



**Final Minutes  
Regular Meeting  
Board of Directors  
Monterey Peninsula Water Management District  
Monday, June 20, 2022**

*As a precaution to protect public health and safety, and pursuant to provisions of AB 361 (Rivas), this meeting was conducted via Zoom Video/Teleconference only.*

**REGULAR SESSION**

The regular session was called to order at 6:00 p.m. by Chair Paull.

**CALL TO ORDER**

*Directors Present via Zoom:*  
Karen Paull, Chair – Division 4  
Mary L. Adams, Vice Chair – Monterey County Board of Supervisors Representative  
Alvin Edwards – Division 1  
George Riley – Division 2  
Safwat Malek – Division 3  
Amy Anderson – Division 5  
Clyde Roberson – Mayoral Representative

**ROLL CALL**

*Directors Absent:* None

*General Manager present:* David J. Stoldt

*District Counsel present:* Fran Farina with De Lay and Laredo

The assembly recited the Pledge of Allegiance.

**PLEDGE OF ALLEGIANCE**

*Pursuant to Government Code Sections 54954.2 of the California Government Code, the following additions and corrections were read by Joel G. Pablo, Board Clerk:*

**ADDITIONS AND CORRECTIONS TO THE AGENDA BY THE GENERAL MANAGER**

**UNDER CONSENT CALENDAR**

Item No. 4: Revised Recommendation

Adopted Resolution No. 2022-18 ~~17~~ attached as Exhibit 4-A, calling for an election in voter Divisions 1, 2 and 3 on November 8, 2022; and authorize the General Manager to enter into a service agreement with Monterey County Elections to conduct the election (Exhibit 4-B).

**UNDER ACTION ITEMS**

Item No. 33, Revised Title – Agenda

Consider Adoption of Proposed FY 2022-23 MPWMD  
Budget and Resolution No. 2022-14

Item No. 33, Revised Title – Staff Note

Consider Adoption of Proposed FY 2022-23 MPWMD  
Budget and Resolution No. 2022-14

Item No. 34, Exhibit 34-F

In Exhibit 34-F, the last sentence in Section 1 to be read as  
“No more than fifteen percent (15%)...”

*No further additions and corrections made to the Meeting  
Agenda or meeting materials.*

No comments were directed to the Board.

Chair Paull acknowledged Director Riley request to pull  
Item No. 16 from the Consent Calendar for clarification  
purposes.

A motion was offered by Director Malek with a second by  
Director Edwards to approve the consent calendar with the  
exception of Item No. 16. The motion passed on a roll-call  
vote of 7-Ayes (Paull, Adams, Riley, Edwards, Anderson,  
Roberson and Malek), 0-Noes and 0-Absent.

**Item No. 16**

Suresh Prasad, Administrative Services Manager/CFO  
responded to Director Riley. Prasad provided a brief  
historical context on Article XIII (B) of the California  
Constitution and explained the statute contains guidance on  
setting limitations on expenditures for public agencies,  
calculation of the appropriations limit and exceptions to the  
expenditure rule.

The following comments were made to the Board:

- (a) Tom Rowley: Stated he is happy to see the District  
is complying with CA Statutes in setting the  
GANN limit for the Fiscal Year.
- (b) Michael Baer: Concurs with Tom Rowley’s  
comments.

*No further comments were made to the Board.*

A motion was offered by Director Riley with a second by  
Director Adams to approve Item No. 16. The motion passed  
on a roll-call vote of 7-Ayes (Paull, Adams, Riley,  
Edwards, Anderson, Roberson and Malek), 0-Noes and 0-  
Absent.

**ORAL COMMUNICATIONS**

**CONSENT CALENDAR**

Approved the MPWMD Board of Director’s Special/Regular Board Meeting on May 16, 2022 (Amended) and Special Board Meeting on May 26, 2022 Meeting Minutes.

Adopted Resolution No. 2022-16 authorizing remote teleconference meetings of all District legislative bodies for the following 30 days in accord with the Ralph M. Brown Act and AB 361 (Rivas).

Authorized the General Manager or the Administrative Services Manager/CFO to execute Amendment No. 6 to existing Agreement with RGS to provide management and administrative services for an amount not to exceed \$35,000.

