

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 and February. The meetings begin at 6:00 PM.



**Agenda
Special and Regular Meeting
Board of Directors
Monterey Peninsula Water Management District

Monday, March 21, 2022 at 5:30 PM, Virtual Meeting

As a precaution to protect public health and safety, and pursuant to provisions of AB 361, this meeting will be conducted via Zoom Video/Teleconference only.

Join the meeting at this link:

<https://us06web.zoom.us/j/84848385789?pwd=N29wUXJiNEJBV0VSNGhiVWZ0VU5xdz09>

Or join at: <https://zoom.us/>

Webinar ID: 848 4838 5789

Passcode: 03212022

Participate by phone: (669) 900-9128

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 5:00 PM on Friday, March 18, 2022

CLOSED SESSION AT 5:30 P.M.

CALL TO ORDER / ROLL CALL

ADDITIONS AND CORRECTIONS ON THE CLOSED SESSION AGENDA BY DISTRICT

COUNSEL- *District Counsel will announce agenda corrections and proposed additions, which may be acted on by the Directors as provided in Sections 54954.2 of the California Government Code.*

Board of Directors

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

General Manager
David J. Stoldt

This agenda was posted at the District office at 5 Harris Court, Bldg. G Monterey, California on Thursday, March 17, 2022. After staff reports have been posted and 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 posted on the District website. Documents distributed on the afternoon of the meeting will be available upon request, and posted to the web within five days of adjournment of the meeting. The next scheduled meeting of the MPWMD Board of Directors will be on Friday, April 1, 2022 and the next regularly scheduled meeting will be on Monday, April 18, 2022.

PUBLIC COMMENT ON THE CLOSED SESSION AGENDA- *Members of the public may address the Board on the item or items listed on the Closed Session agenda.*

CLOSED SESSION – *As permitted by Government Code Section 54956.9 et seq., the Board may recess to closed session to consider specific matters dealing with pending or threatened litigation, certain personnel matters or certain property acquisition matters.*

CS 1 Conference with Legal Counsel- the board will confer with District Counsel to review pending litigation pursuant to Government Code Section 54956.9:

- a. Jensco, Inc. (JM Electric) v. Mercer- Fraser Co. & MPWMD, et al.: Monterey County Superior Court Case No. 21CV002034

CONVENE TO CLOSED SESSION

RECONVENE TO OPEN SESSION

REGULAR SESSION | 6:00 p.m.

CALL TO ORDER / ROLL CALL

PLEDGE OF ALLEGIANCE

ADDITIONS AND CORRECTIONS TO AGENDA - *The General Manager 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.*

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. Following adoption of the remaining Consent Calendar items, staff will give a brief presentation on the pulled item. Members of the public are requested to limit individual comment on pulled Consent Items to three (3) minutes. Unless noted with double asterisks “**”, Consent Calendar items do not constitute a project as defined by CEQA Guidelines section 15378.

1. Consider Adoption of Minutes of the February 24, 2022 Regular Board Meeting
2. Consider Adopting Draft Resolution No. 2022-07 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 Adoption of Treasurer's Report for January 2022

PRESENTATION ON REDISTRICTING

4. Presentation of Census Data and Recommended Draft Redistricting Plan(s) from the Redistricting Advisory Commission

GENERAL MANAGER'S REPORT

5. Status Report on California American Water Compliance with State Water Resources Control Board Order 2016-0016 and Seaside Groundwater Basin Adjudication Decision
6. Update on Development of Water Supply Projects

REPORT FROM DISTRICT COUNSEL

7. Report on Action Taken During the Closed Session Meetings on Thursday, February 24, 2022 and Monday, March 21, 2022

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

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

PUBLIC HEARING -- – *Public Comment will be received. Please limit your comments to three (3) minutes per item.*

9. Consider Adoption of April through June 2022 Quarterly Water Supply Strategy and Budget

Recommended Action: The Board will consider approval of a proposed production strategy for the California American Water Distribution Systems for the three-month period of April through June, 2022. The strategy sets monthly goals for surface and groundwater production from various sources within the California American Water systems.

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

10. Consider Approval of Amendment to Agreement for Employment of General Manager

Recommended Action: The Board will consider approval of amendment to agreement for employment of General Manager.

11. Consider Approval of Amendment to Agreement for Employment of District Counsel

Recommended Action: The Board will consider approval of amendment to agreement for employment of District Counsel.

12. Consider Approval of Funds and a Contract for the Sleepy Hollow Steelhead Rearing Facility Quarantine Tanks Replacement Project

Recommended Action: The Board will consider authorizing the General Manager to enter into a contract with Monterey Peninsula Engineering, Inc. for the work in an amount not-to-exceed \$233,500. Due to the unknowns associated with this work, staff is requesting approval of a contingency amount of \$29,000 (12.5% of the contract amount) for unforeseen circumstances.

13. Consider Adopting Resolution No. 2022-09 Modifying Rule 160 to Incorporate All Water Resources Projects to Tables XV-1, XV-2 and XV-3 and modify Table XV-2 to Report Yield from Water Supply Projects Instead of Production from Satellite Systems

Recommended Action: The Board will consider adopting draft Resolution No. 2022-09 adding the monthly and year-to-date at month-end values for all operational water resources projects to Tables XV-1, XV-2, and XV-3 for District Rule 160 and change Table XV-2 to report water supply from water projects and not production from the Satellite Systems.

14. Consider Adoption of Resolution 2022-08 Amending Rule 25.5, Table 4: High Efficiency Appliance Credits, To Delete Credit for Graywater/Rainwater Toilet Flushing and Clothes Washing

Recommended Action: The Board will consider approval of Resolution 2022-08 amending Rule 25.5, Table 4 to eliminate the credit for installation of a rainwater/Greywater system to flush toilets or wash laundry.

15. Streamlining and Scheduling of Committee Meetings

Recommended Action: The Board will review the general recommendations of the subcommittee and provide direction to staff.

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.

