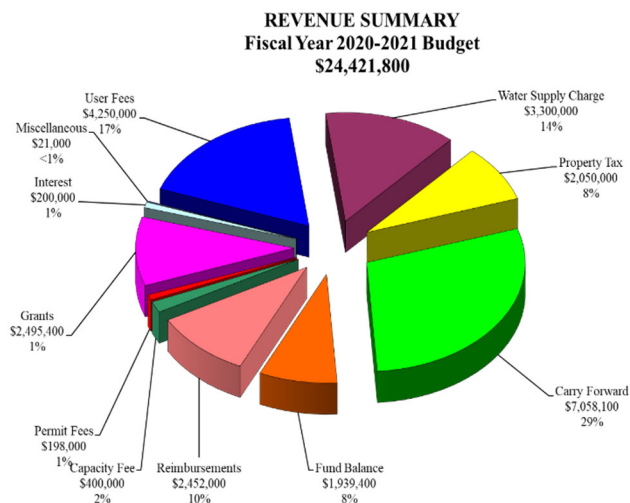
Revenues

The FY 2020-2021 revenue budget totals \$24,421,800 which is higher from the amount budgeted in FY 2019-2020.

This budget assumes collection of the previously adopted Water Supply Charge for FY 2020-2021. This budget also includes continued collection of the User Fee revenue in the amount of \$4,250,000 from ratepayers of California American Water. This User Fee revenue projection is based on an estimated collection of revenues by California American Water. Property tax revenues are projected to be

\$2,050,000 which is kept at the same level as the amount budgeted in FY 2019-2020. Capacity Fees are estimated to be \$400,000, permit revenues are budgeted at \$198,000 are both projected slightly lower level as prior fiscal year. Projected revenues also include reimbursements of \$1,054,700 from Cal-Am for ASR 1 and ASR 2 operational costs, \$700,000 from Cal-Am ratepayers for rebates, \$35,000 for services provided to the Seaside Basin Watermaster, \$2,495,400 in grant funds, and \$500,000 reimbursement from Pebble Beach Reclamation project for tank financing as detailed in the project expenditure section of the budget. The carry forward is money that was not spent in prior fiscal year for projects and so the projects are rolled forward to the current fiscal year.

Reserves



Chairperson Edwards and Board Members

Page 3 of 3

June 15, 2020

The following table summarizes the ending balances in the reserve accounts. There are changes to reserve balances as a result of the proposed budget:

| Reserve Description | Projected Balance 06/30/2020 | FY 2020-2021 Change | Projected Balance 06/30/2021 |
|------------------------------|---------------------------------|------------------------|---------------------------------|
| Insurance/Litigation Reserve | \$250,000 | \$0 | \$250,000 |
| Flood/Drought Reserve | 328,944 | 0 | 328,944 |
| Capital Reserve | 553,000 | 266,500 | 819,500 |
| Debt Reserve Fund | 222,098 | 0 | 222,098 |
| Pension Reserve Fund | 200,000 | 100,000 | 300,000 |
| OPEB Reserve Fund | 200,000 | 100,000 | 300,000 |
| Mechanics Bank Reserve Fund | 0 | 500,000 | 500,000 |
| General Operating Reserve | 9,677,197 | (1,439,400) | 8,237,797 |
| Totals | \$11,431,239 | (\$472,900) | \$10,958,339 |

As the above table indicates the general reserve is expected to have a balance of approximately \$8,237,797, or 44% of the operating budget. The reserve change column has (\$1,439,400) use in reserves for the current fiscal year. The current year also includes \$200,000 set aside for pension/other post-employment benefit reserve accounts, \$324,400 set aside for capital reserve, and \$500,000 set aside for Mechanics Bank (formerly Rabobank) loan payoff.

Summary

The 2020-2021 Budget was prepared using the strategies adopted in 2005 by the Board of Directors to adopt balanced budgets on an annual basis. The FY 2020-2021 Budget does include use of reserves to balance the budget. This budget assumes continued collection of the District's three main sources of revenues (Water Supply Charge, User Fee, and Property Tax), which will allow the District to maintain its service levels currently provided by the District, and sustain its ability to achieve the objectives in the District's Strategic Plan, including Mission and Vision Statements. The District Management Team would like to thank the Board of Director's and other District employees for their contributions and participation in the development of the FY 2020-2021 Budget. They have made contribution to the development of the budget under difficult circumstances and we acknowledge their efforts. As always, this challenging process has produced an excellent document worthy of recognition.

Respectfully submitted:

David J. Stoldt
General Manager

Suresh Prasad
Administrative Services Manager/
Chief Financial Officer



MISSION STATEMENT

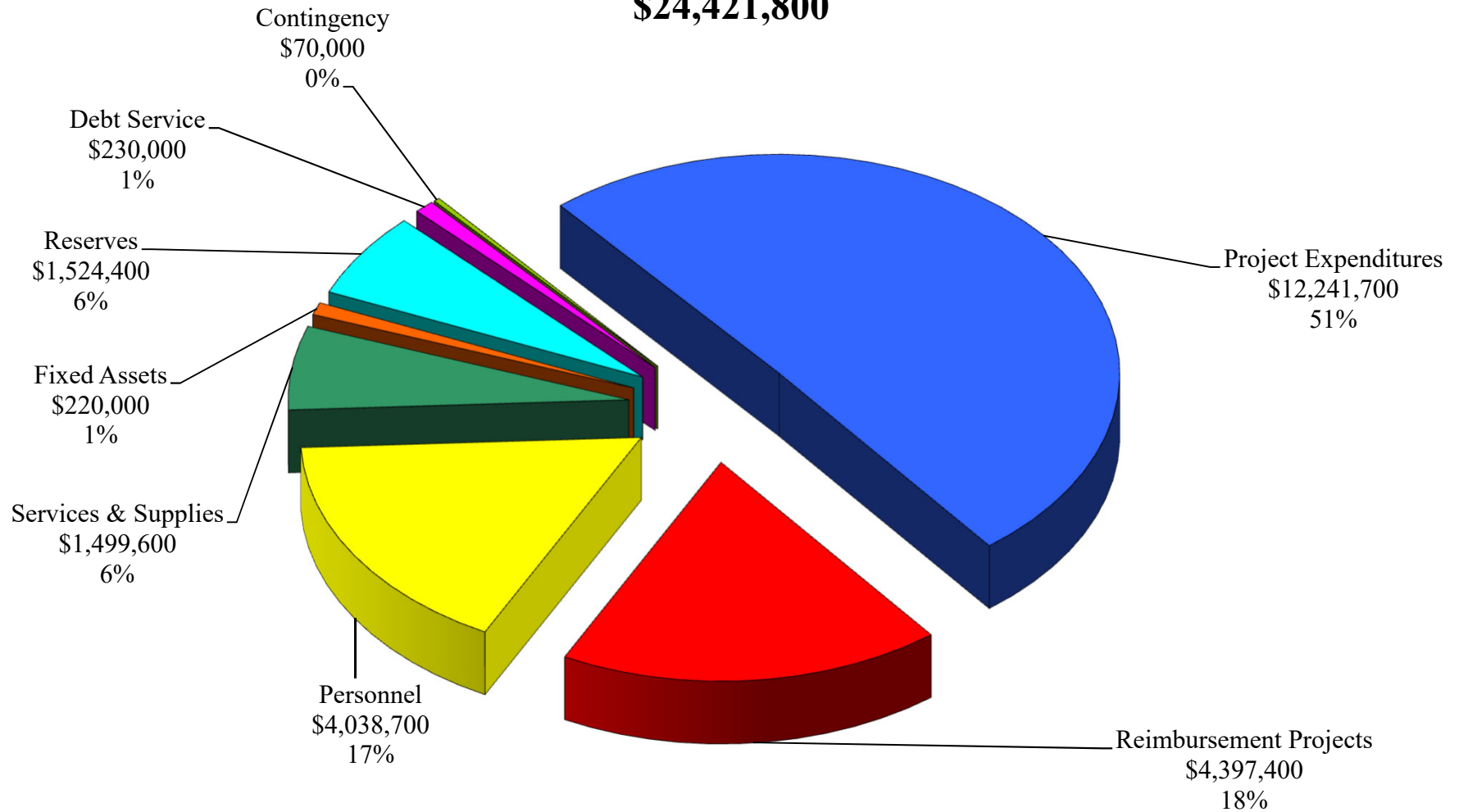
The mission of the Monterey Peninsula Water Management District is to promote or provide for long-term sustainable water supply, and to manage and protect water resources for the benefit of the community and the environment.

VISION STATEMENT

The MPWMD:

- 1) will strive to ensure a public role in development, ownership, and oversight of water supply solutions in collaboration with private or other public entities, resulting in sustainable, legal, affordable, and environmentally responsible water supply, consistent with adopted general plans;*
- 2) shall carry out its leadership role in water resource management in a fiscally responsible and professional manner.*

EXPENDITURE SUMMARY
Fiscal Year 2020-2021
\$24,421,800



**Monterey Peninsula Water Management District
Expenditures by Operating Fund
Fiscal Year 2020-2021 Budget**

| | <u>Mitigation</u> | <u>Water Supply</u> | <u>Conservation</u> | <u>Total</u> |
|--------------------------------|-------------------|-------------------------|---------------------|--------------|
| <u>PERSONNEL</u> | | | | |
| Salaries | \$985,000 | \$970,300 | \$695,900 | \$2,651,200 |
| Retirement | 230,100 | 259,600 | 157,700 | 647,400 |
| Unemployment Compensation | 1,200 | 1,000 | 800 | 3,000 |
| Auto Allowance | 900 | 3,600 | 1,500 | 6,000 |
| Deferred Compensation | 1,400 | 5,600 | 2,400 | 9,400 |
| Temporary Personnel | 20,500 | 16,500 | 13,000 | 50,000 |
| Workers Comp. Ins. | 47,200 | 33,000 | 4,800 | 85,000 |
| Employee Insurance | 148,800 | 121,700 | 106,200 | 376,700 |
| Employee Insurance - Retirees | 52,900 | 42,600 | 33,500 | 129,000 |
| Medicare & FICA Taxes | 17,900 | 17,700 | 11,200 | 46,800 |
| Personnel Recruitment | 1,200 | 1,000 | 800 | 3,000 |
| Other Benefits | 600 | 500 | 400 | 1,500 |
| Staff Development | 10,100 | 9,100 | 10,500 | 29,700 |
| Subtotal | \$1,517,800 | \$1,482,200 | \$1,038,700 | \$4,038,700 |
| <u>SERVICES & SUPPLIES</u> | | | | |
| Board Member Comp | 13,900 | 11,200 | 8,800 | 33,900 |
| Board Expenses | 4,100 | 3,300 | 2,600 | 10,000 |
| Rent | 10,700 | 9,900 | 2,600 | 23,200 |
| Utilities | 13,700 | 11,200 | 8,300 | 33,200 |
| Telephone | 18,800 | 15,900 | 11,800 | 46,500 |
| Facility Maintenance | 23,200 | 18,800 | 14,300 | 56,300 |
| Bank Charges | 6,200 | 5,000 | 3,900 | 15,100 |
| Office Supplies | 6,900 | 5,700 | 5,100 | 17,700 |
| Courier Expense | 2,500 | 2,000 | 1,600 | 6,100 |
| Postage & Shipping | 2,800 | 2,300 | 1,700 | 6,800 |
| Equipment Lease | 5,700 | 4,600 | 3,600 | 13,900 |
| Equip. Repairs & Maintenance | 2,900 | 2,300 | 1,800 | 7,000 |
| Printing/Duplicating/Binding | 200 | 200 | 100 | 500 |
| IT Supplies/Services | 90,200 | 72,600 | 57,200 | 220,000 |
| Operating Supplies | 1,800 | 1,700 | 12,600 | 16,100 |
| Legal Services | 120,000 | 220,000 | 60,000 | 400,000 |
| Professional Fees | 147,700 | 118,900 | 93,600 | 360,200 |
| Transportation | 15,700 | 15,500 | 2,800 | 34,000 |
| Travel | 9,100 | 7,800 | 9,200 | 26,100 |
| Meeting Expenses | 2,600 | 2,100 | 2,000 | 6,700 |
| Insurance | 40,200 | 32,300 | 25,500 | 98,000 |
| Legal Notices | 1,300 | 1,200 | 600 | 3,100 |
| Membership Dues | 13,900 | 11,300 | 13,100 | 38,300 |
| Public Outreach | 1,600 | 1,300 | 1,000 | 3,900 |
| Assessors Administration Fee | 5,800 | 8,500 | 5,700 | 20,000 |
| Miscellaneous | 1,200 | 1,000 | 800 | 3,000 |
| Subtotal | \$562,700 | \$586,600 | \$350,300 | \$1,499,600 |
| FIXED ASSETS | 105,900 | 63,000 | 51,100 | 220,000 |
| PROJECT EXPENDITURES | | | | 0 |
| Water Supply | 240,000 | 10,711,400 | 168,000 | 11,119,400 |
| Mitigation | 791,300 | 49,000 | 0 | 840,300 |
| Conservation | 0 | 0 | 282,000 | 282,000 |
| Reimbursement Projects | 2,514,700 | 1,089,700 | 793,000 | 4,397,400 |
| DEBT SERVICE | 0 | 230,000 | 0 | 230,000 |
| CAPITAL RESERVE | 265,650 | 31,850 | 26,900 | 324,400 |
| GENERAL FUND BALANCE | 0 | 500,000 | 0 | 500,000 |
| PENSION RESERVE | 41,000 | 33,000 | 26,000 | 100,000 |
| OPEB RESERVE | 41,000 | 33,000 | 26,000 | 100,000 |
| MECHANICS BANK RESERVE | 0 | 500,000 | 0 | 500,000 |
| RECLAMATION PROJECT | 0 | 0 | 0 | 0 |
| ELECTION EXPENSE | 82,000 | 66,000 | 52,000 | 200,000 |
| CONTINGENCY | 28,700 | 23,100 | 18,200 | 70,000 |
| EXPENDITURE TOTAL | \$6,190,750 | \$15,398,850 | \$2,832,200 | \$24,421,800 |

**Monterey Peninsula Water Management District
Expenditures Comparison by Year
Fiscal Year 2020-2021 Budget**

| | FY 2018-2019 <u>Revised</u> | FY 2019-2020 <u>Revised</u> | FY 2020-2021 <u>Proposed</u> | Change From <u>Previous Year</u> | Percentage <u>Change</u> |
|---------------------------------------|--------------------------------|--------------------------------|---------------------------------|-------------------------------------|-----------------------------|
| <u>PERSONNEL</u> | | | | | |
| Salaries | \$2,668,600 | \$2,704,600 | \$2,651,200 | (\$53,400) | -1.97% |
| Retirement | 528,900 | 588,500 | 647,400 | 58,900 | 10.01% |
| Unemployment Compensation | 3,000 | 3,000 | 3,000 | 0 | 0.00% |
| Auto Allowance | 6,000 | 6,000 | 6,000 | 0 | 0.00% |
| Deferred Compensation | 9,100 | 9,400 | 9,400 | 0 | 0.00% |
| Temporary Personnel | 73,000 | 55,100 | 50,000 | (5,100) | -9.26% |
| Workers Comp. Ins. | 55,800 | 71,300 | 85,000 | 13,700 | 19.21% |
| Employee Insurance | 365,900 | 396,100 | 376,700 | (19,400) | -4.90% |
| Employee Insurance - Retirees | 82,500 | 83,000 | 129,000 | 46,000 | 55.42% |
| Medicare & FICA Taxes | 44,600 | 49,100 | 46,800 | (2,300) | -4.68% |
| Personnel Recruitment | 3,000 | 3,000 | 3,000 | 0 | 0.00% |
| Other Benefits | 1,500 | 1,500 | 1,500 | 0 | 0.00% |
| Staff Development | 34,600 | 28,500 | 29,700 | 1,200 | 4.21% |
| Subtotal | \$3,876,500 | \$3,999,100 | \$4,038,700 | \$39,600 | 0.99% |
| <u>SERVICES & SUPPLIES</u> | | | | | |
| Board Member Comp | \$34,000 | \$33,900 | \$33,900 | \$0 | 0.00% |
| Board Expenses | 5,000 | 5,100 | 10,000 | 4,900 | 96.08% |
| Rent | 23,200 | 23,200 | 23,200 | - | 0.00% |
| Utilities | 33,000 | 33,200 | 33,200 | - | 0.00% |
| Telephone | 55,600 | 50,700 | 46,500 | (4,200) | -8.28% |
| Facility Maintenance | 41,200 | 56,200 | 56,300 | 100 | 0.18% |
| Bank Charges | 4,000 | 3,900 | 15,100 | 11,200 | 287.18% |
| Office Supplies | 17,000 | 17,400 | 17,700 | 300 | 1.72% |
| Courier Expense | 8,000 | 6,100 | 6,100 | - | 0.00% |
| Postage & Shipping | 6,700 | 6,800 | 6,800 | - | 0.00% |
| Equipment Lease | 14,000 | 13,900 | 13,900 | - | 0.00% |
| Equip. Repairs & Maintenance | 7,000 | 7,000 | 7,000 | - | 0.00% |
| Printing/Duplicating/Binding | 500 | 500 | 500 | - | 0.00% |
| IT Supplies/Services | 130,000 | 190,000 | 220,000 | 30,000 | 15.79% |
| Operating Supplies | 19,100 | 16,900 | 16,100 | (800) | -4.73% |
| Legal Services | 400,000 | 400,000 | 400,000 | - | 0.00% |
| Professional Fees | 358,000 | 357,100 | 360,200 | 3,100 | 0.87% |
| Transportation | 34,000 | 35,000 | 34,000 | (1,000) | -2.86% |
| Travel | 26,600 | 31,100 | 26,100 | (5,000) | -16.08% |
| Meeting Expenses | 6,700 | 6,100 | 6,700 | 600 | 9.84% |
| Insurance | 52,000 | 65,100 | 98,000 | 32,900 | 50.54% |
| Legal Notices | 3,100 | 3,100 | 3,100 | - | 0.00% |
| Membership Dues | 35,700 | 34,900 | 38,300 | 3,400 | 9.74% |
| Public Outreach | 2,500 | 4,500 | 3,900 | (600) | -13.33% |
| Assessors Administration Fee | 20,000 | 20,000 | 20,000 | - | 0.00% |
| Miscellaneous | 3,000 | 3,000 | 3,000 | - | 0.00% |
| Subtotal | \$1,339,900 | \$1,424,700 | \$1,499,600 | \$74,900 | 5.26% |
| FIXED ASSETS | 574,500 | 213,900 | 220,000 | \$6,100 | 2.85% |
| <u>PROJECT EXPENDITURES</u> | | | | | |
| Water Supply | 2,882,500 | 11,093,300 | 11,119,400 | 26,100 | 0.24% |
| Mitigation | 1,523,600 | 1,099,400 | 840,300 | (259,100) | -23.57% |
| Conservation | 550,500 | 259,000 | 282,000 | 23,000 | 8.88% |
| Reimbursement Projects | 3,628,500 | 2,106,000 | 4,397,400 | 2,291,400 | 108.80% |
| DEBT SERVICE | 230,000 | 230,000 | 230,000 | 0 | 0.00% |
| FLOOD/DROUGHT RESERVE | 0 | 0 | 0 | 0 | 0.00% |
| CAPITAL RESERVE | 200,000 | 49,500 | 324,400 | 274,900 | 555.35% |
| GENERAL FUND BALANCE | 1,562,000 | 43,350 | 500,000 | 456,650 | 1053.40% |
| PENSION RESERVE | 100,000 | 100,000 | 100,000 | 0 | 0.00% |
| OPEB RESERVE | 100,000 | 100,000 | 100,000 | 0 | 0.00% |
| MECHANICS BANK RESERVE | 0 | 0 | 500,000 | 500,000 | 100.00% |
| RECLAMATION PROJECT | 0 | 1,000,000 | 0 | (1,000,000) | -100.00% |
| ELECTION EXPENSE | 160,000 | 0 | 200,000 | 200,000 | 100.00% |
| CONTINGENCY | 75,000 | 70,000 | 70,000 | 0 | 0.00% |
| EXPENDITURE TOTAL | \$16,803,000 | \$21,788,250 | \$24,421,800 | \$2,633,550 | 12.09% |

**Monterey Peninsula Water Management District
Labor Allocation by Operating Funds
Fiscal Year 2020-2021**

| | <u>Mitigation</u> | <u>Water Supply</u> | <u>Conservation</u> | <u>Total</u> |
|--|-------------------|-------------------------|---------------------|--------------|
| <u>General Manager's Office</u> | | | | |
| General Manager | 15% | 60% | 25% | 100% |
| Executive Assistant | 25% | 50% | 25% | 100% |
| <u>Administrative Services</u> | | | | |
| ASD Mgr/CFO | 33% | 34% | 33% | 100% |
| Accountant | 33% | 34% | 33% | 100% |
| Contract Administrator | 33% | 34% | 33% | 100% |
| Human Resources Analyst | 33% | 34% | 33% | 100% |
| Office Services Supervisor | 33% | 34% | 33% | 100% |
| Accounting/Office Specialist | 33% | 34% | 33% | 100% |
| Information Technology Manager | 33% | 34% | 33% | 100% |
| GIS Specialist | 33% | 34% | 33% | 100% |
| <u>Water Resources</u> | | | | |
| Water Resources Manager | 10% | 90% | 0% | 100% |
| Distict Engineer - Contract | 50% | 50% | 0% | 100% |
| Water Resources Engineer | 25% | 75% | 0% | 100% |
| Water Resources Engineer | 25% | 75% | 0% | 100% |
| Hydrography Prog Coordinator | 90% | 10% | 0% | 100% |
| Associate Hydrologist | 8% | 92% | 0% | 100% |
| Hydrology Technician | 50% | 50% | 0% | 100% |
| <u>Water Demand</u> | | | | |
| Water Demand Manager | 0% | 20% | 80% | 100% |
| Conservation Analyst | 0% | 75% | 25% | 100% |
| Conservation Analyst | 0% | 25% | 75% | 100% |
| Conservation Rep I | 0% | 0% | 100% | 100% |
| Conservation Rep II | 0% | 0% | 100% | 100% |
| Conservation Technician | 0% | 0% | 100% | 100% |
| <u>Environmental Resources</u> | | | | |
| Environmental Resources Manager | 80% | 20% | 0% | 100% |
| Senior Fisheries Biologist | 95% | 5% | 0% | 100% |
| Associate Fisheries Biologist | 100% | 0% | 0% | 100% |
| Associate Fisheries Biologist | 100% | 0% | 0% | 100% |
| Asst. Fisheries Biologist | 100% | 0% | 0% | 100% |
| River Maintenance Specialist | 90% | 10% | 0% | 100% |
| Environmental Programs Specialist | 100% | 0% | 0% | 100% |
| Average Percentage | 41% | 33% | 26% | 100% |

**Monterey Peninsula Water Management District
Expenditures by Division
Fiscal Year 2020-2021 Budget**

| | General Manager's Office | Administrative Services | Water Resources | Water Demand | Environmental Resources | Total |
|--------------------------------|-----------------------------|----------------------------|--------------------|-----------------|----------------------------|--------------|
| <u>PERSONNEL</u> | | | | | | |
| Salaries | \$316,700 | \$422,700 | \$720,700 | \$612,700 | \$578,400 | \$2,651,200 |
| Retirement | 110,600 | 100,300 | 155,300 | 143,900 | 137,300 | 647,400 |
| Unemployment Compensation | 0 | 3,000 | 0 | 0 | 0 | 3,000 |
| Auto Allowance | 6,000 | 0 | 0 | 0 | 0 | 6,000 |
| Deferred Compensation | 9,400 | 0 | 0 | 0 | 0 | 9,400 |
| Temporary Personnel | 0 | 50,000 | 0 | 0 | 0 | 50,000 |
| Workers' Comp. | 2,200 | 3,000 | 42,100 | 4,100 | 33,600 | 85,000 |
| Employee Insurance | 32,400 | 70,200 | 86,700 | 93,900 | 93,500 | 376,700 |
| Employee Insurance - Retirees | 0 | 129,000 | 0 | 0 | 0 | 129,000 |
| Medicare & FICA Taxes | 4,800 | 9,100 | 15,400 | 9,000 | 8,500 | 46,800 |
| Personnel Recruitment | 0 | 3,000 | 0 | 0 | 0 | 3,000 |
| Other Benefits | 0 | 1,500 | 0 | 0 | 0 | 1,500 |
| Staff Development | 7,300 | 5,500 | 4,200 | 7,300 | 5,400 | 29,700 |
| Subtotal | \$489,400 | \$797,300 | \$1,024,400 | \$870,900 | \$856,700 | \$4,038,700 |
| <u>SERVICES & SUPPLIES</u> | | | | | | |
| Board Member Comp | \$0 | \$33,900 | \$0 | \$0 | \$0 | 33,900 |
| Board Expenses | 10,000 | 0 | 0 | 0 | 0 | 10,000 |
| Rent | 0 | 10,000 | 6,600 | 0 | 6,600 | 23,200 |
| Utilities | 0 | 32,000 | 600 | 0 | 600 | 33,200 |
| Telephone | 900 | 35,100 | 5,000 | 2,500 | 3,000 | 46,500 |
| Facility Maintenance | 0 | 55,100 | 600 | 0 | 600 | 56,300 |
| Bank Charges | 0 | 15,100 | 0 | 0 | 0 | 15,100 |
| Office Supplies | 600 | 15,100 | 400 | 1,000 | 600 | 17,700 |
| Courier Expense | 0 | 6,100 | 0 | 0 | 0 | 6,100 |
| Postage & Shipping | 300 | 6,100 | 400 | 0 | 0 | 6,800 |
| Equipment Lease | 0 | 13,900 | 0 | 0 | 0 | 13,900 |
| Equip. Repairs & Maintenance | 0 | 7,000 | 0 | 0 | 0 | 7,000 |
| Printing/Duplicating/Binding | 500 | 0 | 0 | 0 | 0 | 500 |
| IT Supplies/Services | 0 | 220,000 | 0 | 0 | 0 | 220,000 |
| Operating Supplies | 500 | 2,000 | 1,000 | 12,000 | 600 | 16,100 |
| Legal Services | 0 | 400,000 | 0 | 0 | 0 | 400,000 |
| Professional Fees | 185,100 | 175,100 | 0 | 0 | 0 | 360,200 |
| Transportation | 0 | 3,000 | 15,000 | 2,000 | 14,000 | 34,000 |
| Travel | 10,000 | 6,100 | 2,000 | 5,000 | 3,000 | 26,100 |
| Meeting Expenses | 2,500 | 3,900 | 0 | 300 | 0 | 6,700 |
| Insurance | 0 | 98,000 | 0 | 0 | 0 | 98,000 |
| Legal Notices | 500 | 2,000 | 600 | 0 | 0 | 3,100 |
| Membership Dues | 32,000 | 1,000 | 400 | 4,500 | 400 | 38,300 |
| Public Outreach | 3,900 | 0 | 0 | 0 | 0 | 3,900 |
| Assessors Administration Fee | 0 | 20,000 | 0 | 0 | 0 | 20,000 |
| Miscellaneous | 500 | 2,500 | 0 | 0 | 0 | 3,000 |
| Subtotal | \$247,300 | \$1,163,000 | \$32,600 | \$27,300 | \$29,400 | \$1,499,600 |
| FIXED ASSETS | 0 | 190,800 | 0 | 1,500 | 27,700 | 220,000 |
| <u>PROJECT EXPENDITURES</u> | | | | | | |
| Water Supply | 987,000 | 0 | 9,837,400 | 0 | 295,000 | 11,119,400 |
| Mitigation | 0 | 0 | 170,400 | 0 | 669,900 | 840,300 |
| Conservation | 0 | 0 | 0 | 282,000 | 0 | 282,000 |
| Reimbursement Projects | 0 | 0 | 3,445,100 | 793,000 | 159,300 | 4,397,400 |
| DEBT SERVICE | 0 | 230,000 | 0 | 0 | 0 | 230,000 |
| CAPITAL RESERVE | | 324,400 | | | | 324,400 |
| GENERAL FUND BALANCE | 0 | 500,000 | 0 | 0 | 0 | 500,000 |
| PENSION RESERVE | 0 | 100,000 | 0 | 0 | 0 | 100,000 |
| OPEB RESERVE | 0 | 100,000 | 0 | 0 | 0 | 100,000 |
| MECHANICS BANK RESERVE | 0 | 500,000 | 0 | 0 | 0 | 500,000 |
| RECLAMATION PROJECT | 0 | 0 | 0 | 0 | 0 | 0 |
| ELECTION EXPENSE | 0 | 200,000 | 0 | 0 | 0 | 200,000 |
| CONTINGENCY | 0 | 70,000 | 0 | 0 | 0 | 70,000 |
| Expenditure Total | \$1,723,700 | \$4,175,500 | \$14,509,900 | \$1,974,700 | \$2,038,000 | \$24,421,800 |

**Monterey Peninsula Water Management District
Project Expenditures
Fiscal Year 2020-2021 Budget**

| Objective | Timeline | Total | Account | Division | Reimbursable | Source |
|---|---------------|-------------------|--------------|----------|------------------|-----------------|
| AUGMENT WATER SUPPLY | | | | | | |
| Operations Modeling | | | | | | |
| 1-1-2 Los Padres Dam Long Term Plan | | | | | | |
| A. Fish Passage | Ongoing | 35,000 | 35-03-786015 | ERD | | |
| B. Alternatives Analysis and Sediment Management | June | 210,000 | 35-03-786015 | ERD | | |
| C. Reservoir Alternatives Simulation (CRBHM) | June | 50,000 | 35-03-786015 | ERD | | |
| 1-1-3 PWM/MPWSP Operations Model (CRBHM & SGBM) | June | 50,000 | 35-03-786038 | WRD | | |
| Water Supply Projects | | | | | | |
| 1-2-1 Water Project 1 (Aquifer Storage Recovery 1) | | | | | | |
| A. Santa Margarita Site | | | | | | |
| 1. Site work | | | | | | |
| a. FORA / regulatory agency compliance | Ongoing | 86,900 | 35-04-786004 | WRD | | |
| b. Site expansion engineering | Ongoing | 184,500 | 35-04-786004 | WRD | | |
| c. Site expansion construction - (phase 2) | Spring/Summer | 3,514,500 | 35-04-786004 | WRD | 100,000 | CAW |
| d. Land easement | Fall/Winter | 100,000 | 35-04-786004 | WRD | | |
| d. Site landscaping | Fall/Winter | 20,000 | 35-04-786004 | WRD | | |
| e. ASR Training | Fall/Winter | 16,500 | 35-04-786004 | WRD | | |
| 2. Operations and Maintenance | | | | | | |
| a. Operations support | Ongoing | 110,000 | 35-04-786005 | WRD | 110,000 | CAW |
| b. Water quality lab analysis | Ongoing | 50,000 | 35-04-786005 | WRD | 50,000 | CAW |
| c. Electrical power | Ongoing | 500,000 | 35-04-786005 | WRD | 500,000 | CAW |
| d. Supplemental Sampling and Analysis Plan (SSAP) | Ongoing | 120,000 | 35-04-786005 | WRD | 120,000 | CAW |
| e. Security and Monitoring | Ongoing | 17,000 | 35-04-786005 | WRD | 17,000 | CAW |
| f. ASR 1 rehabilitation | Ongoing | 120,000 | 35-04-786005 | WRD | 120,000 | CAW |
| B. Water Project 2 (Aquifer Storage Recover 2) | | | | | | |
| 1. Operations & Maintenance | | | | | | |
| a. Operations support | Ongoing | 10,000 | 35-04-786005 | WRD | 10,000 | CAW |
| b. Water quality lab analysis | Ongoing | 18,800 | 35-04-786005 | WRD | 18,800 | CAW |
| c. Facility building maintenance | Ongoing | 1,200 | 35-04-786005 | WRD | 1,200 | CAW |
| d. Contingency (15%) | Ongoing | 7700 | 35-04-786005 | WRD | 7,700 | CAW |
| 1-4-1 Water Rights Permits Fees | Ongoing | 30,000 | 35-03-781200 | WRD | | |
| 1-5-1 Ground Water Replenishment Project (PWM) | Ongoing | | 35-03-786010 | GMO | | |
| A. Geochemical Mixing Study | Ongoing | - | 35-03-786010 | WRD | | Cal-Am/M1W |
| B. Update Seaside Basin Model | Ongoing | 55,000 | 35-03-786010 | WRD | | Watermaster/M1W |
| C. Operating Reserve (1,000 ac ft) | One-time | 1,150,000 | 35-03-786011 | WRD | | |
| D. Additional Well (project financing - to be reimbursed) | One-time | 3,000,000 | 35-03-786010 | WRD | | |
| E. Power Coconnection | One-time | 900,000 | 35-03-786010 | WRD | | |
| F. Expansion | One-time | 750,000 | 35-03-786010 | WRD | | |
| 1-7-1 A. Permit 20808B Alternatives Analysis | Ongoing | 80,000 | 35-04-786016 | WRD | | |
| 1-8-1 A. Other Water Supply Projects - IFIM feasibility studies | Ongoing | | 35-03-786019 | ERD | | |
| B. Monterey Pipeline MMRP Compliance | Ongoing | | 35-03-786025 | WRD | | |
| 1-9-1 Cal-Am Desal Project | Ongoing | 50,000 | 35-01-786025 | GMO | | |
| 1-10-1 Local Water Projects | Ongoing | 307,000 | 35-03-786033 | GMO | | |
| 1-12-1 Carmel River Basin Study (Bureau of Reclamation) | Ongoing | | 35-03-786022 | WRD | | |
| 1-14-1 A. Monterey Water System Acquisition Feasibility Study - Phase 2 | Ongoing | 600,000 | 35-01-786200 | GMO | | |
| 1-15-1 Water Allocation Process | Ongoing | 30,000 | 35-01-786XXX | GMO | | |
| AUGMENT WATER SUPPLY TOTAL | | 12,174,100 | | | 1,054,700 | |

**Monterey Peninsula Water Management District
Project Expenditures
Fiscal Year 2020-2021 Budget**

| Objective | Timeline | Total | Account | Division | Reimbursable | Source |
|---|-------------|---------|--------------|----------|--------------|---------------------|
| PROTECT ENVIRONMENTAL QUALITY | | | | | | |
| Riparian Mitigations | | | | | | |
| 2-1-1 Irrigation Program | | | | | | |
| A. Operate and maintain 4 well systems | Ongoing | 5,000 | 24-03-785011 | ERD | | |
| B. Operate and maintain District project systems | Ongoing | 15,000 | 24-03-785012 | ERD | | |
| 2-1-2 Riparian Corridor Management | | | | | | |
| A. Maintain and diversify plantings at District projects | | | | | | |
| 1. Seed collection and propagation | Ongoing | 2,000 | 24-03-787030 | ERD | | |
| B. Riparian corridor maintenance (projects/equipment) | Ongoing | 2,000 | 24-03-787080 | ERD | | |
| 2-1-3 Riparian Monitoring Program | | | | | | |
| A. Vegetation and soil moisture monitoring | Ongoing | 500 | 24-03-787021 | ERD | | |
| 2-1-4 Address Vegetation Hazards and Remove Trash | Ongoing | 15,000 | 24-03-787040 | ERD | | |
| 2-1-5 Carmel River Annual Aerial Photography | Ongoing | 0 | 24-03-787022 | ERD | | |
| Erosion Protection | | | | | | |
| 2-2-1 Repair Bank Damage at District Restoration Projects | | | | | | |
| A. Work at lower San Carlos restoration project | June | 2,000 | 24-03-789541 | ERD | | |
| 2-2-2 Carmel Riverbed Topographic Data | Ongoing | 0 | 24-03-787023 | ERD | | |
| Aquatic Resources Fisheries | | | | | | |
| 2-3-1 Sleepy Hollow Facility Operations | | | | | | |
| A. General operations and maintenance | Ongoing | 45,000 | 24-04-785813 | ERD | | |
| B. Power | Ongoing | 35,000 | 24-04-785816 | ERD | | |
| C. Road maintenance | June | 10,000 | 24-04-785813 | ERD | | |
| D. Replacement of standby generator fuel | Ongoing | 1,000 | 24-04-785813 | ERD | | |
| E. Generator maintenance service | Spring | 6,500 | 24-04-785813 | ERD | | |
| F. Facility upgrade (construction) | 2020 | 300,000 | 24-04-785812 | ERD | 95,000 | Coastal Conservancy |
| G. ESA Section 10 SHSRF Evaluations | Ongoing | 50,000 | 24-04-785811 | ERD | | |
| H. Intake/cold well repair & maintenance | Ongoing | 5,000 | 24-04-785813 | ERD | | |
| I. Water Resources Assitant for Weekend Shift | Jun.-Jan. | 6,500 | 24-04-785814 | ERD | | |
| J. WRA's & FA's NMFS Fall Juvenile SH Population Surveys (CDO r | Ongoing | 26,900 | 24-04-785814 | ERD | 26,900 | NOAA/NMFS |
| K. FBA's & WRA's NMFS Winter/Spring LPD Studies (CDO mandat | Ongoing | 28,600 | 24-04-785814 | ERD | 28,600 | NOAA/NMFS |
| L. Supplies/Expenses NMFS Winter/Spring LPD Studies (CDO mand | Ongoing | 8,800 | 24-04-785814 | ERD | 8,800 | NOAA/NMFS |
| 2-3-2 Conduct Juvenile Rescues | | | | | | |
| A. Miscellaneous fish rescue supplies | Ongoing | 11,000 | 24-04-785822 | ERD | | |
| B. Water Resources Assistant | Ongoing | 11,900 | 24-04-785814 | ERD | | |
| C. Seasonal Fish Rescue Workers | Ongoing | 17,800 | 24-04-785814 | ERD | | |
| D. Recalibrate backpack electro-fisher | Ongoing | 1,000 | 24-04-785822 | ERD | | |
| E. Waders | Ongoing | 2,500 | 24-04-785822 | ERD | | |
| F. On-call weekend fish rescue crew leader | Ongoing | 0 | 24-04-785814 | ERD | | |
| 2-3-3 Rescue & Transport Smolts | | | | | | |
| A. Smolt rescue supplies | Feb-May | 2,000 | 24-04-785833 | ERD | | |
| B. Water Resources Assistant | March-May | 9,600 | 24-04-785814 | ERD | | |
| C. Seasonal Fish Rescue Worker | March-May | 9,600 | 24-04-785814 | ERD | | |
| 2-3-4 Monitoring of Adult Steelhead Counts | | | | | | |
| A. Resistance Board Weir Construction (Permitting) | Winter 2018 | 2,000 | 24-04-785851 | ERD | | |
| B. Resistance Board Weir Construction/Training/Installation | Winter 2018 | 130,000 | 24-04-785851 | ERD | | |
| C. Water Resources Assistants - Weekend Weir Operations | Dec.-May | 8,500 | 24-04-785814 | ERD | | |
| D. Fishereis Aides - 7-day Weir Operations | Dec.-May | 34,000 | 24-04-785814 | ERD | | |
| E. Wier Surveillance Camera | 2020 | 13,500 | 24-04-785851 | ERD | | |
| 2-3-5 Adult & kelt rescue and transport | Ongoing | 1,000 | 24-04-785840 | ERD | | |
| 2-3-6 Contracted Aquatic Invertebrate Identification & Retraining | Oct. | 3,000 | 24-04-785860 | ERD | | |
| 2-3-7 Carmel River & Lagoon Water Quality Monitoring Samples | Ongoing | 5,000 | 24-04-785870 | ERD | | |
| Water Resources Assistant | Ongoing | 0 | 24-04-785814 | ERD | | |
| 2-3-8 CDO/Cal-Am Spawning Gravel Replenishment | | | | | | |
| A. Planning & Permitting | Ongoing | 1,000 | 24-04-785852 | ERD | | Cal-Am |
| 2-3-9 Ford Removal @ Hastings Reservation | 2020 | | 24-04-785870 | ERD | | |