Adopted Resolution No. 2022-17 attached as Exhibit 4-A, calling for an election in voter Divisions 1, 2 and 3 on November 8, 2022; and authorize the General Manager to enter into a service agreement with Monterey County Elections to conduct the election (Exhibit 4-B).

Authorized 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.

Approved the limited-term Water Resources Assistant for up to a total of 990 hours of work; several Fisheries Aides for up to 2,765 hours of work during FY 2022 – 2023.

Approved the 2022 Annual Memorandum of Agreement for Releases from Los Padres Reservoir among California American Water, California Department of Fish and Wildlife, and Monterey Peninsula Water Management District

Authorized the expenditure of up to \$20,000.00 for Fiscal Year 2022-2023 to obtain CoreLogic’s RealQuest Professional.

Approved expenditures in the amount of \$152,400 to continue with annual software maintenance as shown in the table below:

Product	Price
ESRI ArcGIS (District Wide)	11,500

1. **Consider Adoption of Minutes of the May 16, 2022 Special/Regular Board Meeting (Amended) and May 26, 2022 Special Board Meeting**
2. **Consider Adopting Draft Resolution No. 2022-16 Authorizing Remote Teleconferencing Meetings of all District Legislative Bodies for the Following 30 Days in Accord with the Ralph M. Brown Act and AB 361 (Rivas)**
3. **Consider Approval of Amendment No. 6 to Agreement with Regional Government Services Authority for Management and Administrative Services**
4. **Consider Adoption of Resolution No. 2022-17 Calling an Election for Directors in Voter Divisions 1, 2 and 3 on November 8, 2022 and Approve Services Agreement with the Elections Department**
5. **Consider Approval of Agreement with Lynx Technologies for Geographic Information System (GIS) Services**
6. **Authorize Funds to Contract for Limited-Term Field Positions during FY 2022-2023**
7. **Consider Approval of 2022 Annual Memorandum of Agreement for Releases from Los Padres Reservoir among California American Water, California Department of Fish and Wildlife, and Monterey Peninsula Water Management District**
8. **Authorize Renewal of Standard License Agreement with CoreLogic Information Solutions, Inc.**
9. **Authorize Expenditure for Software Maintenance Agreements / Purchase**

Latitude Geographics Geo Cortex (District Wide)	6,000
Adobe Renewal (District Wide)	8,000
Anti-Virus (District Wide)	4,000
Office 365 Renewal (District Wide)	12,000
DocuWare (Financial/HR)	20,200
Tyler Technologies (Financial/HR)	30,800
GovInvest (Financial/HR)	7,500
Accela Support (Water Demand)	36,900
CaseWare Reporting (Financial)	9,500
Kisters North America (Hydrological)	6,000
<b>TOTAL</b>	<b>\$152,400</b>

Approved the expenditure of \$50,000 for recording fees for Fiscal Year 2022-2023.

Authorized the General Manager to renew a professional services contract with Pueblo Water Resources, Inc. for an amount not-to-exceed \$2,000 for FY 2022-2023, which is included in FY 2022-2023 budget.

Authorized the General Manager to enter into an agreement with Pueblo Water Resources, Inc. on an as-needed basis, not-to-exceed \$75,000 to support the District with WY 2023 ASR operations.

Authorized the General Manager to spend up to \$40,000 to complete laboratory analysis related to the ASR Project in FY 2022-2023.

Authorized the General Manager to spend up to \$11,000 to complete laboratory analysis related to the Watermaster in FY 2022-2023.

Adopted Resolution 2022-18 and authorized the County of Monterey for collection of Water Supply Charge on the property tax bill.

Adopted Resolution 2022-19, a resolution of the Board of Directors of the Monterey Peninsula Water Management District Establishing an Appropriations Limit for Fiscal Year 2022-2023 in the amount of \$2,065,326.

Adopted Resolution 2022-20 Updating Rule 24, Table 3: Capacity Fee History with the adjusted fee for 2022-2023.