16. Report on Activity/Progress on Contracts Over \$25,000
17. Status Report on Measure J/Rule 19.8 Phase II Spending
18. Letters Received Letters Received Supplemental Packet
19. Committee Reports
20. Monthly Allocation Report
21. Water Conservation Program Report
22. Carmel River Fishery Report for February 2022
23. Monthly Water Supply and California American Water Production Report

ADJOURNMENT

Board Meeting Schedule			
Friday, April 1, 2022	Special Meeting	2:00 pm	Virtual – Zoom
Monday, April 18, 2022	Regular Meeting	6:00 pm	Virtual – Zoom
Monday, May 16, 2022	Regular Meeting	6:00 pm	Virtual – Zoom
Thursday, May 26, 2022	Special- Budget Workshop	6:00 pm	Virtual – Zoom

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	
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 only 7 pm	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	
YouTube – available five days following meeting date - https://www.youtube.com/channel/UCg-2VgzLBmgV8AaSK67BBRg	

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. Submit requests by noon on Friday, March 18, 2022 to joel@mpwmd.net, or at (831) 658-5652. Alternatively, you may reach Sara Reyes, Admin Services Division at (831) 658-5610.

Instructions for Connecting to the **Zoom Meeting**

Note: If you have not used Zoom 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.

Begin: Within 10 minutes of the meeting start time from your computer click on this link:

<https://us06web.zoom.us/j/84848385789?pwd=N29wUXJiNEJBV0VSNGhiVWZ0VU5xdz09> or paste the link into your browser.

DETERMINE WHICH DEVICE YOU WILL BE USING (PROCEED WITH ONE OF THE FOLLOWING INSTRUCTIONS)

USING A DESKTOP COMPUTER OR LAPTOP

1. In a web browser, type: <https://www.zoom.us>
2. Hit the enter key
3. At the top right-hand corner, click on “Join a Meeting”
4. Where it says “Meeting ID”, type in the Meeting ID# above and click “Join Meeting”
5. Your computer will begin downloading the Zoom application. Once downloaded, click “Run” and the application should automatically pop up on your computer. (If you are having trouble downloading, alternatively you can connect through a web browser – the same steps below will apply).
6. You will then be asked to input your name. It is imperative that you put in your first and last name, as participants and attendees should be able to easily identify who is communicating during the meeting.
7. From there, you will be asked to choose either ONE of two audio options: Phone Call or Computer Audio:

COMPUTER AUDIO

1. If you have built in computer audio settings or external video settings – please click “Test Speaker and Microphone”.
2. The client will first ask “Do you hear a ringtone?” • If no, please select “Join Audio by Phone”.
• If yes, proceed with the next question:
3. The client will then ask “Speak and pause, do you hear a replay?” • If no, please select “Join Audio by Phone”
• If yes, please proceed by clicking “Join with Computer Audio”

PHONE CALL

1. If you do not have built in computer audio settings or external video settings – please click “Phone Call”
2. Select a phone number based on your current location for better overall call quality.

+1 669-900-9128 (San Jose, CA)	+1 253-215-8782 (Houston, TX)
+1 346-248-7799 (Chicago, IL)	+1 301-715-8592 (New York, NY)
+1 312-626-6799 (Seattle, WA)	+1 646-558-8656 (Maryland)
3. Once connected, it will ask you to enter the Webinar ID No. and press the pound key
4. It will then ask you to enter your participant ID number and press the pound key.
5. You are now connected to the meeting.

USING AN APPLE/ANDROID MOBILE DEVICE OR SMART PHONE

1. Download the Zoom application through the Apple Store or Google Play Store (the application is free).
2. Once download is complete, open the Zoom app.
3. Tap “Join a Meeting”
4. Enter the Meeting ID number
5. Enter your name. It is imperative that you put in your first and last name, as participants and attendees should be able to easily identify who is communicating during the meeting.

6. Tap "Join Meeting"
7. Tap "Join Audio" on the bottom left hand corner of your device
8. You may select either ONE of two options: "Call via Device Audio" or "Dial in"

DIAL IN

1. If you select "Dial in", you will be prompted to select a toll-free number to call into.
2. Select a phone number based on your current location for better overall call quality.

+1 669-900-9128 (San Jose, CA)	+1 253-215-8782 (Houston, TX)
+1 346-248-7799 (Chicago, IL)	+1 301-715-8592 (New York, NY)
+1 312-626-6799 (Seattle, WA)	+1 646-558-8656 (Maryland)
3. The phone will automatically dial the number, and input the Webinar Meeting ID No. and your Password.
4. Do not hang up the call, and return to the Zoom app
5. You are now connected to the meeting.

Presenting Public Comment

- Receipt of Public Comment – the Chair will ask for comments from the public on all items. Limit your comment to 3 minutes but the Chair could decide to set the time for 2 minutes.
- (a) Computer Audio Connection: Select the "raised hand" icon. When you are called on to speak, please identify yourself.
 - (b) Phone audio connection **with** computer to view meeting: Select the "raised hand" icon. When you are called on to speak, dial *6 to unmute and please identify yourself.
 - (c) Phone audio connection only: Press *9. Wait for the clerk to unmute your phone and then identify yourself and provide your comment. Press *9 to end the call.

Submit 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 March 21, 2022. Comments submitted by noon will be provided to the Board of Directors and compiled as part of the record of the meeting.

ITEM: CONSENT CALENDAR

1. CONSIDER ADOPTION OF MINUTES OF THE FEBRUARY 24, 2022 REGULAR BOARD MEETING

Meeting Date: March 21, 2022

Budgeted: N/A

From: David J. Stoldt,
General Manager

Program/ **N/A**
Line Item No.:

Prepared By: Joel G. Pablo

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: The Board will review, provide suggested edits, and consider approval of the draft minutes of the MPWMD Board of Director's Regular Board Meeting on February 24, 2022. The draft minutes are attached as **Exhibit 1-A** to the staff report.

RECOMMENDATION: The Board will consider approval of the draft minutes of the MPWMD Board of Director's from its Regular Board Meeting on February 24, 2022.

EXHIBIT

1-A MPWMD Board of Director's Regular Meeting on February 24, 2022



EXHIBIT 1-A

Draft Minutes Regular Meeting Board of Directors Monterey Peninsula Water Management District February 24, 2022

The meeting was called to order at 6:02 p.m. by Chair Paull. *Pursuant to AB 361, the meeting was conducted with virtual participation via Zoom.*

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
Amy Anderson – Division 5
Clyde Roberson – Mayoral Representative

ROLL CALL

Directors Absent: Safwat Malek – Division 3

General Manager present: David J. Stoldt

District Counsel present: Dave Laredo with De Lay and Laredo

The assembly recited the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

No additions and corrections.