**Monterey Peninsula Water Management District
Project Expenditures
Fiscal Year 2020-2021 Budget**

| Objective | Timeline | Total | Account | Division | Reimbursable | Source |
|--|-------------|------------------|--------------|----------|------------------|---------------------|
| Lagoon Mitigation Activities | | | | | | |
| 2-4-1 Monitoring | | | | | | |
| A. Bi-annual inter-agency cooperative Steelhead survey | June/Dec | 1,000 | 24-04-785871 | ERD | | |
| B. YSI Automatic Vertical Water Quality Profiler | Ongoing | 0 | 24-04-782203 | ERD | | |
| Hydrologic | | | | | | |
| 2-5-1 Carmel Valley | | | | | | |
| A. Monitor Carmel River near Carmel (USGS) | Ongoing | 17,000 | 35-04-785600 | WRD | | |
| B. Water quality chemical analyses | Ongoing | 2,000 | 35-04-781510 | WRD | | |
| C. Fractured rock well monitoring | Ongoing | 4,000 | 35-04-785507 | WRD | | |
| 2-5-2 Seaside Basin Watermaster | | | | | | |
| A. MMP implementation (non-labor portion, + \$35k for labor) | Ongoing | 35,000 | 35-04-786003 | WRD | 35,000 | Seaside Watermaster |
| B. MPWMD monitor well maintenance (pumps) | Ongoing | 1,000 | 35-04-786003 | WRD | | |
| C. Replace QED pump | Ongoing | 3,100 | 35-04-786003 | WRD | | |
| D. ROE renewal for Ft Ord Dunes State Park access | Ongoing | 500 | 35-04-786003 | WRD | | |
| 2-5-3 District Wide | | | | | | |
| A. Stream flow monitoring program | | | | | | |
| 1. Miscellaneous equipment | Ongoing | 10,000 | xx-04-785603 | WRD | | |
| 2. Data line rental - 7 sites | Ongoing | 3,000 | xx-04-785603 | WRD | | |
| 3. Hydstra Time Series Software Annual Support | Ongoing | 5,400 | xx-04-785603 | WRD | | |
| 4. Hydstra consulting - report customization/website | Summer-Fall | 4,000 | xx-04-785603 | WRD | | |
| 5. Purchase cellular modems | Summer-Fall | 0 | xx-04-785603 | WRD | | |
| 6. Upgrade MPWMD Gaging Stations | | | | | | |
| A. Upgrade MPWMD Gaging Station | Summer-Fall | 0 | xx-04-785623 | WRD | | |
| B. Other Hydrologic Monitoring | | | | | | |
| 1. Monitor well conversions | Ongoing | 2,000 | xx-04-785502 | WRD | | |
| 2. Annual Well Reporting | Ongoing | 2,600 | xx-04-781602 | WRD | | |
| 3. Misc. equipment (2 well probes) | Ongoing | 2,000 | xx-04-781602 | WRD | | |
| 4. Replacement rain/temp stations (incl site fencing) | Ongoing | 1,600 | xx-04-781602 | WRD | | |
| 5. Replacement XD's and rugged cables | Ongoing | 5,200 | xx-04-781602 | WRD | | |
| 6. Analysis Software (AQ/QA Rockworks) | Ongoing | 2,000 | xx-04-785502 | WRD | | |
| 7. Replacement water quality probe | Ongoing | 5,000 | xx-04-785502 | WRD | | |
| Integrated Regional Water Management | | | | | | |
| 2-6-1 Integrated Regional Water Management | | | | | | |
| A. Prop 1 coordination | Ongoing | 100,000 | 24-03-785505 | WRD | | |
| B. DAC needs assessment | Ongoing | 38,300 | 24-03-785521 | WRD | 38,300 | DWR |
| C. Implementation Grant | Ongoing | 2,317,100 | 24-03-785521 | WRD | 2,317,100 | DWR |
| PROTECT ENVIRONMENTAL QUALITY TOTAL | | 3,390,000 | | | 2,549,700 | |

**Monterey Peninsula Water Management District
Project Expenditures
Fiscal Year 2020-2021 Budget**

| Objective | Timeline | Total | Account | Division | Reimbursable | Source |
|---|----------|-------------------|--------------|----------|------------------|-----------|
| WATER DEMAND | | | | | | |
| Water Distribution System Permitting | | | | | | |
| 4-0-1 Permit Processing Assistance | Ongoing | 15,000 | 26-05-785503 | WDD | 15,000 | Applicant |
| 4-0-2 Hydrogeologic Impact Review | Ongoing | 5,000 | 26-05-785503 | WDD | 5,000 | Applicant |
| 4-0-3 County Fees - CEQA Posting and Recording | Ongoing | 6,000 | 26-05-785503 | WDD | 6,000 | Applicant |
| 4-0-4 WDS Permit Package Review (MPWMD Counsel) | Ongoing | 16,000 | 26-05-785503 | WDD | 16,000 | Applicant |
| Demand Management | | | | | | |
| 4-1-1 Rule Implementation/Enforcement | | | | | | |
| A. Deed Restriction recording | Ongoing | 15,000 | 26-05-781900 | WDD | 6,000 | Applicant |
| B. CEQA Compliance | Fall | 5,000 | 26-05-780100 | WDD | | |
| Water Conservation | | | | | | |
| 4-2-1 Conservation Outreach | | | | | | |
| A. Outreach and communication | Ongoing | 50,000 | 26-05-781140 | WDD | | |
| B. CII Outreach | Ongoing | 0 | 26-05-781130 | WDD | | |
| C. PRV Outreach | Ongoing | 500 | 26-05-781140 | WDD | | |
| D. Sponsorship/Support Community Events | Ongoing | 7,500 | 26-05-781140 | WDD | | |
| E. Brochures | Ongoing | 2,500 | 26-05-781140 | WDD | | |
| 4-2-2 Conservation Programs (non-reimbursable) | | | | | | |
| A. Best management practices | Ongoing | 7,500 | 26-05-781155 | WDD | | |
| B. Advertising/Webvertising | Ongoing | 0 | 26-05-781115 | WDD | | |
| C. Conservation Website Maintenance | Ongoing | 1,000 | 26-05-781160 | WDD | | |
| D. Conservation devices - nonreimbursable | Ongoing | 50,000 | 26-05-781187 | WDD | | |
| E. Conservation & efficiency workshops/training | Ongoing | 10,000 | 26-05-781182 | WDD | | |
| F. Graywater/Rainwater Demo Project | Ongoing | 75,000 | 26-05-781185 | WDD | | |
| G. School Water Education | Ongoing | 500 | 26-05-781178 | WDD | | |
| H. School Retrofits | Ongoing | 0 | 26-05-781184 | WDD | | |
| I. CIMIS Stations | Ongoing | 500 | 26-05-781111 | WDD | | |
| J. GardenSoft Water Wise Gardening | Ongoing | 5,500 | 26-05-781186 | WDD | | |
| L. Pressure Reducing Valve Program | Ongoing | 1,000 | 26-05-781190 | WDD | | |
| M. Linen/Towel Program | Ongoing | 25,000 | 26-05-781180 | WDD | | |
| N. Conservation printed material | Ongoing | 1,000 | 26-05-781188 | WDD | | |
| O. Rain Barrel Giveaway Program | Ongoing | 5,000 | 26-05-781177 | WDD | | |
| 4-2-3 Rebate Program | | | | | | |
| A. CAW | Ongoing | 700,000 | 26-05-781412 | WDD | 700,000 | CAW |
| B. Seaside Municipal | Ongoing | 0 | 26-05-781499 | WDD | | |
| C. Non-CAW (MPWMD funded) | Ongoing | 25,000 | 26-05-781499 | WDD | | |
| D. DAC Direct Install Grant | Ongoing | 45,000 | 26-05-781490 | WDD | 45,000 | Grant |
| E. DAC Turf Replacement | Ongoing | 0 | 26-05-781490 | WDD | | |
| F. Rebate & Other Forms | Ongoing | 500 | 26-05-781400 | WDD | | |
| WATER DEMAND TOTAL | | 1,075,000 | | | 793,000 | |
| PROJECT EXPENDITURES TOTAL | | 16,639,100 | | | 4,397,400 | |

**Monterey Peninsula Water Management District
Large Projects and Capital Improvement Plan
Fiscal Year 2020-2021 Budget**

| <u>Division</u> | <u>Project Description</u> | <u>FY 2020-2021</u> | <u>FY 2021-2022</u> | <u>FY 2022-2023</u> | <u>Funding Source</u> |
|---|---|---------------------|---------------------|---------------------|-----------------------|
| Funded From District Revenues | | | | | |
| GMO | Pure Water Monterey | \$3,900,000 | \$0 | \$0 | District Revenues |
| GMO | PWM Operating Reserve Fund | 1,150,000 | 690,000 | 850,000 | District Revenues |
| GMO | PWM Drought Reserve Fund | 0 | 500,000 | 520,000 | District Revenues |
| GMO | PWM Expansion | 750,000 | 0 | 0 | District Revenues |
| WRD | Phase 1 Aquifer Storage & Recovery | 3,922,400 | 200,000 | 0 | District Revenues |
| WRD | ASR Expansion | 0 | 50,000 | 50,000 | District Revenues |
| WRD | Geochemical Mixing Study | 55,000 | 0 | 0 | District Revenues |
| WRD | Update Seaside Basin Model | 0 | 0 | 0 | District Revenues |
| GMO | Cal-Am Desal Project | 50,000 | 50,000 | 0 | District Revenues |
| GMO | Local Water Projects | 307,000 | 200,000 | 200,000 | District Revenues |
| WRD | Operations Modeling - IFIM/CRBHM | 50,000 | 50,000 | 50,000 | District Revenues |
| WRD | Carmel & Salinas Rivers Basin Study | 50,000 | 95,000 | 0 | District Revenues |
| WRD | Los Padres Dam Long Term Plan | 210,000 | 200,000 | 100,000 | District Revenues |
| WRD | PWM/MPWSP Operations Model | 50,000 | 0 | 0 | District Revenues |
| WRD | Water Rights/Permit 20808B Alternatives | 80,000 | 0 | 0 | District Revenues |
| GMO | Monterey Water System Acquisition Feasibility Study | 600,000 | 0 | 0 | District Revenues |
| All | Capital Asset Purchases | 220,000 | 150,000 | 150,000 | District Revenues |
| GMO | Water Allocation Process | 30,000 | 200,000 | 175,000 | District Revenues |
| | SUBTOTAL | \$11,424,400 | \$2,385,000 | \$2,095,000 | |
| Reimbursed from Grants or Reimbursements | | | | | |
| WRD | Phase 1 & 2 Aquifer Storage & Recovery | 954,700 | 900,000 | 900,000 | CAW |
| WRD | IRWM Implementation | 2,317,100 | 0 | 0 | DWR Grant |
| WRD | Sleepy Hollow Facility Raw Water Intake Retrofit | 300,000 | | 0 | SCC Grant |
| | SUBTOTAL | \$3,571,800 | \$900,000 | \$900,000 | |
| | TOTAL CIP | \$14,996,200 | \$3,285,000 | \$2,995,000 | |

**Monterey Peninsula Water Management District
Capital Asset Purchases
Fiscal Year 2020-2021 Budget**

| | <u>Division</u> | <u>Cost</u> | <u>Account Number</u> |
|---|-----------------|-----------------|---------------------------|
| <u>Capital Assets</u> | | | |
| Unit #10 Replacement Vehicle (Pool) | ASD | 33,000 | 99-02-914000 |
| Replacement Laptops Staff Use (Surface) | ASD | 3,900 | 99-02-916000 |
| AV-System Conference Room | ASD | 49,000 | 99-02-916000 |
| Server Refresh | ASD | 24,900 | 99-02-916000 |
| Workstation Refresh | ASD | 8,000 | 99-02-916000 |
| GIS Workstation Refresh | ASD | 2,000 | 99-02-916000 |
| Admin Building Backup Generator | ASD | 70,000 | 99-02-918000 |
| Large/Wide Monitors | WDD | 1,500 | 26-05-916000 |
| Ford F150 4x4 Truck (Weir Program) | ERD | 25,000 | 24-04-914000 |
| Surface Tablet - Sleepy Hollow Operations (1) | ERD | 1,500 | 24-04-916000 |
| iPad - Sleepy Hollow Operations (2) | ERD | 1,200 | 24-04-916000 |
| Total Capital Assets | | <hr/> \$220,000 | |

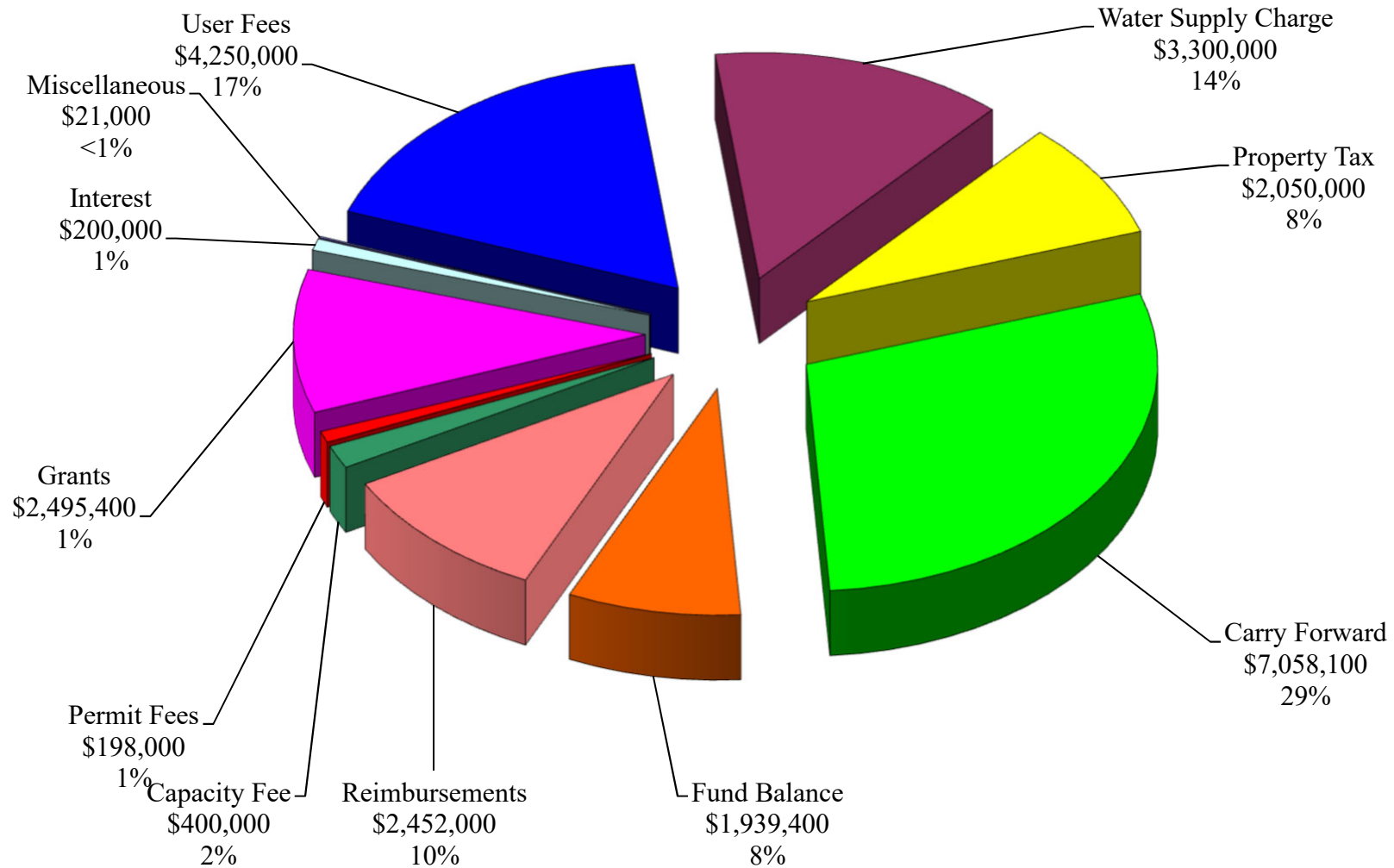
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
CAPITAL ASSET REPLACEMENT/REPAIR SCHEDULE
FISCAL YEAR 2020-2021 BUDGET

| <u>Item</u> | <u>Asset Cost</u> | <u>Asset In Service (Year)</u> | <u>Replace In Fiscal Year</u> | <u>Years to Purchase</u> | <u>Prior Years Accrual</u> | <u>Balance Left to Accrue</u> | <u>Accrual This Fiscal Year</u> | <u>Current Year Use</u> | <u>Accrual Balance</u> | <u>Remarks</u> |
|--------------------------------------|-----------------------|------------------------------------|-----------------------------------|------------------------------|--------------------------------|-----------------------------------|-------------------------------------|-----------------------------|----------------------------|----------------------------------|
| Board Room A/V Equipment | \$50,000 | | 2020-2021 | 10 | \$0 | \$50,000 | \$4,500 | \$0 | \$4,500 | A/V Equipment |
| 1/2 Ton Pickup | \$25,000 | | 2020-2021 | 0 | \$0 | \$25,000 | \$0 | \$0 | \$0 | Fishries Division (WEIR Project) |
| 1/2 Ton Pickup | \$33,000 | | 2020-2021 | 0 | \$31,500 | \$1,500 | \$1,500 | (\$33,000) | \$0 | Unit 10, '95 F150 |
| Information System | \$60,000 | 2006-2008 | 2020-2021 | 5 | \$35,100 | \$24,900 | \$4,200 | (\$24,900) | \$14,400 | In Service 06/08 |
| 1 Ton Pickup | \$50,000 | | 2021-2022 | 1 | \$48,100 | \$1,900 | \$1,000 | \$0 | \$49,100 | Unit 3, '97 3500 D 4x4 |
| Harris Court A/C Unit #2 (Ruud 5-tor | \$13,500 | 2019-2020 | 2034-2035 | 15 | \$800 | \$12,700 | \$800 | \$0 | \$1,600 | Air Conditioner |
| 1/2 Ton Pickup | \$30,000 | | 2021-2022 | 1 | \$28,400 | \$1,600 | \$800 | \$0 | \$29,200 | Unit 1, '03 Ram 1500 |
| 3/4 Ton Pickup | \$35,000 | | 2021-2022 | 1 | \$33,300 | \$1,700 | \$900 | \$0 | \$34,200 | Unit 9, '03 Ram 2500 |
| 3/4 Ton Pickup | \$40,000 | | 2021-2022 | 1 | \$38,000 | \$2,000 | \$1,000 | \$0 | \$39,000 | Unit 8, '05 F250 D |
| Orthoimagery | \$33,000 | | 2021-2022 | 1 | \$33,000 | \$0 | \$0 | \$0 | \$33,000 | Updated 10/08 |
| 1 Ton Pickup | \$50,000 | | 2021-2022 | 1 | \$46,700 | \$3,300 | \$1,700 | \$0 | \$48,400 | Unit 11, '03 Ram D 3500 |
| Ford Escape | \$25,000 | | 2021-2022 | 1 | \$23,300 | \$1,700 | \$900 | \$0 | \$24,200 | Unit 14, '09 Ford Escape |
| Chipper | \$25,000 | | 2021-2022 | 1 | \$23,300 | \$1,700 | \$900 | \$0 | \$24,200 | Chipper (P&E Dept) |
| Harris Court A/C Unit #3 | \$15,000 | 2000-2001 | 2021-2022 | 1 | \$14,000 | \$1,000 | \$500 | \$0 | \$14,500 | Air Conditioner |
| Multifunction Plotter/Scanner | \$25,000 | | 2022-2023 | 2 | \$20,000 | \$5,000 | \$1,700 | \$0 | \$21,700 | Replace 2 separate units |
| 1/2 Ton Pickup | \$30,000 | | 2022-2023 | 2 | \$25,100 | \$4,900 | \$1,600 | \$0 | \$26,700 | Unit 7, '14 F150 4x4 |
| Honda Insight | \$25,000 | | 2022-2023 | 2 | \$19,300 | \$5,700 | \$1,900 | \$0 | \$21,200 | Unit 5, '10 Honda Insight Hybrid |
| 1/2 Ton Pickup | \$34,500 | | 2022-2023 | 2 | \$26,800 | \$7,700 | \$2,600 | \$0 | \$29,400 | Unit 4, '99 F150 4x4 |
| Harris Court A/C Unit #4 | \$15,000 | 2000-2001 | 2022-2023 | 2 | \$11,600 | \$3,400 | \$1,100 | \$0 | \$12,700 | Air Conditioner |
| 1 Ton Pickup (Dump/Auto-Crane) | \$66,000 | 2015-2016 | 2023-2024 | 3 | \$41,600 | \$24,400 | \$6,100 | \$0 | \$47,700 | Unit 6, '96 F350 D 4x4 |
| Harris Court A/C Unit #5 | \$15,000 | 2000-2001 | 2023-2024 | 3 | \$9,800 | \$5,200 | \$1,300 | \$0 | \$11,100 | Air Conditioner |
| Chevy Bolt EV | \$40,000 | 2016-2017 | 2024-2025 | 4 | \$19,500 | \$20,500 | \$4,100 | \$0 | \$23,600 | Unit 17-01, 2017 Chevy Bolt EV |
| Chevy Bolt EV | \$40,000 | 2016-2017 | 2024-2025 | 4 | \$19,500 | \$20,500 | \$4,100 | \$0 | \$23,600 | Unit 17-02, 2017 Chevy Bolt EV |
| Telephone System | \$15,000 | 2018-2019 | 2024-2025 | 4 | \$2,500 | \$12,500 | \$2,500 | \$0 | \$5,000 | Avaya Phone System |
| Harris Court A/C Unit #1 (York 3-ton | \$15,000 | 2015-2016 | 2030-2031 | 10 | \$5,200 | \$9,800 | \$900 | \$0 | \$6,100 | Air Conditioner |
| 1/2 Ton Pickup (4 Door 4X4) | \$31,000 | 2017-2018 | 2028-2029 | 8 | \$11,600 | \$19,400 | \$2,200 | \$0 | \$13,800 | Unit 18-01 Pool Vehicle |
| Server Room Air Conditioner | \$10,000 | 2018-2019 | 2028-2029 | 8 | \$0 | \$10,000 | \$1,100 | \$0 | \$1,100 | Air Conditioner |
| Admin Bldg | \$1,781,000 | 2000 | 50 years | 30 | \$0 | \$1,781,000 | \$57,500 | \$0 | \$57,500 | Administration building |
| Sleepy Hollow Facility | \$1,803,000 | 2020-2021 | 50 years | 50 | \$0 | \$1,803,000 | \$35,400 | \$0 | \$35,400 | Sleepy Hollow upgraded facility |
| ASR Bldg 1/Wells 1 & 2 | \$4,173,000 | 2009-2010 | 50 years | 50 | \$0 | \$4,173,000 | \$81,800 | \$0 | \$81,800 | ASR 1st Building/Wells |
| ASR Bldg 2 | \$4,650,000 | 2020-2021 | 50 years | 50 | \$0 | \$4,650,000 | \$91,200 | \$0 | \$91,200 | ASR Treatment Facility Bldg |
| ASR Backflush | \$441,000 | 2018-2019 | 50 years | 50 | \$0 | \$441,000 | \$8,600 | \$0 | \$8,600 | ASR Backflush |
| Totals | \$13,694,000 | | | | \$568,000 | \$13,126,000 | \$324,400 | (\$57,900) | \$834,500 | |

REVENUE SUMMARY

Fiscal Year 2020-2021 Budget

\$24,421,800



**Monterey Peninsula Water Management District
Revenues Comparison by Year
Fiscal Year 2020-2021 Budget**

| | FY 2018-2019 <u>Revised</u> | FY 2019-2020 <u>Revised</u> | FY 2020-2021 <u>Proposed</u> | Change From <u>Previous Year</u> | Percentage <u>Change</u> |
|-----------------------------------|--------------------------------|--------------------------------|---------------------------------|-------------------------------------|-----------------------------|
| Property Taxes | \$1,950,000 | \$2,050,000 | \$2,050,000 | \$0 | 0.00% |
| Permit Fees - WDD | 175,000 | 175,000 | 150,000 | -25,000 | -14.29% |
| Permit Fees - WDS | 56,000 | 56,000 | 48,000 | -8,000 | -14.29% |
| Capacity Fee | 450,000 | 500,000 | 400,000 | -100,000 | -20.00% |
| User Fees | 4,500,000 | 5,000,000 | 4,250,000 | -750,000 | -15.00% |
| Water Supply Charge | 3,400,000 | 3,400,000 | 3,300,000 | -100,000 | -2.94% |
| Mitigation Revenue | 0 | 0 | 0 | 0 | 0.00% |
| Interest | 180,000 | 230,000 | 200,000 | -30,000 | -13.04% |
| Other | 15,000 | 15,000 | 15,000 | 0 | 0.00% |
| Subtotal District Revenues | 10,726,000 | 11,426,000 | 10,413,000 | -1,013,000 | -8.87% |
| Reimbursements - CAW | \$1,506,600 | \$1,499,700 | \$1,754,700 | \$255,000 | 17.00% |
| Reimbursements - Reclamation Tank | \$0 | \$0 | 500,000 | \$500,000 | 100.00% |
| Reimbursements - Watermaster | 54,600 | 35,000 | 35,000 | 0 | 0.00% |
| Reimbursements - Reclamation | 20,000 | 20,000 | 20,000 | 0 | 0.00% |
| Reimbursements - Other | 168,700 | 126,300 | 126,300 | 0 | 0.00% |
| Reimbursements - Recording Fees | 20,000 | 6,000 | 6,000 | 0 | 0.00% |
| Reimbursements - Legal Fees | 16,000 | 16,000 | 16,000 | 0 | 0.00% |
| Grants | 2,147,600 | 468,000 | 2,495,400 | 2,027,400 | 433.21% |
| Subtotal Reimbursements | 3,933,500 | 2,171,000 | 4,953,400 | 2,782,400 | 128.16% |
| Carry Forward From Prior Year | 2,143,500 | 2,314,300 | 7,058,100 | 4,743,800 | 204.98% |
| From Capital Reserve | 0 | 28,500 | 57,900 | 29,400 | 103.16% |
| From Fund Balance | 0 | 5,848,450 | 1,939,400 | -3,909,050 | -66.84% |
| Other Financing Sources: | 0 | 0 | 0 | 0 | 0.00% |
| Transfers In | 1,800,000 | 250,000 | 724,150 | 474,150 | 189.66% |
| Transfers Out | -1,800,000 | -250,000 | -724,150 | -474,150 | 189.66% |
| Revenue Totals | \$16,803,000 | \$21,788,250 | \$24,421,800 | \$2,633,550 | 12.09% |

**Monterey Peninsula Water Management District
Revenues by Operating Fund
Fiscal Year 2020-2021 Budget**

| | <u>Mitigation</u> | <u>Water Supply</u> | <u>Conservation</u> | <u>Total</u> |
|-----------------------------------|-------------------|-------------------------|---------------------|--------------|
| Property Taxes | \$0 | \$2,050,000 | \$0 | \$2,050,000 |
| Permit Fees - WDD | 0 | 0 | 150,000 | 150,000 |
| Permit Fees - WDS | 0 | 0 | 48,000 | 48,000 |
| Capacity Fee | 0 | 400,000 | 0 | 400,000 |
| User Fees | 2,620,000 | 610,000 | 1,020,000 | 4,250,000 |
| Water Supply Charge | 0 | 3,300,000 | 0 | 3,300,000 |
| Mitigation Revenue | 0 | 0 | 0 | 0 |
| Interest | 50,000 | 100,000 | 50,000 | 200,000 |
| Other | 5,000 | 5,000 | 5,000 | 15,000 |
| Subtotal District Revenues | 2,675,000 | 6,465,000 | 1,273,000 | 10,413,000 |
| Reimbursements - CAW | \$0 | \$1,054,700 | \$700,000 | \$1,754,700 |
| Reimbursements - Reclamation Tank | 0 | 500,000 | 0 | 500,000 |
| Reimbursements - Watermaster | 0 | 35,000 | 0 | 35,000 |
| Reimbursements - Reclamation | 0 | 20,000 | 0 | 20,000 |
| Reimbursements - Other | 64,300 | 36,000 | 26,000 | 126,300 |
| Reimbursements - Recording Fees | 0 | 0 | 6,000 | 6,000 |
| Reimbursements - Legal Fees | 0 | 0 | 16,000 | 16,000 |
| Grants | 2,450,400 | 0 | 45,000 | 2,495,400 |
| Subtotal Reimbursements | 2,514,700 | 1,645,700 | 793,000 | 4,953,400 |
| Carry Forward From Prior Year | 685,600 | 6,053,800 | 318,700 | 7,058,100 |
| From Capital Reserve | 23,700 | 19,100 | 15,100 | 57,900 |
| From Fund Balance | 0 | 1,939,400 | 0 | 1,939,400 |
| Other Financing Sources: | 0 | 0 | 0 | 0 |
| Transfers In | 291,750 | 0 | 432,400 | 724,150 |
| Transfers Out | 0 | -724,150 | 0 | -724,150 |
| Revenue Totals | \$6,190,750 | \$15,398,850 | \$2,832,200 | \$24,421,800 |

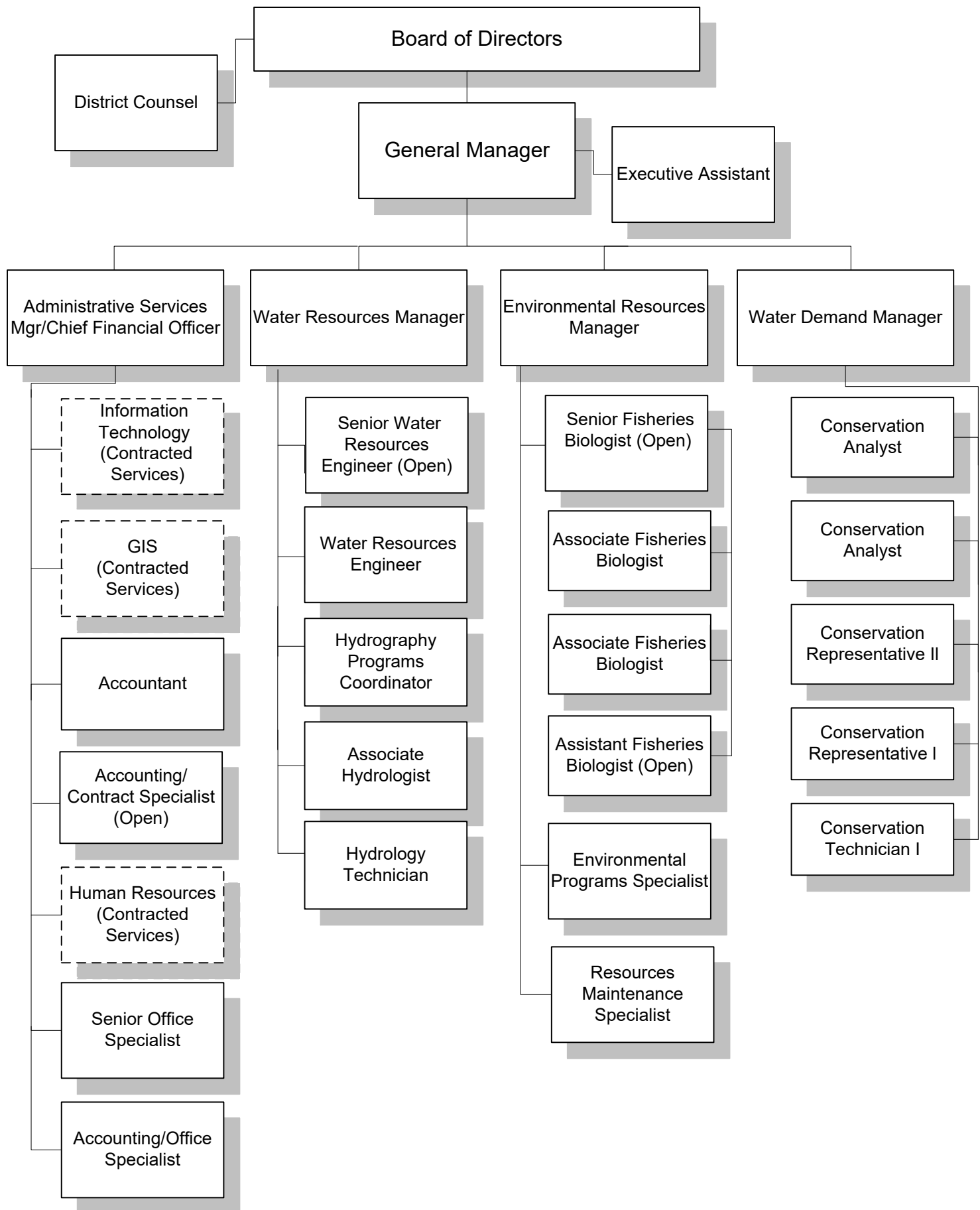
**Monterey Peninsula Water Management District
Reimbursable Amounts & Grants
Fiscal Year 2020-2021 Budget**

| <u>Reimbursement Source</u> | <u>Amount</u> |
|---|--------------------|
| CAW - ASR 1 Operation | 1,017,000 |
| CAW - ASR 2 Operation | 37,700 |
| CAW - Conservation Rebates | 700,000 |
| Watermaster | 35,000 |
| Reclamation Project (labor & legal) | 20,000 |
| Reclamation Project (Tank Rehab) | 500,000 |
| Grants - Sleepy Hollow Intake Upgrade (Coastal Conservancy) | 95,000 |
| Grants - DAC Needs Assesment (Prop 1 Funds) | 38,300 |
| Grants - DAC Install (Prop 1 Funds) | 45,000 |
| Grants - IRWM Implementation | 2,317,100 |
| Direct Bill - Deed Restriction | 6,000 |
| Direct Bill - Legal Reimbursement | 16,000 |
| CAW/M1W Reimbursements | 36,000 |
| Direct Bill - WDS Permitting, Hydrogeologic Analysis, etc. | 26,000 |
| NOAA/NMFS | 64,300 |
| Total Reimbursements | <u>\$4,953,400</u> |

Monterey Peninsula Water Management District
Analysis of Reserves
Fiscal Year 2020-2021 Budget

| <u>Estimated Reserves as of 06/30/2020</u> | <u>Mitigation</u> <u>Fund</u> | <u>Water Supply</u> <u>Fund</u> | <u>Conservation</u> <u>Fund</u> | <u>Totals</u> |
|--|----------------------------------|------------------------------------|------------------------------------|---------------|
| Prepaid Expenses | \$0 | \$0 | \$0 | \$0 |
| Litigation/Insurance Reserve | 66,740 | 171,354 | 11,906 | 250,000 |
| Capital Reserve | 387,601 | 63,666 | 101,733 | 553,000 |
| Flood/Drought Reserve | 328,944 | 0 | 0 | 328,944 |
| Debt Reserve | 0 | 222,098 | 0 | 222,098 |
| Pension Reserve | 81,000 | 65,000 | 54,000 | 200,000 |
| OPEB Reserve | 81,000 | 65,000 | 54,000 | 200,000 |
| Mechanics Bank Reserve | 0 | 0 | 0 | 0 |
| General Operating Reserve | 3,793,034 | 2,306,088 | 3,578,075 | 9,677,197 |
| Reserve Balance as of 06/30/2020 | \$4,738,319 | \$2,893,206 | \$3,799,714 | \$11,431,239 |
| <u>Litigation/Insurance Reserve Analysis</u> | | | | |
| 06/30/2020 Balance (above) | \$66,740 | \$171,354 | \$11,906 | \$250,000 |
| Fiscal Year 2020-2021 Budgeted | 0 | 0 | 0 | 0 |
| 06/30/2021 Budgeted Balance | \$66,740 | \$171,354 | \$11,906 | \$250,000 |
| <u>Capital Reserve Analysis</u> | | | | |
| 06/30/2020 Balance (above) | \$387,601 | \$63,666 | \$101,733 | \$553,000 |
| Fiscal Year 2020-2021 Budgeted | 265,650 | 31,850 | 26,900 | 324,400 |
| Fiscal Year 2020-2021 Use | (23,700) | (19,100) | (15,100) | (57,900) |
| 06/30/2021 Budgeted Balance | \$629,551 | \$76,416 | \$113,533 | \$819,500 |
| <u>Flood/Drought Reserve Analysis</u> | | | | |
| 06/30/2020 Balance (above) | \$328,944 | \$0 | \$0 | \$328,944 |
| Fiscal Year 2020-2021 Budgeted | 0 | 0 | 0 | 0 |
| 06/30/2021 Budgeted Balance | \$328,944 | \$0 | \$0 | \$328,944 |
| <u>Debt Reserve Analysis</u> | | | | |
| 06/30/2020 Balance (above) | \$0 | \$222,098 | \$0 | \$222,098 |
| Fiscal Year 2020-2021 Budgeted | 0 | 0 | 0 | 0 |
| 06/30/2021 Budgeted Balance | \$0 | \$222,098 | \$0 | \$222,098 |
| <u>Pension Reserve Analysis</u> | | | | |
| 06/30/2020 Balance (above) | \$81,000 | \$65,000 | \$54,000 | \$200,000 |
| Fiscal Year 2020-2021 Budgeted | 41,000 | 33,000 | 26,000 | 100,000 |
| 06/30/2021 Budgeted Balance | \$122,000 | \$98,000 | \$80,000 | \$300,000 |
| <u>OPEB Reserve Analysis</u> | | | | |
| 06/30/2020 Balance (above) | \$81,000 | \$65,000 | \$54,000 | \$200,000 |
| Fiscal Year 2020-2021 Budgeted | 41,000 | 33,000 | 26,000 | 100,000 |
| 06/30/2021 Budgeted Balance | \$122,000 | \$98,000 | \$80,000 | \$300,000 |
| <u>Mechanics Bank Reserve Analysis</u> | | | | |
| 06/30/2020 Balance (above) | \$0 | \$0 | \$0 | \$0 |
| Fiscal Year 2020-2021 Budgeted | 0 | 500,000 | 0 | 500,000 |
| 06/30/2021 Budgeted Balance | \$0 | \$500,000 | \$0 | \$500,000 |
| <u>General Operating Reserve Analysis</u> | | | | |
| 06/30/2020 Balance (above) | \$3,793,034 | \$2,306,088 | \$3,578,075 | \$9,677,197 |
| Fiscal Year 2020-2021 Budgeted | 0 | 500,000 | 0 | 500,000 |
| Fiscal Year 2020-2021 Use | 0 | (1,439,400) | 0 | (1,439,400) |
| Fiscal Year 2020-2021 Transfer | | (500,000) | | (500,000) |
| 06/30/2021 Budgeted Balance | \$3,793,034 | \$866,688 | \$3,578,075 | \$8,237,797 |
| Budgeted Reserves as of 06/30/2021 | \$5,062,269 | \$2,032,556 | \$3,863,514 | \$10,958,339 |

Monterey Peninsula Water Management District



Monterey Peninsula Water Management District
Division Budget
Fiscal Year 2020-2021 Budget

General Manager's Office

The General Manager's Office activities include strategic planning, oversight of divisional activities and execution, public outreach, coordination and oversight of budget and financial activities, management of the District's legal strategies, support for the Board of Directors and Committees. Priorities for the past and next fiscal year include development of a secure and reliable revenue stream and implementation of permanent water supply resources.