**10. Approve Expenditure to Corporation Service Company - Recording Fees**

**11. Consider Expenditure of Funds to Renew a Contract with Pueblo Water Resources, Inc. to Provide Hydrogeologic Review for Water Distribution System Permits**

**12. Consider Contract with Pueblo Water Resources, Inc. to Provide Aquifer Storage and Recovery Operational Support**

**13. Consider Authorizing Monterey Bay Analytical Services to Provide Laboratory Support for Aquifer Storage and Recovery Water Monitoring**

**14. Consider Authorizing Monterey Bay Analytical Services to Provide Laboratory Support for Watermaster Water Quality Monitoring**

**15. Consider Adoption of Resolution 2022-18 Certifying Compliance with State Law with Respect to the Levying of General and Special Taxes, Assessments, and Property-Related Fees and Charges**

**16. Consider Adoption of Resolution 2022-19 Establishing Article XIII(B) Fiscal Year 2022-23 Appropriations Limit**

**17. Consider Adoption of Resolution 2022-20 Updating Rule 24, Table 3, Capacity Fee History**

Authorized the expenditure of funds to hire retired District Engineer (Annuitant) for up to 960 hours of work from July 1, 2022 through June 30, 2023.

Adopted the April 2022 Treasurer’s Report and financial statements, and ratification of the disbursements made during the month.

Authorized the purchase of equipment to upgrade the Carmel River Basin water level and stream gage network equipment in the amount not-to-exceed \$62,000.

Directed the General Manager to enter into a contract with Montgomery and Associates in the amount not to exceed \$50,000 to provide groundwater modeling support to the District.

Authorized the General Manager to execute the agreement with the USGS providing cooperative investigation of the water resources within the District for Water Year (WY) 2023 for an amount not-to-exceed \$17,500.

Authorized the General Manager or the CFO to enter into an agreement with ETech Consulting, LLC for the work identified in Exhibit 23-A and by the CFO with an approved expenditure of up to \$51,000. The District’s FY 2022-2023 Budget includes \$51,000 carried over from the FY 2021-22 budget for this project.

Approved the expenditure of up to \$11,000 in budgeted funds to renew the District’s supply of hospitality conservation signs.

Approved an expenditure of budgeted funds for up to \$20,000 for Summer Splash Water Challenge Giveaway 3. Cal-Am will reimburse the District for up to \$10,000 or half of the expense.

Authorized the General Manager to enter into an agreement with Telemetry, Inc. for consultant services in an amount not-to-exceed \$27,060.

Authorized the expenditure of funds not-to-exceed \$43,500 for a local staffing agency to provide an individual, or successive individuals, if necessary, to perform scanning projects for the District.

Authorized staff to add the Administrative Assistant position to District’s current organization chart and

18. **Authorize Funds to Contract for District Engineer**

19. **Consider Adoption of Treasurer's Report for April 2022**

20. **Consider Funding Upgrade to Six Carmel River Monitoring Stations and Current Meters**

21. **Consider Directing the General Manager to Enter into a Contract with Montgomery and Associates to Provide Groundwater Support to the District**

22. **Consider Extension of Cooperative Agreement with the United States Geological Survey for Streamflow Gaging in Water Year 2023**

23. **Consider Approval of Expenditure for Functionality Improvements to the Accela Water Demand Division Database through Etech Consulting, LLC (a Contractor of Accela)**

24. **Consider Expenditure of Budgeted Funds to Purchase Water Conservation Signage for Towel/Linen Reuse Program and Restaurant Signage Requirement**

25. **Consider Approval of Expenditure of Funds for the “Summer Splash Water Challenge Giveaway 3” Event**

26. **Consider Expenditure of Funds for Consultant Services (TMX) For Sleepy Hollow Steelhead Rearing Facility Monitoring and Control Systems**

27. **Consider Expenditure for Temporary Agency Employee to Assist with Processing for All District Divisions During FY 2022-2023**

28. **Consider Adding the Position of Administrative Assistant to the**

associated salary range.

Approved the expenditure of \$60,000 of budgeted funds from the Drought Reserve for Stage 2 Water Conservation Public Outreach Efforts.