ADDITIONS AND CORRECTIONS TO THE AGENDA

Public Comment Period Opened. The following comments were directed to the board:

ORAL COMMUNICATIONS

- (a) *John Tilley:* Requested Item No. 29 a report on the Monthly Water Supply and California American Water Production Report be pulled and discussed further with the Board.
- (b) *Anna Thompson:* Expressed support of the District Staff and its Board of Directors. Thompson called recent written communications from Cal-Am and addressed to their customers on their activities and continued efforts to address water shortages as being misleading. Thompson emphasized it is the Districts successful water supply projects that have provided for the Peninsula and noted her dissatisfaction of California American Water over their proposed Desalinization project, high water costs and profit driven motives.

No further oral or written communications were received.

Chair Paull introduced Mike McCullough, Director of External Affairs with Monterey One Water.

McCullough provided congratulatory remarks and presented the Engineering Excellence Honor Award by the American Council of Engineering Companies for the Pure Water Monterey Advanced Water Purification Facility to David J. Stoldt, General Manager.

No requests were received by Chair Paull to pull matters off the Consent Calendar from board members and members of the public.

In response to Director Riley, Joel G. Pablo, Board Clerk read out modifications made to Consent Calendar Item No. 1 and 7 and as listed on the revised agenda.

Written Public Comment Received

- (a) Karin Locke | E-mail regarding Consent Item No. 10 on the Internet License for Water Wise Gardening in Monterey Matter. *A copy of the letter is on file at the District office and can be viewed on the district website*

No further comments were received.

A motion was made by Director Riley with a second by Director Adams to approve the Consent Calendar Items No. 1 through 10. The motion passed on a roll-call vote of 6-Ayes (Edwards, Paull, Anderson, Adams, Riley and Roberson), 0-Noes and 1-Absent (Malek).

Approved the Meeting Minutes of the MPWMD Board of Director's from its Special Board Meeting on January 21, 2022 and Regular Board Meeting on January 27, 2022.

Adopted Resolution No. 2022-04 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).

Received and Filed.

Ratified Appointments as presented.

AWARD AND PRESENTATION

Pure Water Monterey Advanced Water Purification Facility | Engineering Excellence Honor Award by the American Council of Engineering Companies presented by Mike McCullough, Director of External Affairs with Monterey One Water

CONSENT CALENDAR

1. **Consider Adoption of the Minutes from the January 21, 2022 Special Board Meeting and January 27, 2022 Regular Board Meeting**
2. **Consider Adopting Draft Resolution No. 2022-04 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. **Receive and File Second Quarter Financial Activity Report for Fiscal Year 2021-2022**
4. **Ratify Board Committee Assignments for Calendar Year 2022 (Revised)**

Approved the Second Quarter Fiscal Year 2021-2022 Investment Report

Adopted the December 2021 Treasurer's Report and financial statements, and ratification of the disbursements made during the month.

Reviewed and Received the Annual Disclosure Statement of Employee/Board Reimbursements for Fiscal Year 2020-21.

Received Pension Reporting Standards Government Accounting Standards Board Statement No. 68 Accounting Valuation Report prepared by CalPERS

Received the GASB 75 OPEB Valuation Report prepared by Precision Actuarial, Inc.

Approved the expenditure of \$5,000 to renew the internet license with GardenSoft for the Monterey County Water Wise Landscaping software.

David J. Stoldt, General Manager (GM) presented via MS PowerPoint entitled, "Status Report on Cal-Am Compliance with SWRCB Orders and Seaside Decision as of February 2022," answered Board questions and noted that the presentation provided responds to Tilley's request for further discussion on Information Item No. 29. *A copy of the presentation is on file at the District office and can be viewed on the district website.*

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

- A. Under Actual Versus Target Production for Water Year 2022 (October 2021 thru January 2022).
 - 1. The Monterey Peninsula Water Resources System (Carmel River & Seaside Groundwater Basin) is below target.
 - 2. Water Projects and Rights: ASR 0 Acre Feet (AF) Recovery; 71 AF injected into ASR and less than 1300 AF stored in the ground.
- B. Monthly Production from all Sources for Customer Service from October 2021 thru January 2022.
 - 1. Actual is below target by 180 AF.
- C. Provided an Overview of Monthly and Daily Recorded Rainfall at San Clemente Rain Gage and Estimated Unimpaired River Flow at the Sleepy Hollow Weir and noted it is at 86% of the long-

5. Consider Approval of Second Quarter Fiscal Year 2021-2022 Investment Report

6. Adoption of Treasurer's Report for December 2021

7. Review Annual Disclosure Statement of Employee/Board Reimbursements for Fiscal Year 2020-21

8. Receive Pension Reporting Standards Government Accounting Standards Board Statement No. 68 Accounting Valuation Report

9. Receive Government Accounting Standards Board (GASB) Statement No. 75 Accounting and Financial Reporting for Post-Employment Benefits Other than Pensions

10. Consider Approval of Annual Purchase of Internet License for Water Wise Gardening in Monterey

GENERAL MANAGER'S REPORT

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

term averages

David J. Stoldt, GM provided a verbal status report on the Development of Water Supply Projects pertaining CalAms Desalination Project, Pure Water Monterey and the CPUC Application on the Water Purchasing Agreement. Stoldt mentioned a response was filed by CalAm to the CA Coastal Commission on their notice of incompleteness relating to their desalination project. The CA Coastal Commission responded on February 8 to CalAm and noted the project was incomplete on several fronts. On Pure Water Monterey: Deep Injection Well (DIW) 3 will have water injected soon and DIW 4 will follow shortly thereafter. On the Water Purchasing Agreement, (a) On February 9, a scoping memo was released; (b) On March 11, testimony from the District will occur; and (c) a proposed decision is anticipated in late-September or mid-October of 2022.

David J. Stoldt, GM provided a Report on Fish Rescues for 2021, answered board questions and presented via MS PowerPoint. *A copy of the presentation is on file at the District office and be viewed on the District website.*

Stoldt provided a verbal report on the District's Environmental Mitigation Program and noted the district has taken on the process since the early 1980s up to the present with the Mitigation Program annually renewed with the budget. Stoldt covered the following during his presentation: (a) a complaint filed by the CRSA, Residents Water Committee, Sierra Club and CA Department of Parks and Recreation that led to CA State Water Resources Control Order No. WR 95-10 (b) the Four Components of the Mitigation Program that includes Fish Rescues, Release Vegetation Management, Lagoon Water Quality and Hydrologic Monitoring; (c) provided overviews of the Berwick Erosion, Schulte Road Project, Large Woody Debris at De Dampierre Park, Spawning Gravel Augmentation; (d) covered other regulatory requirements; (e) reviewed an excerpt on a 2016 Supreme Court decision on the District's mitigation work; and (f) Fish Rescues in 2020, 2021, the last 20 years and since 1989.