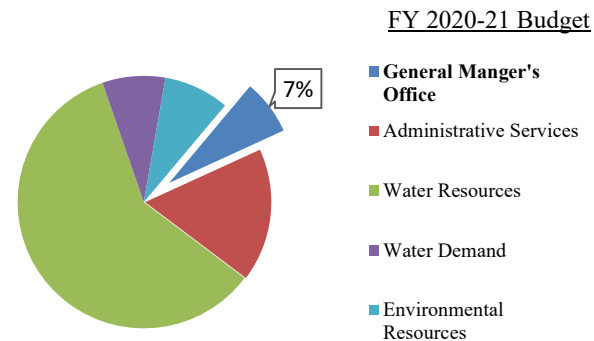
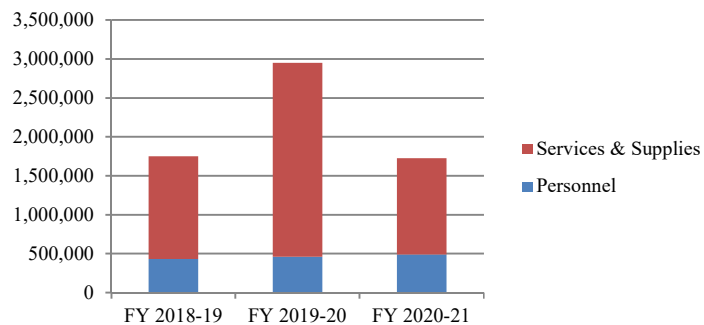
The services provided include general management of District activities on a day-to-day basis, strategic planning, program and activity evaluation, staff meetings and evaluations, meeting with jurisdictions and interest groups, regular interaction and direction with financial personnel, regular interaction and review of performance of District legal team, coordination of Board schedule and activities, preparation of Board packages and minutes.

| Classification | FY 2018-19 Revised | FY 2019-20 Revised | FY 2020-21 Proposed | FY 2020-21 Change |
|--------------------------------------|-----------------------|-----------------------|------------------------|----------------------|
| General Manager | 1 | 1 | 1 | 0 |
| Executive Assistant | 1 | 1 | 1 | 0 |
| Community Relations Liaison | 0 | 0 | 0 | 0 |
| TOTAL POSITIONS | 2 | 2 | 2 | 0 |
| TOTAL DISTRICT-WIDE POSITIONS | 27.5 | 28.5 | 28 | -0.5 |

Monterey Peninsula Water Management District
Division Budget
Fiscal Year 2020-2021 Budget

General Manager's Office

| | FY 2018-19 Revised | FY 2019-20 Revised | FY 2020-21 Proposed | FY 2020-21 Change |
|----------------------------------|-----------------------|-----------------------|------------------------|----------------------|
| <u>Personnel</u> | | | | |
| Salaries | \$303,800 | \$311,600 | \$316,700 | \$5,100 |
| Retirement | 71,500 | 92,700 | 110,600 | 17,900 |
| Unemployment Compensation | 0 | 0 | 0 | - |
| Auto Allowance | 6,000 | 6,000 | 6,000 | - |
| Deferred Compensation | 9,100 | 9,400 | 9,400 | - |
| Temporary Personnel | 0 | 0 | 0 | - |
| Workers' Comp. | 1,500 | 1,800 | 2,200 | 400 |
| Employee Insurance | 29,200 | 30,800 | 32,400 | 1,600 |
| Medicare & FICA Taxes | 4,400 | 4,600 | 4,800 | 200 |
| Personnel Recruitment | 0 | 0 | 0 | - |
| Pre-Employment Physicals | 0 | 0 | 0 | - |
| Staff Development | 4,900 | 5,100 | 7,300 | 2,200 |
| Sub-total Personnel Costs | 430,400 | 462,000 | 489,400 | 27,400 |
| <u>Services & Supplies</u> | | | | |
| Services & Supplies | 236,800 | 238,300 | 247,300 | 9,000 |
| Fixed Assets | - | - | - | - |
| Project Expenditures | 1,085,000 | 2,250,000 | 987,000 | (1,263,000) |
| Debt Service | - | - | - | - |
| Election Expense | - | - | - | - |
| Contingency | - | - | - | - |
| Sub-total | 1,321,800 | 2,488,300 | 1,234,300 | (1,254,000) |
| TOTAL EXPENDITURES | 1,752,200 | 2,950,300 | 1,723,700 | (1,199,200) |



Monterey Peninsula Water Management District
Division Budget
Fiscal Year 2020-2021 Budget

Administrative Services

The Administrative Services Department activities include revenue and debt management, procurement, payroll, safety, risk management, human resources, records management, rules and regulations updates and distribution, building services and repairs, administrative support for the Board of Directors, administrative work in support of District-wide program and activities, and information technology services.

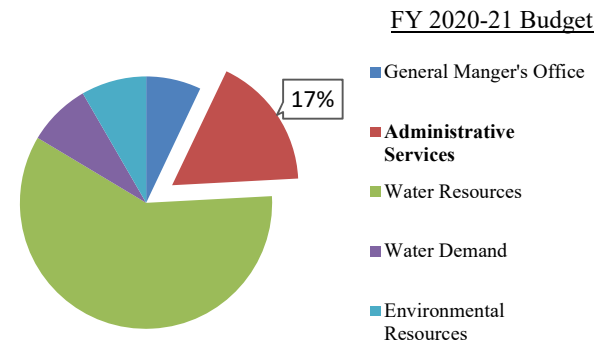
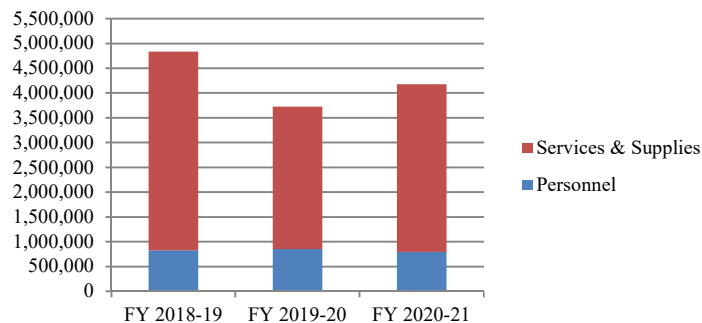
The services provided include cash and investment management, day-to-day accounting operations for the District and Pebble Beach Reclamation Project, internal and external financial reporting, grant administration, debt administration, overseeing District's financial obligations, management of assets, payroll administration, acquisition and payment of all goods and services, financial aspect of risk management, administering safety training programs, accident investigation, recruitment, selection, development and maintenance of personnel policies and procedures, employee development/training, employee recognition, legal issues and labor relations activities, and fulfilling public records requests. Additional services provided are the administration of benefit programs, overseeing workers compensation and ensuring compliance with DMV requirements. This department also maintains the District wide records management program, the repair & maintenance and improvements of the District's information and communication technology systems.

| Classification | FY 2018-19 Revised | FY 2019-20 Revised | FY 2020-21 Proposed | FY 2020-21 Change |
|---|-----------------------|-----------------------|------------------------|----------------------|
| Administrative Services Manager/CFO | 1 | 1 | 1 | 0 |
| Information Technology Manager (contracted) | 1 | 1 | 0.5 | 0.5 |
| GIS Specialist (Contracted) | 1 | 0.5 | 0.5 | 0 |
| Accountant | 1 | 1 | 1 | 0 |
| Human Resources Analyst (Contracted) | 1 | 0.5 | 0.5 | 0 |
| Senior Office Specialist | 1 | 1 | 1 | 0 |
| Accounting/Office Specialist | 1 | 1 | 1 | 0 |
| TOTAL POSITIONS | 7 | 6 | 5.5 | -0.5 |
| TOTAL DISTRICT-WIDE POSITIONS | 27.5 | 28.5 | 28 | -0.5 |

Monterey Peninsula Water Management District
Division Budget
Fiscal Year 2020-2021 Budget

Administrative Services

| | FY 2018-19 Revised | FY 2019-20 Revised | FY 2020-21 Proposed | FY 2020-21 Change |
|----------------------------------|-----------------------|-----------------------|------------------------|----------------------|
| <u>Personnel</u> | | | | |
| Salaries | \$479,800 | \$490,300 | \$422,700 | (\$67,600) |
| Retirement | 92,200 | 112,300 | 100,300 | (12,000) |
| Unemployment Compensation | 3,000 | 3,000 | 3,000 | - |
| Auto Allowance | 0 | 0 | 0 | - |
| Deferred Compensation | 0 | 0 | 0 | - |
| Temporary Personnel | 73,000 | 55,100 | 50,000 | (5,100) |
| Workers' Comp. | 2,100 | 3,000 | 3,000 | - |
| Employee Insurance | 152,500 | 166,500 | 199,200 | 32,700 |
| Medicare & FICA Taxes | 10,100 | 10,700 | 9,100 | (1,600) |
| Other Benefits | 1,500 | 1,500 | 1,500 | - |
| Personnel Recruitment | 3,000 | 3,000 | 3,000 | - |
| Staff Development | 10,000 | 5,500 | 5,500 | - |
| Sub-total Personnel Costs | 827,200 | 850,900 | 797,300 | (53,600) |
| <u>Services & Supplies</u> | | | | |
| Services & Supplies | 1,011,000 | 1,093,700 | 1,163,000 | 69,300 |
| Fixed Assets | 569,500 | 186,400 | 190,800 | 4,400 |
| Project Expenditures | - | 1,000,000 | - | (1,000,000) |
| Debt Service | 230,000 | 230,000 | 230,000 | - |
| Election Expense | 160,000 | - | 200,000 | 200,000 |
| Reserves | 1,962,000 | 292,850 | 1,524,400 | 1,231,550 |
| Contingency | 75,000 | 70,000 | 70,000 | - |
| Sub-total | 4,007,500 | 2,872,950 | 3,378,200 | 505,250 |
| TOTAL EXPENDITURES | 4,834,700 | 3,723,850 | 4,175,500 | 398,050 |



Monterey Peninsula Water Management District
Division Budget
Fiscal Year 2020-2021 Budget

Water Resources

The Planning and Engineering Division activities include review and investigation of proposed water supply projects, evaluation of proposed Carmel River water rights decisions, preservation of existing District water rights, coordination of Water Distribution System permits, implementation of portions of the Carmel River Mitigation Program, and coordination of water resource management throughout the District.

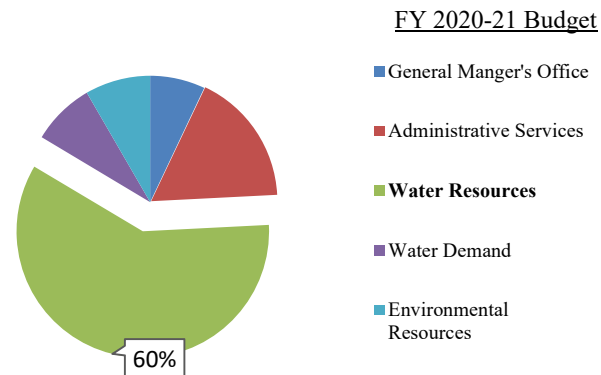
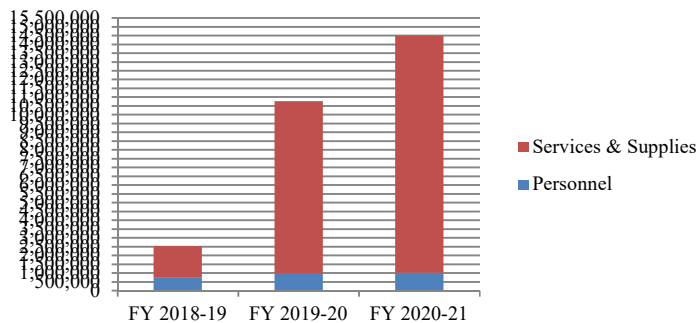
- Water Supply – Analysis of impacts and benefits of proposed water supply projects; review and completion of environmental compliance documents under the California Environmental Quality Act and National Environmental Policy Act); completion of Engineer’s Reports;
- Water Rights – Coordinate District review of proposed Carmel River water rights issued by the State Water Resources Control Board; track and preserve existing District water rights; prepare applications for changes to District water rights;
- Water Distribution System (WDS) permits – Review and process applications for WDS permits; make determinations of level of review; coordinate staff, consultant, and District Counsel work on WDS permits; prepare findings; issue WDS permits;
- Carmel River Mitigation Program – Conduct Carmel River restoration projects, including problem assessment, design, bid preparation, permit acquisition, construction management, and project monitoring; install, operate, and maintain high-volume irrigation systems along 15 miles of the lower Carmel River; monitor and assess streamside conditions; provide technical assistance to river front property owners; determine erosion potential; enforce District rules for the Carmel River; assist the Water Resources Division with steelhead rescues and Sleepy Hollow Steelhead Rearing Facility operations; provide technical analysis and advice to agencies responsible for Carmel River lagoon management;
- Integrated Regional Water Management (IRWM) – facilitate the development and implementation of a comprehensive IRWM Plan for the Monterey Peninsula region, including projects involving Carmel River resources, groundwater, recycled water, desalination, stormwater, flood control, ecosystem restoration, water conservation, and public recreation; conduct stakeholder outreach; prepare grant applications for specific projects; administer grant funds on behalf of the District and local area project proponents.

| Classification | FY 2018-19 Revised | FY 2019-20 Revised | FY 2020-21 Proposed | FY 2020-21 Change |
|--|-----------------------|-----------------------|------------------------|----------------------|
| Water Resources Manager | 1 | 1 | 1 | 0 |
| Project Manager | 1 | 0 | 0 | 0 |
| Hydrography Programs Coordinator | 1 | 1 | 1 | 0 |
| Associate Hydrologist | 1 | 1 | 1 | 0 |
| Hydrology Technician | 0 | 1 | 1 | 0 |
| Riparian Projects Coordinator (transferred to ERD) | 1 | 0 | 0 | 0 |
| Senior Water Resources Engineer | 0 | 1 | 1 | 0 |
| Water Resources Engineer | 0 | 1 | 1 | 0 |
| TOTAL POSITIONS | 5 | 6 | 6 | 0 |
| TOTAL DISTRICT-WIDE POSITIONS | 27.5 | 28.5 | 28 | -0.5 |

Monterey Peninsula Water Management District
Division Budget
Fiscal Year 2020-2021 Budget

Water Resources

| | FY 2018-19 Revised | FY 2019-20 Revised | FY 2020-21 Proposed | FY 2020-21 Change |
|----------------------------------|-----------------------|-----------------------|------------------------|----------------------|
| <u>Personnel</u> | | | | |
| Salaries | \$530,100 | \$712,100 | \$720,700 | \$8,600 |
| Retirement | 94,600 | 125,900 | 155,300 | 29,400 |
| Unemployment Compensation | 0 | 0 | 0 | - |
| Auto Allowance | 0 | 0 | 0 | - |
| Deferred Compensation | 0 | 0 | 0 | - |
| Temporary Personnel | 0 | 0 | 0 | - |
| Workers' Comp. | 20,100 | 33,800 | 42,100 | 8,300 |
| Employee Insurance | 70,500 | 89,500 | 86,700 | (2,800) |
| Medicare & FICA Taxes | 8,700 | 14,800 | 15,400 | 600 |
| Personnel Recruitment | 0 | 0 | 0 | - |
| Pre-Employment Physicals | | | | - |
| Staff Development | 4,400 | 4,800 | 4,200 | (600) |
| Sub-total Personnel Costs | 728,400 | 980,900 | 1,024,400 | 43,500 |
| <u>Services & Supplies</u> | | | | |
| Services & Supplies | 22,400 | 31,200 | 32,600 | 1,400 |
| Fixed Assets | - | - | - | - |
| Project Expenditures | 1,783,000 | 9,761,100 | 13,452,900 | 3,691,800 |
| Debt Service | | | | - |
| Election Expense | | | | - |
| Contingency | | | | - |
| Sub-total | 1,805,400 | 9,792,300 | 13,485,500 | 3,693,200 |
| TOTAL EXPENDITURES | 2,533,800 | 10,773,200 | 14,509,900 | 3,780,200 |



Monterey Peninsula Water Management District
Division Budget
Fiscal Year 2020-2021 Budget

Water Demand

The Water Demand Division provides information and programs to achieve efficient water use and maximize available supplies. This is achieved through community education and outreach, development of incentives and training programs, and by implementing and enforcing permitting and conservation regulations, thereby reducing the community's need for potable water. The Water Demand Division strives to provide responsive and accurate customer service that exceeds the expectations of the people we serve.

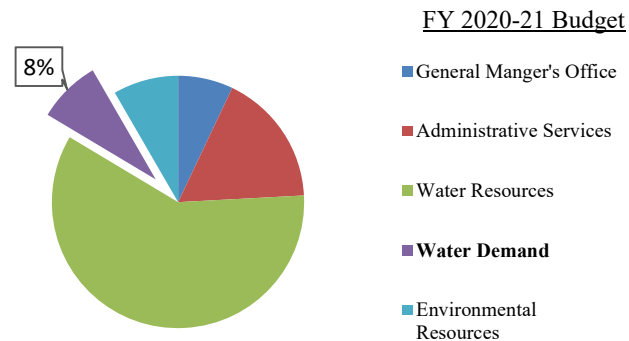
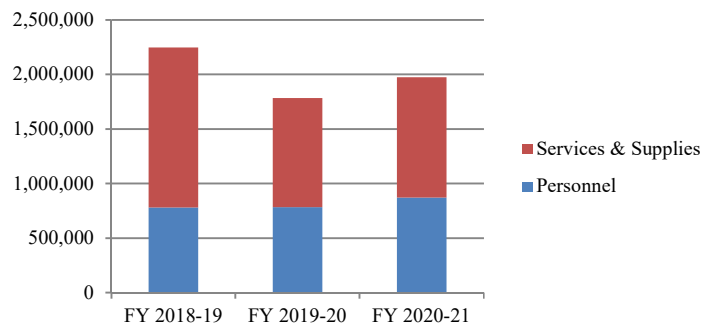
Services include customer service related to permit review and processing, conservation program administration and reporting, site visits and inspections, water waste and rationing enforcement, rebate program administration, and data management and data systems design related to demand management. Other services include project and program coordination and training with eight local cities and county, local water purveyors, local and statewide agencies, builders, contractors, architects, Realtors and others. The Water Demand Division also reviews projects for environmental compliance related to water supply, collaborates with jurisdictions to develop and track efficiency standards and conditions for development projects, assists with ratemaking and proposes policies and programs to encourage and promote indoor and outdoor water efficiency, conservation, reuse, alternative water sources, and non-residential best management practices.

| Classification | FY 2018-19 Revised | FY 2019-20 Revised | FY 2020-21 Proposed | FY 2020-21 Change |
|--------------------------------------|-----------------------|-----------------------|------------------------|----------------------|
| Water Demand Manager | 1 | 1 | 1 | 0 |
| Conservation Analyst | 0 | 2 | 2 | 0 |
| Conservation Representative II | 2 | 0 | 0 | 0 |
| Conservation Representative I | 2 | 2 | 2 | 0 |
| Conservation Technician II | 1 | 1 | 1 | 0 |
| Data Entry (temporary) | 1 | 1 | 1 | 0 |
| TOTAL POSITIONS | 7 | 7 | 7 | 0 |
| TOTAL DISTRICT-WIDE POSITIONS | 27.5 | 28.5 | 28 | -0.5 |

Monterey Peninsula Water Management District
Division Budget
Fiscal Year 2020-2021 Budget

Water Demand

| | FY 2018-19 Revised | FY 2019-20 Revised | FY 2020-21 Proposed | FY 2020-21 Change |
|----------------------------------|-----------------------|-----------------------|------------------------|----------------------|
| <u>Personnel</u> | | | | |
| Salaries | \$568,300 | \$561,400 | \$612,700 | \$51,300 |
| Retirement | 107,200 | 115,000 | 143,900 | 28,900 |
| Unemployment Compensation | 0 | 0 | 0 | - |
| Auto Allowance | 0 | 0 | 0 | - |
| Deferred Compensation | 0 | 0 | 0 | - |
| Temporary Personnel | 0 | 0 | 0 | - |
| Workers' Comp. | 2,400 | 3,000 | 4,100 | 1,100 |
| Employee Insurance | 83,900 | 88,800 | 93,900 | 5,100 |
| Medicare & FICA Taxes | 8,300 | 8,200 | 9,000 | 800 |
| Personnel Recruitment | 0 | 0 | 0 | - |
| Pre-Employment Physicals | | | | - |
| Staff Development | 10,500 | 8,300 | 7,300 | (1,000) |
| Sub-total Personnel Costs | 780,600 | 784,700 | 870,900 | 86,200 |
| <u>Services & Supplies</u> | | | | |
| Services & Supplies | 39,100 | 31,500 | 27,300 | (4,200) |
| Fixed Assets | 5,000 | 2,500 | 1,500 | (1,000) |
| Project Expenditures | 1,423,100 | 965,000 | 1,075,000 | 110,000 |
| Debt Service | 0 | 0 | 0 | - |
| Election Expense | 0 | 0 | 0 | - |
| Contingency | 0 | 0 | 0 | - |
| Sub-total | 1,467,200 | 999,000 | 1,103,800 | 104,800 |
| TOTAL EXPENDITURES | 2,247,800 | 1,783,700 | 1,974,700 | 277,200 |



Monterey Peninsula Water Management District
Division Budget
Fiscal Year 2020-2021 Budget

Environmental Resources

The Water Resources Division (WRD) is comprised of two staff functionary units, the Hydrologic unit and the Fisheries unit. Program responsibilities and services provided include surface and groundwater data collection and reporting programs, fishery protection activities in the Carmel River basin, quarterly water supply strategies and budgets for Cal-Am's main and satellite water distribution systems, and the annual Carmel River Memorandum of Agreement among Cal-Am, CDFG and the District that governs reservoir releases to the lower Carmel River during the low-flow season. WRD staff coordinates closely with the Planning & Engineering and Water Demand Divisions on certain activities to more efficiently share internal staff resources and expertise.

Water Supply – Develop and implement plans for water supply augmentation projects; design, permit, construct, operate Seaside Basin ASR projects; analyze water supply project alternatives; operate water resources simulation models.

Fisheries Resource Program - Rescue stranded steelhead from the Carmel River; rear rescued fish at the Sleepy Hollow Rearing Facility (SHSRF); rescue downstream migrant smolts in spring and transport them to a holding facility or the ocean; prevent stranding of early fall and winter migrant juvenile steelhead; rescue steelhead kelts and transport them to a holding facility or the ocean; support future interagency captive brood-stock program for landlocked steelhead during successive years of drought; prepare designs, retain contractors and manage construction contracts for SHSRF projects.

Hydrologic Monitoring Program - Conduct: (a) precipitation monitoring, (b) streamflow monitoring, (c) reservoir and groundwater storage monitoring, (d) surface water and groundwater production monitoring, (e) surface water and groundwater quality monitoring, and (f) Carmel River lagoon water level, quality, bathymetric and habitat

Water Resources Management – Prepare quarterly water supply strategy budgets; participate in annual Carmel River Low Flow Memorandum of Agreement process; conduct monitoring and management functions as part of Seaside Basin Watermaster Monitoring & Management Plan; provide technical assistance and expert testimony on Cal-Am rate cases before the CPUC; prepare annual Mitigation Program reports.

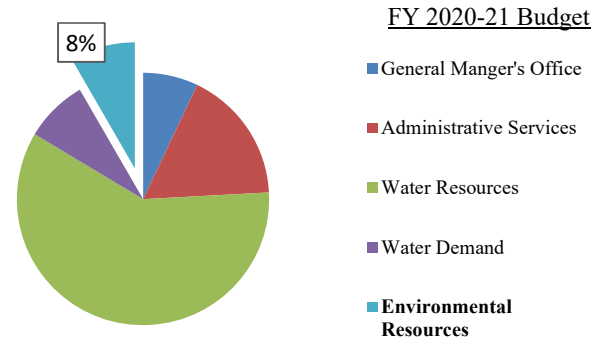
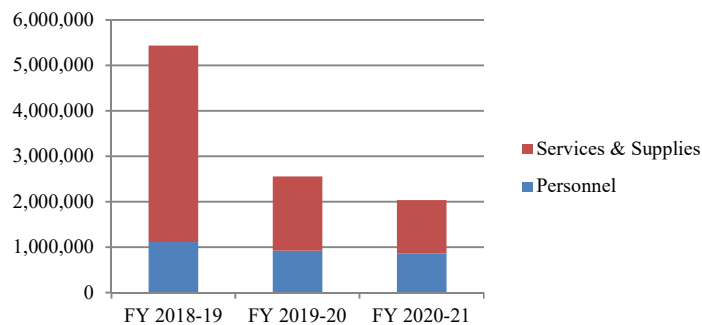
Water Use and Permitting – Collect, analyze and report data from approximately 1,000 wells and other sources for annual District-wide water production summary; coordinate with Planning & Engineering and Water Demand Divisions on Water Distribution System permitting.

| Classification | FY 2018-19 Revised | FY 2019-20 Revised | FY 2020-21 Proposed | FY 2020-21 Change |
|--|-----------------------|-----------------------|------------------------|----------------------|
| Environmental Resources Manager | 1 | 1 | 1 | 0 |
| Senior Fisheries Biologist | 1 | 1 | 1 | 0 |
| Associate Fisheries Biologist | 1 | 1 | 1 | 0 |
| Associate Fisheries Biologist | 1 | 1 | 1 | 0 |
| Assistant Fisheries Biologist | 0 | 1 | 1 | 0 |
| Environmental Programs Specialist | 1 | 1 | 1 | 0 |
| Resources Maintenance Specialist | 1 | 1 | 1 | 0 |
| Water Resources Assistant (limited term) | 0.5 | 0.5 | 0.5 | 0 |
| TOTAL POSITIONS | 6.5 | 7.5 | 7.5 | 0 |
| TOTAL DISTRICT-WIDE POSITIONS | 27.5 | 28.5 | 28 | -0.5 |

Monterey Peninsula Water Management District
Division Budget
Fiscal Year 2020-2021 Budget

Environmental Resources

| | FY 2018-19 Revised | FY 2019-20 Revised | FY 2020-21 Proposed | FY 2020-21 Change |
|----------------------------------|-----------------------|-----------------------|------------------------|----------------------|
| <u>Personnel</u> | | | | |
| Salaries | \$786,600 | \$629,200 | \$578,400 | (\$50,800) |
| Retirement | 163,400 | 142,600 | 137,300 | (5,300) |
| Unemployment Compensation | 0 | 0 | 0 | - |
| Auto Allowance | 0 | 0 | 0 | - |
| Deferred Compensation | 0 | 0 | 0 | - |
| Temporary Personnel | 0 | 0 | 0 | - |
| Workers' Comp. | 29,700 | 29,700 | 33,600 | 3,900 |
| Employee Insurance | 112,300 | 103,500 | 93,500 | (10,000) |
| Medicare & FICA Taxes | 13,100 | 10,800 | 8,500 | (2,300) |
| Personnel Recruitment | 0 | 0 | 0 | - |
| Pre-Employment Physicals | 0 | 0 | 0 | - |
| Staff Development | 4,800 | 4,800 | 5,400 | 600 |
| Sub-total Personnel Costs | 1,109,900 | 920,600 | 856,700 | (63,900) |
| <u>Services & Supplies</u> | | | | |
| Services & Supplies | 30,600 | 30,000 | 29,400 | (600) |
| Fixed Assets | 0 | 25,000 | 27,700 | 2,700 |
| Project Expenditures | 4,294,000 | 1,581,600 | 1,124,200 | (457,400) |
| Debt Service | 0 | 0 | 0 | - |
| Election Expense | 0 | 0 | 0 | - |
| Contingency | 0 | 0 | 0 | - |
| Sub-total | 4,324,600 | 1,636,600 | 1,181,300 | (455,300) |
| TOTAL EXPENDITURES | 5,434,500 | 2,557,200 | 2,038,000 | (583,100) |



BUDGET PROCESS CALENDAR

FISCAL YEAR 2020-2021

| <i>2020 Target Dates</i> | <i>Action</i> | <i>Responsibility</i> |
|-------------------------------------|---|------------------------------|
| April 28 | Budget Memorandum and Forms Distributed | Administrative Services |
| May 4 | Budget Request Forms Due to ASD | Division Managers |
| May 7 | Budget Review Session | Team Management |
| May 13 | Proposed Budget Presented to Board Budget Workshop | Board of Directors |
| June 15 | Board Adopts Budget Board Sets Appropriation Limit | Board of Directors |

Glossary

Article XIII (B):

Article XIII (B) is a section of the California State Constitution relating to the amount of a public entities tax revenues that may be expended in a given fiscal year. In the instance of the MPWMD, the article limits the amount of property tax revenue that may be spent in a fiscal year. It is calculated based upon the prior year's limit multiplied by a factor representing annual growth in population and consumer prices. The latter is furnished by the State Treasurer's Office. The calculation, required since the passage of Proposition 13 in 1978, is contained in each District budget and is identified as "Property Tax Appropriation."

Budget Assumptions:

The budget assumptions are generally accepted statements, which if untrue, would materially alter the financial planning and budget of the agency.

Capital Assets:

Capital assets are equipment and components that have a useful life greater than one year and with an initial, individual cost of more than \$1,000 for equipment and \$5,000 for facilities and improvements.

Contingency:

The contingency is a nominal amount budgeted for expenditure for unforeseen emergencies or special purposes requiring Board approval.

Designated Reserves:

Designated reserves are funds set aside by the Board for specific, restricted uses. Examples include capital equipment, litigation, flood/drought, and pre-paid expenses.

Expenditures:

Expenditures are associated with each operating fund, as well with each program category. Personnel costs, services and supplies, capital assets and project expenditures are the principal categories. A pie chart graphically shows percentages of expenditures by line item.

Fiscal Year:

The fiscal year is the twelve-month period beginning July 1 and ending June 30 of the following year. The District uses the fiscal year as the basis for reporting financial information a twelve-month accounting period.

General Operating Reserves:

General operating reserves are the balances in each operating fund of the District that remain after all budgeted expenses are paid. Normally, the general operating reserve balance is carried forward from one fiscal year to the next. The value is verified annually by the independent auditor and reported in the annual audit report.

Labor Allocation by Operating Funds:

The Labor Allocation by Operating Funds is a budget schedule that relates employee output to the three operating funds. It shows the output of each employee as a percentage of total time by

operating fund. This percentage is used throughout the budget as the basis of allocating general and administrative (overhead) costs to the operating funds.

Labor Allocation by Program Category:

The Labor Allocation by Program Category is a budget schedule that relates employee output to the budgeted program categories. It shows the output of each employee as a percentage of total time by program category. This percentage is used throughout the budget as the basis of allocating general and administrative (overhead) costs to the program categories.

Mitigation Revenue:

This is the revenue derived from the Agreement for Carmel River Mitigation Program between California American Water and Monterey Peninsula Water Management District.

Program Categories:

Program Categories are major service programs that have been identified. All expenditures, including labor costs, are allocated to each program category in order to identify what each program actually costs.

Project Expenditures:

The Summary of Project Expenditures is a listing of costs for the coming year that are projected as a result of specific projects and programs carried-out by the staff, consultants and contractors. Project expenditures do not include staff compensation for regular employees.

Reimbursement Revenues:

Reimbursement revenues are received from various sources and allocated to offset expenditures related to the revenue source. These reimbursements received by the District are for projects carried-out by the District. Some of these reimbursements include grants, Cal-Am Water Conservation & Rebate Program funds, ASR operations reimbursement, direct-billed reimbursements, etc. All of the reimbursement revenues collected within the fiscal year is related to the expenses in the same fiscal year.

Revenues:

Revenues are derived from various sources and allocated to each operating fund. Property taxes, permits fees, water connection charges, water supply charge, mitigation program revenue, user fees, interest on investments, reimbursements to the District for projects carried-out by the District and grants are the principal revenue sources. Revenues may include a portion of the prior-year fund balance used to offset expenditures. A pie chart graphically shows percentages of revenues according to source.

User Fees:

The User Fee is a percentage of Cal-Am ratepayers water bill that is collected and remitted by Cal-Am monthly. The proceeds of the User Fee have been used to support the District's environmental mitigation, conservation and rationing, water supply, and any other purposes.

Water Supply Charge:

The Water Supply Charge is a rate or charge that funds costs related to the provision of water. This annual charge raised by the District, 100% of which will support District water supply activities, including capital acquisition and operational costs for Aquifer Storage and Recovery, Groundwater Replenishment, and related water supply purposes for the general benefit of the District as a whole.

ITEM: ACTION ITEM**33. CONSIDER SENDING A LETTER TO THE CALIFORNIA COASTAL COMMISSION FOR CONSIDERATION OF THE MONTEREY PENINSULA WATER SUPPLY PROJECT****Meeting Date: June 15, 2020****Budgeted: N/A****From: David J. Stoldt
General Manager****Program/
Line Item No.: N/A****Prepared By: David J. Stoldt****Cost Estimate: N/A****General Counsel Approval: N/A****Committee Recommendation: At its June 1, 2020 meeting Water Supply Planning Committee voted 2-1 to recommend the Board send a letter in support of Pure Water Monterey expansion to the Coastal Commission****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378,**

SUMMARY: The California Coastal Commission (Commission) is expected to conduct a public hearing regarding issuance of a Coastal Development Permit for the Monterey Peninsula Water Supply Project (MPWSP) at its August 2020 meeting. This item asks the Board to consider sending a letter to the Commission in support of one of the following:

- The MPWSP as is,
- Pure Water Monterey expansion as a feasible alternative, with desalination reserved for future needs, or
- No letter.

At its June 1, 2020 meeting Water Supply Planning Committee voted 2-1 to recommend the Board send a letter in support of Pure Water Monterey expansion to the Coastal Commission.

RECOMMENDATION: The Board should consider whether or not to send a letter to the California Coastal Commission for consideration of the MPWSP, and if so what form such a letter should take.

EXHIBITS**33-A** Draft letter 1 to John Ainsworth**33-B** Draft letter 2 to John Ainsworth

EXHIBIT 33-A

DRAFT

June 15, 2020

Mr. John Ainsworth
Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105

Via email: John.Ainsworth@coastal.ca.gov

RE: Application No. 9-19-0918 and Appeal No. A-3-MRA-19-0034 (California American Water Company)

Dear Mr. Ainsworth:

On behalf of the Board of the Monterey Peninsula Water Management District, I am writing to encourage the California Coastal Commission to issue a Coastal Development Permit for California American Water Company's proposed desalination facility, as part of the Monterey Peninsula Water Supply Project.

Since 2012, the District has been a supporter of a desalination facility as part of an integrated portfolio of water supply projects. We see the proposed project, or a down-sized version of it, as an important part of that portfolio.

Thank you for your consideration of the District's position.

Sincerely,

The Board of Directors
Monterey Peninsula Water Management District

EXHIBIT 33-B

DRAFT

June 15, 2020

Mr. John Ainsworth
Executive Director
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105

Via email: John.Ainsworth@coastal.ca.gov

RE: Application No. 9-19-0918 and Appeal No. A-3-MRA-19-0034 (California American Water Company)

Dear Mr. Ainsworth:

On behalf of the Board of the Monterey Peninsula Water Management District, I am writing to encourage the California Coastal Commission to deny the Coastal Development Permit for California American Water Company's proposed desalination facility.