David J. Stoldt, General Manager (GM) provided a verbal status report and presented via MS PowerPoint entitled, “Status Report on Cal-Am Compliance with SWRCB Orders and Seaside Basin Decision as of May 1, 2022.” *A copy of the presentation is available at the District office and can be found on the District website.*

GM Stoldt provided an overview of the slide-deck and the following points were made:

1. For the Monterey Peninsula Water Resources System (Year-to-Date) actuals are below target.
2. Under Water Projects and Rights
  - (a) Pure Water Monterey Recovery: For the current Fiscal Year 3,580 Acre Feet (AF) delivered and over 5,000 AF delivered over the last two years of operation. Stoldt noted that 3,414 AF has been delivered as company water, 166 AF has been placed in the operating reserved and 3,500 AF obligation to CalAm should be made in the next 8 days.
  - (b) Table 13: Has remained the same at 68 AF and is dependent on rain.
  - (c) Sand City Desal: Actuals at 101 AF.
3. Production for Customer Service for CalAm: Water Year 2022
  - (a) Current Total - 5,904 AF and 52 AF ahead of last year.
  - (b) May 2022: Customer Demand below prior year.
4. Daily and Monthly Recorded Rainfall at San Clemente Rain Gage: Water Year 2022 – Displayed Graphs; no highlights.
5. Estimated Unimpaired Carmel River Flow at Sleepy Hollow WEIR: Water Year 2022 – Actuals are below historical averages.
6. Provided background information on the proposed SB 1157 (Hertzberg). Stoldt noted an analysis was conducted from the Urban Water Users database from June 2016 through April 2022 and determined that the calculation for all residential

## District’s Organization Chart

29. **Consider Approval of Drought Reserve Funds for Stage 2 Water Conservation: Public Outreach and Communication**

## GENERAL MANAGER’S REPORT

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

use for the service area is 59.6 gallons per capita per day. In relation to SB 1157 and analysis conducted, Stoldt noted the bill may present a challenge to current coastal residential users and the District has joined in on a letter with ACWA in opposition of said proposal and answered Board questions.

David J. Stoldt, General Manager directed attention to Item No. 37: Letters Received and Sent on a letter dated from May 10, 2022 from Ian Crook, Vice President of Engineering with CalAm directed to the Monterey One Water Board Chair and answered Board questions.

Fran Farina, District Counsel provided a verbal status report on the California Public Utilities Commission proceedings as it relates to Pure Water Monterey (PWM) Expansion. Farina noted the Administrative Law Judge has 90 days to issue a decision to occur on or prior to September 2022 on the matter now that reply briefs have been submitted. On July 20, 2022, Phase II of the proceedings will commence with testimony by CalAm on their assessment on long term water supply/demand and the District will have an opportunity to respond.

On July 1, 2022, CalAm will be submitting a General Rate Case (GRC) application before the CPUC. The District intends to participate in the GRC proceeding.

On June 17, 2022, Judge Wills considered CalAm's motion to intervene in the District's lawsuit against LAFCO of Monterey County. Judge Wills allowed for CalAm to intervene but placed multiple constraints on their participation.

Director Riley mentioned he attended the Seaside Groundwater Basin Watermaster's Public Awareness Committee on June 14, 2022. At the same meeting, he noted a goal of the committee is to draft and provide a Public Awareness PowerPoint Presentation to various area public/private entity partners of the importance of the Basin

Director Edwards stated he attended the Seaside City Council Meeting on June 2, 2022 and kept the Council apprised of the District's ongoing efforts as it relates to implementing Stage 2: Water Conservation, the District's proposed Budget and Measure J.

Jonathan Lear, Water Resources Manager summarized his staff report, answered Board questions and presented via MS PowerPoint entitled, "Consider Adoption of July – September 2022 Quarterly Supply Strategy and Budget for

## REPORT FROM DISTRICT COUNSEL

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

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

## PUBLIC HEARINGS

32. **Consider Adoption of July through September 2022 Quarterly Water Supply Strategy and Budget**

California American Water.” *The presentation is on file at the District office and can be viewed on the agency’s website.*

The following comments were directed to the Board.