Director Adams mentioned that County of Monterey, Board of Supervisors will host several forums to discuss regional water issues and to provide an overview of the current efforts pertaining to water management and sustainability county-wide. Adams noted the first of such forums will occur on March 15, 2022. It will be the first forum in a three part series to address regional water issues and future forums are scheduled in the Summer and Fall of 2022.

12. Update on Development of Water Supply Projects

13. Report to the Board on Fish Rescues for 2021

14. Informational Item | Monterey County Board of Supervisors Meeting on Tuesday, March 15, 2022 | Workshop to Review Regional Water Issues and Potential Solutions

David Laredo, District Counsel stated there was no reportable action taken by the Board of Directors from the Closed Session meeting had on Thursday, January 27, 2022 relating to the wages and benefits of the General Manager David J. Stoldt, *an unrepresented employee*.

David Laredo, District Counsel presented via MS PowerPoint entitled, “Update on Status of Cal-Am Application to Approve Amended & Restated Water Purchase Agreement CPUC Application 21-11-024” and answered board questions. *A copy of the presentation is on file with the District and can be viewed on the District website.*

The following comments were directed to the Board:

- (a) Michael Baer: Inquired about CalAms cost recovery for the by-pass pipeline and other costs the company is attempting to recover.

In response to Baer, Stoldt and Laredo noted that the information can be found in testimony to the CA CPUC and can be provided to him separately – offline.

No further comments were directed to the Board.

Director Riley- Stated the Watermaster has created a Public Awareness Committee and its committee membership includes himself, Ian Oglesby with the City of Seaside, John Gaglioti with the City of Del Rey Oaks.

Director Edwards- Thanked Director Paull for making comments at the Monterey One Water Board meeting on January 2022. Edwards noted he attended the District’s Redistricting Advisory Commission and inquired with staff to obtain enlarge maps of the proposed draft map plans for each of the Commission meetings.

Director Paull: Thanked the Redistricting Advisory Commissioners for their efforts in assisting the District in its redistricting efforts.

Stephanie Locke, Water Demand Manager summarized the staff note, answered board questions and recommended adoption of Resolution No. 2022-05 declaring the week of March 14 – 20, 2022, to be Fix a Leak Week.

REPORT FROM DISTRICT COUNSEL

15. **Read out by District Counsel on the MPWMD Regular Board of Director’s – Closed Session meeting on Thursday, January 27, 2022**

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

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

ACTION ITEMS

17. **Consider Adoption of Resolution No. 2022-05 Declaring the Week of March 14 – 20, 2022, to be Fix a Leak Week**

Public Comment Period Opened. The following comments were directed to the board:

- (a) Eric Tynan, General Manager with the Castroville Community Services District: Encouraged District Staff to re-direct calls to the Castroville Community Services District if there is an issue affecting his District.

No further comments were directed to the Board.

A motion was made by Director Roberson with a second by Director Anderson to adopt Resolution 2022-05 declaring the Week of March 14 through March 20th to be Fix a Leak Week. The motion passed on a roll-call vote of 6-Ayes (Edwards, Paull, Anderson, Adams, Riley and Roberson), 0-Noes and 1-Absent (Malek)

David J. Stoldt, GM and Chair Paull provided a brief overview of District Strategic Goals and Objectives for 2022 and recommended adoption of Strategic Goals and Objectives for 2022.

Director Adams suggested a change to Goal 3, Objective E to strike-out Salinas Valley GSA and insert other water management agencies.

Public Comment Period Opened. The following comments were directed to the board:

- a. Marli Melton: Recommended and suggested changes to Goal No. 5.
- b. John Tilley: Commented and objects to Melton's changes to Goal No. 5.

No further comments were directed to the Board.

A motion was made by Director Adams with a second by Director Riley to consider adoption of District Strategic Goals and Objectives for 2022 with modifications to Exhibit 18-A to include: (a) striking-out Salinas Valley GSA and inserting other water management agencies; and (b) striking out surplus and inserting available. The motion passed on a roll-call vote of 6-Ayes (Edwards, Paull, Anderson, Adams, Riley and Roberson), 0-Noes and 1-Absent (Malek)

David J. Stoldt, GM provided an overview of his staff note, answered board questions and recommended adoption of Draft Resolution No. 2022-06 in Support of Activation of Latent District Powers with one modification to include striking-out the last whereas clause found in the resolution.

18. Consider Adoption of District Strategic Goals and Objectives for 2022

19. Consider Adoption of Draft Resolution No. 2022-06 In Support of Activation of Latent District Powers

Public Comment Period Opened. The following comments were directed to the board:

- (a) Susan Schiavone: Concurred with comments made by Director Riley that the District has been cooperative and has provide more than enough information to LAFCo of Monterey County and its Commissioners. Schiavone is in support of Draft Resolution No. 2022-06
- (b) Margaret-Ann Coppernoll: Thanked staff for bringing the matter forward and expressed support of Draft Resolution No. 2022-06.
- (c) Michael Baer: Thanked the General Manager for his ongoing efforts on the matter, suggested one edit to the draft resolution, made reference to LAFCo staff's recommendation to deny the District's application for reconsideration and noted the likelihood of the Commissioners reversing course on their January 5, 2022 decision is slim.
- (d) Marli Melton: Thanked District Staff and the Board on their contributions on the matter, suggested a few edits to the draft resolution and concurred with Baer's comments.
- (e) John Tilley: Mentioned District efforts on Measure J is taking away from addressing and tackling the water supply and demands of the community.

Written Public Comment Received

Michael Baer | E-mail dated February 22, 2022 on Item No. 19. *A copy of the letter is on file at the District Office and can be viewed on the District website.*

No further comments were made to the Board.

A motion was made by Director Riley with a second by Director Edwards to adopt Resolution No. 2022-06 to include striking out the last whereas clause. The motion passed on a roll-call vote of 6-Ayes (Edwards, Paull, Anderson, Adams, Riley and Roberson), 0-Noes and 1-Absent (Malek).

Suresh Prasad, Administrative Services Manager/CFO provided an overview of his staff note, answered board questions and recommended expenditure of funds to purchase and install security surveillance camera system.