- Pure Water Monterey (PWM) expansion is a feasible alternative to the desalination facility. PWM is an advanced water purification facility that is already producing water for potable supply. The expansion could be constructed in approximately 20 months.
- PWM expansion has less adverse environmental impact than the proposed desalination facility, and no new construction in the coastal zone.
- PWM expansion is more than sufficient to lift the Cease and Desist Order in our community. Based on the most recent pumping and demand history, only approximately 800 acre-feet per year (afy) of new supply is required to do so – at 2,250 afy PWM expansion is more than sufficient.
- Based on the report titled "*Supply and Demand for Water on the Monterey Peninsula*" adopted by the District on May 18, 2020, PWM expansion provides a new water supply sufficient to meet the future needs of the Peninsula for the next 20 to 30 years.
- While both proposed water supply projects meet the current and future needs of the Peninsula, PWM expansion will save the ratepayers approximately \$1 billion compared to desalination over a 30-year lifecycle.

Mr. Ainsworth
Page 2 of 2
June 15, 2020

Desalination can be looked at for providing the next increment of water needed on the Peninsula, and perhaps regionally, somewhere down the road when additional supplies appear to be required.

Thank you for your consideration of the District's position.

Sincerely,

The Board of Directors
Monterey Peninsula Water Management District

ITEM: ACTION ITEM**34. BOARD REVIEW AND ACTION RELATED TO RECENT CORRESPONDENCE SENT TO MONTEREY ONE WATER****Meeting Date:** June 15, 2020 **Budgeted:** N/A**From:** David J. Stoldt
General Manager **Program/
Line Item No.:** N/A**Prepared By:** David J. Stoldt **Cost Estimate:** N/A**General Counsel Approval:** N/A**Committee Recommendation:** N/A**CEQA Compliance:** Action does not constitute a project as defined by the California Environmental Quality Act Guidelines section 15378.

SUMMARY: On April 27, 2020 the Monterey One Water (M1W) board chose to not certify the final SEIR for Pure Water Monterey Back-Up Expansion. At the same meeting, the M1W Board did not provide clear definition as to any area of deficiency or topic addressed in the SEIR that required further analysis. Subsequently, one of the District's directors asked to the District Board to set a meeting to discuss potential litigation to assert MPWMD's interests in connection with the unresolved status of the SEIR. The requested closed session was held on April 30, 2020. In accord with the MPWMD Board direction, and in an effort to settle the dispute without the need to file litigation, MPWMD sent a letter to the M1W by which the District respectfully requested M1W (a) identify specific deficiencies found in the SEIR, (b) remedy such deficiencies, and (c) return the SEIR back to its board for certification within 30 days. This letter was sent on May 1st at the direction of the Chair and in consultation with District Counsel.

Also on May 1, 2020 the same date the District letter was forwarded to M1W, Director Hoffmann independently authored and distributed his own letter to the M1W Board. His letter is attached as **Exhibit 34-A**. A M1W board member, Tom Moore, then responded to Mr. Hoffmann's letter. (Mr. Moore's response and a copy of a related email were distributed to the MPWMD District Board on Monday May 4th. *Note: highlighting in the letter was done by M1W board member Moore.*) District Chair Edwards and Vice-Chair Byrne instructed District General Counsel Laredo and General Manager Stoldt to draft and send a letter to the M1W Board to clarify that Director Hoffmann did not speak on behalf of the Board pursuant to limits set by MPWMD District Meeting Rule 6. The May 6, 2020 letter is attached as **Exhibit 34-B**.

Mr. Hoffmann's letter represented that it forwarded by him in his capacity as an MPWMD Board member. This deviates from the requirements of District Meeting Rule 6 which authorizes only the Chair, or another Board member designated by the Chair, or the General Manager to be the spokesperson for the District. District's Meeting Rule 6 is attached as **Exhibit 34-C**.

The Chair now requests this circumstance be presented to the full District Board for discussion and action, as may be desired.

Under this Action Item, the Board may review and consider action as appropriate related to (1) the May 1, 2020 communication sent by Director Hoffmann to board members of M1W, (2) the May 6, 2020 letter sent jointly by General Manager Stoldt and General Counsel Laredo District at the direction of the District Chair and Vice-Chair, (3) circumstances referenced in any of these communications, and (4) consequences that may result from these communications.

Options under discussion or action are for the Board to (i) take no action, (ii) provide additional direction to the General Manager and General Counsel, and/or (iii) provide direction to Director Hoffmann.

Robert's Rules of Order, Revised, provides guidance under the topic of The Right of a Deliberative Assembly to Punish its Members: "A deliberative assembly has the inherent right to make and enforce its own laws and punish an offender..." Robert's Rules the following option, among others:

Censure: Censure is an expression of strong disapproval or harsh criticism. It can be adopted without formal disciplinary procedures.

For the sale of completeness, Robert's Rules of Order, Revised, also references addition modes of punishment of members, but these consequences are not available to a member of the District Board for the reasons noted:

Fine: A member may be assessed a fine for not following a rule. For example, in a club, if a member is not wearing a name badge, that member may be charged a fine. *Fines may be assessed only if authorized in the bylaws of the organization, and the District Enabling Law provides no such authority.*

Suspension: A member may have a right, some rights, or all rights of membership suspended for a period of time. This action may result in a loss of "good standing" within the organization. *The Board may not suspend or refuse to count the vote of an elected member*

Removal from office: A member may be removed from office. For example, the president could be temporarily removed from presiding over a meeting using a suspension of the rules. Procedures to permanently remove members from office vary; some organizations allow removal only for cause, while in others, removal may be done at the pleasure of the membership. *California Law does not authorize a Board to remove an elected member from office. Only a court of law holds such power.*

Expulsion: A member may be expelled from the organization or assembly. *California Law does not authorize a Board to expel an elected member from office. Only a court of law holds such power.*

Some agencies also consider “no action” and or demand of an “apology” as potential actions less severe than a censure.

If action is to occur, the motion to censure is a main motion; it requires a second; it is debatable and is amendable. Subsidiary motions may be made. To be adopted, a quorum must be present and a majority vote is required to approve the motion. A member who is subject to censure may debate the censure measure, but cannot vote on the motion.

RECOMMENDATION: The Board should discuss these circumstances and may take action as it deems appropriate.

EXHIBITS

34-A May 1st Letter from Director Hoffmann to M1W Board

34-B May 6th Letter from General Manager and General Counsel to M1W Board

34-C District Meeting Rule 6

May 1, 2020

Mr. Ron Stefani, Chair
Board of Directors
Monterey One Water
5 Harris Court, Bldg. D
Monterey, CA 93940

Subject: Monterey Peninsula Water Management District Letter dated May 1, 2020

Dear Mr. Stefani/ Board Members:

It is my understanding that Monterey One Water received a letter purportedly from the Board of Directors of the Monterey Peninsula Water Management District (MPWMD) regarding the Disposition of the Final Supplemental EIR for the Pure Water Monterey Expansion project.

As a Board member of the MPWMD, I would like to offer my personal apology that a letter was sent to your Board that was not reviewed, considered, and approved by the MPWMD Board of Directors at any publicly noticed , Brown Act compliant public meeting prior to the transmittal. The public record clearly reflects these facts.

Rest assured that I will do everything that I can maintain and grow the collaborative partnership between MPWMD and Monterey One Water.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gary D. Hoffmann", with a long horizontal line extending to the right.

Gary D. Hoffmann, P.E.
Division 5 Director
MPWMD



May 6, 2020

Board of Directors
Monterey One Water
5 Harris Court, Bldg D
Monterey, CA 93940

Re: Correspondence to Monterey One Water Board from District Board Member

Dear Monterey One Water Board Members:

It has come to our attention that on May 1, 2020 you and your board members received a letter from Gary D. Hoffmann, a member of the Monterey Peninsula Water Management District board of directors.

Mr. Hoffmann represented his letter was forwarded as a District Board member, but please be advised District Meeting Rule 6 authorizes only the Chair, or another Board member designated by the Chair, or the General Manager to be the spokesperson for the District. Except as allowed by Rule 6, no other person is authorized to express District policy or positions. Mr. Hoffmann's letter was not authorized pursuant to Rule 6, accordingly his correspondence was only expressing his personal view, and he was writing as an individual, not authorized to represent the District or express a District position.

Sincerely,

A handwritten signature in blue ink, appearing to read "David J. Stoldt".

David J. Stoldt
General Manager
Monterey Peninsula Water Management District

A handwritten signature in blue ink, appearing to read "David C. Laredo".

David C. Laredo
General Counsel
Monterey Peninsula Water Management District



MEETING RULES
OF THE
MONTEREY PENINSULA
WATER MANAGEMENT DISTRICT

September 2019

RULE 6: SPOKESPERSON

Only the Chair, another Board member designated by the Chair, or the General Manager shall be the spokesperson for the District when expressing District policy and position. Public statements by Board Members in the name of the District shall be first reviewed and approved by the Board. Except for this circumstance, only the Chair, the General Manager, and employees designated by the General Manager shall sign correspondence on District stationery. Board Members shall clarify that they are speaking as an individual and not on behalf of the Board when they make oral or written statements regarding water matters.

ITEM: INFORMATIONAL ITEM/STAFF REPORT**35. REPORT ON ACTIVITY/PROGRESS ON CONTRACTS OVER \$25,000**

Meeting Date: June 15, 2020 **Budgeted:** N/A

From: David J. Stoldt,
General Manager **Program/** N/A
Line Item No.:

Prepared By: Suresh Prasad **Cost Estimate:** N/A

General Counsel Review: N/A

Committee Recommendation: The Administrative Committee reviewed this item on June 9, 2020.

CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: Attached for review is **Exhibit 35-A**, monthly status report on contracts over \$25,000 for the period April 2020. This status report is provided for information only, no action is required.

EXHIBIT

35-A Status on District Open Contracts (over \$25k)

EXHIBIT 35-A

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**Monterey Peninsula Water Management District
Status on District Open Contracts (over \$25K)
For The Period April 2020**

| Contract | Description | Date Authorized | Contract Amount | Prior Period Expended To Date | Current Period Spending | Total Expended To Date | Expected Completion | Current Period Activity | P.O. Number |
|----------|------------------------------------|---|-----------------|-------------------------------|-------------------------|------------------------|---------------------|---|-------------|
| 1 | De Lay & Laredo | Measure J/Rule 19.8 Appraisal/Rate Study Phase II | 12/16/2019 | \$ 200,000.00 | \$ 54,431.25 | | \$ 54,431.25 | | PO02282 |
| 2 | De Lay & Laredo | Measure J/Rule 19.8 Operations Plan - Phase II | 12/16/2019 | \$ 145,000.00 | \$ - | | \$ - | | PO02281 |
| 3 | University of California, Berkeley | Hastings Ford Removal on Finch Creek | 3/16/2020 | \$ 100,000.00 | \$ - | | \$ - | | PO02277 |
| 4 | De Lay & Laredo | Measure J/Rule 19.8 CEQA Services Consultant | 12/16/2019 | \$ 129,928.00 | \$ 25,985.00 | \$ 12,481.50 | \$ 38,466.50 | Current period billing for CEQA work related to phase 2 Measure J | PO02273 |
| 5 | AM Conservation Group, Inc. | Conservation supplies | 2/19/2020 | \$ 25,815.00 | \$ 25,374.45 | | \$ 25,374.45 | | PO02261 |
| 6 | Rutan & Tucker, LLP | Rule 19.8 Eminent Domain Legal Services - Phase II | 12/16/2019 | \$ 200,000.00 | \$ 1,648.50 | \$ 34,087.50 | \$ 35,736.00 | Current period billing for eminent domain work related to phase 2 Measure J | PO02236 |
| 7 | Norton Rose Fulbright | Cal-Am Desal Structuring & Financing Order | 4/20/2015 | \$ 307,103.13 | \$ 38,557.29 | | \$ 38,557.29 | | PO02197 |
| 8 | Pueblo Water Resources, Inc. | ASR SMWTF Engineering Services During Construction | 10/21/2019 | \$ 148,100.00 | \$ 79,104.63 | \$ 11,643.79 | \$ 90,748.42 | Current period billing related to ASR engineering services | PO02163 |
| 9 | Specialty Construction, Inc. | ASR SMWTF Construction | 10/21/2019 | \$ 4,649,400.00 | \$ 826,994.00 | \$ 244,684.91 | \$ 1,071,678.91 | Current period billing related to ASR construction management services | PO02162 |
| 10 | Psomas | ASR Construction Management Services | 8/19/2019 | \$ 190,280.00 | \$ 40,802.00 | \$ 8,694.94 | \$ 49,496.94 | Current period billing related to ASR construction management services | PO02160 |
| 11 | U.S. Bank Equipment Finance | Copier machine leasing - 60 months | 7/15/2019 | \$ 52,300.00 | \$ 7,024.20 | \$ 867.83 | \$ 7,892.03 | 6/30/2024 Current period billing for photocopy machine lease | PO02108 |
| 12 | Monterey One Water | Supplemental EIR Costs for PWM Expansion Project | 3/18/2019 | \$ 750,000.00 | \$ - | | \$ - | | PO02095 |
| 13 | Monterey One Water | Pre-Construction Costs for PWM Expansion Project | 11/13/2017 | \$ 360,000.00 | \$ 312,617.94 | | \$ 312,617.94 | | PO02094 |
| 14 | Deveera Inc. | IT Managed Services | 9/16/2019 | \$ 46,120.00 | \$ 32,284.00 | \$ 4,612.00 | \$ 36,896.00 | 6/30/2020 Current period billing for IT managed services | PO02091 |
| 15 | Hopkins Technical Products, Inc. | ASR Chemical feed skids | 8/11/2019 | \$ 96,563.14 | \$ - | \$ 81,716.16 | \$ 81,716.16 | Current period billing for ASR treatment bldg equipment purchase | PO02071 |
| 16 | Lynx Technologies, Inc | Geographic Information Systems contractual services | 6/17/2019 | \$ 35,000.00 | \$ 15,300.00 | | \$ 15,300.00 | | PO02065 |
| 17 | Regional Government Services | Human Resouces contractual services | 6/17/2019 | \$ 70,000.00 | \$ 33,437.25 | \$ 2,588.60 | \$ 36,025.85 | Current period hr services | PO02064 |
| 18 | Pueblo Water Resources, Inc. | ASR operations support | 7/15/2019 | \$ 70,000.00 | \$ 9,593.48 | | \$ 9,593.48 | | PO02063 |
| 19 | MBAS | ASR Water Quality | 7/15/2019 | \$ 60,000.00 | \$ 27,243.00 | \$ 1,295.00 | \$ 28,538.00 | Current period billing for ASR water quality testing | PO02062 |
| 20 | TBC Communications & Media | Public Outreach services retainer | 6/17/2019 | \$ 42,000.00 | \$ 28,000.00 | | \$ 28,000.00 | | PO02055 |
| 21 | The Ferguson Group LLC | 2019-20 - Legislative and Administrative Services | 6/17/2019 | \$ 100,000.00 | \$ 72,876.24 | \$ 8,149.13 | \$ 81,025.37 | Current period retainer | PO02028 |
| 22 | John Arriaga | Contract for Legislative and Administrative Services - FY 19-20 | 6/17/2019 | \$ 35,000.00 | \$ 20,000.00 | \$ 5,000.00 | \$ 25,000.00 | Current & prior period retainer | PO02026 |
| 23 | DUDEK | Consulting Services for Prop 1 grant proposal | 4/15/2019 | \$ 95,600.00 | \$ 94,315.05 | | \$ 94,315.05 | | PO01986 |
| 24 | Denise Duffy & Associates | Consulting Services IRWM plan update | 12/17/2018 | \$ 55,000.00 | \$ 53,322.32 | | \$ 53,322.32 | | PO01985 |
| 25 | United States Geologic Survey | Carmel River Basin Hydrologic Model | 3/18/2019 | \$ 75,000.00 | \$ 55,227.50 | \$ 19,772.50 | \$ 75,000.00 | Current period billing related to carmel river model work | PO01973 |
| 26 | Pueblo Water Resources, Inc. | Design water treatment facilities ASR Santa Margarita | 2/21/2019 | \$ 300,662.00 | \$ 299,684.94 | \$ 977.06 | \$ 300,662.00 | Current period billing for ASR treatment bldg design services | PO01912 |

EXHIBIT 35-A

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**Monterey Peninsula Water Management District
Status on District Open Contracts (over \$25K)
For The Period April 2020**

| | | | | Prior Period | Total | | | | | |
|----------|--|--|------------|-----------------|-----------------|-------------|-----------------|--------------------------|--|---------|
| Contract | Description | Date | Contract | Expended | Current Period | Expended | Expected | | | P.O. |
| | | Authorized | Amount | To Date | Spending | To Date | Completion | Current Period Acitivity | Number | |
| 27 | Colantuono, Highsmith, & Whatley, PC | Legal Services for MCWD vs PUC Matter for FY 2018-2019 | 7/1/2018 | \$ 60,000.00 | \$ 54,628.80 | | \$ 54,628.80 | 6/30/2020 | | PO01874 |
| 28 | Ecology Action of Santa Cruz | IRWM HEART Grant | 4/16/2018 | \$ 152,600.00 | \$ 86,362.33 | | \$ 86,362.33 | | | PO01824 |
| 29 | Pueblo Water Resources, Inc. | ASR Backflush Basin Expansion, CM services | 7/16/2018 | \$ 96,034.00 | \$ 68,919.39 | | \$ 68,919.39 | | | PO01778 |
| 30 | Rural Community Assistance Corporation | IRWM DAC Needs Assessment | 4/16/2018 | \$ 100,000.00 | \$ 61,705.57 | | \$ 61,705.57 | | | PO01777 |
| 31 | Mercer-Fraser Company | Sleepy Hollow Intake upgrade project | 7/16/2018 | \$ 1,802,835.00 | \$ 1,786,834.91 | | \$ 1,786,834.91 | | | PO01726 |
| 32 | Fort Ord Reuse Authority | ASR Backflush basin expansion project UXO support | 7/16/2018 | \$ 55,215.00 | \$ 8,241.72 | | \$ 8,241.72 | | | PO01686 |
| 33 | Pueblo Water Resources, Inc. | ASR operations support | 1/24/2018 | \$ 70,000.00 | \$ 68,652.56 | | \$ 68,652.56 | | | PO01645 |
| 34 | Pueblo Water Resources, Inc. | Seaside Groundwater Basin Geochemical Study | 1/24/2018 | \$ 68,679.00 | \$ 36,795.25 | | \$ 36,795.25 | | | PO01628 |
| 35 | Big Sur Land Trust | Update of the IRWMP Plan | 4/16/2018 | \$ 34,000.00 | \$ 12,305.67 | | \$ 12,305.67 | | | PO01620 |
| 36 | Pueblo Water Resources, Inc. | SSAP Water Quality Study | 8/21/2017 | \$ 94,437.70 | \$ 44,318.11 | | \$ 44,318.11 | | | PO01510 |
| 37 | Normandeau Associates, Inc. | Assistance with IFIM Study | 11/13/2017 | \$ 35,000.00 | \$ 24,050.00 | | \$ 24,050.00 | | | PO01509 |
| 38 | Accela Inc. | Acquisition of Water Demand Database System | 11/13/2017 | \$ 676,377.00 | \$ 669,227.81 | | \$ 669,227.81 | 6/30/2020 | | PO01471 |
| 39 | Balance Hydrologics, Inc | Design Work for San Carlos Restoration Project | 6/19/2017 | \$ 51,360.00 | \$ 50,894.32 | | \$ 50,894.32 | | | PO01321 |
| 40 | AECOM Technical Services, Inc. | Los Padres Dam Alternatives Study | 1/25/2017 | \$ 700,700.00 | \$ 505,766.50 | | \$ 505,766.50 | | | PO01268 |
| 41 | Denise Duffy & Assoc. Inc. | MMRP Services for Monterey Pipeline | 1/25/2017 | \$ 80,000.00 | \$ 73,144.06 | | \$ 73,144.06 | | | PO01202 |
| 42 | Goodin,MacBride,Squeri,Day,Lamprey | User Fee PUC Proceedings Legal Fee | 7/1/2016 | \$ 50,000.00 | \$ 33,411.85 | | \$ 33,411.85 | 6/30/2020 | | PO01100 |
| 43 | Whitson Engineers | Carmel River Thawleg Survey | 9/19/2018 | \$ 52,727.43 | \$ 49,715.00 | | \$ 49,715.00 | | | PO01076 |
| 44 | HDR Engineering, Inc. | Los Padres Dam Fish Passage Study | 4/18/2016 | \$ 310,000.00 | \$ 295,003.20 | | \$ 295,003.20 | | | PO01072 |
| 45 | Michael Hutnak | GS Flow Modeling for Water Resouces Planning | 8/19/2013 | \$ 71,800.00 | \$ 55,940.00 | \$ 8,140.00 | \$ 64,080.00 | | Current period billing related to carmel river GS flow modeling work | PO00123 |
| 46 | Justin Huntington | GS Flow Modeling for Water Resouces Planning | 8/19/2013 | \$ 59,480.00 | \$ 53,918.98 | | \$ 53,918.98 | | | PO00122 |

ITEM: INFORMATIONAL ITEM/STAFF REPORT**36. STATUS REPORT ON MEASURE J/RULE 19.8 PHASE II SPENDING****Meeting Date: June 15, 2020 Budgeted: N/A****From: David J. Stoldt, General Manager Program/Line Item No.: N/A****Prepared By: Suresh Prasad Cost Estimate: N/A****General Counsel Review: N/A****Committee Recommendation: The Administrative Committee reviewed this item on June 9, 2020.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY: Attached for review is **Exhibit 36-A**, monthly status report on Measure J/Rule 19.8 Phase II spending for the period April 2020. This status report is provided for information only, no action is required.

EXHIBIT**36-A Status on Measure J/Rule 19.8 Spending**

**Monterey Peninsula Water Management District
Status on Measure J/Rule 19.8 Spending Phase II
For the Period April 2020**

| | Contract | Date Authorized | Contract Amount | Prior Period Spending | Current Period Spending | Total Expended To Date | Spending Remaining | Project No. |
|---|---------------------------------------|----------------------------|----------------------------|----------------------------------|------------------------------------|-----------------------------------|-------------------------------|------------------------|
| 1 | Eminent Domain Legal Counsel | 12/16/2019 | \$ 225,000.00 | \$ 1,648.50 | \$ 34,087.50 | \$ 35,736.00 | \$ 189,264.00 | PA00005-01 |
| 2 | CEQA Work | 12/16/2019 | \$ 129,928.00 | \$ 25,985.00 | \$ 12,481.50 | \$ 38,466.50 | \$ 91,461.50 | PA00005-02 |
| 3 | Appraisal Services | 12/16/2019 | \$ 200,000.00 | \$ 54,431.25 | | \$ 54,431.25 | \$ 145,568.75 | PA00005-03 |
| 4 | Operations Plan | 12/16/2019 | \$ 145,000.00 | \$ - | | \$ - | \$ 145,000.00 | PA00005-04 |
| 5 | District Legal Counsel | 12/16/2019 | \$ 40,000.00 | \$ 13,416.02 | \$ 5,125.51 | \$ 18,541.53 | \$ 21,458.47 | PA00005-05 |
| 6 | MAI Appraiser | 12/16/2019 | \$ 35,000.00 | \$ - | | \$ - | \$ 35,000.00 | PA00005-06 |
| 7 | Jacobs Engineering | 12/16/2019 | \$ 87,000.00 | \$ - | | \$ - | \$ 87,000.00 | PA00005-07 |
| 6 | Contingency/Miscellaneous/Uncommitted | 12/16/2019 | \$ 379,072.00 | \$ - | | \$ - | \$ 379,072.00 | PA00005-20 |
| | Total | | \$ 1,241,000.00 | \$ 95,480.77 | \$ 51,694.51 | \$ 147,175.28 | \$ 1,093,824.72 | |

ITEM: INFORMATIONAL ITEM/STAFF REPORT**37. MONTHLY PROGRESS REPORT – SANTA MARGARITA WATER TREATMENT FACILITY****Meeting Date: June 15, 2020 Budgeted: N/A****From: David J. Stoldt General Manager Program/ Line Item: N/A****Prepared By: Maureen Hamilton Cost Estimate: N/A****General Counsel Review: N/A****Committee Recommendation: The Administrative Committee reviewed this item on June 9, 2020.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY: This progress report is provided for information only, no action is required.

Work conducted after the previous progress report:

- Completed concrete masonry unit block installation
- Completed hollow core concrete plank roof and topping slab installation
- Installing roof facade and HVAC
- Installed cellar coatings
- Installed 30” meter vault
- Installed northern 30” pipe to tie-in point
- Installed underground piping manifolds
- Isolated the site in preparation for tie-in to existing distribution lines
- Ninety-two submittals have been received; eighty-five of those submittals have been closed.

Five additional change orders totaling \$22,709.78 are in progress:

1. West elevation door changes, \$9,553.58
2. Grouting double door after block installation, \$2,451.00
3. 16” tie-in due to unforeseen conditions including 25’ excavation, pipe, and fittings, \$15,716.71
4. Alternate roof sheathing, \$1,704.49
5. Wrought iron gate, (-\$6,716.00)

The May critical path schedule update shows a 7 working day delay compared to the baseline schedule; primarily due to the 12 working day door frame, 10 working day chemical tank, and 43 working day flow meter COVID-19 related delays. The schedule update indicates that the facility will be ready for Cal Am to startup and test the facility beginning August 3, 2020 and the Contractor continues to re-order work to minimize schedule impact due to COVID-19. An executive schedule will be created after the remaining COVID-19 related delays are quantified.

EXPENDITURES:

| | Board Authorization | Commitments | Remaining |
|--------------------------------|--------------------------------|--------------------------------------|------------------|
| Base Contract | \$4,797,500.00 | \$1,071,678.91 (22%) ¹ | \$4,165,002.20 |
| Contingency (10%) ¹ | \$479,750.00 | \$69,785.20 (1.45%) ¹ | \$409,964.80 |

EXHIBIT

None

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¹ Percent of contract

ITEM: INFORMATIONAL ITEM/STAFF REPORT**38. LETTERS RECEIVED****Meeting Date: June 15, 2020****Budgeted: N/A****From: David J. Stoldt,
General Manager****Program/ N/A
Line Item No.:****Prepared By: Arlene Tavani****Cost Estimate: N/A****General Counsel Review: N/A****Committee Recommendation: N/A****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

A list of letters submitted to the Board of Directors or General Manager and received between May 15, 2020 and June 8, 2020 is shown below. The purpose of including a list of these letters in the Board packet is to inform the Board and interested citizens. Copies of the letters are available for public review at the District office. If a member of the public would like to receive a copy of any letter listed, please contact the District office. Reproduction costs will be charged. The letters can also be downloaded from the District's web site at www.mpwmd.net.

| Author | Addressee | Date | Topic |
|------------------|--------------------------------|-------------|---|
| John Tilley | MPWMD Board | 6/5/20 | Ordinance 152 Reserves, the Water Supply Charge and the Mechanics Bank Loan |
| Ron Stefani | MPWMD Board | 5/22/20 | Invoice No. 13328 dated April 24, 2020 and May 1, 2020 Letter |
| Tom Moore | Joaquin Esquivel/CC: D. Stoldt | 5/21/20 | Eileen Sobeck's May 8, 2020 Letter to John Ainsworth |
| Christopher Cook | Erik Ekdahl/ CC: D. Stoldt | 5/20/20 | SWRCB Order WR 2016-0016 Aquifer Storage and Recovery Operating Plan |
| Gary Hoffmann | MPWMD Board | 5/17/20 | Actions taken by the MPWMD Board on 4/30/20 and 5/1/20 |
| Ron Stefani | MPWMD Board | 5/15/20 | Invoice No. 13328, dated April 24, 2020 and May 1, 2020 Letter |
| Larry Parrish | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 16 – Smart Water Meters |
| Anna Bartolini | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 11 – Ordinance No. 186 |
| Chip Rerig | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 11 – Ordinance No. 186 |
| Denis Boaro | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 11 – Ordinance No. 186 |
| Dia Kheir | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 11 – Ordinance No. 186 |
| Edward Bennett | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 11 – Ordinance No. 186 |

| | | | |
|---------------------|-------------|---------|---|
| Firok Shield | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 11 – Ordinance No. 186 |
| Jan Prikryl | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 11 – Ordinance No. 186 |
| Kenneth Spilfogel | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 11 – Ordinance No. 186 |
| Mary Crow | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 11 – Ordinance No. 186 |
| Rich Pepe | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 11 – Ordinance No. 186 |
| Tony Salameh | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 11 – Ordinance No. 186 |
| Walter Georis | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 11 – Ordinance No. 186 |
| Yesenia Sanchez | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 11 – Ordinance No. 186 |
| Barbara Moore | MPWMD Board | 5/18/20 | 5/18/20 Agenda Items 12 and 16 |
| Eloise A Shim | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 16 – Smart Water Meters |
| Pamela Mencher | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 16 – Smart Water Meters |
| Rebecca Lee | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 16 – Smart Water Meters |
| Mary Ann Coppernoll | MPWMD Board | 5/18/20 | 5/18/20 Agenda Items 12 and 16 |
| Melodie Chrislock | MPWMD Board | 5/17/20 | 5/18/20 Agenda Item 12 – Supply & Demand Report |
| Charles Mendez | MPWMD Board | 5/17/20 | 5/18/20 Agenda items 16 and 17 |
| Lisa Emberton | MPWMD Board | 5/17/20 | 5/18/20 Agenda item 16 – Smart Water Meters |
| Claude Hutchison | MPWMD Board | 5/17/20 | 5/18/20 Agenda items 12, 16 and 17 |
| Nina Beety | MPWMD Board | 5/17/20 | 5/18/20 Agenda Item 16 – Smart Water Meters |
| Kate Roberts | MPWMD Board | 5/15/20 | 5/18/20 Agenda Item 13 – City of Monterey Request |
| David Adams | MPWMD Board | 5/15/20 | 5/18/20 Agenda Item 16 – Smart Water Meters |
| Jean Rasch | MPWMD Board | 5/15/20 | 5/18/20 Agenda Item 16 – Smart Water Meters |
| Michele Altman | MPWMD Board | 5/15/20 | 5/18/20 Agenda Item 16 – Smart Water Meters |

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ITEM: INFORMATIONAL ITEM/STAFF REPORT**39. COMMITTEE REPORTS**

| | | | |
|----------------------|---|------------------------------------|------------|
| Meeting Date: | June 15, 2020 | Budgeted: | N/A |
| From: | David J. Stoldt, General Manager | Program/ Line Item No.: | N/A |
| Prepared By: | Arlene Tavani | Cost Estimate: | N/A |

General Counsel Review: N/A**Committee Recommendation: N/A**

CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

Attached for your review as **Exhibits 39-A through 39-F**, are final minutes of the committee meetings listed below.

EXHIBITS

| | |
|-------------|---|
| 39-A | May 12, 2020 Administrative Committee Meeting Minutes |
| 39-B | April 14, 2020 Administrative Committee Meeting Minutes |
| 39-C | May 7, 2020 Water Demand Committee Meeting Minutes |
| 39-D | April 2, 2020 Water Demand Committee Meeting Minutes |
| 39-E | April 6, 2020 Water Supply Planning Committee Meeting Minutes |
| 39-F | February 14, 2020 Public Outreach Committee Meeting Minutes |



EXHIBIT 39-A

FINAL MINUTES Monterey Peninsula Water Management District Administrative Committee May 12, 2020

Call to Order

The meeting was called to order at 4:02 PM via WebEx.

Committee members present: Jeanne Byrne – Chair
Alvin Edwards
Molly Evans

Staff present: David Stoldt, General Manager
Suresh Prasad, Administrative Services Manager/Chief Financial Officer
Jonathan Lear, Water Resources Manager
Sara Reyes, Sr. Office Specialist

Oral Communications

None

Items on Board Agenda for May 18, 2020

On a motion by Edwards and second by Evans, the committee voted to (1) adopt Items 1, 5, 7, 8 and 9 as a single Consent Item, and (2) to approve these items as recommended by staff. The motion was approved 3 – 0 by Byrne, Edwards and Evans. Roll call vote taken. (Byrne, Edwards and Evans).

- 1. Consider Adoption of Minutes of April 14, 2020 Committee Meeting**
Approved.
- 2. Consider Adoption of Resolution No. 2020-04 Amending Fees and Charges Table – Rule 60**
On a motion by Evans and second by Edwards, the committee voted to recommend the Board adopt Resolution 2020-03. The motion was approved 3 – 0 on a roll call vote.
- 3. Consider Adoption of Treasurer's Report for February 2020**
Approved.
- 4. Receive and File Third Quarter Financial Activity Report for Fiscal Year 2019-2020**
Approved.
- 5. Consider Approval of Third Quarter Fiscal Year 2019 Investment Report**
Approved.
- 6. Consider Reallocation of Remaining HEART Grant Funding to City of Monterey's Franklin Street Stormwater Project**
On a motion by Edwards and second by Evans, the committee voted to recommend the Board approve

pursuing the Rippling River project and if funds remain after the project or if the project is denied by DWR those funds should be made available to the City of Monterey for its Franklin Street Storm Drain project. The motion was approved 3 – 0 on a roll call vote.

7. Report on Activity/Progress on Contracts Over \$25,000

Approved.

8. Status Report on Measure J/Rule 19.8 Phase II Spending

This item was presented as information to the committee. No action was required or taken by the committee.

9. Monthly Progress Report – Santa Margarita Water Treatment Facility

This item was presented as information to the committee. No action was required or taken by the committee.

Other Items

10. Review Third Quarter Legal Services Activity Report for Fiscal Year 2019-2020

This item was presented as information to the committee. No action was required or taken by the committee.

11. Review Draft April 20, 2020 Regular Board Meeting Agenda

Staff reported a Public Hearing item will be added to discuss an Urgency Ordinance to address exterior restaurant seating in response to COVID-19 re-opening procedures. No changes were made by the committee.

12. Suggest Items to be Placed on Future Agendas

No items were presented.

Adjournment

The meeting adjourned at 4:50 PM.

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EXHIBIT 39-B

FINAL MINUTES

Monterey Peninsula Water Management District Administrative Committee *April 14, 2020*

Call to Order

The meeting was called to order at 4:02 PM via WebEx.

Committee members present: Jeanne Byrne – Chair
Alvin Edwards
Molly Evans

Staff present: David Stoldt, General Manager
Suresh Prasad, Administrative Services Manager/Chief Financial Officer
Jonathan Lear, Water Resources Manager
Sara Reyes, Sr. Office Specialist

Oral Communications

None

Items on Board Agenda for April 20, 2020

On a motion by Edwards and second by Evans, the committee voted to (1) adopt Items 5 and 6 as a single Consent Item, and (2) to approve these items as recommended by staff. The motion was approved 3 – 0 by Edwards, Evans and Byrne. Roll call vote taken. (Byrne, Edwards and Evans).

1. Consider Adoption of Minutes of March 10, 2020 Committee Meeting

On a motion by Edwards and second by Evans, the minutes of the March 10, 2020 Committee meeting were approved 3 – 0 by a roll call vote.

2. Recommend Funding Plan for Pure Water Monterey Advanced Water Purification Electrical Facilities

General Manager Stoldt stated the Committee should defer action on this item until Monterey One Water has an opportunity to consider its options. No action was taken by the Committee.

3. Consider A Contract Amendment with Pueblo Water Resources to Complete Report Preparation to Enroll the Carmel River Aquifer Storage and Recovery Project in State Board Order 2012-0010-DWQ

On a motion by Evans and second by Edwards, the committee voted to recommend the Board authorize the General Manager to amend the Pueblo Water Resources contract for ASR Operational Support for an amount not-to-exceed \$20,114 to complete the technical reporting and submit the application to the RWQCB to enroll the Carmel River ASR Project in the General Waiver. The motion was approved 3 – 0 on a roll call vote.

4. 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

On a motion by Evans and second by Edwards, the committee voted to recommend the Board authorize the General Manager to enter into a reimbursement agreement with CalAm for the CEQA work to construct to bypass pipeline necessary to allow simultaneous Pure Water Monterey recovery and ASR injection. The motion was approved 3 – 0 on a roll call vote.

5. Consider Adoption of Treasurer’s Report for February 2020

Approved.

6. Report on Activity/Progress on Contracts Over \$25,000

Approved.

7. Status Report on Measure J/Rule 19.8 Phase II Spending

This item was presented as information to the committee. No action was required or taken by the committee.

8. Monthly Progress Report – Santa Margarita Water Treatment Facility

This item was presented as information to the committee. No action was required or taken by the committee.

Other Items

9. Review Draft April 20, 2020 Regular Board Meeting Agenda

No changes were made by the committee.

10. Suggest Items to be Placed on Future Agendas

No items were presented.

Adjournment

The meeting adjourned at 4:50 PM.

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EXHIBIT 39-C

FINAL MINUTES Water Demand Committee of the Monterey Peninsula Water Management District May 7, 2020

Call to Order

The meeting was called to order at 3:05 pm.

Committee members present:

Alvin Edwards, Chair
Gary Hoffmann
George Riley

Committee members absent:

None

Staff members present:

David Stoldt, General Manager
Stephanie Locke, Water Demand Division Manager
Arlene Tavani, Executive Assistant

District Counsel present:

David Laredo

Comments from the Public:

No comments.

Action Items

1. Consider Adoption of April 2, 2020 Committee Meeting Minutes

On a motion by Riley and second by Hoffmann, minutes of the April 2, 2020 committee meeting were adopted on a vote of 3– 0 by Riley, Hoffmann and Edwards.

2. Consider Denial of Request from City of Monterey re Allocation for 2000 and 2600 Garden Road, Monterey

On a motion by Hoffmann and second by Edwards, the committee voted unanimously to recommend that the Board of Directors deny the City's request at this time and direct staff to interact with SWRCB on Peninsula-wide housing needs and the CDO pursuant to the TAC process. The motion was approved on a vote of 3 – 0 by Hoffmann, Edward and Riley.

Public Comment: **(a) Brad Slama**, the project developer, stated that a decision must be made now because the low-income units at 2000 Garden Road could only be constructed if there was a promise that water from the District reserve could be utilized. Timing for a decision was not so critical for the project at 2600 Garden Rd. because construction of the low-income units could be phased. **(b) Ande Flower**, Principal Planner for the City of Monterey, stated that the City is hoping that a negotiated settlement can be reached with the State Water Resources Control Board regarding Condition No. 2 in a public hearing set for May 19, 2020.