- (a) Tom Rowley: Shared his concerns on the over-reliance of the Seaside Basin.
- (b) Susan Schiavone: Voiced her desire for all parties to come together and bring forth a solution on water supply, ASR-1, Pure Water Monterey Expansion and the Water Budget.

*No further comments were directed to the Board.*

A motion was made by Director Edwards with a second by Director Roberson to approve the proposed production strategy for the California American Water Distribution System for the three-month period of July through September 2022. The strategy sets monthly goals for surface and groundwater production from various sources within the California American Water system. The motion passed on a roll-call vote of 7-Ayes (Edwards, Paull, Anderson, Malek, Adams, Riley and Roberson), 0-Noes and 0-Absent.

David J. Stoldt, General Manager provided introductory remarks.

Suresh Prasad, Administrative Services Manager/CFO summarized his staff note, answered board questions, presented via MS PowerPoint entitled, “Consider Adoption of Proposed Fiscal Year 2022 – 23 MPWMD Budget and Resolution No. 2022 – 14” and provided a detailed explanation of page 209 found in the Exhibit 33-B: Draft Fiscal Year 2022-2023 Proposed Budget. *A copy of the presentation is on file at the District office and can be viewed on the District website.*

The following comments were directed to the Board.

- (a) Marli Melton: Stated she is happy to hear much deliberations between the Board and District Staff on the matter and is happy to see that the proposed budget includes problem-solving solutions on District issues, specifically the extraction problem.

*No further comments were directed to the Board*

A motion was made by Director Riley with a second by Director Malek to adopt Resolution No. 2022-14 approving the Fiscal Year (FY) 2022–23 Budget. The motion passed on a roll-call vote of 7-Ayes (Edwards, Paull, Anderson, Malek, Adams, Riley and Roberson), 0-Noes and 0-Absent.

#### **ACTION ITEMS**

- 33. Consider Adoption of Proposed FY 2022-23 MPWMD Budget and Resolution No. 2022-14**



David J. Stoldt, General Manager provided an overview of the staff report, answered questions from the board and recommended approval. Stoldt provided an overview and presented the first reading of Ordinance No. 191.

Fran Farina, District Counsel informed Dave and the Board that the earliest the Board can consider a second reading will be at its August 2022 Regularly Scheduled Meeting.

The following comments were directed to the Board.

- (a) Tom Rowley: Stated he is pleased to see that the meeting frequency for the Ordinance No. 152 Citizen's Oversight Panel has remained unchanged.

*No further comments were directed to the Board.*

A motion was made by Director Adams with a second by Director Malek to adopt the changes to meetings rules described within the report and corresponding Exhibits, and to approve the first reading of Ordinance No. 191. The motion passed on a roll-call vote of 7-Ayes (Edwards, Paull, Anderson, Malek, Adams, Riley and Roberson), 0-Noes and 0-Absent.

There was no discussion on Informational Items.

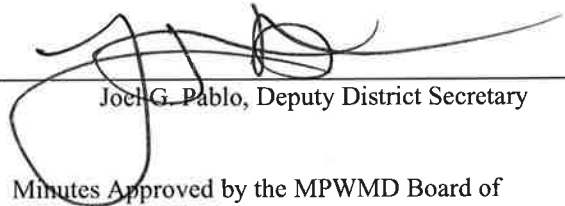
There being no further business, Chair Paull adjourned the meeting at 8:24 p.m.

- 34. **Consider Adoption of Changes to District Rules to Change Committee Structure and Consider First Reading of Ordinance No. 191**

#### **INFORMATIONAL ITEMS/STAFF REPORTS**

- 35. **Report on Activity/Progress on Contracts Over \$25,000**
- 36. **Status Report on Measure J/Rule 19.8 Phase II Spending**
- 37. **Letters Received**
- 38. **Committee Reports**
- 39. **Monthly Allocation Report**
- 40. **Water Conservation Program Report**
- 41. **Carmel River Fishery Report for May 2022**
- 42. **Monthly Water Supply and California American Water Production Report**

#### **ADJOURNMENT**

  
Joel G. Pablo, Deputy District Secretary

Minutes Approved by the MPWMD Board of Directors on Monday, July 18, 2022