20. Expenditure of Funds to Purchase and Install Security Surveillance Camera System

Public Comment Period Opened. No comments were directed to the Board.

A motion was made by Director Anderson with a second by Director Edwards to approve expenditures not-to-exceed \$50,000 to acquire and install surveillance system. The motion passed on a roll-call vote of 6-Ayes (Edwards, Paull, Anderson, Adams, Riley and Roberson), 0-Noes and 1-Absent (Malek).

Suresh Prasad, Administrative Services Manager/CFO provided an overview of his staff note, answered board questions and recommended adoption of the Mid-Year Fiscal Year 2021-22 Budget Adjustment. Prasad presented via MS PowerPoint entitled, “Consider Adoption of Mid-Year Fiscal Year 2021-2022 Budget Adjustment.” *A copy of the presentation is on file with District and can be viewed on the District website.*

Public Comment Period Opened. The following comments were directed to the board:

- (a) John Tilley: Thanked Suresh Prasad for his presentation on the Mid-Year Fiscal Year 2021-22 Budget Adjustment.

No further comments were directed to the Board.

A motion was made by Director Edwards with a second by Director Adams to adopt the proposed mid-year budget adjustment for FY2021-2022. The motion passed on a roll-call vote of 6-Ayes (Edwards, Paull, Anderson, Adams, Riley and Roberson), 0-Noes and 1-Absent (Malek).

There was no discussion of the Informational Items/Staff Reports.

Chair Paull closed out the open session of the agenda and proceeded to matters on the Closed Session Agenda.

The following comments were directed to the Board:

- (a) Michael Baer: Recommended the Board to grant the General Manager a pay raise.

No further comments were directed to the board.

District Counsel Laredo read the Board into Closed

21. Consider Adoption of Mid-Year Fiscal Year 2021-22 Budget Adjustment

INFORMATIONAL ITEMS/STAFF REPORTS

- 22. Report on Activity/Progress on Contracts Over \$25,000**
- 23. Status Report on Measure J/Rule 19.8 Phase II Spending**
- 24. Letters Received**
- 25. Committee Reports**
- 26. Monthly Allocation Report**
- 27. Water Conservation Program Report**
- 28. Carmel River Fishery Report for January 2022**
- 29. Monthly Water Supply and California American Water Production Report**
- 30. Semi-Annual Financial Report on the CAWD/PBCSD Wastewater Reclamation Project**

CLOSED SESSION

PUBLIC COMMENT ON CLOSED SESSION AGENDA ITEMS

CONVENE TO CLOSED SESSION

Session.

An action report of the Closed Session meeting will occur on Monday, March 21, 2022 and provided by District Counsel.

The Board convened to Closed Session at 8:30 p.m.

CS 1 Conference with Legal Counsel – the board will review Significant Exposure to Threatened or Potential Litigation (§ 54956.9). MPWMD v. LAFCO of Monterey County – Case No.: Not Yet Assigned

CS 1.1 Conference with Legal Counsel- the board will confer with District Counsel to review pending litigation pursuant to Government Code § 54956.9:

a. Conference with Legal Counsel- (§ 54956.9 (a)) MPTA v. MPWMD: Case No. 21CV003066

CS 2 Conference with Labor Negotiators (Gov. Code §54957.6) – Agency Designated Representatives: the MPWMD Board of Directors Unrepresented Employee: General Manager

CS 3 Conference with Labor Negotiators (Gov. Code §54957.6) – Agency Designated Representatives: the MPWMD Board of Directors Unrepresented Employee: District Counsel

District Counsel will a report out at the Monday, March 21, 2022 Regularly Scheduled Meeting on matters listed on the Closed Session Agenda.

DISTRICT COUNSEL REPORT FROM CLOSED SESSION-

There being no further business, the Board adjourned from Closed Session at 9:45 p.m.

ADJOURNMENT

Joel G. Pablo, Deputy District Secretary

Minutes approved by the MPWMD Board of Directors on Monday, March XX, 2022

ITEM: CONSENT CALENDAR

2. CONSIDER ADOPTING DRAFT RESOLUTION NO. 2022-07 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)

Meeting Date: March 21, 2022 **Budgeted:** N/A

From:	David J. Stoldt,	Program/	N/A
	General Manager	Line Item No.:	

Prepared By: David Laredo **Cost Estimate:** N/A

General Counsel Review: *Prepared by District Counsel*

Committee Recommendation: N/A

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

DISCUSSION

Assembly Bill 361 (Rivas) requires the District within 30 days of holding a virtual meeting for the first time, and every 30 days thereafter, to make findings ratifying the state of emergency.

District Counsel has prepared the attached resolution to satisfy the provisions of AB 361. This Resolution can have effect for only 30 days. After 30 days, the District must renew the effect of the resolution by either adopting another, or ratifying it. If no action is taken the resolution shall lapse.

RECOMMENDATION

Consider adopting draft Resolution No. 2022-07 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).

OPTIONS

Take no action.

FINANCIAL IMPACT

There is no fiscal impact.

EXHIBIT

2-A Draft Resolution No. 2022-07



EXHIBIT 2-A

DRAFT **RESOLUTION NO. 2022-07**

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA WATER MANAGEMENT DISTRICT PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE STATE OF EMERGENCY PROCLAIMED ON MARCH 4, 2020, AND 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)

FACTS

1. The Monterey Peninsula Water Management District (District) is public entity established under the laws of the State of California.
2. The District is committed to preserving and nurturing public access and participation in meetings of the District Board and Committees; and
3. All meetings of District legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code sections 54950 – 54963), so that any member of the public may attend, observe, and participate when District legislative bodies conduct business; and
4. The Brown Act, Government Code section 54953(e), enables remote teleconferencing participation in meetings by members of a legislative body, without strict compliance with requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and
5. One required condition is that a state of emergency has been declared by the Governor of the State of California pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and
6. A proclamation is made that there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the District's jurisdiction, caused by natural, technological, or human-caused disasters; and