3. Consider Recommendation to the Board re Disposition of District Reserve Allocation

On a motion by Hoffmann and second by Riley, the committee recommended that the allocation should be retained by the Board for use at its discretion. The motion was approved on a vote of

3 – 0 by Hoffmann, Riley and Edwards. Chair Edwards requested that the Board consider the options developed by staff and make a decision on this issue at the May 18, 2020 Board meeting. No public comments were directed to the committee.

4. Consider Recommendation to the Board to Adopt Final Report “Supply and Demand for Water on the Monterey Peninsula.”

Riley offered a motion that was seconded by Edwards to recommend that the Board of Directors adopt the final report. The motion was approved on a vote of 2 – 1 by Riley and Edwards. Hoffmann was opposed. No public comment was presented to the committee.

Discussion Items

5. Update on Water for Regional Housing Needs per District TAC (Technical Advisory committee) Request to Jurisdiction

Stephanie Locke provided an update to the Committee. Staff has made repeated requests to the jurisdictions to provide a list of shovel ready projects that could be developed within the next 3 to 4 years. Only the cities of Monterey and Pacific Grove have responded. The committee requested that a plan for allocating water conservation savings for development of housing should be presented to the committee in June. The District could move ahead on negotiating with the state housing agencies and the State Water Resources Control Board before receiving information from the jurisdictions. No public comment was presented to the committee.

6. Discuss Methods for Implementation of Enhanced Water Conservation Measures for Non California-eAmerican Water Pumpers in the Carmel Valley Alluvial Aquifer

Staff reviewed information presented in the staff report and responded to questions from the committee. No public comment was presented to the committee.

5. Suggest Items to be Placed on Future Agendas

The committee members suggested the following topics for future discussion. (a) An update on the response from Monterey One Water on the recent letter from the MPWMD Board. (b) How will the COVID pandemic effect estimates of increased water use that could result from economic bounce-back when a water supply is available. (c) Is there any water use data that compares water use before and during the shelter-in-place order, which could help in budgeting for FY 2020-2021.

Adjournment: The meeting was adjourned at 5:00 pm.

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EXHIBIT 39-D

FINAL MINUTES Water Demand Committee of the Monterey Peninsula Water Management District April 2, 2020

Call to Order

The meeting was called to order at 3:05 pm.

Committee members present:

Alvin Edwards, Chair
Gary Hoffmann
George Riley (joined at 3:40 pm)

Committee members absent:

None

Staff members present:

David Stoldt, General Manager
Stephanie Locke, Water Demand Division Manager
Arlene Tavani, Executive Assistant

Comments from the Public:

No comments.

Action Items

1. Consider Adoption of March 5, 2020 Committee Meeting Minutes

On a motion by Hoffmann and second by Edwards, minutes of the March 5, 2020 committee meeting were adopted on a vote of 2 – 0 by Hoffmann and Edwards. Riley was absent.

2. Discuss Request from City of Monterey re Allocation for 2000 and 2600 Garden Road, Monterey

Hoffmann offered a motion to defer action until such time as staff and the SWRCB could meet and reach some accommodation regarding the District's use of the reserve. There was no second to the motion, however there was discussion about the possible timing for reaching a resolution to this issue.

Edwards offered a motion to bring this issue back to the committee on May 7, 2020. Hoffmann seconded the motion and it was approved on a vote of 2 – 0 by Edwards and Hoffmann. Riley was absent.

Director Riley joined the meeting at 3:40 pm.

3. Consider Recommendation to the Board on First Reading of Ordinance No. 136 – 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

Edwards offered a motion to recommend that the Board of Directors adopt the first reading of Ordinance No. 136. The motion was seconded by Riley and approved on a vote of 3 – 0 by Edwards, Riley and Hoffmann.

4. Consider Recommendation to the Board to Adopt Final Report “*Supply and Demand for Water on the Monterey Peninsula.*”

The committee discussed this issue and agreed that it should be brought back for further consideration at the May 7, 2020 committee meeting.

Discussion Items

5. Suggest Items to be Placed on Future Agendas

It was requested that items requested at the March 5, 2020 meeting be brought forward. Those items were: (a) Discuss how water would be allocated when it becomes available. (b) Discuss methods for implementation of enhanced water conservation measures for non-Cal-Am water users along the Carmel River.

Adjournment: The meeting was adjourned at 4:35 pm.

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EXHIBIT 39-E

FINAL MINUTES Water Supply Planning Committee of the Monterey Peninsula Water Management District *April 6, 2020*

Call to Order: The meeting was called to order at 4:00 pm.

Committee members present: George Riley, Chair
Molly Evans
Mary Adams

Committee members absent: None

Staff members present: David J. Stoldt, General Manager
Jonathan Lear, Water Resources Division Manager
Thomas Christensen, Environmental Resources Div. Mgr.
Maureen Hamilton, Water Resources Engineer
Arlene Tavani, Executive Assistant

Comments from the Public: No comments.

Action Items

1. **Consider Adoption of March 2, 2020 Committee Meeting Minutes**
Evans offered a motion that was seconded by Adams to approve the Draft Minutes of the March 2, 2020 committee meeting. The motion was approved on a unanimous vote of 3 – 0 by Evans, Adams and Riley.
2. Consider a Contract Amendment with Pueblo Water Resources to Complete Report Preparation to Enroll the Carmel River Aquifer Storage and Recovery Project in State Board Order 2012-0010-DWQ
On a motion by Adams and second of Evans, the committee recommended that the Board approve a contract amendment with Pueblo Water Resources. The motion was approved on a unanimous vote of 3 – 0 by Adams, Evans and Riley.
3. 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 Injections
On a motion by Evans and second of Adams, the committee recommended that the General Manager enter into a reimbursement agreement with Cal-Am for the CEQA work to construct the bypass pipeline necessary to allow simultaneous PWM recovery and ASR injection and move this item to the Administrative Committee for

consideration. The motion was approved on a unanimous vote of 3 – 0 by Evans, Adams and Riley.

4. Receive Report on Plan for Responding to the State Water Resources Control Board Regarding Water Right 20808 A, B and C
Evans offered a motion that was seconded by Adams to recommend that the Board direct that the General Manager reply to the SWRCB letter with the recommendations from the March 24, 2020 call with SWRCB staff. The motion was approved on a unanimous vote of 3 – 0 by Evans, Adams and Riley.

Discussion Items

5. Update on ASR Well #1 Rehabilitation

Mr. Lear reported that the original plan was to rehabilitate ASR Well #1 so that it could be utilized as a source of recovery water for Pure Water Monterey. However, due to the COVID 19 crisis, construction could not proceed. It was decided that even with its current limited capacity, ASR Well #1 could be utilized for recovery of PWM water through the end of this water year. Later in the year, the situation would be assessed and completion of the rehabilitation project considered. If the rehabilitation work proceeds, the well would handle increased production from the PWM project expected in the next water year. ZIM Industries would keep their bid open for the rehabilitation work until October 2020.

6. Update on Pure Water Monterey Vadose Zone Wells

Maureen Hamilton's presentation is on file at the District office and can be viewed on the MPWMD website. She reported on the sink hole that appeared at Vados Zone Well #2 and presented photos of the situation. She stated that a geotechnical engineer was in the process of determining stability of the soil at the well site, which would inform the design of additional stabilization should it be needed.

7. Suggest Items to be Placed on Future Agendas

At the request of the committee, Mr. Stoldt provided an update on items that were suggested for follow-up at the March 2, 2020 meeting. **Completed** - (a) Continue to update the committee on the status of Pure Water Monterey Expansion project. **As for b, c and d – they could be added to the April committee agenda or discussed over a series of meetings.** (b) Explanation of reserve or credits used to calculate water availability represented by amounts below the CDO targets. (c) Tracking water extracted from and injected into the Seaside Groundwater Basin. (d) Relationship of Table 13 water users to water demand issues. **The General Manager had no knowledge of the reported study.** (e) Water demand study being prepared by Marina Coast Water District.

Adjournment: The meeting was adjourned at 5:05 pm.



EXHIBIT 39-F

FINAL MINUTES

Monterey Peninsula Water Management District

Public Outreach Committee

February 14, 2020

Call to Order

The meeting was called to order at 4:00 pm in the Water Management District conference room.

Committee members present: Mary Adams - Chair
Alvin Edwards
George Riley

Committee members absent: None

District staff members present: David Stoldt, General Manager
Stephanie Locke, Water Demand Manager
Arlene Tavani, Executive Assistant

Comments from the Public: No comments were directed to the committee.

Action Items

1. **Consider Adoption of October 24, 2019 Committee Meeting Minutes**
On a motion by Riley and second of Edwards the minutes were adopted on a unanimous vote of 3 – 0 by Riley, Edwards and Adams.
2. **Consider Adoption of 2020 Meeting Schedule**
On a motion by Riley and second of Edwards the committee meeting schedule was adopted as presented on a unanimous vote of 3 – 0 by Riley, Edwards and Adams.
3. **Consider Change to District Branding Message**
On a motion by Riley and second of Edwards, the committee opted to retain the branding message “Water Matters”, and to publish a newspaper ad promoting Fix a Leak Week. The motion was approved on a vote of 3 – 0 by Riley, Edwards and Adams.

Discussion

4. **Discuss Scope of Services for Public Outreach Consulting Services**
Staff reported that a request for qualifications will be distributed within two weeks and the responses will be submitted to the committee for review and recommendation. The Board of Directors will make the final determination on the qualified consultant. Staff will not limit the search to the Monterey area.
3. **Review Santa Clara Valley Water District Logo**
There was consensus on the committee that a letter should be sent to the Santa Clara Valley Water District advising the agency of trademark infringement.

Adjournment

Prior to adjournment the committee members suggested the following items for discussion at a future meeting: responses to the RFQ for public outreach consulting services; follow up on the letter to Santa Clara Valley Water District; and development of a presentation to jurisdictions within the District re the Measure J process. The meeting was adjourned at 4 pm.

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ITEM: INFORMATIONAL ITEM/STAFF REPORT**40. MONTHLY ALLOCATION REPORT****Meeting Date: June 15, 2020 Budgeted: N/A****From: David J. Stoldt, General Manager Program: N/A Line Item No.:****Prepared By: Gabriela Bravo Cost Estimate: N/A****General Counsel Review: N/A****Committee Recommendation: N/A****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY: As of May 31, 2020, a total of **26.557** acre-feet (**7.7%**) of the Paralta Well Allocation remained available for use by the Jurisdictions. Pre-Paralta water in the amount of **35.036** acre-feet is available to the Jurisdictions, and **28.839** acre-feet is available as public water credits.

Exhibit 40-A shows the amount of water allocated to each Jurisdiction from the Paralta Well Allocation, the quantities permitted in May 2020 (“changes”), and the quantities remaining. The Paralta Allocation no debits in May 2020.

Exhibit 40-A also shows additional water available to each of the Jurisdictions. Additional water from expired or canceled permits that were issued before January 1991 are shown under “PRE-Paralta.” Water credits used from a Jurisdiction’s “public credit” account are also listed. Transfers of Non-Residential Water Use Credits into a Jurisdiction’s Allocation are included as “public credits.” **Exhibit 40-B** shows water available to Pebble Beach Company and Del Monte Forest Benefited Properties, including Macomber Estates, Griffin Trust. Another table in this exhibit shows the status of Sand City Water Entitlement and the Malpaso Water Entitlement.

BACKGROUND: The District’s Water Allocation Program, associated resource system supply limits, and Jurisdictional Allocations have been modified by a number of key ordinances. These key ordinances are listed in **Exhibit 40-C**.

EXHIBITS**40-A** Monthly Allocation Report**40-B** Monthly Entitlement Report**40-C** District’s Water Allocation Program Ordinances

EXHIBIT 40-A
MONTHLY ALLOCATION REPORT
Reported in Acre-Feet
For the month of May 2020

| Jurisdiction | Paralta Allocation* | Changes | Remaining | PRE-Paralta Credits | Changes | Remaining | Public Credits | Changes | Remaining | Total Available |
|--------------------------|---------------------|--------------|---------------|---------------------|--------------|---------------|----------------|--------------|---------------|-----------------|
| Airport District | 8.100 | 0.000 | 5.197 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 5.197 |
| Carmel-by-the-Sea | 19.410 | 0.000 | 1.398 | 1.081 | 0.000 | 1.081 | 0.910 | 0.000 | 0.182 | 2.661 |
| Del Rey Oaks | 8.100 | 0.000 | 0.000 | 0.440 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 | 0.000 |
| Monterey | 76.320 | 0.000 | 0.245 | 50.659 | 0.000 | 0.030 | 38.121 | 0.000 | 2.300 | 2.575 |
| Monterey County | 87.710 | 0.000 | 10.717 | 13.080 | 0.000 | 0.352 | 7.827 | 0.000 | 1.775 | 12.844 |
| Pacific Grove | 25.770 | 0.000 | 0.000 | 1.410 | 0.000 | 0.014 | 15.874 | 0.000 | 0.065 | 0.079 |
| Sand City | 51.860 | 0.000 | 0.000 | 0.838 | 0.000 | 0.000 | 24.717 | 0.000 | 23.373 | 23.373 |
| Seaside | 65.450 | 0.000 | 0.000 | 34.438 | 0.010 | 33.549 | 2.693 | 0.000 | 1.144 | 34.693 |
| District Reserve | 9.000 | 0.000 | 9.000 | N/A | | | N/A | | | 9.000 |
| TOTALS | 342.720 | 0.000 | 26.557 | 101.946 | 0.010 | 35.026 | 90.142 | 0.000 | 28.839 | 90.422 |

| Allocation Holder | Water Available | Changes this Month | Total Demand from Water Permits Issued | Remaining Water Available |
|----------------------|-----------------|--------------------|--|---------------------------|
| Quail Meadows | 33.000 | 0.000 | 32.320 | 0.680 |
| Water West | 12.760 | 0.000 | 9.413 | 3.347 |

* Does not include 15.280 Acre-Feet from the District Reserve prior to adoption of Ordinance No. 73.

EXHIBIT 40-B
MONTHLY ALLOCATION REPORT
ENTITLEMENTS
Reported in Acre-Feet
For the month of May 2020

Recycled Water Project Entitlements

| Entitlement Holder | Entitlement | Changes this Month | Total Demand from Water Permits Issued | Remaining Entitlement/and Water Use Permits Available |
|---|----------------|--------------------|--|---|
| Pebble Beach Co. ¹ | 220.630 | 0.000 | 31.302 | 189.328 |
| Del Monte Forest Benefited Properties ² (Pursuant to Ord No. 109) | 144.370 | 0.000 | 56.951 | 87.419 |
| Macomber Estates | 10.000 | 0.000 | 10.000 | 0.000 |
| Griffin Trust | 5.000 | 0.000 | 4.829 | 0.171 |
| CAWD/PBCSD Project Totals | 380.000 | 0.000 | 103.082 | 276.918 |

| Entitlement Holder | Entitlement | Changes this Month | Total Demand from Water Permits Issued | Remaining Entitlement/and Water Use Permits Available |
|----------------------------------|-------------|--------------------|--|---|
| City of Sand City | 206.000 | 0.749 | 7.115 | 198.885 |
| Malpaso Water Company | 80.000 | 0.380 | 16.916 | 63.084 |
| D.B.O. Development No. 30 | 13.950 | 0.000 | 3.740 | 10.210 |
| City of Pacific Grove | 38.390 | 0.164 | 0.878 | 37.512 |
| Cypress Pacific | 3.170 | 0.000 | 3.170 | 0.000 |

Increases in the Del Monte Forest Benefited Properties Entitlement will result in reductions in the Pebble Beach Co. Entitlement.

EXHIBIT 40-C

District's Water Allocation Program Ordinances

Ordinance No. 1 was adopted in September 1980 to establish interim municipal water allocations based on existing water use by the jurisdictions. Resolution 81-7 was adopted in April 1981 to modify the interim allocations and incorporate projected water demands through the year 2000. Under the 1981 allocation, Cal-Am's annual production limit was set at 20,000 acre-feet.

Ordinance No. 52 was adopted in December 1990 to implement the District's water allocation program, modify the resource system supply limit, and to temporarily limit new uses of water. As a result of Ordinance No. 52, a moratorium on the issuance of most water permits within the District was established. Adoption of Ordinance No. 52 reduced Cal-Am's annual production limit to 16,744 acre-feet.

Ordinance No. 70 was adopted in June 1993 to modify the resource system supply limit, establish a water allocation for each of the jurisdictions within the District, and end the moratorium on the issuance of water permits. Adoption of Ordinance No. 70 was based on development of the Paralta Well in the Seaside Groundwater Basin and increased Cal-Am's annual production limit to **17,619** acre-feet. More specifically, Ordinance No. 70 allocated 308 acre-feet of water to the jurisdictions and 50 acre-feet to a District Reserve for regional projects with public benefit.

Ordinance No. 73 was adopted in February 1995 to eliminate the District Reserve and allocate the remaining water equally among the eight jurisdictions. Of the original 50 acre-feet that was allocated to the District Reserve, 34.72 acre-feet remained and was distributed equally (4.34 acre-feet) among the jurisdictions.

Ordinance No. 74 was adopted in March 1995 to allow the reinvestment of toilet retrofit water savings on single-family residential properties. The reinvested retrofit credits must be repaid by the jurisdiction from the next available water allocation and are limited to a maximum of 10 acre-feet. This ordinance sunset in July 1998.

Ordinance No. 75 was adopted in March 1995 to allow the reinvestment of water saved through toilet retrofits and other permanent water savings methods at publicly owned and operated facilities. Fifteen percent of the savings are set aside to meet the District's long-term water conservation goal and the remainder of the savings are credited to the jurisdictions allocation. This ordinance sunset in July 1998.

Ordinance No. 83 was adopted in April 1996 and set Cal-Am's annual production limit at **17,621** acre-feet and the non-Cal-Am annual production limit at **3,046** acre-feet. The modifications to the production limit were made based on the agreement by non-Cal-Am water users to permanently reduce annual water production from the Carmel Valley Alluvial Aquifer in exchange for water service from Cal-Am. As part of the agreement, fifteen percent of the historical non-Cal-Am production was set aside to meet the District's long-term water conservation goal.

Ordinance No. 87 was adopted in February 1997 as an urgency ordinance establishing a community benefit allocation for the planned expansion of the Community Hospital of the Monterey Peninsula (CHOMP). Specifically, a special reserve allocation of 19.60 acre-feet of production was created exclusively for the benefit of CHOMP. With this new allocation, Cal-Am's annual production limit was increased to **17,641** acre-feet and the non-Cal-Am annual production limit remained at **3,046** acre-feet.

Ordinance No. 90 was adopted in June 1998 to continue the program allowing the reinvestment of toilet retrofit water savings on single-family residential properties for 90-days following the expiration of Ordinance No. 74. This ordinance sunset in September 1998.

Ordinance No. 91 was adopted in June 1998 to continue the program allowing the reinvestment of water saved through toilet retrofits and other permanent water savings methods at publicly owned and operated facilities.

Ordinance No. 90 and No. 91 were challenged for compliance with CEQA and nullified by the Monterey Superior Court in December 1998.

Ordinance No. 109 was adopted on May 27, 2004, revised Rule 23.5 and adopted additional provisions to facilitate the financing and expansion of the CAWD/PBCSD Recycled Water Project.

Ordinance No. 132 was adopted on January 24, 2008, established a Water Entitlement for Sand City and amended the rules to reflect the process for issuing Water Use Permits.

Ordinance No. 165 was adopted on August 17, 2015, established a Water Entitlement for Malpas Water Company and amended the rules to reflect the process for issuing Water Use Permits.

Ordinance No. 166 was adopted on December 15, 2015, established a Water Entitlement for D.B.O. Development No. 30.

Ordinance No. 168 was adopted on January 27, 2016, established a Water Entitlement for the City of Pacific Grove.

ITEM: INFORMATIONAL ITEM/STAFF REPORT**41. WATER CONSERVATION PROGRAM REPORT****Meeting Date: June 15, 2020** **Budgeted: N/A****From: David J. Stoldt,
General Manager** **Program/
Line Item No.: N/A****Prepared By: Kyle Smith** **Cost Estimate: N/A****Committee Recommendation: N/A****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

I. MANDATORY WATER CONSERVATION RETROFIT PROGRAM

District Regulation XIV requires the retrofit of water fixtures upon Change of Ownership or Use with High Efficiency Toilets (HET) (1.28 gallons-per-flush), 2.0 gallons-per-minute (gpm) Showerheads, 1.2 gpm Washbasin faucets, 1.8 gpm Kitchen, Utility and Bar Sink faucets, and Rain Sensors on all automatic Irrigation Systems. Property owners must certify the Site meets the District's water efficiency standards by submitting a Water Conservation Certification Form (WCC), and a Site inspection is often conducted to verify compliance.

A. Changes of Ownership

Information is obtained monthly from *Realquest.com* on properties transferring ownership within the District. The information is compared against the properties that have submitted WCCs. Details on **50** property transfers that occurred between May 1, 2020, and May 31, 2020, were added to the database.

B. Certification

The District received **21** WCCs between May 1, 2020, and May 31, 2020. Data on ownership, transfer date, and status of water efficiency standard compliance were entered into the database.

C. Verification

From May 1, 2020, to May 31, 2020, **29** properties were verified compliant with Rule 144 (Retrofit Upon Change of Ownership or Use). Of the **29** verifications, **18** properties verified compliance by submitting certification forms and/or receipts. District staff completed **11** Site inspections. Of the **29** properties verified, **22 (75%)** passed.

Note that most Site inspections were suspended March 13, 2020, due to concerns about the novel coronavirus. Staff has continued to certify properties electronically through owner certification or other methods. Site inspections may be done in limited cases when the property is vacant, and staff has access without others present. Safety protocols are in place for those instances.

Savings Estimate

Properties that submit certification and receipts for compliance with Water Efficiency Standards are not used when calculating savings. No savings were calculated because all inspections were completed with Water Efficiency Standards Certification from and receipts.

D. CII Compliance with Water Efficiency Standards

Effective January 1, 2014, all Non-Residential properties were required to meet Rule 143, Water Efficiency Standards for Existing Non-Residential Uses. To verify compliance with these requirements, property owners and businesses are being sent notification of the requirements and a date that inspectors will be on Site to check the property. In May, District inspectors performed **one** verification.

MPWMD is forwarding its CII inspection findings to California American Water (Cal-Am) for their verification with the Rate Best Management Practices (Rate BMPs) that are used to determine the appropriate Non-Residential rate division. Compliance with MPWMD's Rule 143 achieves Rate BMPs for indoor water uses, however, properties with landscaping must also comply with Cal-Am's outdoor Rate BMPs to avoid Division 4 (Non-Rate BMP Compliant) rates. In addition to sharing information about indoor Rate BMP compliance, MPWMD notifies Cal-Am of properties with landscaping. Cal-Am then conducts an outdoor audit to verify compliance with the Rate BMPs. During May 2020, MPWMD referred **one** property to Cal-Am for verification of outdoor Rate BMPs.

E. Water Waste Enforcement

The District has a Water Waste Hotline 831-658-5653 or an online form to report Water Waster occurrences at www.mpwmd.net or www.montereywaterinfo.org. There were **no** Water Waste responses during the past month. There were **no** repeated incidents that resulted in a fine.

II. WATER DEMAND MANAGEMENT

A. Permit Processing

As of March 18, 2020, the District has been processing only electronic applications for Water Permits. Information can be found at <https://www.mpwmd.net/regulations/water-permits>.

District Rule 23 requires a Water Permit application for all properties that propose to expand or modify water use on a Site, including New Construction and Remodels. District staff processed and issued **39** Water Permits from May 1, 2020 to May 31, 2020. **Eight** Water Permits were issued using Water Entitlements (Pebble Beach Company, Malpasos Water, etc.). No Water Permit involved a debit to a Public Water Credit Account. In addition to those Water Permits issued in May, **eight** Meter Permits and **five** Hydrant Meter Permits were issued. All Water Permits have a disclaimer informing applicants of the Cease and Desist Order against California American Water and that MPWMD reports Water Permit details to California American Water.

District Rule 24-3-A allows the addition of a second Bathroom in an existing Single-Family Dwelling on a Single-Family Residential Site. Of the **39** Water Permits issued from May 1, 2020 to May 31, 2020, **three** were issued under this provision.

B. Permit Compliance

District staff completed **seven** conditional Water Permit finals during May 2020. Most Site inspections ceased on March 13, 2020. Staff is issuing conditional finals to allow occupancy during the pandemic. Staff completed **nine** site inspection, of vacant properties. **Five** properties passed and **three** failed due to unpermitted fixtures.

C. Deed Restrictions

District staff prepares deed restrictions that are recorded on the property title to provide notice of District Rules and Regulations, enforce Water Permit conditions, and provide notice of public access to water records. In April 2001, the District Board of Directors adopted a policy regarding the processing of deed restrictions. As of March 18, 2020, MPWMD offices are closed to the public. While still processing and issuing Water Permits, staff is no longer available for notary services. Applicants can obtain notary services at local UPS stores and other locations. Staff receives notarized deed restrictions via email and records the documents electronically with the County.

D. Rebates

Rebates continue to be processed during the Shelter-in-Place. The following is the rebate information for the month of March 2020.

| REBATE PROGRAM SUMMARY | | May-2020 | | | 2020 YTD | | 1997 - Present | |
|------------------------|--------------------------------------|-------------------|-------------|--------------|---------------------|---------------------|-------------------|---|
| I. | <u>Application Summary</u> | | | | | | | |
| A. | Applications Received | 43 | | | 347 | | 27,787 | |
| B. | Applications Approved | 29 | | | 254 | | 21,647 | |
| C. | Single Family Applications | 26 | | | 219 | | 24,725 | |
| D. | Multi-Family Applications | 3 | | | 34 | | 1,494 | |
| E. | Non-Residential Applications | 0 | | | 1 | | 356 | |
| II. | <u>Type of Devices Rebated</u> | Number of devices | Rebate Paid | Estimated AF | Gallons Saved | Year to Date Number | Year to Date Paid | Year to Date Estimated AF |
| A. | High Efficiency Toilet (HET) | 18 | ##### | 0.090000 | 29,327 | 89 | \$6,525.00 | 0.44500 |
| B. | Ultra HET | | | 0.000000 | 0 | 4 | \$500.00 | 0.04000 |
| C. | Toilet Flapper | | | 0.000000 | 0 | 0 | \$0.00 | 0.00000 |
| D. | High Efficiency Dishwasher | 5 | \$625.00 | 0.015000 | 4,888 | 47 | \$5,875.00 | 0.14100 |
| E. | High Efficiency Clothes Washer - Res | 10 | ##### | 0.161000 | 52,462 | 130 | \$65,000.00 | 2.09300 |
| F. | High Efficiency Clothes Washer - Com | | | 0.000000 | 0 | 0 | \$0.00 | 0.00000 |
| G. | Instant-Access Hot Water System | 3 | \$600.00 | 0.015000 | 4,888 | 8 | \$1,496.95 | 0.04000 |
| H. | Zero Use Urinals | | | 0.000000 | 0 | 0 | \$0.00 | 0.00000 |
| I. | Pint Urinals | | | 0.000000 | 0 | 0 | \$0.00 | 0.00000 |
| J. | Cisterns | | | 0.000000 | 0 | 2 | \$1,975.00 | 0.00000 |
| K. | Smart Controllers | 3 | \$200.00 | 0.000000 | 0 | 6 | \$548.00 | 0.00000 |
| L. | Rotating Sprinkler Nozzles | | | 0.000000 | 0 | 0 | \$0.00 | 0.00000 |
| M. | Moisture Sensors | | | 0.000000 | 0 | 0 | \$0.00 | 0.00000 |
| N. | Lawn Removal & Replacement | | | 0.000000 | 0 | 1 | \$1,900.00 | 0.00000 |
| O. | Graywater | | | 0.000000 | 0 | 0 | \$0.00 | 0.00000 |
| R. | Other | | | 0.000000 | 0 | 0 | \$0.00 | 0.00000 |
| III. | <u>TOTALS</u> | 39 | ##### | 0.281000 | 91,564 | 287 | \$83,819.95 | 2.75900 |
| IV. | <u>TOTALS Since 1997</u> | | | | Paid Since 1997: \$ | 6,442,575 | 568.4 | Acre-Feet Per Year Saved Since 1997 (from quantifiable retrofits) |

| REBATE PROGRAM SUMMARY | | March-2020 | | | | 2020 YTD | | 1997 - Present | |
|------------------------|--------------------------------------|-------------------|-------------|--------------|---------------|---------------------|-------------------|---------------------------|---|
| I. | <u>Application Summary</u> | | | | | | | | |
| A. | Applications Received | 42 | | | | 211 | | 27,651 | |
| B. | Applications Approved | 33 | | | | 161 | | 21,554 | |
| C. | Single Family Applications | 27 | | | | 135 | | 24,641 | |
| D. | Multi-Family Applications | 6 | | | | 25 | | 1,485 | |
| E. | Non-Residential Applications | 0 | | | | 1 | | 356 | |
| II. | <u>Type of Devices Rebated</u> | Number of devices | Rebate Paid | Estimated AF | Gallons Saved | Year to Date Number | Year to Date Paid | Year to Date Estimated AF | |
| A. | High Efficiency Toilet (HET) | 11 | \$825.00 | 0.055 | 17,922 | 53 | \$3,950.00 | 0.265 | |
| B. | Ultra HET | | | 0.000 | 0 | 1 | \$125.00 | 0.010 | |
| C. | Toilet Flapper | | | 0.000 | 0 | 0 | \$0.00 | 0.000 | |
| D. | High Efficiency Dishwasher | 6 | \$750.00 | 0.018 | 5,865 | 31 | \$3,875.00 | 0.093 | |
| E. | High Efficiency Clothes Washer - Res | 19 | \$9,500.00 | 0.306 | 99,678 | 84 | \$42,000.00 | 1.352 | |
| F. | High Efficiency Clothes Washer - Com | | | 0.000 | 0 | 0 | \$0.00 | 0.000 | |
| G. | Instant-Access Hot Water System | | | 0.000 | 0 | 3 | \$500.00 | 0.015 | |
| H. | Zero Use Urinals | | | 0.000 | 0 | 0 | \$0.00 | 0.000 | |
| I. | Pint Urinals | | | 0.000 | 0 | 0 | \$0.00 | 0.000 | |
| J. | Cisterns | 1 | \$250.00 | 0.000 | 0 | 2 | \$1,975.00 | 0.000 | |
| K. | Smart Controllers | | | 0.000 | 0 | 2 | \$249.00 | 0.000 | |
| L. | Rotating Sprinkler Nozzles | | | 0.000 | 0 | 0 | \$0.00 | 0.000 | |
| M. | Moisture Sensors | | | 0.000 | 0 | 0 | \$0.00 | 0.000 | |
| N. | Lawn Removal & Replacement | | | 0.000 | 0 | 1 | \$1,900.00 | 0.000 | |
| O. | Graywater | | | 0.000 | 0 | 0 | \$0.00 | 0.000 | |
| R. | Other | | | 0.000 | 0 | 0 | \$0.00 | 0.000 | |
| III. | <u>TOTALS</u> | 37 | \$11,325.00 | 0.379 | 123,465 | 177 | \$54,574.00 | 1.735 | |
| | | | | | | | | | |
| | | | | | | | | 563.1 | Acre-Feet Per Year Saved Since 1997 (from quantifiable retrofits) |

ITEM: INFORMATIONAL ITEM/STAFF REPORT**42. CARMEL RIVER FISHERY REPORT FOR MAY 2020****Meeting Date: June 15, 2020** **Budgeted: N/A****From: David J. Stoldt,
General Manager** **Program/
Line Item No.: N/A****Prepared By: Beverly Chaney** **Cost Estimate: N/A****General Counsel Review: N/A****Committee Recommendation: N/A****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

AQUATIC HABITAT AND FLOW CONDITIONS: Dry weather returned in May, but river flows remained excellent after a wet March and early April.

Steelhead passage conditions remain “good to excellent” for outmigration of both adults and smolts. Rearing conditions for juveniles are “excellent”.

May’s mean daily streamflow at the Sleepy Hollow Weir steadily dropped from 79 to 40 cubic-foot-per-second (cfs) (monthly mean 59 cfs) resulting in 3,620 acre-feet (AF) of runoff. Mean daily streamflow at the Highway 1 gage fell from 87 to 51 cfs (monthly mean 66.5 cfs) resulting in 4,090 acre-feet (AF) of runoff.

There were 0.18 inches of rainfall in May as recorded at the San Clemente gauge. The rainfall total for WY 2020 (which started on October 1, 2019) is 17.57 inches, or 84% of the long-term year-to-date average of 20.91 inches.

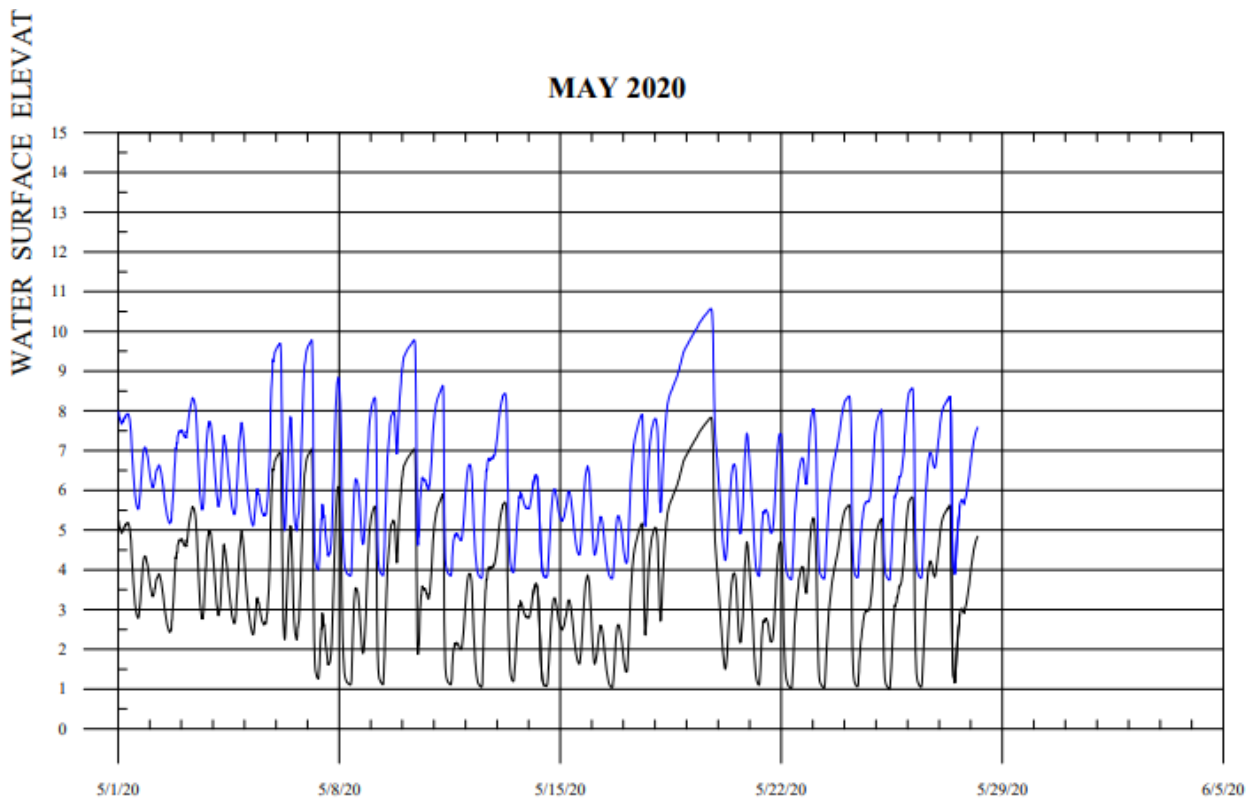
LOS PADRES DAM ADULT STEELHEAD COUNT: The Los Padres Dam fish ladder and trap started operating on December 12, 2019. The ladder was turned on and off intermittently between February and May due to continued movement of the large landslide in the reservoir that is affecting the outlet pipe. The ladder was turned off for the year on May 22. For the year, 66 adult steelhead, and two resident adults, were trapped and transported above the dam (12 in January, 2 in February, 7 in March, 44 in April, and 1 in May). Seven of those were tagged by National Marine Fisheries Service (NMFS) crews, and two of the captured fish had been tagged last year (recaptures).

CARMEL RIVER LAGOON: The lagoon mouth opened on December 3, 2019. In May, the lagoon water surface elevation (WSE) ranged from ~3.9 – 10.6 feet (North American Vertical Datum of 1988; NAVD 88) (See graph below).

Water quality depth-profiles were conducted at five sites on May 7, 2020 while the lagoon mouth was open with sea-water wash, water surface elevation was ~4.0 feet, and river inflow was 74 cfs. Steelhead rearing and migration conditions were generally “fair to good”. Throughout the lagoon

conditions were better in the main stem than in the north and south arms. Salinity ranged from 1 - 19 ppt, dissolved oxygen (DO) levels ranged from 4.5 - 9 mg/l, and water temperatures ranged from 58 - 66 degrees F.

Carmel River Lagoon Plot:



ITEM: INFORMATION ITEMS/STAFF REPORT**43. MONTHLY WATER SUPPLY AND CALIFORNIA AMERICAN WATER PRODUCTION REPORT****Meeting Date: June 15, 2020 Budgeted: N/A****From: David J. Stoldt, General Manager Program/ Line Item No.: N/A****Prepared By: Jonathan Lear Cost Estimate: N/A****General Counsel Review: N/A****Committee Recommendation: N/A**

CEQA Compliance: Exempt from environmental review per SWRCB Order Nos. 95-10 and 2016-0016, and the Seaside Basin Groundwater Basin adjudication decision, as amended and Section 15268 of the California Environmental Quality Act (CEQA) Guidelines, as a ministerial project; Exempt from Section 15307, Actions by Regulatory Agencies for Protection of Natural Resources.