7. State or local officials have imposed or recommended measures to promote social distancing, or having the legislative body meet in person would present imminent risks to the health and safety of attendees; and
8. The District Board affirms these conditions now exist in the District. Specifically, on March 4, 2020, the Governor proclaimed a State of Emergency to exist as a result of the threat of COVID-19. That Proclamation has not been terminated by either the Governor or the Legislature pursuant to Government Code section 8629; and
9. Despite sustained efforts to remedy this circumstance, the District Board determines that meeting in person poses an imminent risk to health and safety of attendees due to the COVID-19 virus and its variants; and
10. The District Board finds the emergency created by the COVID-19 virus and its variants has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District, and desires to proclaim a local emergency and ratify the proclamation of state of emergency by the Governor and similar local health orders that require social distancing; and
11. As a consequence of the local emergency, the District Board determines that all legislative bodies of the District are required to conduct their meetings without full compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that those District legislative bodies shall comply with the requirements to provide public access to the meetings remotely? as prescribed in paragraph (2) of subdivision (e) of section 54953; and
12. Each District legislative body shall continue to conduct meetings with public access available via call-in or internet-based service options and the public shall be allowed to address the legislative body directly in real time; and
13. This Resolution shall authorize the General Manager to establish and maintain platforms necessary for each District legislative body to hold teleconference meetings and provide an avenue for real-time public comments for such meetings; and
14. The District Board finds the introduction and adoption of this resolution is not subject to the California Environmental Quality Act (CEQA) as the activity is not a project as defined in Section 15378) of the CEQA Guidelines.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS THE MONTEREY PENINSULA WATER MANAGEMENT DISTRICT:

SECTION 1. RECITALS. The foregoing findings are true and correct and are adopted by the District Board as though set forth in full.

SECTION 2. PROCLAMATION OF LOCAL EMERGENCY. The Board hereby proclaims that a local emergency now exists throughout the District, and meeting in person would present imminent risk as a result of the COVID-19 virus and its variants.

SECTION 3. RATIFICATION OF PROCLAMATION OF A STATE OF EMERGENCY. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.

SECTION 4. REMOTE TELECONFERENCE MEETINGS. The General Manager and legislative bodies of the Monterey Peninsula Water Management District are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

SECTION 5. EFFECTIVE DATE OF RESOLUTION. This Resolution shall take effect immediately upon its adoption and shall be remain in effect for a period of 30 days, or until such time the District Board adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which District legislative bodies may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED on this XX day of March 2022 on a motion by Director _____ and second by Director _____ by the following vote, to wit:

AYES:

NOES:

ABSENT:

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify the foregoing is a resolution adopted on XX day of March 2022.

David J. Stoldt,
Secretary to the Board

ITEM: CONSENT CALENDAR**3. CONSIDER ADOPTION OF TREASURER'S REPORT FOR JANUARY 2022**

Meeting Date:	March 21, 2022	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 did not review this item.**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: Exhibit 3-A comprises the Treasurer's Report for January 2022. Exhibit 3-B and Exhibit 3-C are listings of check disbursements for the period January 1-31, 2022. Checks, virtual checks, direct deposits of employee's paychecks, payroll tax deposits, and bank charges resulted in total disbursements for the period in the amount of \$1,693,719.74. There were \$37,499.00 conservation rebates paid out during the current period. Exhibit 3-D reflects the unaudited version of the financial statements for the month ending January 31, 2022.

RECOMMENDATION: District staff recommends adoption of the January 2022 Treasurer's Report and financial statements, and ratification of the disbursements made during the month.

EXHIBITS

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

**MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
TREASURER'S REPORT FOR JANUARY 2022**

<u>Description</u>	<u>Checking</u>	<u>MPWMD Money Market</u>	<u>L.A.I.F.</u>	<u>Multi-Bank Securities</u>	<u>MPWMD Total</u>	<u>PB Reclamation Money Market</u>
Beginning Balance	\$498,189.21	\$6,347,483.21	\$10,633,914.53	\$3,419,073.53	\$20,898,660.48	\$353,526.73
Fee Deposits		999,595.31			999,595.31	333,405.67
MoCo Tax & WS Chg Installment Pymt					0.00	
Interest Received			6,121.89	4,283.90	10,405.79	
Transfer - Checking/LAIF					0.00	
Transfer - Money Market/LAIF					0.00	
Transfer - Money Market/Checking	2,000,000.00	(2,000,000.00)			0.00	
Transfer - Money Market/Multi-Bank					0.00	
Transfer to CAWD					0.00	(675,000.00)
Voided Checks	500.00				500.00	
Bank Corrections/Reversals/Errors					0.00	
Bank Charges/Other	(1,156.64)				(1,156.64)	
Credit Card Fees	(1,848.82)				(1,848.82)	
Returned Deposits	-				0.00	
Payroll Tax/Benefit Deposits	(152,439.79)				(152,439.79)	
Payroll Checks/Direct Deposits	(158,606.04)				(158,606.04)	
General Checks	(1,200,342.11)				(1,200,342.11)	
Bank Draft Payments	(27,825.46)				(27,825.46)	
AP Automation Payments	(152,000.88)				(152,000.88)	
Ending Balance	\$804,469.47	\$5,347,078.52	\$10,640,036.42	\$3,423,357.43	\$20,214,941.84	\$11,932.40