Exhibit 43-A shows the water supply status for the Monterey Peninsula Water Resources System (MPWRS) as of **May 1, 2020**. This system includes the surface water resources in the Carmel River Basin, the groundwater resources in the Carmel Valley Alluvial Aquifer and the Seaside Groundwater Basin. **Exhibit 43-A** is for Water Year (WY) 2020 and focuses on four factors: rainfall, runoff, and storage. The rainfall and Streamflow values are based on measurements in the upper Carmel River Basin at Sleepy Hollow Weir.

Water Supply Status: Rainfall through **May 2020** totaled **0.18 inches** and brings the cumulative rainfall total for WY 2020 to **17.57 inches**, which is **84%** of the long-term average through **May**. Estimated unimpaired runoff through **May** totaled **3,683 acre-feet (AF)** and brings the cumulative runoff total for WY 2020 to **43,047 AF**, which is **66%** of the long-term average through **May**. Usable storage for the MRWPRS was **29,290 acre-feet**, which is **92%** of average through **May**, and equates to **88%** percent of system capacity

Production Compliance: Under State Water Resources Control Board (SWRCB) Cease and Desist Order No. 2016-0016 (CDO), California American Water (Cal-Am) is allowed to produce no more than 8,310 AF of water from the Carmel River in WY 2020. Through **May**, using the CDO accounting method, Cal-Am has produced **4,914 AF** from the Carmel River (including ASR capped at 600 AF, Table 13, and Mal Paso.) In addition, under the Seaside Basin Decision, Cal-Am is allowed to produce 1,820 AF of water from the Coastal Subareas and 0 AF from the Laguna Seca Subarea of the Seaside Basin in WY 2020. Through **May**, Cal-Am has produced **1,538 AF** from the Seaside Groundwater Basin. Through **March**, **917 AF** of Carmel River Basin groundwater have been diverted for Seaside Basin injection; **0 AF** have been recovered for customer use, and **218 AF** have been diverted under Table 13 water rights. Cal-Am has produced **5,966 AF** for customer use from all sources through **May**. **Exhibit 43-C** shows production by source. Some of the values in this report may be revised in the future as Cal-Am finalizes their production values and monitoring data. The 12-month moving average of production for customer service is **9,772 AF**, which is below the rationing trigger of **10,130 AF** for WY 2020.

EXHIBITS**43-A Water Supply Status: June 1, 2020****43-B Monthly Cal-Am Diversions from Carmel River and Seaside Groundwater Basins: WY 2020****43-C Monthly Cal-Am production by source: WY 2020**

EXHIBIT 43-A

**Monterey Peninsula Water Management District
Water Supply Status
June 1, 2020**

| Factor | Oct - May 2020 | Average To Date | Percent of Average | Oct – May 2019 |
|--|-----------------------|----------------------------|-------------------------------|-----------------------|
| Rainfall (Inches) | 17.57 | 20.91 | 84% | 30.93 |
| Runoff (Acre-Feet) | 43,047 | 64,800 | 66% | 139,748 |
| Storage ⁵ (Acre-Feet) | 29,290 | 31,950 | 92% | 30,770 |

Notes:

1. Rainfall and runoff estimates are based on measurements at San Clemente Dam. Annual rainfall and runoff at Sleepy Hollow Weir average 21.1 inches and 67,246 acre-feet, respectively. Annual values are based on the water year that runs from October 1 to September 30 of the following calendar year. The rainfall and runoff averages at the Sleepy Hollow Weir site are based on records for the 1922-2019 and 1902-2019 periods respectively.
2. The rainfall and runoff totals are based on measurements through the dates referenced in the table.
3. Storage estimates refer to usable storage in the Monterey Peninsula Water Resources System (MPWRS) that includes surface water in Los Padres and San Clemente Reservoirs and ground water in the Carmel Valley Alluvial Aquifer and in the Coastal Subareas of the Seaside Groundwater Basin. The storage averages are end-of-month values and are based on records for the 1989-2019 period. The storage estimates are end-of-month values for the dates referenced in the table.
4. The maximum storage capacity for the MPWRS is currently 33,130 acre-feet.

Production vs. CDO and Adjudication to Date: WY 2020

(All values in Acre-Feet)

| Year-to-Date Values | MPWRS | | | | | Water Projects and Rights | | | |
|------------------------|--|---------------------------|----------------|----------------|--------------|---------------------------|-----------------------|---------------------------------------|------------|
| | Carmel River Basin ^{2, 6} | Seaside Groundwater Basin | | MPWRS Total | | | | Water Projects and Rights Total | |
| | | Coastal | Laguna Seca | | | ASR Recovery | Table 13 ⁷ | | |
| Target | 5,464 | 1,100 | 0 | 1,100 | 6,564 | 0 | 114 | 200 | 314 |
| Actual ⁴ | 4,914 | 1,349 | 190 | 1,538 | 6,452 | 0 | 218 | 113 | 331 |
| Difference | 550 | -249 | -190 | -438 | 112 | 0 | -104 | 87 | -17 |
| WY 2019 Actual | 4,783 | 1,459 | 162 | 1,621 | 6,404 | 0 | 471 | 84 | 555 |

1. This table is current through the date of this report.
2. For CDO compliance, ASR, Mal Paso, and Table 13 diversions are included in River production per State Board.
3. Sand City Desal, Table 13, and ASR recovery are also tracked as water resources projects.
4. To date, 917 AF and 218 AF have been produced from the River for ASR and Table 13 respectively.
5. All values are rounded to the nearest Acre-Foot.
6. For CDO Tracking Purposes, ASR production for injection is capped at 600 AFY.
7. Table 13 diversions are reported under water rights but counted as production from the River for CDO tracking.

Monthly Production from all Sources for Customer Service: WY 2020

(All values in Acre-Feet)

| | Carmel River Basin | Seaside Basin | ASR Recovery | Table 13 | Sand City | Mal Paso | Total |
|---------|-----------------------|---------------|--------------|------------|------------|-----------|--------------|
| Oct-19 | 505 | 412 | 0 | 0 | 0 | 4 | 921 |
| Nov-19 | 524 | 299 | 0 | 0 | 0 | 2 | 825 |
| Dec-19 | 391 | 169 | 0 | 75 | 0 | 0 | 635 |
| Jan-20 | 533 | 111 | 0 | 13 | 10 | 0 | 667 |
| Feb-20 | 632 | 22 | 0 | 0 | 27 | 9 | 689 |
| Mar-20 | 498 | 150 | 0 | 33 | 27 | 8 | 716 |
| Apr-20 | 308 | 226 | 0 | 85 | 22 | 8 | 649 |
| May-20 | 666 | 149 | 0 | 13 | 27 | 7 | 862 |
| Jun-20 | | | | | | | |
| Jul-20 | | | | | | | |
| Aug-20 | | | | | | | |
| Sep-20 | | | | | | | |
| Total | 4,057 | 1,538 | 0 | 218 | 113 | 39 | 5,966 |
| WY 2019 | 3,859 | 1,988 | 0 | 153 | 117 | 35 | 6,152 |

1. This table is produced as a proxy for customer demand.
2. Numbers are provisional and are subject to correction.

Rationing Trigger: WY 2020

| | | | |
|--------------------------------------|-------|--------|---------------------------|
| 12 Month Moving Average ¹ | 9,772 | 10,130 | Rule 160 Production Limit |
|--------------------------------------|-------|--------|---------------------------|

1. Average includes production from Carmel River, Seaside Basin, Sand City Desal, and ASR recovery produced for Customer Service.

California American Water Production by Source: Water Year 2020

| | Carmel Valley Wells ¹ | | | | | | Seaside Wells ² | | | | | | Total Wells | | | Sand City Desal | | |
|---------|----------------------------------|--------------------|--------------------------|--------------------|---------------------|--------------------|----------------------------|-------------------------|----------------------|-------------------------|----------------------|-------------------------|-------------|-------------|----------------------------------|-----------------|-------------|------------------------|
| | Actual | | Anticipated ³ | | Compaired to Target | | Actual | | Anticipated | | Compaired to Target | | Actual | Anticipated | Acre-Feet Compaired to Target | Actual | Anticipated | Compaired to Target |
| | Upper acre-feet | Lower acre-feet | Upper acre-feet | Lower acre-feet | Upper acre-feet | Lower acre-feet | Coastal acre-feet | LagunaSeca acre-feet | Coastal acre-feet | LagunaSeca acre-feet | Coastal acre-feet | LagunaSeca acre-feet | acre-feet | acre-feet | acre-feet | acre-feet | acre-feet | acre-feet |
| Oct-19 | 0 | 505 | 0 | 550 | 0 | 45 | 378 | 35 | 350 | 0 | -28 | -35 | 918 | 900 | -18 | 0 | 25 | 25 |
| Nov-19 | 0 | 524 | 0 | 380 | 0 | -144 | 271 | 28 | 350 | 0 | 79 | -28 | 823 | 730 | -93 | 0 | 25 | 25 |
| Dec-19 | 177 | 546 | 0 | 645 | -177 | 99 | 150 | 20 | 100 | 0 | -50 | -20 | 892 | 745 | -147 | 0 | 25 | 25 |
| Jan-20 | 155 | 552 | 100 | 710 | -55 | 158 | 92 | 19 | 100 | 0 | 8 | -19 | 818 | 910 | 92 | 10 | 25 | 15 |
| Feb-20 | 165 | 467 | 100 | 732 | -65 | 265 | 0 | 22 | 100 | 0 | 100 | -22 | 654 | 932 | 278 | 27 | 25 | -2 |
| Mar-20 | 188 | 509 | 100 | 919 | -88 | 410 | 128 | 23 | 100 | 0 | -28 | -23 | 847 | 1,119 | 272 | 27 | 25 | -2 |
| Apr-20 | 0 | 705 | 0 | 835 | 0 | 130 | 204 | 21 | 100 | 0 | -104 | -21 | 931 | 935 | 4 | 22 | 25 | 3 |
| May-20 | 0 | 699 | 0 | 697 | 0 | -2 | 126 | 23 | 350 | 0 | 224 | -23 | 848 | 1,047 | 199 | 27 | 25 | -2 |
| Jun-20 | | | | | | | | | | | | | | | | | | |
| Jul-20 | | | | | | | | | | | | | | | | | | |
| Aug-20 | | | | | | | | | | | | | | | | | | |
| Sep-20 | | | | | | | | | | | | | | | | | | |
| To Date | 684 | 4,508 | 300 | 5,468 | -384 | 960 | 1,349 | 190 | 1,550 | 0 | 201 | -190 | 6,730 | 7,318 | 588 | 113 | 200 | 87 |

Total Production: Water Year 2020

| | Actual | Anticipated | Acre-Feet Compaired to Target |
|---------|--------|-------------|----------------------------------|
| Oct-19 | 918 | 925 | 7 |
| Nov-19 | 823 | 755 | -68 |
| Dec-19 | 892 | 770 | -122 |
| Jan-20 | 828 | 935 | 107 |
| Feb-20 | 681 | 957 | 276 |
| Mar-20 | 874 | 1,144 | 270 |
| Apr-20 | 953 | 960 | 7 |
| May-20 | 874 | 1,072 | 198 |
| Jun-20 | | | |
| Jul-20 | | | |
| Aug-20 | | | |
| Sep-20 | | | |
| To Date | 6,844 | 7,518 | 674 |

1. Carmel Valley Wells include upper and lower valley wells. Anticipate production from this source includes monthly production volumes associated with SBO 2009-60, 20808A, and 20808C water rights. Under these water rights, water produced from the Carmel Valley wells is delivered to customers or injected into the Seaside Groundwater Basin for storage.

2. Seaside wells anticipated production is associated with pumping native Seaside Groundwater (which is regulated by the Seaside Groundwater Basin Adjudication Decision) and recovery of stored ASR water (which is prescribed in a MOA between MPWMD, Cal-Am, California Department of Fish and Game, National Marine Fisheries Service, and as regulated by 20808C water right).

3. Negative values for Acre-Feet under target indicates production over targeted value.



Supplement to 6/15/2020 MPWMD Board Packet

Attached are copies of letters received between May 15, 2020 and June 8, 2020. These letters are listed in the June 15, 2020 Board packet under Letters Received.

| Author | Addressee | Date | Topic |
|-------------------|--------------------------------|---------|---|
| John Tilley | MPWMD Board | 6/5/20 | Ordinance 152 Reserves, the Water Supply Charge and the Mechanics Bank Loan |
| Ron Stefani | MPWMD Board | 5/22/20 | Invoice No. 13328 dated April 24, 2020 and May 1, 2020 Letter |
| Tom Moore | Joaquin Esquivel/CC: D. Stoldt | 5/21/20 | Eileen Sobeck's May 8, 2020 Letter to John Ainsworth |
| Christopher Cook | Erik Ekdahl/ CC: D. Stoldt | 5/20/20 | SWRCB Order WR 2016-0016 Aquifer Storage and Recovery Operating Plan |
| Gary Hoffmann | MPWMD Board | 5/17/20 | Actions taken by the MPWMD Board on 4/30/20 and 5/1/20 |
| Ron Stefani | MPWMD Board | 5/15/20 | Invoice No. 13328, dated April 24, 2020 and May 1, 2020 Letter |
| Larry Parrish | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 16 – Smart Water Meters |
| Anna Bartolini | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 11 – Ordinance No. 186 |
| Chip Rerig | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 11 – Ordinance No. 186 |
| Denis Boaro | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 11 – Ordinance No. 186 |
| Dia Kheir | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 11 – Ordinance No. 186 |
| Edward Bennett | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 11 – Ordinance No. 186 |
| Firok Shield | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 11 – Ordinance No. 186 |
| Jan Prikryl | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 11 – Ordinance No. 186 |
| Kenneth Spilfogel | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 11 – Ordinance No. 186 |
| Mary Crow | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 11 – Ordinance No. 186 |

| | | | |
|---------------------|-------------|---------|---|
| Rich Pepe | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 11 – Ordinance No. 186 |
| Tony Salameh | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 11 – Ordinance No. 186 |
| Walter Georis | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 11 – Ordinance No. 186 |
| Yesenia Sanchez | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 11 – Ordinance No. 186 |
| Barbara Moore | MPWMD Board | 5/18/20 | 5/18/20 Agenda Items 12 and 16 |
| Eloise A Shim | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 16 – Smart Water Meters |
| Pamela Mencher | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 16 – Smart Water Meters |
| Rebecca Lee | MPWMD Board | 5/18/20 | 5/18/20 Agenda Item 16 – Smart Water Meters |
| Mary Ann Coppernoll | MPWMD Board | 5/18/20 | 5/18/20 Agenda Items 12 and 16 |
| Melodie Chrislock | MPWMD Board | 5/17/20 | 5/18/20 Agenda Item 12 – Supply & Demand Report |
| Charles Mendez | MPWMD Board | 5/17/20 | 5/18/20 Agenda items 16 and 17 |
| Lisa Emberton | MPWMD Board | 5/17/20 | 5/18/20 Agenda item 16 – Smart Water Meters |
| Claude Hutchison | MPWMD Board | 5/17/20 | 5/18/20 Agenda items 12, 16 and 17 |
| Nina Beety | MPWMD Board | 5/17/20 | 5/18/20 Agenda Item 16 – Smart Water Meters |
| Kate Roberts | MPWMD Board | 5/15/20 | 5/18/20 Agenda Item 13 – City of Monterey Request |
| David Adams | MPWMD Board | 5/15/20 | 5/18/20 Agenda Item 16 – Smart Water Meters |
| Jean Rasch | MPWMD Board | 5/15/20 | 5/18/20 Agenda Item 16 – Smart Water Meters |
| Michele Altman | MPWMD Board | 5/15/20 | 5/18/20 Agenda Item 16 – Smart Water Meters |

U:\staff\Boardpacket\2020\20200615\LtrsRecd\LettersReceived.docx

Arlene Tavani

From: John Tilley <the5amswim@yahoo.com>
Sent: Friday, June 5, 2020 2:56 PM
To: alvinedwards420@gmail.com; georgetriley@gmail.com; water@mollyevans.org; jcbarchfaia@att.net; gqhwd1000@gmail.com; dpotter@ci.carmel.ca.us; district5@co.monterey.ca.us; Dave Stoldt; Arlene Tavani
Subject: Ordinance 152 Reserves, the Water Supply Charge and The Mechanics Bank Loan
Attachments: Rabo Bank Term Sheet 2012.pdf; Legal Opinion on Ord 152 Reserves February 6, 2019.pdf; April 6, 2012 Use of Funds Item 12D.pdf; Board Presentation Justifying Ordinance 152 April 16, 2012.pdf

June 5, 2020

The Board Members of the Monterey Peninsula Water District

Mr. David Stoldt, General Manager of the Monterey Peninsula Water District

Dear Board Members and Mr. Stoldt,

I am writing you as a member of the Ordinance 152 Citizen's Oversight Panel to express my profound concern regarding the Mechanic's Bank loan maturing in 2023 and any attempt to shift the reserves built via collection of the Water Supply Charge to purposes clearly not the intent of Ordinance 152.

Ordinance 152 was adopted on June 27, 2012 with board members Brower, Markey, Byrne, Lewis and Pendergrass voting for its approval. The Ordinance was passed in response to a brief suspension of the User Fee and the expressed intent to "replace and augment" that funding stream.

Ordinance 152 clearly states revenues are to be used to fund "actual costs to provide water supply services" and "Supply charge proceeds will be expended only to fund water supply services and for no other purpose". Section Ten establishes a date of December 31, 2017 as a cut-off for funded projects to be "identified and determined by the Board of Directors to have been underway". As a point of reference, Measure J was passed in November of 2018.

Furthermore, the General Manager's report from April 16, 2012 (attached) stated that these funds are clearly intended to support the work needed to fulfill the promise of the supply portfolio including Aquifer Storage and Recovery, Pure Water Monterey Phase One and the CalAm desalination plant. The full meeting package is found [here](#). Item 12 D (attached) states "*Hence, the fees are being raised for water supply activities. Section 3 of the Ordinance specifically limits the purposes to the GWR and ASR projects and purposes that confer benefit and/or service to existing main Cal-Am water users to ensure sufficient water is available for present beneficial use or uses, including water supply management, water demand management, water augmentation program expenses such as planning for, acquiring and/or reserving augmented water supply capacity, including engineering, hydrologic, legal, geologic, financial, and property acquisition*".

On December 11th of 2012 the MPWMD Board passed a resolution approved by members Byrne, Lehman, Lewis, Markey and Pendergrass to "approve obtaining a loan from Rabobank . . . for reimbursement of the Aquifer Storage Recovery costs". The need for the loan was premised on "the District has not been able to collect the User Fee". In summary, the User Fee temporarily went away, the Water Supply Charge was not yet providing the revenue needed and expenses for Aquifer Storage and Recovery (ASR) were mounting. The Rabobank loan was obtained and used to build-out ASR while the Water Supply Charge was expected to be the source or repayment of the loan.

The Rabobank term sheet (attached) emphasizes the direct connection between the loan, the Water Supply Charge and ASR. Here are two pertinent excerpts from the Rabobank term sheet showing the use of funds was ASR and repayment would come from the WSC:

Use and Investment of Proceeds: Bond proceeds will be used to finance infrastructure owned by the District, reimburse the District for costs incurred in connection with infrastructure, pay off an existing line of credit, fund the Debt Service Reserve Fund, and fund cost of issuance.

Nature of Obligation and Repayment: Debt will be secured by a pledge of the District's water supply charge.

As a member of the Ordinance 152 Citizen's Oversight Panel I ask that the purpose and intent of Ordinance 152 be honored. There is currently a three million dollar cash reserve in the Ordinance 152 fund and a 3 million dollar debt to be paid. The reserve was built via collection of the Water Supply Charge. The loan was taken to build the infrastructure needed to supply water. It is time for the reserves collected to be used to pay for the infrastructure work already accomplished. While staff secured a legal opinion (attached) promoting the idea that funds from Ordinance 152 *could* be repurposed, doing so raises serious ethical, legal and financial risks for the District.

It has always been the expectation of the public and the ratepayers that the District sunset the Water Supply Charge and not double collect fees. I urge the Board to commit the reserves to paying off the Rabobank loan as intended and refrain from the unethical temptation of misusing those reserves to pay for Measure J. The Water Supply Charge was created to pay for building the Water Supply Portfolio and should be used solely for that purpose as it was intended. Now is the time to do so as there are no pre-payment penalties on the Rabobank/Mechanics Bank loan.

I urge the board to act responsibly and transparently. Diverting Water Supply Charge funds outside of the intended purpose is not only of questionable ethical standards, but clearly puts the District at serious legal and financial risks.

Respectfully yours,

John Tilley

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Monterey One Water

Providing Cooperative Water Solutions

ADMINISTRATION OFFICE: 5 Harris Court, Bldg D, Monterey, CA 93940

MAIN: (831) 372-3367 or (831) 422-1001

FAX: (831) 372-6178

WEBSITE: www.montereyonewater.org

3

May 22, 2020

Board of Directors
Monterey Peninsula Water Management District
5 Harris Court, Building G
Monterey, CA 93940

Re: Invoice No 13328, dated April 24, 2020 and May 1, 2020 Letter

Dear Ladies and Gentlemen:

Monterey One Water ["M1W"] has received your letter, dated May 1, 2020. The entire M1W Board has discussed the MPWMD request at its regularly scheduled Board meeting on May 21, 2020.

The following are general findings based on Board Member comments for not certifying the Pure Water Monterey backup expansion SEIR (SEIR):

1. Source Water. The SEIR does not adequately address the number of comments and concerns expressed that it cannot document the quantity and reliability of the source water available to the Expansion Project.
2. Water Supply and Demand. The SEIR fails to support its conclusion about long-term water supply and demand, and that conclusion is contrary to the CPUC demand determination and the estimates from the individual cities involved.
3. Agricultural Water Supplies. It fails to properly evaluate potential impacts to agricultural water supplies due to a significant reduction in available agricultural irrigation water because of the Expansion.
4. Cumulative Impact. The SEIR fails to evaluate the Expansion either as an alternative to or a cumulative project with the MPWSP desalination facility.

In addition, due to other critical M1W priorities and the uncertain financial environment due to COVID-19 impacts to the economy it is not prudent to move forward with any work regarding PWM Expansion at this time.

Some of our other critical priorities include:

- Meeting PWM injection volumes as required by the Water Purchase Agreement with Cal Am and the Monterey Peninsula Water Management District (MPWMD).

- Deferred maintenance at the Agency's Regional Treatment plant, pump stations, and field facilities.
- Increasing rehabilitation and replacement of infrastructure assets.
- Increasing financial reserves to be more fiscally stable

Furthermore, the current financial situation will require a contraction of expenditures and potentially a decrease to levels of service provided by the Agency. The reduction of financial capacity may result in:

- Not filling needed vacant positions.
- Drastic budget cuts (about 12.5% to 15%) for 2020/2021 fiscal year.
- Furloughs and layoffs of employees.
- Opening and renegotiating of labor agreements.

I hope the above addresses your questions and concern.

Additionally, as we have said previously, there is nothing in our cost-sharing agreement and its Amendment No. 3 that provide any basis for withholding the required reimbursement.

Thank you for your courtesy and attention to this matter. We look forward to the timely payment of our invoices per our existing cost sharing agreement.

Sincerely,



Ron Stefani
M1W Board Chair



MARINA COAST WATER DISTRICT

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DIRECTORS

THOMAS P. MOORE
President

JAN SHRINER
Vice President

HERBERT CORTEZ
PETER LE
MATT ZEFFERMAN

May 21, 2020

Via Electronic Mail and U.S. Mail

Joaquin Esquivel, Chair
State Water Resources Control Board Members
Eileen Sobeck, Executive Director
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

Re: Eileen Sobeck's May 8, 2020 letter to John Ainsworth, Executive Director to the California Coastal Commission regarding Application 9-19-0918 and Appeal No. A-3-MRA-19-0034 (California American Water Company)

Dear Chair Esquivel, Members of the Board, and Ms. Sobeck:

I write to express our Board's disappointment and concerns with Ms. Sobeck's May 8, 2020 letter to the Executive Director of the California Coastal Commission, which appears to improperly support California American Water Company's (Cal-Am's) Monterey Peninsula Water Supply Project (MPWSP or project), and to improperly request that the Coastal Commission act on Cal-Am's application and appeal at its August 2020 meeting even if the Coastal Commission does not have all the information it needs to evaluate the project's compliance with the Coastal Act. We find it extremely troubling that Water Board staff is advancing Cal-Am's demonstrably false narrative that the Coastal Commission must approve Cal-Am's desal project to avoid continued harm to endangered Carmel River steelhead. While we support the Water Board's strong demand that Cal-Am comply with the diversion limits in your Carmel River cease-and-desist order (CDO), as addressed below, recent supply and demand information and analysis shows that Cal-Am can comply with the CDO and stop its illegal diversions on January 1, 2022, without its proposed desal plant.

In addition, Ms. Sobeck's letter incorrectly suggests the Coastal Commission is purportedly reconsidering issues already decided by the California Public Utilities Commission (CPUC) that she mistakenly asserts are outside the Commission's jurisdiction, with the alleged improper result of delaying the project. Her letter also implies that the Coastal Commission should not consider the expansion of Pure Water Monterey as a viable alternative to Cal-Am's desal proposal. As explained below, these suggestions are not supported by the facts or the law. Contrary to the largely unsupported statements in Ms. Sobeck's letter, there

is new information regarding viable alternatives and the project's impacts to coastal resources that the Coastal Commission has jurisdiction to consider—and must evaluate—before it can consider whether to grant coastal development permits (CDPs) for the MPWSP. Furthermore, Ms. Sobeck's letter disregards the CPUC's own environmental review, which properly acknowledged that the Coastal Commission would need to independently decide whether Cal-Am's desal project could be approved under the Coastal Act.

Finally, we fail to understand why the Water Board is collaborating with Cal-Am to obstruct implementation of the Pure Water Monterey Expansion, in light of both your enforcement duties under the Sustainable Groundwater Management Act over a Critically Overdrafted Subbasin and the State's recycled water priority policies. Moreover, if Ms. Sobeck's letter is allowed to stand, it will continue to provide improper cover for Cal-Am to refuse to consider a viable, less environmentally damaging alternative to its oversized and overpriced desal project – even as a back-up plan for future supply needs while the desalination project faces increasingly significant setbacks and delays.

For these reasons and those expressed below, Marina Coast Water District (MCWD) requests the Water Board immediately issue a new letter withdrawing Ms. Sobeck's letter and, in doing so, consider encouraging further review and potential approval and implementation of the Pure Water Monterey Expansion in light of the real delays and difficulties encountered by the desalination proposal.

Any new letter or communication regarding Ms. Sobeck's May 8, 2020 letter should, at the very least, contain a statement to the effect that her letter should not be interpreted to imply that the Coastal Commission does not have full jurisdiction to review the MPWSP under the Coastal Act or that the Water Board wishes that project to be approved. That is for the Coastal Commission to decide. Additionally, such a communication should clearly state that the Water Board does not oppose PWM Expansion.

If Cal-Am will Prudently Manage its System, Cal-Am will have a Sufficient Water Supply on January 1, 2022, to Comply with the State Water Board's CDO such that No CDO Extension is Required

It appears the Water Board staff has adopted Cal-Am's false narrative that it has advanced to every permitting agency that unless they approve Cal-Am's desal proposal immediately, without evaluating new information or circumstances, Cal-Am cannot comply with the CDO diversion limits and there will be dire consequences to Carmel River steelhead and economic Armageddon on the Monterey Peninsula. Ms. Sobeck's letter actually mimics this narrative in her conclusion that “there could be dire consequences for the steelhead and other public trust resources if a reliable and sustainable water supply allowing Cal-Am to terminate its unlawful diversions is not promptly developed” and, therefore, the Coastal Commission must act on Cal-Am's CDP applications at its August 2020 meeting. This prediction is simply false, and it is not supported by the evidence.

Recognizing the importance of this issue and the fact that Cal-Am has been repeating it to every agency considering the MPWSP for the last 8 years, MCWD asked Peter Mayer of WaterDM¹ to analyze the water supply and demand conclusions set forth in the October 28, 2019 California Coastal Commission Staff Report. He was also asked to evaluate whether the proposed expansion of the Pure Water Monterey (PWM) project would provide Cal-Am with a sufficient and reliable supply of water as an alternative to the MPWSP proposal.

Mr. Mayer prepared two demand forecasts for the Cal-Am Monterey Main service area, using population growth rates based on AMBAG's anticipated increase through 2040² and the historic water usage of all sectors – residential, commercial, public and re-sale and non-revenue water. (See Attachment 1 – Water DM Report.)³ The first, "Current gpcd," forecast assumes the current rate of gallons used per person per day will continue in the future without any increase in efficiency or additional conservation reductions. The second, "Continued efficiency," forecast accounts for the likely impacts of ongoing efficiency improvements, consistent with California laws and directives to ensure future water efficiency across the state, as well as Cal-Am's own existing and planned future programs to further reduce per capita use. Under either forecast approach, Mr. Mayer's report concludes that Coastal Commission staff correctly determined Pure Water Monterey Expansion would provide a feasible, reasonable, and reliable supply to meet future demand.

The WaterDM report demonstrates that the Pure Water Monterey Expansion, together with Cal-Am's existing lawful sources, would provide an ample supply to meet anticipated water demand in Cal-Am's Monterey district by more than 1,200 excess acre-feet annually through at least 2040. The report concludes that, with implementation of Pure Water Monterey Expansion, Cal-Am's reliable supply sources will be capable of providing at least 11,650 acre-feet per year beginning in 2022. This level of supply security would permit compliance with the CDO, and it would also allow an to end the moratorium on new water connections.

Thus, the best available information shows that Cal-Am will have sufficient supply to meet 2022 demands with only Carmel River diversions at 3,376 AFY for two major reasons: conservation and water supply diversification. System demand has dropped from around 15,000 AFY to less than 10,000 AFY, due to extensive urban water conservation programs by Cal-Am and the Monterey Peninsula Water Management District (MPWMD), implementation of state urban water conservation mandates, and customer conservation efforts. As Mr. Mayer explains, this conservation is permanent. In fact, per capita use in Cal-Am's Monterey district

¹ Peter Mayer has been recognized as an urban water management expert by the U.S. Supreme Court. He has worked with and advised hundreds of water providers and organizations such as the U.S. EPA; the U.S. Department of Justice; California Department of Water Resources; Metropolitan Water District of Southern California; and many others. He recently testified as an expert witness on municipal and industrial water use at the U.S. Supreme Court on behalf of the State of Georgia.

² The AMBAG report overstates population growth in the Cal-Am service area because some of that growth is attributable to the Fort Ord build-out. Water service to all of the former Fort Ord, including portions of the cities of Seaside, Del Rey Oaks, and Monterey, is provided by Marina Coast Water District and not by Cal-Am.

³ Our Board reviewed and received the WaterDM report at our May 18, 2020 public Board meeting following a presentation from Mr. Mayer and public comment.

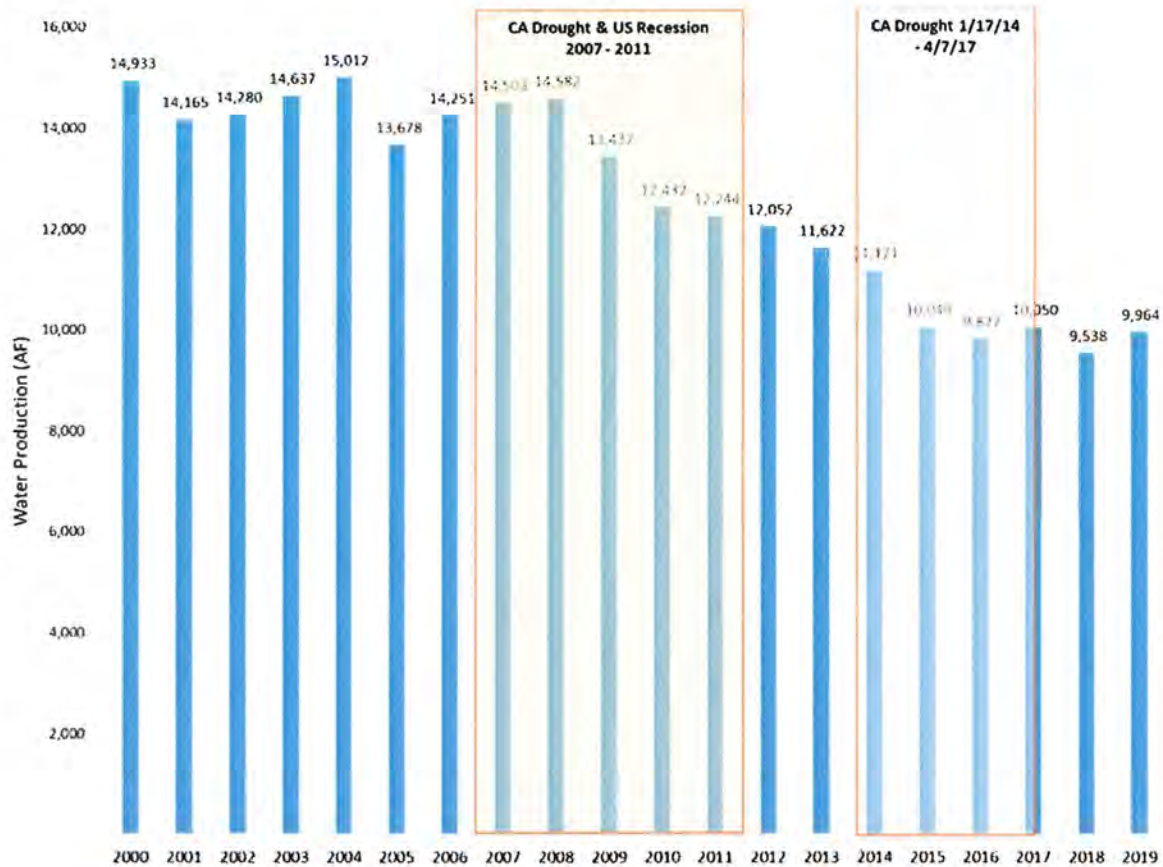
is likely to further decrease between now and 2040 due to ongoing conservation program implementation, continued conservation pricing, and statewide policy directives to reduce indoor and outdoor use and improved utility water loss control measures.

Even if it does not, Cal-Am would still have sufficient supplies to meet its long-term demand with PWM Expansion. In response to Order 95-10, Cal-Am has been diversifying its water sources albeit with the leadership and cooperation of the MPWMD and others – Aquifer Storage and Recovery (ASR) and PWM projects being the major examples. Ms. Sobeck's letter fails to acknowledge that come January 1, 2022, when Cal-Am's Carmel River diversions drop to 3,376 AFY, additional river water will then be available in more years for diversion to direct use and underground storage from December through May under the State Board's ASR permits and Permit 21330.^{4 5}

Without addressing this information and new analysis, Ms. Sobeck's letter states the Water Board staff has reviewed the available documents regarding Monterey Peninsula water supply and demand (without any listing of the numerous available documents to which she may be referring or who provided them to the Board) and "does not have a basis to conclude that the Public Utilities Commission's prior analysis and determinations regarding the water demand, sizing, reliability, or diversity of supply were unreasonable, invalid, *or outdated*." (emphasis added.) Her letter fails to recognize that the CPUC's supply and demand analysis was limited to data gathered only through 2016 and there are now more than three additional years of data available to support a more accurate estimation of demand. As shown in the table below, the additional data show that decreased 2015 water demand was simply not an aberration due to the drought. Nor does she explain why the CPUC's estimate is valid today when it is nearly 2,500 AFY higher than Cal-Am's current annual demand or why the CPUC's estimate should still be utilized by the Coastal Commission in performing its own analysis. Given that Cal-Am's own most recent demand projections, as provided to the CPUC in its 2019 general rate case (filed under penalty of perjury), estimated its Monterey Main system-wide demand in 2022 will be 9,789 AFY, it is clear the Coastal Commission cannot base its alternatives analysis on the CPUC's estimates that current demand would exceed 12,000 AFY. In fact, such an assumption would amount to a prejudicial abuse of discretion and subject the Commission to near certain litigation.

⁴ Permit 21330's authorized place of use needs to be enlarged to coincide with the authorized place of use under the ASR permits.

⁵ Ordering Paragraph 3.b.i of Order 2016-0016 requires that Cal-Am's Effective Diversion Limit (EDL) be reduced by 1 AF for every AF of PWM recovered and delivered for direct use. Even though Cal-Am will miss the October 1, 2020 milestone and have its EDL reduced by 1,000 AFY from October 1, 2020, Cal-Am has not been diverting its full EDL and as of October 1, 2019 had a "Cumulative Carryover credit for Future Years" of 4,788 AF. (Cal-Am 4th Quarter, WY 2028-19 Report to State Water Board.) Therefore, since PWM water is not needed for 2020 and 2021, Cal-Am should only be recovering PWM water needed for testing and almost all of the injected PWM water should remain in underground storage for 2022 and beyond.



Cal-Am Monterey Main water production, 2000 - 2019⁶

While Ms. Sobeck's letter recognizes that actual water use within Cal-Am's Monterey District service area in recent years has been lower than the CPUC's estimated current demand, she does not explain why the magnitude of the difference is not significant new information requiring the Coastal Commission to consider alternatives that meet the actual level of annual demand, as Coastal Commission staff concluded in their most recent staff report. The CPUC rejected any project alternative that would not meet the inflated 12,000 AFY level of demand. As explained in the WaterDM report, recent demand data and analysis shows there are alternatives to desalination that can meet Cal-Am's long-term demand. The table below from the Water DM report demonstrates how this reduction in actual annual demand impacts potential future demand projections for Cal-Am's Monterey Main service area.

⁶ WaterDM Report, Figure 2. 2017 – 2019 data from Cal-Am quarterly reports to the California State Water Resources Control Board. 2000 – 2016 data from Monterey Peninsula Water Management District.

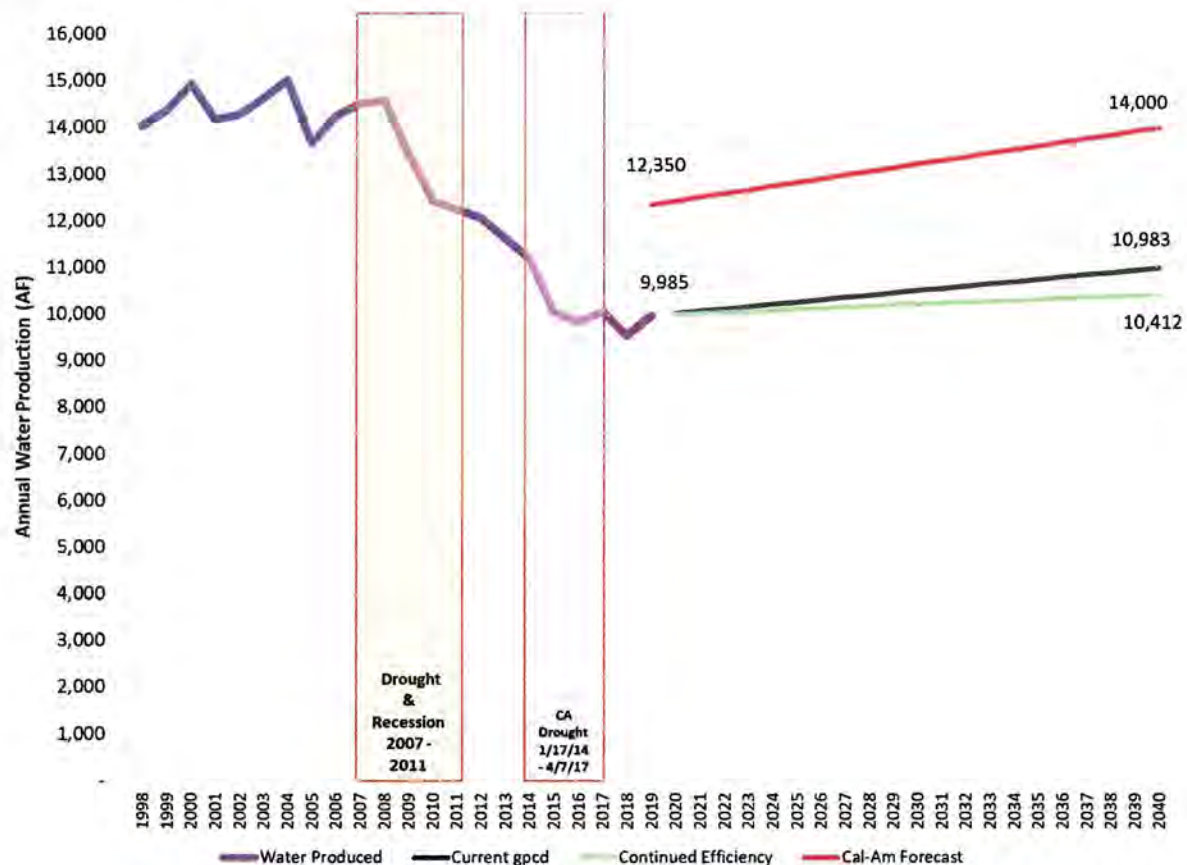


Figure 6: WaterDM forecasts of future average annual production

Furthermore, Ms. Sobeck's letter does not acknowledge that Cal-Am has acquired rights to new water supplies (i.e., Aquifer Storage & Recovery (ASR), SWRCB Permit 21330, Sand City desalinated water, as well as the base Pure Water Monterey project advanced treated water). These supplies in conjunction with a reduced Carmel River supply and native groundwater from the adjudicated Seaside Groundwater Basin, will enable Cal-Am to meet current demands and achieve compliance with the CDO's diversion limits by December 31, 2021.

In summary, contrary to the unsupported argument in Ms. Sobeck's letter, the best available evidence shows:

- The Coastal Commission Staff Report's supply and demand conclusions are consistent with the best available evidence.
- Recent data showing a continued decline in demand on the Monterey Peninsula is consistent with regional and statewide trends.
- Reduced per capita demand is the new normal, not an aberration.
- Pure Water Monterey Expansion, when coupled with supplies in year 2022, can provide sufficient annual water supplies to meet future demand (based on AMBAG growth projections) for more than the next twenty years, and which could allow the moratorium on new connections to be lifted as soon as 2022.

Most importantly, Cal-Am's own supply and demand data demonstrate it can comply with the CDO deadline of December 31, 2021, with water supply sources then in place. Therefore, in light of the Water Board's legislative mandates and policies, the Water Board should encourage the Coastal Commission to address—not ignore—this new information in evaluating whether there are future supply alternatives that could reduce the desalination project's significant unmitigated adverse impacts on Coastal resources and communities.

Cal-Am's Over-Sized Desalination Proposal Is Not Consistent with the Coastal Act; the Coastal Commission Lacks the Information Required to Consider Overriding these Conflicts.

Among the MPWSP's many significant and unavoidable adverse environmental impacts, it is undisputed that Cal-Am's desal project would permanently destroy over seven acres of rare coastal dune habitat within the City of Marina (City) that is home to multiple endangered species and is protected as primary habitat under Marina's Local Coastal Program (LCP) and which constitutes Environmentally Sensitive Habitat Area (ESHA) under the Coastal Act. Given this reality and the project's numerous inconsistencies with the City's LCP, the Commission cannot approve the project under the Coastal Act without substantial evidence to support *all three* required override findings for a "coastal-dependent industrial facility" under Section 30260⁷ of the Public Resources Code. The record to date, in contrast, only supports the conclusion that the Project cannot meet any of the criteria for an override of the Coastal Act and the City's LCP.

- (1) The proposed MPWSP slant wells do not meet the definition of a "coastal-dependent industrial facility."
- (2) Feasible alternatives are available that would avoid the project's inconsistencies with the City's LCP and the Coastal Act, which are not more environmentally damaging, but would instead avoid the Project's significant adverse environmental impacts.
- (3) Not issuing a CDP will not adversely affect the public welfare but would instead promote the public welfare and the Commission's environmental justice policies.
- (4) The Project's adverse environmental impacts are not mitigated to the maximum extent feasible nor are they "fully mitigated."

Ms. Sobeck's letter incorrectly asserts that "these issues have already been resolved by the CPUC in its environmental review" during its "consideration of evidence and testimony over a multi-year adjudicative proceeding." She is mistaken. While the CPUC's EIR

⁷ Section 30260 provides that "where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of [the Coastal Act], they may nonetheless be permitted in accordance with this section and Sections 30261 and 30262 if (1) alternative locations are infeasible or more environmentally damaging; (2) to do otherwise would adversely affect the public welfare; and (3) adverse environmental effects are mitigated to the maximum extent feasible."

acknowledged that the MPWSP's slant wells are sited directly in ESHA (FEIR, pp. 4.6-197, 4.6-235), it did not – and could not – decide whether the City or the Coastal Commission would approve the MPWSP in light of the Coastal Act's ESHA protections or consider alternatives that would avoid impacts to ESHA (such as expansion of the PWM project or other alternatives). Rather, the CPUC stated its mistaken belief that these conflicts did not constitute a feasibility issue because the Coastal Commission had previously determined that a temporary test slant well on the project site did not violate the Coastal Act's policy pertaining to ESHA. (FEIR, Appendix C, p. C-67.) What the Coastal Commission determined regarding the temporary test well was that it could exercise its discretion to approve the test well despite inconsistencies with the City's LCP, using the "override" provision in the Coastal Act. (California Coastal Commission ("CCC") Final Findings, November 12, 2014, p. 58.) In fact, the Coastal Commission informed the CPUC in its comments on the DEIR that the types of development allowed in ESHA are "extremely limited" and it recommended that the CPUC "thoroughly evaluate and consider" alternatives that comply with the Coastal Act's ESHA restrictions, which recommendation the CPUC did not heed. (Compare FEIR, pp. 8.4-3 - 8.4-4 [CCC Comments on DEIR] with FEIR, pp. 8.4-25 [CPUC Response].)

Nor does the Coastal Commission lack jurisdiction to revisit the CPUC's conclusions regarding supply and demand, alternatives, and the project's groundwater impacts⁸ as Ms. Sobeck suggested in footnote 2 of her letter, where the contention is that Section 30231 does not apply. That is simply not correct. Section 30231 can readily be interpreted to apply in this case since there will be discharges from the project to the Marine Sanctuary waters and impacts on public health. Furthermore, both the Coastal Act and case law interpreting it expressly and clearly hold that the Coastal Commission has broad discretion in evaluating the project's impacts and it is not bound by decisions adopted by other government entities in making its own evaluation of the impacts of projects within the Coastal Zone. In adopting the Coastal Act, the Legislature expressly directed: "This division shall be liberally construed to accomplish its purposes and objectives." (Pub. Resources Code, § 30009.). As the Court of Appeal noted in *Gualala Festivals Committee v. California Coastal Com.* (2010) 183 Cal.App.4th 60, 70:

"The [A]ct is to be liberally construed to accomplish its purposes and objectives."
[Citation] "Such a broad interpretation is consistent with the **legislative policy of the Act found in section 30001.5 and the broad grant of power to the agency to adopt any regulations or take any action it deems reasonable and necessary to carry out its provisions.** (§ 30333.)" [Citation] (emphasis added.)

⁸ While beyond the scope of this letter, MCWD does not believe the Water Board had a complete set of information in positing that there is not significant new information relating to groundwater to warrant additional modeling of the project's potential impacts. Attached to this letter are comments from three experts supporting the Coastal Commission's independent hydrologist's determinations that additional modeling is required. (Attachment 2.) The attached comments explain why completing the revised modeling is so critical to determining the project's potential impacts on groundwater and groundwater dependent ecosystems (GDEs). MCWD welcomes the opportunity to address any questions the Water Board may have regarding these issues.

In light of this authority, the Coastal Commission would expose itself to significant liability if it acquiesced in the improper suggestions of Ms. Sobeck's letter and ignored the recommendations of its staff, independent experts, and the information in the record and rushed to consider approval of the project. The likely litigation that would follow such a rushed and incomplete determination would only further delay implementation of any long-term water source that would allow the moratorium to be lifted.

The Desalination Proposal Faces Significant Delays, including Additional Legal and Permitting Hurdles, so Pure Water Monterey Expansion Should Proceed.

Finally, MCWD is very concerned that Cal-Am is manipulating the Water Board as a shield to avoid Cal-Am's own responsibility to the CPUC to consider and move forward with Pure Water Monterey Expansion. Fourteen months ago, the City denied Cal-Am's application for a CDP for its MPWSP slant wells. Now, with no end to the ensuing delay in sight, Cal-Am still refuses to pursue the designated back-up plan. It vigorously urges the Water Board, the Coastal Commission, the Monterey One Water board, and the public to ignore its diversified water portfolio and the last five years of demand data – including its sworn testimony to the CPUC in 2019 regarding its own current annual demand projections. In fact, Cal-Am has already used Ms. Sobeck's May 8, 2020 letter to assert that it is the Water Board's opinion that the Coastal Commission should promptly resolve the CDP application *in Cal-Am's favor* and that the Water Board supports Cal-Am's argument that the PWM Expansion should not be considered as an alternative because it purportedly cannot provide a sufficient additional long-term supply. (See Attachment 3, letter of Cal-Am President, Rich Svindland, to M1W Board, May 9, 2020, p. 5.)

We find the Water Board's apparent efforts to advocate for Cal-Am's desal project and its seeming disdain for the PWM Expansion extremely troubling and perplexing given that California, including under Water Board policy, favors advanced-treated recycled water as a sustainable source of supply. Moreover, SGMA requires affirmative steps for the protection and restoration of the state's groundwater resources. However, Cal-Am's desalination project would thwart both of these important objectives, which are also instrumental to achieving broader statewide goals of sustainability and climate resilience. Efforts to boost Cal-Am's over-sized and over-priced desalination project ignore the "New Normal" in urban water management in California, i.e., the State's urban water conservation mandates coupled with water purveyor funding and implementation of additional conservation measures are working, and they have resulted in steep, permanent decreases in per capita urban water consumption across the state.

We also fail to see the logic behind Ms. Sobeck's statement that: "In the State Water Board's observation, further Coastal Commission delay will also limit Cal-Am's ability or willingness to consider and pursue, let alone fund and construct, other short-term or long-term water supply alternatives to terminate unauthorized diversions from Carmel River as required no later than December 31, 2021." The project is already delayed to the point that it will not

be in service by December 31, 2021 or any time soon thereafter. However, Cal-Am's ability to comply with the CDO using its available resources is entirely in its own hands. Moreover, as discussed above, provided Cal-Am prudently manages its existing lawful resources, no CDO extension should be required.

Notably, Ms. Sobeck's statement ignores the significant obstacles and delays that Cal-Am's desal project already faces, in addition to its unsuccessful CDP applications, including:

- **Monterey Superior Court Has Stayed County's Approval of Desal Plant** - In October 2019 the Monterey County Superior Court issued an injunction halting construction outside the Coastal Zone on the desalination plant.
- **New Groundwater Rights Lawsuit** - The City of Marina filed suit in May 2020, to enforce the strict groundwater extraction provisions applicable to the CEMEX site under a 1996 agreement among it, CEMEX (the current owner of the slant well site), MCWRA, and MCWD; the City's suit seeks an injunction, which would bar any slant well development for the duration of the suit; if the City prevails, the project intake wells could not be located at the CEMEX site.
- **No Application for Outfall Permits** -- Cal-Am has not applied for the required Coastal Development Permits for the outfall liner from the City of Marina and Coastal Commission as required under the CPUC's Mitigation and Conditions of Approval.⁹
- **No Approval or Application for Pipeline Needed to Transport Desal Water** -- New information shows that Cal-Am still needs to apply to the CPUC for a permit to construct a major pipeline to transport desal water.
- **NOAA/MBNMS has not issued a ROD for the MPWSP EIS**. This federal approval, if it happens, would be subject to legal challenge.

If this were not enough, Monterey Peninsula residents as well as Marina/Ord residents oppose Cal-Am's oversized and overpriced desalination project and support PWM Expansion as the affordable and environmentally superior alternative. Notably, public testimony at the November 2019 Coastal Commission meeting was overwhelmingly opposed to the desalination project. Similarly, written public comments for the April 2020 Monterey One Water meeting overwhelmingly favored certifying the Supplemental Environmental Impact Report and proceeding with Pure Water Monterey Expansion. Moreover, in November 2018, Monterey Peninsula voters approved Measure J, pursuant to which MPWMD has begun the process of acquiring public ownership of Cal-Am's Monterey system.

Thus, rather than advancing a feasible long-term water supply solution that would permit a prompt lifting of the moratorium on new connections, as the Monterey Peninsula residents and business want and deserve, Ms. Sobeck's letter provides cover for Cal-Am to

⁹ The Coastal Commission cannot evaluate, much less approve, Cal-Am's pending approvals without this information to determine whether it can approve an override (as discussed above).

refuse to investigate PWM Expansion or any other alternatives to its desalination project with slant wells constructed in ESHA as currently proposed. Importantly, when the CPUC approved Cal-Am's application to construct the project and collect the cost in rates, it also directed Cal-Am to explore the feasibility of implementing Pure Water Monterey Expansion as a back-up plan, in the event the desalination project encountered significant difficulty or delay. In March of 2019, Cal-Am reported to the CPUC that its desalination project was on track so it would not be exploring Pure Water Monterey Expansion. In fact, the desalination project has now encountered multiple significant delays as noted above. It will not be delivering water by the Dec. 31, 2021 CDO deadline or likely at any time within the next five years. Nonetheless, current data and analysis demonstrates that no extension of the CDO will be required, as discussed above.

In sum, Cal-Am's desal proposal is inconsistent with multiple Coastal Act policies and cannot be permitted unless: there are no feasible alternatives, the project is fully mitigated, and it is in the public interest. As Coastal Commission staff has correctly determined on the record before it in November, the project cannot meet any of these requirements, much less all of them as required for approval. Even with additional time to further the investigate remaining issues its staff has identified, there is no guarantee of a different outcome. In light of the fact that the expansion of Pure Water Monterey would provide a sufficient long-term water supply in conjunction with Cal-Am's existing legal water supplies, MCWD nonetheless believes it is of critical importance that the Coastal Commission meet its mandate to ensure any MPWSP approvals meet the requirements of the Coastal Act and other State laws even if that means the Commission needs to delay consideration of the MPWSP until after its August 2020 meeting.

Therefore, we request the Water Board withdraw Ms. Sobeck's letter and immediately issue a new letter clarifying that the Board neither supports nor discourages Cal-Am's desalination proposal and that the SWRCB recognizes the appropriate jurisdiction of the Coastal Commission in its review of the project under the Coastal Act. Furthermore, we suggest the Board consider encouraging further review and potential approval and implementation of the PWM Expansion, consistent with its recycled water policies and in light of the multiple delays and difficulties encountered by the desalination proposal. Thank you for your prompt attention to this critical matter. If you have any questions regarding this letter or its contents, please contact our General Manager Keith Van Der Maaten or our legal counsel.

Very truly yours,



Thomas P. Moore
President, MCWD Board of Directors

Attachments

Attachment 1 – Water DM Report

Attachment 2 – EKI, Hopkins and GeoHydros comments on Water Board letter
regarding Weiss proposed scope of work

Attachment 3 – Cal-Am letter of May 9, 2020 (attaching Sobeck letter)

CCs:

John Ainsworth, Executive Director, California Coastal Commission

Alison Dettmer, Senior Deputy Director, California Coastal Commission

Kate Huckelbridge, Deputy Director of Energy, Ocean Resources, & Federal
Consistency, California Coastal Commission

Tom Luster, Senior Environmental Scientist, California Coastal Commission

Layne Long, City Manager, City of Marina

Board of Directors, Monterey One Water

Paul Sciuto, General Manager, Monterey One Water

Board of Directors, Monterey Peninsula Water Management District

David Stoldt, General Manager, Monterey Peninsula Water Management District

RECEIVED

MAY 28 2020

MPWMD

COPY



May 20, 2020

511 Forest Lodge Road
Pacific Grove, CA 93950
www.amwater.com

Erik Ekdahl, Deputy Director
Division of Water Rights
State Water Resources Control Board
1001 I Street
Sacramento, CA 95812

Re: SWRCB Order WR 2016-0016, Aquifer Storage and Recovery Operating Plan

Dear Mr. Ekdahl:

Pursuant to Condition 7 of the subject order, California American Water is required to submit an ASR operating plan.

Condition 7 requires:

ASR Project: On June 1 of each year, Cal-Am shall submit an operating plan to the Deputy Director for Water Rights specifying the quantity of water it will supply from the ASR Project for its customers after May 31 of each year. This plan shall provide for use of the water between June 1 and September 30 of the water year the water was pumped from the Carmel River, unless otherwise authorized by the fishery agencies. Cal Am shall reduce its illegal diversions from the Carmel River at the same rate ASR water is recovered from the groundwater basin. ASR diversions remain subject to State Water Board Order WR 2009-0060, ordering paragraph 3.c. This section supersedes ordering paragraph 4 of WRO 2009-0060.

California American Water Response:

As condition 7 of the amended CDO requires, we are hereby notifying you of our ASR recovery plan for 2020. The plan is consistent with condition 7 as provided below:

During the ASR injection period of December 1, 2019 through May 31, 2020, there was 916.50-Acre Feet (AF) of water diverted to ASR under Permits 20808A and 20808C. In addition, there remains 1,060.25 AF in storage from last year. The total of ASR water currently stored and available is 1,976.75 AF for recovery by California American Water via its Seaside Basin wells. California American Water has met and conferred with the fishery agencies to develop an agreed recovery plan for the stored ASR water.

Beginning on June 1, 2020, or upon entering the low flow period for the Carmel River, California American Water will begin recovery of stored ASR water at a rate of 7.5 AF per day through the end of the current water year (09/30/2020). This rate of recovery is expected to equate to 916.50 AF used from stored ASR water this water year. The recovery rate will maximize the amount recovered over the summer while still utilizing California American Water's annual allocation of native Seaside Groundwater Basin water (1,820 AF) at a rate of 4 AF per day. The balance in storage that will carry over to WY 2020 – 2021 will be approximately 1,060.25 AF. The plan would be to continue recovery at 7.5 AF until all stored ASR water injected during the current water year has been recovered, expected sometime in October 2020. Please note, if the Quarterly

Water Budget Group agrees to accumulate a drought reserve, this will be achieved via stored ASR water.

As required by condition 7, California American Water has requested approval from the National Marine Fisheries Service and the California Department of Fish and Wildlife of this recovery plan, and those e-mail approvals are attached.

California American Water will meet and confer at least quarterly with the National Marine Fisheries Service, California Department of Fish and Wildlife, and the Monterey Peninsula Water Management District to update its water budgets for both the Carmel River and the Seaside Groundwater Basin. Should the group make a determination that the river may receive greater benefit from a different ASR recovery plan resulting from changing conditions, that amended plan would be submitted to the Deputy Director for Water Rights.

If you have any questions, please contact me at (831)-646-3241.

Sincerely, .



Christopher Cook, PE
Director, Operations
Coastal Division
California American Water

Attachment

cc: R. Svindland
G. Hofer
K. Horning, Esq.
M. Magretto
D. Stoldt

From: Erin Seghesio - NOAA Federal <erin.seghesio@noaa.gov>
Sent: Monday, May 18, 2020 8:11 AM
To: Michniuk, Dennis@Wildlife <Dennis.Michniuk@wildlife.ca.gov>
Cc: Christopher Cook <Christopher.Cook@amwater.com>
Subject: Re: ASR Recovery Plan

EXTERNAL EMAIL: The Actual Sender of this email is erin.seghesio@noaa.gov "Think before you click!"

Hello Chris,
NMFS approves the attached ASR recovery plan.
Thank you,
Erin

On Fri, May 15, 2020 at 3:27 PM Michniuk, Dennis@Wildlife <Dennis.Michniuk@wildlife.ca.gov> wrote:

Hi Chris,

I approve the attached ASR recovery plan.

Dennis Michniuk

District Biologist

Coastal Monitoring Lead

California Department of Fish and Wildlife

3196 S. Higuera St., Suite A

San Luis Obispo, Ca 93401

Cell 805 550-0379

Office 805 594-6117

Dennis.Michniuk@wildlife.ca.gov

From: Christopher Cook <Christopher.Cook@amwater.com>
Sent: Friday, May 15, 2020 3:20 PM
To: Erin Seghesio - NOAA Federal <erin.seghesio@noaa.gov>; Michniuk, Dennis@Wildlife <Dennis.Michniuk@wildlife.ca.gov>
Subject: ASR Recovery Plan

Warning: This email originated from outside of CDFW and should be treated with extra caution.

Erin and Dennis,

Please let me know if the attached ASR Recovery Plan, reviewed in today's conference call, looks good.

Thank you,

Chris Cook, PE

Director of Operations
California American Water, Central Division
511 Forest Lodge Road, Suite 100
Pacific Grove, CA 93950

P: 831.646.3241
C: 831.277.2405
E: Christopher.Cook@amwater.com
www.amwater.com

this email in error, please notify the sender. Please note that any views or opinions presented in this email are solely those of the author and do not necessarily represent those of American Water Works Company Inc. or its affiliates. The recipient should check this email and any attachments for the presence of viruses. American Water accepts no liability for any damages caused by any virus transmitted by this email. American Water Works Company Inc., 1 Water Street, Camden, NJ 08102 www.amwater.com

Erin Seghesio

Recovery Coordinator/Fishery Biologist

NOAA Fisheries

West Coast Region

During the COVID-19 pandemic I am under mandatory telework. I may be working flexible hours to balance family and personal needs. I appreciate your patience if my response time is delayed. If you have a request, please specify important timeframes or deadlines. I will do my best to respond accordingly. Thank you.

Erin.Seghesio@noaa.gov

web: <http://www.westcoast.fisheries.noaa.gov>

May 17, 2020

Mr. Alvin Edwards, Chair
Board of Directors
Monterey Peninsula Water Management District
5 Harris Court, Bldg. G
Monterey, CA 93940

Dear Mr. Edwards/ Board Members,

This letter is to call your attention to a substantial violation of a central provision of the Ralph M. Brown Act, which undermines the validity of the actions taken by the Monterey Peninsula Water Management District (MPWMD) on April 30, 2020 and May 1, 2020.

The nature of the violation is as follows: (1) the MPWMD took action to release a letter dated May 1, 2020, to Monterey One Water without conducting a properly noticed regular meeting of the MPWMD where the final draft of the letter was reviewed, considered, public comment received, and a vote of the Board members was conducted. A copy of the illegal May 1, 2020 letter is enclosed.

The action violates the Brown Act because the April 30, 2020 closed session agenda item stated the topic for discussion as "Anticipated initiation of litigation by MPWMD" but in fact, the Board members were only provided a draft letter to Monterey One Water for discussion, in which there was no mention of litigation. Following the closed session, on April 30, 2020, District Counsel only reported out of closed session that the Board decided to postpone litigation. District Counsel made no reference to the existence of the draft letter that was discussed at the closed session. Subsequently, a final letter dated May 1, 2020 letter was sent under the signature of the MPWMD Board to Monterey One Water without the content or issuance of the letter being discussed, considered, and voted upon by the MPWMD Board in a publicly noticed meeting.

In the staff report for Agenda Item No. 17 for the May 18, 2020 MPWMD Board meeting, it is acknowledged the May 1, 2020 letter was sent "at the direction of the Chair," demonstrating that the decision to send the May 1st letter was an ad hoc action by the Chair made in private, out of public purview.

The Brown Act does not permit discussion and taking the action of issuing the May 1st letter in closed session and further, there was no public notice that the May 1st letter would be discussed in the April 30th closed session. Moreover, the May 1st letter was not considered or approved by the MPWMD Board of Directors before it was sent.

There is no doubt that the May 1st letter constitutes "an action" within the meaning of the Brown Act. I call your attention to Government Code Section 54952.6, which defines "action taken" for the purposes of the Brown Act expansively, i.e. as "a collective decision made by a majority of the members of a

legislative body, a collective commitment or promise by a majority of the members of a legislative body to make a positive or negative decision, motion, proposal, resolution, order, or ordinance.”

As you are aware, the Brown Act creates specific agenda obligations for notifying the public with a “brief description” of each item to be discussed or acted upon, and also creates a legal remedy for illegally taken actions-namely the judicial invalidation of illegal actions.

Pursuant to Government Code Section 54960.1, I demand that the MPWMD cure and correct the illegally taken action as follows: (1) The MPWMD acknowledge in open session at a public Brown Act-compliant meeting, that the May 1, 2020 letter to Monterey One Water was not properly noticed and publicly debated under the Brown Act nor was it voted upon by Board members before its release to Monterey One Water and (2) the MPWMD send a letter to Monterey One Water acknowledging that the May 1, 2020 letter was not properly reviewed, discussed, considered, nor approved by the MPWMD Board and is therefore rescinded.

As provided by Section 54960.1, you have thirty (30) days from receipt of this demand letter to either cure or correct the challenged action or inform me of your decision not to do so.

The MPWMD and its Board of Directors should be setting an example for open government.

Best Regards,

A handwritten signature in blue ink, appearing to read 'Gary D. Hoffmann', followed by a horizontal line.

Gary D. Hoffmann, P.E.
Carmel Valley Resident



Monterey One Water

Providing Cooperative Water Solutions

ADMINISTRATION OFFICE: 5 Harris Court, Bldg D, Monterey, CA 93940

MAIN: (831) 372-3367 or (831) 422-1001

FAX: (831) 372-6178

WEBSITE: www.montereyonewater.org

25

May 15, 2020

Board of Directors
Monterey Peninsula Water Management District
5 Harris Court, Building G
Monterey, CA 93940

Re: Invoice No 13328, dated April 24, 2020 and May 1, 2020 Letter

Dear Ladies and Gentlemen:

Monterey One Water ["M1W"] has received your letter, dated May 1, 2020. In continued good faith, we are responding within 10 working days as requested. Your letter purportedly refuses to pay M1W's Invoice No. 13328 for \$614,878.53 unless and until M1W's Board certifies the Final Supplemental Environmental Impact Report ["Final SEIR"].

Referencing the May 20, 2019 *MRWPCA-MPWMD Cost Sharing Agreement*, as amended July 25, 2016 [Amendment No. 1], October 2017 [Amendment No. 2], and June, 13, 2019 [Amendment No. 3], MPWMD is clearly obligated to pay M1W's Invoice Number 13328. Nowhere in Amendment No. 3 is there any obligation of the M1W Board to certify the Final SEIR or take any action that is contingent to or a requirement for MPWMD payment to M1W for Final SEIR activities.

As you are aware, a question of good faith effort does not excuse MPWMD from performing its contractual obligations pursuant to the agreement. If MPWMD, after a prompt review of the *MRWPCA-MPWMD Cost Sharing Agreement*, as amended, still maintains its position, it is obligated to make payment to M1W of the \$614,878.53 owed M1W and avail itself of Section G.16 – Dispute Resolution of the *MRWPCA-MPWMD Cost Sharing Agreement*. M1W expects payment of the \$614,878.53 on or before May 25, 2020.

In addition, the entire M1W Board will discuss the MPWMD request at its regularly scheduled Board meeting on May 21, 2020.

Sincerely,

Ron Stefani
M1W Board Chair

Arlene Tavani

From: Larry Parrish <lparrish@toast.net>
Sent: Monday, May 18, 2020 2:10 PM
To: comments; alvinedwards420@gmail.com; georgetriley@gmail.com;
 water@mollyevans.org; jcbarchfaia@att.net; gqhwd1000@gmail.com;
 dpotter@ci.carmel.ca.us; district5@co.monterey.ca.us
Subject: "PUBLIC COMMENT ITEM #16".
4 yr: -1

Dear MPWMD -

I'm writing to oppose the possible installation of smart meters b y Cal-Am Water. This is nothing more than Cal-Am once again sticking ratepayers with another bill for something that is not needed and will not save ratepayers any money. Only Cal-Am will profit from these ill-conceived meters.

Here are some of my concerns:

1. They're totally unnecessary.
2. They are expensive and will need to be replaced more frequently than analog meters.
3. They will send out constant signals of Electro Magnetic emissions that further pollute the environment with EMF. And, if you didn't know, EMF are dangerous to human health, and other natural beings. This is a proven fact.
4. Smart meters are wireless, and therefore inaccurate and vulnerable to interference, like all wireless technologies. And many new cell towers will be needed.
5. Their wireless nature also leads to over billing, like all smart meters. Again, studies have shown this to be the case with wireless meters.
6. They will create another liability for the WMD (and customers) if they approve them, just because of the inherent dangers.

Board members - you really need to do your homework on this. This is just another scam from Cal-Am and will not benefit ratepayers whatsoever, no matter what Cal-Am may claim. So, please postpone your decision until you know all the facts about smart meters.

Thank you,
 Larry Parrish
 Carmel Valley

Arlene Tavani

From: Stephanie Locke
Sent: Monday, May 18, 2020 1:28 PM
To: Arlene Tavani
Subject: FW: Carmel Outdoor Dining Expansion

Here's one more.

From: Anna Bartolini <anna@labalenacarmel.com>
Sent: Monday, May 18, 2020 1:13 PM
To: Stephanie Locke <locke@mpwmd.net>
Subject: Carmel Outdoor Dining Expansion

Dear Stephanie,

I am the owner of La Balena and il Grillo restaurants in Carmel-by-the-sea. I am writing in support of the consideration to allow Carmel restaurants to transfer seats to outdoor seating spaces adjacent to our restaurants. I believe this is the best option moving forward for dine in options for our local restaurants. My indoor spaces are quite small, and it will be a great challenge for us to continue to operate based on reduced capacity inside and safety concerns. We are lucky to have outdoor areas adjacent to both of our locations.

I also want to support the opportunity for other businesses to use adjacent areas for their businesses as well. I am a Carmel-by-the-sea resident, and understand the loss of income and tax dollars for our city will have devastating effects on the city we love and may compromise the safety of our neighbors.

Thank you for your consideration.

Sincerely,
Anna Bartolini

--

La Balena
Junipero between 5th & 6th
PO Box 2311
Carmel-by-the-sea, CA
831.250.6295



City of Carmel-by-the-Sea

COMMUNITY PLANNING AND BUILDING DEPARTMENT

POST OFFICE BOX CC
CARMEL-BY-THE-SEA, CA 93921
(831) 620-2010 OFFICE

May 18, 2020

MPWMD Board of Directors
PO Box 85
Monterey, CA 93942-0085

Subject: Urgency Ordinance No. 186, Exterior Restaurant Seating

Dear Honorable Board of Directors,

On behalf of the City of Carmel-By-The-Sea, I would like to express my strong support for Urgency Ordinance No. 186 and respectfully encourage you to adopt a temporary suspension to Rule 24-B-1-i to allow additional exterior seating associated with dine-in restaurants in order to meet the guidelines set forth by Governor Newsom for the reopening of restaurants.

The City of Carmel has 52 restaurants of which only 25 are currently open for curb-side pick-up or delivery. The impact to our local restauranteurs has been devastating. The City is partnering with the Carmel Chamber of Commerce to explore options for increasing outdoor seating opportunities for restaurants in our village. The passage of this Urgency Ordinance would support our efforts to assist local restauranteurs with the reopening of their establishments.

Thank you for your consideration.

Sincerely,

Cherie R. Waffle for

Chip Rerig
City Administrator

Arlene Tavani

From: Stephanie Locke
Sent: Monday, May 18, 2020 9:15 AM
To: Arlene Tavani
Subject: Fwd: Basil seasonal dining

Begin forwarded message:

From: Denis Boaro <info@basilcarmel.com>
Date: May 17, 2020 at 10:20:23 PM PDT
To: Stephanie Locke <locke@mpwmd.net>
Subject: Basil seasonal dining

Good evening, thank you for taking the time to read my email.

Basil is a very small restaurant 10 tables inside = 20 seats, and 10 tables outside/patio = 40 seats.

I reconfigured every table at 6ft social distance and i will loose 60% of my seating capacity, remaining with 3 tables inside and 5 table outside.

I just would like to express the importance of additional patio seating since i will not be able to generate the same amount of sales losing 60% of my actual capacity and most likely i will not be able to pay same rent and or pay my employees accordingly.

Feel free to stop by and review my current situation.

Regards,

Denis Boaro
GM | Owner Basil Seasonal Dining
Cell:(520) 395.5823
Info@basilcarmel.com
Sent from my iPhone

Arlene Tavani

From: Stephanie Locke
Sent: Monday, May 18, 2020 9:14 AM
To: Arlene Tavani
Subject: Fwd: outdoor seating

4 yr: -1

Another to distribute.

Begin forwarded message:

From: dia kheir <kheirdia@gmail.com>
Date: May 17, 2020 at 11:38:21 PM PDT
To: Stephanie Locke <locke@mpwmd.net>
Subject: outdoor seating

Dear Monterey Peninsula Water Management District,

We need your help! For restaurant owners in Carmel to survive, we need a modification to MPWMD rules to allow for an exchange in seating. With the Shelter-In-Place ordinance, we have had to either close our doors, or move to take-out only business models. When we are able to re-open our dining rooms, our occupancy levels will be significantly decreased due to new measures required for social distancing and for our guests to feel comfortable dining in. This is why we need to allow for the exchange in seating, the Carmel City Council is working with us so that we're able to open our doors and survive these trying times.

Thank you for your time, consideration, and assistance.

Arlene Tavani

From: Stephanie Locke
Sent: Monday, May 18, 2020 9:09 AM
To: Arlene Tavani
Subject: Fwd: Passage of Urgency Ordinance Allowing Outside Additional Seating for Restaurants.

FlwUp: -1

Please distribute

Begin forwarded message:

From: Edward Bernett <randallbernett@msn.com>
Date: May 18, 2020 at 7:38:26 AM PDT
To: Stephanie Locke <locke@mpwmd.net>
Subject: **Passage of Urgency Ordinance Allowing Outside Additional Seating for Restaurants.**

To The Monterey Peninsula Water Management District:

As an owner of Katy's Place for thirty one years, which has been closed since March 17, 2020, I strongly support the emergency ordinance allowing additional outside seating to better facilitate social distancing in our restaurant and all others. I am hopeful that we will be able to open again soon for dine-in guests, but this ordinance will make that a reality for all of us and enable our survival in these difficult times. Thank you for your consideration.

Randall Bernett
General Partner Owner
Katy's Place

Arlene Tavani

From: Stephanie Locke
Sent: Monday, May 18, 2020 9:15 AM
To: Arlene Tavani
Subject: Fwd: Additional out side seating.

4 yr: -1

Begin forwarded message:

From: Firok Shield <dagiovannis@dagiovannis.com>
Date: May 17, 2020 at 11:23:18 PM PDT
To: Stephanie Locke <locke@mpwmd.net>
Subject: Additional out side seating.

Dear Monterey Peninsula Water Management District,

We need your help! For restaurant owners in Carmel to survive, we need a modification to MPWMD rules to allow for an exchange in seating. With the Shelter-In-Place ordinance, we have had to either close our doors, or move to take-out only business models. When we are able to re-open our dining rooms, our occupancy levels will be significantly decreased due to new measures required for social distancing and for our guests to feel comfortable dining in. This is why we need to allow for the exchange in seating, the Carmel City Council is working with us so that we're able to open our doors and survive these trying times.

Thank you for your time, consideration, and assistance.

Firok Shield.

Carmel's Bistro Giovanni.

Tel; 831 277 7077

Arlene Tavani

From: Stephanie Locke
Sent: Monday, May 18, 2020 9:13 AM
To: Arlene Tavani
Subject: Fwd: Outside seating

Please distribute to the board

Begin forwarded message:

From: Jan Prikryl <Honza_p@yahoo.com>
Date: May 18, 2020 at 12:47:41 AM PDT
To: Stephanie Locke <locke@mpwmd.net>
Subject: **Outside seating**

Dear Monterey Peninsula Water Management District,

We need your help! For restaurant owners in Carmel to survive, we need a modification to MPWMD rules to allow for an exchange in seating. With the Shelter-In-Place ordinance, we have had to either close our doors, or move to take-out only business models. When we are able to re-open our dining rooms, our occupancy levels will be significantly decreased due to new measures required for social distancing and for our guests to feel comfortable dining in. This is why we need to allow for the exchange in seating, the Carmel City Council is working with us so that we're able to open our doors and survive these trying times.

Thank you for your time, consideration, and assistance.