Check Report

By Check Number

Date Range: 01/01/2022 - 01/31/2022



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						
00252	Cal-Am Water	01/04/2022	Regular	0.00	-80.58	40328
00252	Cal-Am Water	01/04/2022	Regular	0.00	-130.21	40329
15399	Accela Inc.	01/12/2022	Regular	0.00	-35,390.62	40418
15399	Accela Inc.	01/14/2022	Regular	0.00	35,390.62	40550
00010	Access Monterey Peninsula	01/14/2022	Regular	0.00	875.00	40551
00763	ACWA-JPIA	01/14/2022	Regular	0.00	336.86	40552
14037	AECOM Technical Services, Inc.	01/14/2022	Regular	0.00	16,677.00	40553
00767	AFLAC	01/14/2022	Regular	0.00	869.48	40554
14567	Applicant Information	01/14/2022	Regular	0.00	463.15	40555
00263	Arlene Tavani	01/14/2022	Regular	0.00	1,031.00	40556
00253	AT&T	01/14/2022	Regular	0.00	873.95	40557
12601	Carmel Valley Ace Hardware	01/14/2022	Regular	0.00	10.76	40558
00224	City of Monterey	01/14/2022	Regular	0.00	697.75	40559
00281	CoreLogic Information Solutions, Inc.	01/14/2022	Regular	0.00	1,379.93	40560
04041	Cynthia Schmidlin	01/14/2022	Regular	0.00	905.43	40561
22248	Cypress Court Reporting, Inc	01/14/2022	Regular	0.00	537.50	40562
00046	De Lay & Laredo	01/14/2022	Regular	0.00	24,536.00	40563
18734	DeVeera Inc.	01/14/2022	Regular	0.00	7,822.40	40564
00758	FedEx	01/14/2022	Regular	0.00	318.64	40565
02656	Graniterock	01/14/2022	Regular	0.00	308.88	40566
12655	Graphicsmiths	01/14/2022	Regular	0.00	599.20	40567
21053	Green Valley Industrial Supply	01/14/2022	Regular	0.00	34.71	40568
00986	Henrietta Stern	01/14/2022	Regular	0.00	1,332.00	40569
03965	Irrigation Association	01/14/2022	Regular	0.00	75.00	40570
00094	John Arriaga	01/14/2022	Regular	0.00	3,200.00	40571
20297	Krill Canada Sales Corp.	01/14/2022	Regular	0.00	1,810.00	40572
05830	Larry Hampson	01/14/2022	Regular	0.00	843.20	40573
13431	Lynx Technologies, Inc	01/14/2022	Regular	0.00	1,725.00	40574
00222	M.J. Murphy	01/14/2022	Regular	0.00	63.39	40575
00259	Marina Coast Water District	01/14/2022	Regular	0.00	1,417.40	40576
05829	Mark Bekker	01/14/2022	Regular	0.00	1,176.00	40577
00242	MBAS	01/14/2022	Regular	0.00	1,500.00	40578
19448	Monroe Stone Insurance Solutions, Inc.	01/14/2022	Regular	0.00	26.99	40579
00118	Monterey Bay Carpet & Janitorial Svc	01/14/2022	Regular	0.00	1,260.00	40580
04729	Monterey Commercial Property Owners Associati	01/14/2022	Regular	0.00	400.00	40581
00274	Monterey One Water	01/14/2022	Regular	0.00	803,204.82	40582
13396	Navia Benefit Solutions, Inc.	01/14/2022	Regular	0.00	815.02	40583
22247	Pacific Grove Press	01/14/2022	Regular	0.00	1,530.00	40584
05053	Pacific Smog	01/14/2022	Regular	0.00	39.75	40585
00036	Parham Living Trust	01/14/2022	Regular	0.00	850.00	40586
00154	Peninsula Messenger Service	01/14/2022	Regular	0.00	553.00	40587
13430	Premiere Global Services	01/14/2022	Regular	0.00	20.07	40588
00159	Pueblo Water Resources, Inc.	01/14/2022	Regular	0.00	840.00	40589
00262	Pure H2O	01/14/2022	Regular	0.00	65.54	40590
05831	Seaside Chamber of Commerce	01/14/2022	Regular	0.00	250.00	40591
04709	Sherron Forsgren	01/14/2022	Regular	0.00	976.80	40592
02838	Solinst Canada Ltd	01/14/2022	Regular	0.00	2,770.73	40593
09989	Star Sanitation Services	01/14/2022	Regular	0.00	113.11	40594
09351	Tetra Tech, Inc.	01/14/2022	Regular	0.00	4,273.79	40595
04359	The Carmel Pine Cone	01/14/2022	Regular	0.00	323.00	40596
09425	The Ferguson Group LLC	01/14/2022	Regular	0.00	8,000.00	40597
20185	The Marketing Department, Inc.	01/14/2022	Regular	0.00	8,500.00	40598
17965	The Maynard Group	01/14/2022	Regular	0.00	1,522.68	40599

Check Report

Date Range: 01/01/2022 - 01/31/2022

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
00207	Universal Staffing Inc.	01/14/2022	Regular	0.00	2,061.12	40600
20230	Zoom Video Communications Inc	01/14/2022	Regular	0.00	448.69	40601
01188	Alhambra	01/20/2022	Regular	0.00	83.74	40602
00760	Andy Bell	01/20/2022	Regular	0.00	647.00	40603
11822	CSC	01/20/2022	Regular	0.00	5,000.00	40604
01352	Dave Stoldt	01/20/2022	Regular	0.00	712.35	40605
00046	De Lay & Laredo	01/20/2022	Regular	0.00	31,606.50	40606
03857	Joe Oliver	01/20/2022	Regular	0.00	1,332.00	40607
01199	Monterey Signs, Inc.	01/20/2022	Regular	0.00	295.00	40608
00278	Monterey Tire Service	01/20/2022	Regular	0.00	26.73	40609
13396	Navia Benefit Solutions, Inc.	01/20/2022	Regular	0.00	700.83	40610
00755	Peninsula Welding Supply, Inc.	01/20/2022	Regular	0.00	64.50	40611
00159	Pueblo Water Resources, Inc.	01/20/2022	Regular	0.00	630.00	40612
13394	Regional Government Services	01/20/2022	Regular	0.00	5,956.00	40613
00251	Rick Dickhaut	01/20/2022	Regular	0.00	557.00	40614
00987	SDRMA - Prop & Liability Pkg	01/20/2022	Regular	0.00	914.18	40615
09989	Star Sanitation Services	01/20/2022	Regular	0.00	134.16	40616
09351	Tetra Tech, Inc.	01/20/2022	Regular	0.00	2,172.50	40617
04359	The Carmel Pine Cone	01/20/2022	Regular	0.00	726.00	40618
09425	The Ferguson Group LLC	01/20/2022	Regular	0.00	72.52	40619
04353	Thomas Christensen	01/20/2022	Regular	0.00	31.70	40620
00225	Trowbridge Enterprises Inc.	01/20/2022	Regular	0.00	90.07	40621
00207	Universal Staffing Inc.	01/20/2022	Regular	0.00	972.80	40622
00271	UPEC, Local 792	01/20/2022	Regular	0.00	970.00	40623
08105	Yolanda Munoz	01/20/2022	Regular	0.00	540.00	40624
00993	Harris Court Business Park	01/27/2022	Regular	0.00	360.49	40625
00993	Harris Court Business Park	01/27/2022	Regular	0.00	360.77	40626
20469	Local Agency Formation Commission (LAFCO) of N	01/27/2022	Regular	0.00	1,000.00	40627
20469	Local Agency Formation Commission (LAFCO) of N	01/27/2022	Regular	0.00	68,151.49	40628
04341	State Board of Equalization	01/27/2022	Regular	0.00	3,200.00	40629
00269	U.S. Bank	01/27/2022	Regular	0.00	3,993.13	40630
	Void	01/27/2022	Regular	0.00	0.00	40631
18737	U.S. Bank Equipment Finance	01/27/2022	Regular	0.00	871.81	40632
16823	Mercer-Fraser Company	01/28/2022	Regular	0.00	158,114.89	40633
Total Regular:				0.00	1,200,342.11	