Jan Prikryl
Flying Fish Grill
Sent from my iPhone

Arlene Tavani

From: Stephanie Locke
Sent: Monday, May 18, 2020 9:18 AM
To: Arlene Tavani
Subject: Fwd: MPWMD Board Meeting Comment

FlwUp: -1

Begin forwarded message:

From: Kenneth Spilfogel <kspilfogel@gmail.com>
Date: May 17, 2020 at 8:50:01 PM PDT
To: Stephanie Locke <locke@mpwmd.net>
Subject: MPWMD Board Meeting Comment

Stephanie,

Please send my regards and comments to the board. I cannot stress how important this modification will be for us to have the opportunity to have additional outdoor seating. For us to be profitable, we need to be able to utilize additional outdoor seating, as our occupancy inside our restaurants will be limited for social distancing measures, as well as for the comfort of our guests. This has been an extremely difficult time for the restaurant industry and we need to be looking ahead towards how we can reopen our doors, when it is allowed, in the safest way possible. Please know that these changes are needed for us to navigate this COVID-19 crisis, without your help, the restaurant industry in Carmel has a very bleak future and will take significantly longer to recover if we cannot have additional outdoor seating, as well as other measures we are working with the Carmel City Council to achieve.

I truly appreciate your time and concern and look forward to hearing the results of your board meeting.

Kenneth Spilfogel

Hospitality Consultant, Art of Service LLC

Phone: [831-601-8444](tel:831-601-8444)

Email: kspilfogel@earthlink.net

Address: PO Box 2100, Carmel, CA 93921



Arlene Tavani

From: Stephanie Locke
Sent: Monday, May 18, 2020 3:57 PM
To: Arlene Tavani
Subject: FW: Carmel Restaurants

From: Crowe, Mary <mcrowe@classichotels.com>
Sent: Monday, May 18, 2020 3:03 PM
To: Stephanie Locke <locke@mpwmd.net>
Subject: Carmel Restaurants

Dear Stephanie and Monterey Peninsula Water Management Board,

I am writing to request your support and assistance in helping Carmel Restaurants regain some of their seating that has been lost as a result of social distancing measures. As you know, most Carmel businesses are located in very small footprint buildings and storefronts. Most of our restaurant simply cannot survive with fewer seats or a solely take-out business.

We are requesting your consideration of a modification to MPWMD rules to allow for an exchange in seating. Your support will make it possible for some of our restaurants to survive, while we all work toward rebuilding our local economy.

Our City Council is working hard to assist our local businesses in their fight for survival.. Your support on this issue will help us immeasurably.

Thank you for your time, consideration, and assistance.

Mary Crowe | Vice President of Quality Assurance
Managing Director Carmel Properties | Classic Hotels & Resorts
 P.O. Box 900 | Camino Real at Eighth | Carmel, CA 93921
 P 831-293-6101 | F 831-624-7966 | W laplayahotel.com

Mary Crowe | Vice President of Quality Assurance
Managing Director Carmel Properties | Classic Hotels & Resorts
 P.O. Box 900 | Camino Real at Eighth | Carmel, CA 93921
 P 831-293-6101 | F 831-624-7966 | W laplayahotel.com

This message may contain confidential and privileged information. If it has been sent to you in error, please advise the sender of the error and then delete this message.

Arlene Tavani

From: Stephanie Locke
Sent: Monday, May 18, 2020 9:17 AM
To: Arlene Tavani
Subject: Fwd: URGENT: ACT NOW! Send your comments tonight!

Use this one from Pepe.

Begin forwarded message:

From: "pepe pepeinternational.com" <pepe@pepeinternational.com>
Date: May 17, 2020 at 9:20:07 PM PDT
To: Kenneth Spilfogel <kspilfogel@gmail.com>, Stephanie Locke <locke@mpwmd.net>
Subject: Re: URGENT: ACT NOW! Send your comments tonight!

Hi Stephanie,

I do not share Kenny's position on the seating exchange. I cannot find one restaurant that already has exterior space at it's limit at this moment. If exterior seating can be expanded, social distancing will in any case limit that expansion.

Case in point, Little Napoli is approved for 108 interior seats, and there is no way my leased premises could accommodate even more that 20 seats, let alone 54.

Having said the above, unless the water board will allow seating in non-leased spaces this is a mute point to move forward. Enforcement after the SIP is lifted will be a nightmare and not one restaurant wold go back to their previously approved limits.

Kenny continues to not calculate the social distancing measures correctly. I do not support this variance.

Rich Pepe

Arlene Tavani

From: Stephanie Locke
Sent: Monday, May 18, 2020 2:24 PM
To: Arlene Tavani
Subject: FW: Seating Exchange for Restaurants

4 yr: -1

From: Anton & Michel <anton@carmelsbest.com>
Sent: Monday, May 18, 2020 2:23 PM
To: Stephanie Locke <locke@mpwmd.net>
Subject: Seating Exchange for Restaurants

Dear Monterey Peninsula Water Management District,

We desperately need your help! For restaurant owners in Carmel-by-the-Sea to survive this pandemic, we need a modification to MPWMD rules to allow for an exchange in seating. With the Shelter-In-Place ordinance, we have had to either close our doors, or move to take-out only business models. When we are able to re-open our dining rooms, our occupancy levels will be significantly decreased, possibly in excess of 50%, due to new measures required for social distancing and for our guests to feel comfortable dining-in. This is why we need to allow for the exchange in seating; the City of Carmel's Council is working with us so that we're able to open our doors and survive these trying times.

Thank you for your time, consideration, and assistance.

Tony Salameh
 Anton & Michel Restaurant
 Carmel, California

Arlene Tavani

From: Stephanie Locke
Sent: Monday, May 18, 2020 9:16 AM
To: Arlene Tavani
Subject: Fwd: Water allocation for outdoor seating

4 yr: -1

Begin forwarded message:

From: walter georis <walterngeoris@gmail.com>
Date: May 17, 2020 at 9:35:59 PM PDT
To: Stephanie Locke <locke@mpwmd.net>
Cc: Kenneth Spilfogel <kspilfogel@gmail.com>
Subject: **Water allocation for outdoor seating**

Stephanie

I'm writing you regarding the need to allocate additional outdoor seating to compensate for what seems to be new strict

Indoor seating policy. We at Casanova restaurant will need additional sidewalk seating in order to survive our current economic situation. We need this asap so we can offer dining while the weather is good. Please consider this request At your next meeting.

Walter Georis
Casanova Carmel

Sent from my iPhone

Arlene Tavani

From: Stephanie Locke
Sent: Monday, May 18, 2020 9:11 AM
To: Arlene Tavani
Subject: Fwd: Contacting you on behalf of Ken from Flahertys

4 yr: -1

Please distribute to the board of directors

Begin forwarded message:

From: H&J Accounting & BM <yesanchez8822@gmail.com>
Date: May 18, 2020 at 6:08:29 AM PDT
To: Stephanie Locke <locke@mpwmd.net>, ken <kspilfogel@earthlink.net>, Mariah Ciani <mariah.elyse@gmail.com>
Subject: **Contacting you on behalf of Ken from Flahertys**

Hello Stephanie,

We at Flahertys are in support of obtaining additional seating for our customers. We think it is highly important to gain outside seating capacity as we will need to spread out our customers due to the social distancing inside and outside and in doing so, we will be more restricted having to keep our customers away from each other from close by tables.

--

Please confirm receipt of email.

Thank you,

Yesenia Sanchez
**H&J Accounting
& Business Management**
(831) 238-5940

Arlene Tavani

From: bdmoore100@aol.com
Sent: Monday, May 18, 2020 1:01 PM
To: Arlene Tavani
Subject: failed email to board

Hello,

A little after 11 this morning, I tried to send an email with my comments on Item 12 and item 16 to the email address in the agenda packet, but it was returned as "undeliverable." I'd like to have the comments considered by the board for its meeting tonight. After my email failed to be sent properly, I looked on your website but didn't find another email address there. The address I saw in the agenda was comments@wpwmd.net. I didn't have any other way I could think of to get my comments to the board before the noon time mentioned in the agenda.

I just now got your email address from Melodie Chrislock who suggested yours as an alternative to the one I used before. I would very much appreciate it if you could have my comments presented to the board even though it's now after noon.

Here's what I wrote:

I strongly urge you to adopt Mr. Stoldt's Supply and Demand Report. It is well-reasoned and based on a sensible analysis of relevant facts. It has been revised based on input received. It is a critical analysis of reasonable demand needs of our area and how these needs can be met in a cost effective way. I have attended many of your meetings and have consistently been impressed by how reasonable, thoughtful, intelligent and fair Mr. Stoldt is. I have immense confidence in his abilities and how even-handed he is.

Alternative information from various entities greatly exaggerate the need for water. Mr. Stoldt has done good work and created a sensible blueprint. Again, I urge you in the interest of the public you serve to adopt his report.

I am adamantly opposed to so-called Smart Water meters. In addition to my home in Monterey, I own property in another area of California where "smart meters" have been installed. To put it mildly, they are much worse than the traditional meters they replaced. There is no need to switch to them. In my experience, there is good reason not to change to them, and I am especially opposed to ratepayers being required to pay for them. Consequently, I urge the Board to vote against installing "Smart Meters" and in no event to do so if it means ratepayers have to foot the bill.

Thank you,
Barbara Moore

Arlene Tavani

From: Eloise A Shim <eloiseashim@yahoo.com>
Sent: Monday, May 18, 2020 7:07 AM
To: comments
Subject: Fw: 5/18: Cal-Am smart water meters, opt-out on MPWMD agenda for approval

4 yr: -1

Item # 16 on the agenda today is of great concern.

California American Water Company has been installing very powerful AMI/smart water meters since about 2018.

As a long time resident and rate payer, I have been concerned about Smart Meters and their environmental effect on health for over 10 years, so much so, that I dedicated an entire chapter in my book published in 2018 entitled, "Education Policy During the Obama Years" --

https://www.amazon.com/dp/B07TCBX3KX/ref=cm_sw_r_ap_a_i_fnPWEbKEVF35B

Customers were not notified that the meters are part of the rate increase, which is in the millions of dollars at a time when the county is enacting deep budget cuts.

I oppose these meters. The general rate case is heading toward a settlement agreement, and it's imperative the Board position be "No".

I also oppose any charge for "opting out".

Please consider this email part of the public record because

Smart water meter problems include:

constant transmissions

health and environmental hazard

inaccuracy and overbilling

short lifespan -- more frequent replacement

expensive

liability for the water district (aka the customers) if they buy Cal-Am assets.

Thank you for letting my voice be heard regarding this issue before the board today.

Arlene Tavani

From: Pamela M <chezpamela@gmail.com>
Sent: Monday, May 18, 2020 11:57 AM
To: comments
Subject: Public Comment Agenda #16

5/18/20

To Whom It May Concern,

This letter is in opposition to the proposed Cal-Am smart meter project.

Research shows that smart meters and the towers they communicate with are a health hazard.

No studies have been done to show that they are safe.

And no studies have been done on the cumulative effects of all the different kinds of radiation we are subjected to such as radiation from cell phones, cell towers, the PG&E smart meters and internet service equipment.

Sincerely,
Pamela Mencher
Pacific Grove, CA

Arlene Tavani

From: Rebecca Lee <rebeccalee311@gmail.com>
Sent: Monday, May 18, 2020 9:03 AM
To: comments
Subject: Public Comment Item #16

Dear Commissioners,

This comment is in opposition to Cal Am Water smart meters.

Not only do smart meters and additional cell towers pose a health risk to humans, they have been shown to kill pollinators and when clustered together as in an apartment building, they kill shrubs.

We already have PG &E smart meters, cell towers for phone and internet....and no studies that show the cumulative effect of these collective radiations.

We are in the midst of a pandemic caused by a virus. Everyone knows that viruses abound all the time and some are immune and some aren't. What lowers collective immunity to create a pandemic? Anything that interferes with Earth cleansing herself. The factory farms that dump tons of feces, urine and blood into the rivers and oceans, the plastics in the oceans, ocean acidification from CO2. It has all added up to create conditions we must agree to change for the future of life. Adding more cell towers, more radiation is the opposite of the direction we need to go.

Please vote to deny Cal Am smartmeter proposal.

Thank you

Rebecca Lee
Pacific Grove

MPWMD MEETING: MAY 18, 2020, 5 P.M.

ITEM #12: Dave Stoldt did a brilliant job in all aspects of his Supply and Demand Report. With much humility, and professionalism, Dave Stoldt went back to the drawing board to double check all analyses and data, without, I must add, any complaining about certain very public unfair, disingenuous criticism.

We all are very fortunate to have such a dedicated leader as Dave Stoldt for general manager. His is a heart that deeply cares about doing what is in the best interests of our communities. That is the essence of genuinely good and wise leadership. Please do not hesitate to applaud and adopt the Supply and Demand Report. It is solid, it is sound, it has much merit as it was accomplished with outstanding excellence. Staff is also wonderful, effective, and committed, and board too. Thank you so much.

ITEM #16: SMART METERS

Smart meters have many disadvantages, according to scientific experts.

Smart Meters are more costly; they emit radiation transmissions that are harmful to humans, pets, and plants, making them environmentally unsound; they require installation of small cell towers that can contaminate the air in neighborhoods; they are known to provide inaccurate water usage data, which potentially leads to unfair billing pricing;

It would be most fair to allow people to opt out without incurring any penalties such as specially assessed fees or disconnections for opting out.

No one should be forced to endure unwanted, hazardous exposure. If possible, please do not allow smart meters to move forward. At least require a CEQA EIR be conducted. Continuous exposure to unending electromagnetic transmissions is dangerously unhealthy. Remember, people are much more valuable than money. Thank you for your time.

Arlene Tavani

From: MWChrislock <mwchrislock@redshift.com>
Sent: Sunday, May 17, 2020 4:20 PM
To: Arlene Tavani; Alvin Edwards
Subject: Letter to the MPWMD Board

May 17, 2020

MPWMD Chair Edwards and Board members,

We urge you to adopt Dave Stoldt's Supply and Demand Report. Support the facts. It's clear we don't need Cal Am's desal.

Cal Am's effort to discredit and block the Expansion always comes back to the lie that it's not enough water for growth and development. This is the lie repeated a thousand times in the hope we will all come to believe it.

But now, two new supply and demand reports, one from Peter Meyers and one from Lon House, also show the Expansion is more than enough water to meet our needs for 30 years.

How long are the city managers, the business coalition and hospitality willing to wait for Cal Am to solve our water supply problem? They don't seem to understand that Cal Am's desal is still years away and may never be built. They could have the water they want much sooner and for an estimated \$1 billion less with the PWM Expansion. Why wait?

Please make it official and adopt your Supply and Demand Report. But don't stop there. We need you to fight for the public's interest and use this information to make it clear why the PWM Expansion is the best water supply solution.

Melodie Chrislock
Managing Director

PUBLIC WATER NOW

<http://www.publicwaternow.org>

mwchrislock@redshift.com

831 624-2282

Arlene Tavani

From: charles mendez <gochazbo@hotmail.com>
Sent: Sunday, May 17, 2020 4:18 PM
To: comments
Subject: Cal am

Item #16. My household would like to opt out of the Cal Am smart meters and oppose any charge for opting out. Cal Am wants to spend as much money as they can and the consumers will pay for it, not the shareholders. Why are the citizens at the mercy of shareholder dividends concerning anything with Cal Am? We recycle and conserve then we have to pay the shareholders for what was not consumed by the households that are serviced by Cal Am. We might as well not conserve and recycle. With the high price of water you will probably see an exodus of people eventually moving out of the area. Everything in this county is getting so expensive that the younger generation can't afford to live here. Who will pay the price then? Every time we turn around Cal Am is asking for rate increases or assessments. I live in Del Rey Oaks and feel that our elected official is not consistent with what the citizens of my city want. John Gaglioti is only continuing to live here while his family lives in unincorporated Carmel so he can sit on the boards he is on. When his term is over and doesn't win re-election he will most likely move to be with his family and leave Del Rey Oaks with all the decisions he made.

Item #17. One member of a board should not be trying to influence other boards. The citizens spent \$1,000,000 for an SEIR and to play politics and having it denied for certification is purely a political move. Pure Water Monterey expansion is the way to go since Cal Am will cost ratepayers over \$1,000,000,000 +++. Think about the citizens in this area, what and who are going to pay. You can't squeeze a dollar out of nothing when people start to leave.

Thank you for your time

Charles Mendez
861 Portola Dr
Del Rey Oaks

Arlene Tavani

From: sweetpoppi@aol.com
Sent: Sunday, May 17, 2020 11:51 PM
To: comments
Subject: Public Comment

To Whom It May Concern

I do not want a Smart water meter . I am opposed to more WiFi and after hearing Mayor De Blasio threaten to 'shut people's water and power off ' if they don't follow rules ...well that's very scary .

With a smart meter the company know when we do our laundry take a shower water garden .. guaranteed they will encourage doing these things during off-peak hours and then raise charges if we don't .

Also the health risks are proven poor sleep brain fog heart issues headaches and many other symptoms .

Watercress left near WiFi would not grow right away from WiFi ... growing .



WiFi kills 'things ' tree below





Non-Ionizing Radiation: Identical Health Effects to Radioactive Radiation



WiFi Health Effects Presentations to Portland Public Schools Board of Education

September 16, 2013 Video Excerpt (4:23 min.)

Merry Callaghan:

"...the American trial lawyers now stand behind that wireless radiation health effects are equatable to the same disease and latency as that from nuclear radiation exposure..."

<http://www.stayonthetruth.com/non-ionizing-radiation-identical-health-effects.php>

Thank you .
Lisa Emberton
Pacific Grove

Sent from my iPhone

Arlene Tavani

From: Claude Hutchison <chutch22@gmail.com>
Sent: Sunday, May 17, 2020 10:30 PM
To: Arlene Tavani
Subject: Fwd: 5/18/20 Board Agenda

Ms. Tavani: please provide a copy of my email to all MPWMD Directors. Thank you, Claude Hutchison

Sent from my iPhone

Begin forwarded message:

From: Claude Hutchison <chutch22@gmail.com>
Date: May 17, 2020 at 5:14:01 PM PDT
To: gqhdwd1000@gmail.com
Subject: 5/18/20 Board Agenda

Dear Director Hoffman:

I am unable to attend the Meeting in person but strongly suggest you vote according to the suggested positions as follows:

1. Adopt the General Manager's Supply and Demand Report.
2. Opt Out of smart water meter installations. I have had repeated billing problems resulting from alleged leaks in our irrigation system causing me to completely replace our system. CALAM is not a friendly utility and is difficult for residential ratepayers to gain satisfaction. I have far more confidence in a human being reading the meter than trying to dispute an issue based on data transmission from a faceless and potentially unreliable device. In addition the cost of these meters becomes part of CALAM's rate base so ratepayers are impacted financially in perpetuity.
3. I was extremely disappointed by Director Hoffman's recent actions to derail certification of the EIR by the Monterey One Water Board. His behavior is detrimental to the entire Monterey Peninsula. He most certainly should be held accountable and formal censure is appropriate.
4. I have visited the Pure Water One plant and even tasted the water. It is the obvious least costly way to assure all of us a reliable source of water for the foreseeable future. It is ludicrous that CALAM refuses to buy an expanded supply of water from this source and that Monterey One's Board majority, in cahoots with CALAM, refuses to Certify a well prepared and presented EIR Report.

Thank you for considering my views. Respectfully, Claude B. Hutchison, Jr., 12 White Oak Way, Carmel Valley, CA 93924.

Sent from my iPhone

75
RECEIVED

Faxed to staff during the meeting.
Considered submitted as part of the record of the meeting.
Submitted to the Board following the meeting.

MAY 18 2020

MPWMD

May 17, 2020

alvinedwards420@gmail.com, georgetriley@gmail.com, water@mollyevans.org,
icbarchfaia@att.net, gqhwd1000@gmail.com, dpotter@ci.carmel.ca.us ,
district5@co.monterey.ca.us
arlene@mpwmd.net

Dear Chairman Edwards and Board of Directors

I request action by the Board to oppose AMI installation in the Monterey District at the CPUC, require a halt to Cal-Am AMI installations in the district, inform the public about these smart water meters, and require Cal-Am to replace smart water meters with analog non-digital meters for all who request it without charge.

Item # 16 says:

Consider Adoption of Policy on Smart Water Meter Installation

Action: The Board will consider direction to staff for testimony in support of Advanced Metering Infrastructure and/or adoption of a policy in support of an opt-out of smart meter installation and discuss who should bear the burden of the cost to opt-out.

Recommendation: The General Manager recommends the Board of Directors reaffirm the District's position for a full opt-out AMI program in the Monterey system...

1) The Board is being asked to affirm a district policy on smart water meters that it did not publicly adopt. The public was not informed when this policy was considered or allowed to comment.

Government Code Section 54950 of the Brown Act states:

In enacting this chapter, the Legislature finds and declares that the public commissions, boards and councils and the other public agencies in this State exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly. The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

Last January, when District Counsel Laredo provided you with the AMI memo, the Board received it. That does not constitute policy action nor is it a public hearing to discuss policy. The memo only covered an "opt-out", and it had numerous errors. Despite my requests for relief from AMI to the Board, I was not notified of that meeting nor asked to provide a report of my own, even though I have a background on this subject. The memo further stated that the CPUC has exclusive jurisdiction, in contradiction to what California law plainly says to an ordinary person such as myself. My letter of April 19 included the recent T-Mobile v San Francisco California Supreme Court ruling and California laws I discovered that tell a very different story.

The District's actions appear to be in violation of the Brown Act, and I request that corrective actions be taken now by the Board to vet an AMI/smart water meter policy thoroughly in a public hearing with expert testimony from independent consumer advocates not aligned with district staff, Cal-Am, or the CPUC. District staff must only advocate positions at the CPUC that have been approved by the Board, and the public has a right to know what those positions are and to have helped create them.

2) Cal-Am is installing AMI meters without authorization from the CPUC as I detailed in my May 11 letter. I request again that the Board issue a cease and desist to Cal-Am, inform the public, and require that Cal-Am replace AMI meters with analog non-digital meters for all who request them at no cost in the interim.

3) The public has not been informed about Cal-Am's proposed AMI program or its costs. Cal-Am failed to include any information in its billing and newspaper notices. The CPUC approved these deceptive notices. Only someone who has the time to find and go through the 100s of pages of testimony and the scoping memo can discover this. Cal-Am is lying to the public, and this is yet another example of the deceptive business practices of this company. The Board must inform the public about the proposal and the costs to ratepayers.

Smart water meters are extremely costly – environmentally, to the public health, and financially. The electric and gas Smart Meter roll-out is illustrative, but not as Mr. Laredo has claimed.

The Cal-Am's projected costs are over \$41 million for the Monterey and Ventura districts – approximately \$27 million for Monterey district alone -- but the history of utility AMI roll-outs shows actual costs double or triple for the roll-out and then continue to increase throughout the program. The PG&E roll-out was publicly said to cost \$2.2 billion, but whistleblower Patrick Wrigley told the CPUC in 2012 testimony that inside the company, PG&E told its employees the cost was \$10 billion – almost five times the public figure -- and costs have continued. PG&E projected a 15-20 year lifespan for the meters for its cost/benefit business case and which the CPUC approved. That was wrong; the actual lifespan is 5-7 years per industry testimony (not 3-5 years as I stated in a previous letter), and some meters fail much sooner. That alone upends the cost/benefit figures with the frequent equipment replacement and labor costs.

I sent you the CPUC Public Advocates study on the Southern California Edison Smart Meter roll-out on April 19. In that report, Public Advocates found:

According to SCE's AMI business case, the total cost to customers will be greater than \$5 billion, rather than the \$1.6 billion cost explicitly approved by the CPUC, which only included nominal deployment costs;

SmartConnect-related costs not anticipated in SCE's original business case have already been approved by the CPUC in other proceedings, beyond the over \$5 billion cost referenced above. In many cases, these costs were approved without a showing of incremental benefits, and DRA anticipates that more will be requested;

- SmartConnect features such as remote disconnect and SmartConnect-enabled time-varying rates have a high potential for adverse impacts for low-income and other “at-risk” customers... (p. 2)

Case Study of Smart Meter System Deployment: Recommendations for Ensuring Taxpayer Benefits; Hieta, Kao, Roberts

Public Advocates (then Division of Ratepayer Advocates) said in 2008:

DRA would like the Commission to apply some procedural restraint on what PG&E apparently perceives to be a runaway AMI gravy train. It is respectfully submitted that a Decision approving this cost-ineffective upgrade could lead to a staggering waste of ratepayer money. Very little, in terms of PG&E's AMI performance to date, causes DRA to have much confidence in PG&E. The jury is still out as to when, or if, its ratepayers will ever see the benefits identified in PG&E's original, or this upgrade proposal, that would justify its enormous cost. DRA does not find this Upgrade Application to be cost-effective, and therefore respectfully recommends that the Commission reject it.

Opening Brief of DRA, August 29, 2008, in Application of PG&E for Authority to Increase Revenue Requirements to Recover the Costs to Upgrade its SmartMeter™ Program, A. 07-12-009. p. 5

This was occurring in other states as well. Illinois Attorney Lisa Madigan, Michigan Attorney General Bill Schuette, and Connecticut Attorney General George Jepson also expressed skepticism to AMI claims and opposition to roll-outs.

AG George Jepson:

“(Connecticut Light & Power’s) proposal would force the company’s ratepayers to spend at least \$500 million on new meters that are likely to provide few benefits in return, ‘The pilot results showed no beneficial impact on total energy usage. And, the savings that were seen in the pilot were limited to certain types of customers and would be far outweighed by the cost of installing the new meter systems’”

AG Lisa Madigan:

“The utilities want to experiment with expensive and unproven smart grid technology, yet all the risk for this experiment will lie with consumers Consumers don't need to be forced to pay billions for so-called smart technology to know how to reduce their utility bills. We know to turn down the heat or air conditioning and shut off the lights. The utilities have shown no evidence of billions of dollars in benefits to consumers from these new meters, but they have shown they know how to profit. I think the only real question is: How dumb do they think we are?”

AG Bill Schuette:

A net economic benefit to electric utility ratepayers from Detroit Edison's and Consumers smart meter programs has yet to be established. In the absence of such demonstrated benefit, the Attorney General has opposed, and will oppose

any Commission action that unjustly and unreasonably imposes the costs of such programs upon ratepayers. To a significant extent, the asserted potential benefits to utility customers depend upon assumptions that a customer will consider additional "real time" data on electricity usage provided by smart meters, and adjust their electrical consumption to achieve cost savings under variable pricing programs that do not yet exist. (See Edison, Document No. 0146, p 5; and Consumers, Document No. 0148, pp. 6-7). Any assumption that large numbers of residential customers will have the time, ability and motivation to attend to, and act upon daily or even hourly changes in their electrical is questionable. Comments, Michigan Public Service Commission Case No. U-17000, p. 3-4

What the record does reveal is that AMI is a pilot program that even Robert Ozar, Manager of the Energy Efficiency Section in the Electric Reliability Division of the PSC, concedes "is as yet commercially untested and highly capital intensive, resulting in the potential for significant economic risk and substantial rate impact." At best, the actual evidence presented by Detroit Edison to support the rate increase was aspirational testimony describing the AMI program in optimistic, but speculative terms. What the record sadly lacks is a discussion of competing considerations regarding the program or the necessity of the program and its costs as related to any net benefit to customers.

Michigan Court of Appeals Nos. 296374, 296379, slip opinion, pp. 7-9, April 10, 2012, Cited in Attorney General Comments, Case No. U-17000, p. 4-5

Even John Rowe of utility company Exelon said:

"... it costs too much, and we're not sure what good it will do. We have looked at most of the elements of smart grid for 20 years and we have never been able to come up with estimates that make it pay." (quoted by AG Madigan)

In a memo from Northeast Utilities to Massachusetts Department of Public Utilities, titled, "There Is No Rational Basis for Department-Mandated Implementation of AMI" the companies said: "

... T]here is no evidence that this is a good choice for customers... Finite capital resources available for grid modernization should be aimed at this integration effort before any additional monies are expended on metering capabilities that provide limited and/or speculative incremental benefits over current metering technology (following many years of investment in those systems).5.. The decision to implement AMI goes against the best business judgment of the Companies and cannot be rationally cost justified in terms of a net benefit for the overall customer base that will pay for the investment over the long term."

When the New Mexico Public Regulation Commission rejected PNM's proposal for AMI In April 2018, because "[t]he plan presented in the Application does not provide a net public benefit and it does not promote the public interest," it said, "while ratepayers would be paying more, PNM's shareholders would earn a \$42.8 million pre-tax return on the new AMI meters, a \$11.0 million pre-tax return on the non-AMI meters that will be replaced, and a \$183,000 pre-tax return on PNM's customer education costs."

The meters notoriously malfunction, are inaccurate and have network and overbilling problems. Customers are not using the web portals to "manage" their energy use.

The meters violate FCC exposure limits "under normal conditions of installation and operation" (Sage Associates) and they violate their grants of manufacture. Information on FCC compliance violations are on p. 106-109 of my report.

All this has been known for years. The CPUC has ignored problems with AMI meters, while painting a rosy picture that is hollow and void.

Yet, despite that, because of the huge profits involved including the cost of capitol subsidy/incentive every time a new meter is needed and the personal energy data gained, the utility companies and meter manufacturers continue to promote AMI in concert with the regulatory commissions.

The MPWMD Board's real jurisdiction, according to Public Utilities Code 761.3d, is protecting public health and the environment. Please read the health complaints logged on EMF Safety Network at www.emfsafetynetwork.org/smart-meters/smart-meter-health-complaints to get a feel for the damage these meters cause to humans. Also documented have been injury to trees and effects on bees. I can provide you with more information. Especially now, with health such a great issue, it makes no sense to install devices which doctors and scientists have warned are hazardous to the public and the environment.

As Pacific Grove's attorney, Mr. Laredo saw the extensive documentation on Smart Meter problems presented to that city when PG&E Smart Meters were rolled out. Yet, he denies these problems, promotes AMI, and denies you have any jurisdiction to do something. This is very troubling.

Attached again is my 2012 report for California legislators on Smart Meters. I urge you to read this and particularly examine the sections that pertain to cost, overbilling, accuracy, health, and the environment. Additional information since 2012 is posted on my website www.smartmeterharm.org

Smart Meter opt-outs accomplish almost nothing and have never been workable. Water meters are in the right-of-way outside people's homes and in sidewalks where people and their pets walk and stand, and children play. Removing one meter has little effect especially in a neighborhood, and these meters have powerful pulses that travel great distances. In addition, AMI meters require wireless nodes or small cell antennas for communication which adds to the RF burden in neighborhoods. An opt-out is also costly for ratepayers, except in places like Vermont and Iowa, and fees particularly burden low-income households for very little effect.

The effects on disabled customers with electromagnetic sensitivity amounts to redlining. Sheltering-in-place is normal for me and many others, because as the community's RF

emissions increase from Smart Meters, Wi-Fi hotspots, cell towers and more, I do not have free and equal access to my community. Everywhere in the pavement are access barriers. Even using and enjoying my home becomes more and more difficult.

Cal-Am customers will be forced to pay increasing bills for faulty, hazardous meters that break down, systems they'll never use, unreliable bills, and fake 'leak adjustments' that are pure profit for the company.

This is now my fourth recent letter to the Board with evidence against AMI/smart water meters, and that approval of AMI will be detrimental to the public. Please take action to stop AMI deployment in the Monterey District.

My letters to the Board are not being posted with the agendas along with the other correspondence received. Are my letters being censored?

Please include this in the public record for the May 18, 2020 Board meeting.

Thank you.

Sincerely,

Nina Beety
Monterey



Board of Directors Officers

Eduardo M. Ochoa, Board Chair
President, CSU Monterey Bay

Matt Huffaker, Board Vice-Chair
City Manager, Watsonville

David Heald, Board Treasurer
CEO, Santa Cruz County Bank

Carrie L. Birkhofer, Board Secretary
President & CEO,
Bay Federal Credit Union

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Rosa Vivian Fernández
President & CEO,
San Benito Health Foundation

Cynthia Larive
Chancellor, UC Santa Cruz

Michael McHatten
City Manager, Soledad

Charles McKee
County Administrative Officer,
Monterey County

Nanette Mickiewicz
President, Dominican Hospital

George Ow, Jr.
Chairman & CEO, Ow Family Properties

Carlos Palacios
CAO, County of Santa Cruz

Bruce Taylor
Chairman & CEO, Taylor Farms

Staff: Kate Roberts, President & CEO

May 15, 2020

MPWMD Board Members

Monterey Peninsula Water Management District 5 Harris Court, Building G
Monterey, CA 93940

Subject: Reserve water request for affordable housing in the City of Monterey
RE: Agenda Item #13 for May 18, 2020 Board

Dear MPWMD Board Members,

Founded in 2015, Monterey Bay Economic Partnership (MBEP) consists of over 85 public, private and civic entities located throughout Monterey, San Benito and Santa Cruz counties with a mission to improve the economic health and quality of life in the Monterey Bay region. Our Housing initiative consists of a broad coalition of community members, local employers, and organizations to advocate for and catalyze an increase in housing of all types and income levels near transit, jobs and services in the region.

We endorsed and actively campaigned to support the rezoning of underperforming industrial areas to allow residential housing projects at 2000 and 2600 Garden Road which would create higher density affordable housing in the City of Monterey. Prioritization of water for projects like this is supported in our [Blue Paper](#) recommendations, "A Study on the Impact of Water on Housing Development on the Monterey Peninsula," where we show that multi-family dwellings use less water than single family homes on average.

The housing crisis in our region is well documented, and has been compounded by the coronavirus pandemic. As part of our efforts to help residents and workers in Monterey, whose #1 priority is affordable housing, we support the City's request for less than 8 acre feet of water using the District's water reserve to advance the shovel-ready projects along Garden Road for the production of dire housing opportunities at reasonable rent ceiling.

We agree that additional water should not be taken beyond what has already been allocated from the Carmel River. However, if the cities on the Peninsula have remaining water allocation that they want to use for affordable housing, it should not matter where the water is used, what the meter size is, nor whether there is a change of use (three parts of Condition 2 of the Carmel River Cease and Desist Order 2016-0016), so long as it does not increase water use beyond what has been allocated. By supporting development of potentially more than 90 affordable units,

3180 Imjin Road, Suite 102
Marina, CA 93933 831.915.2806

Santa Cruz . San Benito . Monterey



the Garden Road project will create the greatest community impact on the Peninsula over the next few years given its central location among all jurisdictions regulated by MPWMD. That's 90 or more individuals with access to housing that is affordable on the Peninsula, where average rent is more than \$2100/month, which is 7% higher than the previous year.

As noted by the City, "Developer Brad Slama has committed to deed restricting 100% of the 70 units made possible with Reserve water. Of the two projects, 2600 Garden Road could be a phased construction project, though to postpone full development would certainly have missed opportunities due to economy of scale, as well as disruption to future tenants of the first phase. For 2000 Garden Road, construction options are hinging on this MPWMD decision. This project would be a single building, therefore, phasing is not an option. Without a decision to support this in the near future, the opportunity for an additional 35 affordable units will be missed."¹

We are in full support of removing any obstacles to redevelopment in an effort to build much needed housing in a sustainable and economically viable manner, as long as they do not exceed the existing water allocation. We urge the Board to revisit staff's recommendation, and encourage the participation and support from its member jurisdictions to stand together and urge the State Water Resources Control Board to revisit the effects of the current Cease and Desist Order (CDO) concerning Condition #2. Together, we can fight for and implement an immediate negotiated settlement pursued by the City of Monterey to coalesce with state-initiated housing emergency policies. It is absolutely imperative that our cities, MPWMD and community advocates band together and do what it takes to implement affordable housing solutions at a time that is most critical for our communities on the Peninsula.

We thank you for your leadership and commitment to support this effort. For questions, please contact Matt Huerta, MBEP's Housing Program Manager, at mhuerta@mbep.biz.

Regards,

A handwritten signature in blue ink, appearing to read 'Kate Roberts'.

Kate Roberts
President and CEO

¹ City of Monterey. Hans Uslar. May 15, 2020. Monterey Water District Reserve Response Letter
3180 Imjin Road, Suite 102
Marina, CA 93933 831.915.2806

Arlene Tavani

From: David Adams <ctrarcht@nccn.net>
Sent: Thursday, May 14, 2020 9:05 PM
To: comments
Subject: On the Planned Cal-AM Smart Water Meters

First, I strongly oppose installing these so-called "smart" water meters at all, due to a host of likely problems with them. They create a health and environmental hazard by constantly transmitting/emitting low-frequency electromagnetic radiation, which tens of thousands of published scientific studies have shown is harmful to the health of both human beings and the natural environment (especially birds and bees). Also, they tend to be inaccurate and can cause overbilling to customers. Finally they are expensive and typically have a short lifespan requiring more frequent replacement than the traditional analog meters.

Second, if such meters are foolishly going to be installed nevertheless, then there should be no charge for any customer to opt out of using them. Also, an ADA accommodation of receiving an analog meter instead is not an "opt-out," and under the ADA, opt-out fees would be considered surcharges and are not allowed. It is not meter "choice" when a person's medical condition or disability requires them to have an analog meter.

Thank you for considering these arguments,

David Adams, Ph.D.

Arlene Tavani

From: Jean Rasch <jean@jeanrasch.com>
Sent: Friday, May 15, 2020 12:01 PM
To: comments
Subject: PUBLIC COMMENT ITEM #16 May 18, 2020

Please share my comment on the record to the Board of Directors.

Dear MPWMD Board of Directors:

I oppose the policy of smart water meters for the Monterey district, and I oppose any charge for opting out. I oppose because I do not want the proliferation of small cell towers in neighborhoods due to the health hazards of constant transmissions. The cost is also prohibitive. The cost will also be an additional liability when we buy Cal-Am.

Thank you.

Sincerely,

Jean Rasch
Attorney at Law

Resident of Monterey

Arlene Tavani

From: Michele Altman <michelealtman1221@gmail.com>
Sent: Friday, May 15, 2020 2:53 PM
To: comments
Cc: Stephen Altman
Subject: "PUBLIC COMMENT ITEM #16"

Dear MPWMD Board of Directors:

I oppose the policy of smart water meters for the Monterey district, and I oppose any charge for opting out. I oppose because I do not want the proliferation of small cell towers in neighborhoods due to the health hazards of constant transmissions. The cost is also prohibitive. The cost will also be an additional liability when we buy Cal-Am.

Thank you.

Sincerely,

Michele Altman

Stephen Altman



Michele Altman

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