Check Report

Date Range: 01/01/2022 - 01/31/2022

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payment Type: Virtual Payment						
00083	Hayashi & Wayland Accountancy Corp.	01/27/2022	Virtual Payment	0.00	30,000.00	APA000001
00222	M.J. Murphy	01/27/2022	Virtual Payment	0.00	39.84	APA000002
01012	Mark Dudley	01/27/2022	Virtual Payment	0.00	540.00	APA000003
00223	Martins Irrigation Supply	01/27/2022	Virtual Payment	0.00	21.27	APA000004
14037	AECOM Technical Services, Inc.	01/27/2022	Virtual Payment	0.00	17,223.00	APA000005
06001	Cypress Coast Ford	01/27/2022	Virtual Payment	0.00	444.53	APA000006
18734	DeVeera Inc.	01/27/2022	Virtual Payment	0.00	58,732.80	APA000007
00192	Extra Space Storage	01/27/2022	Virtual Payment	0.00	973.00	APA000008
05829	Mark Bekker	01/27/2022	Virtual Payment	0.00	1,176.00	APA000009
00223	Martins Irrigation Supply	01/27/2022	Virtual Payment	0.00	212.14	APA000010
18325	Minuteman Press Monterey	01/27/2022	Virtual Payment	0.00	238.10	APA000011
21460	MoGo Urgent Care	01/27/2022	Virtual Payment	0.00	60.00	APA000012
13396	Navia Benefit Solutions, Inc.	01/27/2022	Virtual Payment	0.00	700.83	APA000013
22247	Pacific Grove Press	01/27/2022	Virtual Payment	0.00	405.00	APA000014
13394	Regional Government Services	01/27/2022	Virtual Payment	0.00	950.00	APA000015
00251	Rick Dickhaut	01/27/2022	Virtual Payment	0.00	557.00	APA000016
00176	Sentry Alarm Systems	01/27/2022	Virtual Payment	0.00	309.25	APA000017
04359	The Carmel Pine Cone	01/27/2022	Virtual Payment	0.00	726.00	APA000018
00207	Universal Staffing Inc.	01/27/2022	Virtual Payment	0.00	693.12	APA000019
Total Virtual Payment:				0.00	114,001.88	

Check Report

Date Range: 01/01/2022 - 01/31/2022

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payment Type: Bank Draft						
00252	Cal-Am Water	01/06/2022	Bank Draft	0.00	130.21	DFT0002189
00252	Cal-Am Water	01/06/2022	Bank Draft	0.00	80.58	DFT0002190
00266	I.R.S.	01/14/2022	Bank Draft	0.00	27,759.43	DFT0002191
00266	I.R.S.	01/14/2022	Bank Draft	0.00	4,013.16	DFT0002192
00267	Employment Development Dept.	01/14/2022	Bank Draft	0.00	10,374.84	DFT0002193
00266	I.R.S.	01/14/2022	Bank Draft	0.00	382.84	DFT0002194
00266	I.R.S.	01/13/2022	Bank Draft	0.00	23.77	DFT0002196
00266	I.R.S.	01/13/2022	Bank Draft	0.00	78.30	DFT0002197
00266	I.R.S.	01/13/2022	Bank Draft	0.00	334.80	DFT0002198
00277	Home Depot Credit Services	01/13/2022	Bank Draft	0.00	15.20	DFT0002199
00282	PG&E	01/13/2022	Bank Draft	0.00	9.20	DFT0002200
00282	PG&E	01/13/2022	Bank Draft	0.00	3,245.43	DFT0002201
00769	Laborers Trust Fund of Northern CA	01/14/2022	Bank Draft	0.00	28,138.00	DFT0002202
00766	Standard Insurance Company	01/14/2022	Bank Draft	0.00	1,412.41	DFT0002203
00252	Cal-Am Water	01/14/2022	Bank Draft	0.00	80.57	DFT0002204
00252	Cal-Am Water	01/14/2022	Bank Draft	0.00	143.59	DFT0002205
00252	Cal-Am Water	01/14/2022	Bank Draft	0.00	162.18	DFT0002206
06268	Comcast	01/14/2022	Bank Draft	0.00	253.25	DFT0002207
00282	PG&E	01/14/2022	Bank Draft	0.00	24.51	DFT0002208
00282	PG&E	01/14/2022	Bank Draft	0.00	26.85	DFT0002209
18163	Wex Bank	01/14/2022	Bank Draft	0.00	-1,716.42	DFT0002210
18163	Wex Bank	01/14/2022	Bank Draft	0.00	1,716.42	DFT0002210
00277	Home Depot Credit Services	01/14/2022	Bank Draft	0.00	101.53	DFT0002211
00282	PG&E	01/14/2022	Bank Draft	0.00	9.52	DFT0002212
00282	PG&E	01/20/2022	Bank Draft	0.00	8,615.96	DFT0002214
00282	PG&E	01/20/2022	Bank Draft	0.00	2,674.42	DFT0002215
18163	Wex Bank	01/20/2022	Bank Draft	0.00	1,696.22	DFT0002216
00256	PERS Retirement	01/03/2022	Bank Draft	0.00	16,373.37	DFT0002217
00256	PERS Retirement	01/20/2022	Bank Draft	0.00	200.00	DFT0002218
00266	I.R.S.	01/28/2022	Bank Draft	0.00	12,762.07	DFT0002219
00266	I.R.S.	01/28/2022	Bank Draft	0.00	2,663.38	DFT0002220
00267	Employment Development Dept.	01/28/2022	Bank Draft	0.00	5,230.38	DFT0002221
00266	I.R.S.	01/28/2022	Bank Draft	0.00	663.52	DFT0002222
00221	Verizon Wireless	01/27/2022	Bank Draft	0.00	1,271.31	DFT0002223
18163	Wex Bank	01/27/2022	Bank Draft	0.00	193.44	DFT0002224
00282	PG&E	01/27/2022	Bank Draft	0.00	1,934.58	DFT0002225
17964	SWRCB	01/27/2022	Bank Draft	0.00	323.00	DFT0002226
17964	SWRCB	01/27/2022	Bank Draft	0.00	2,031.00	DFT0002227
17964	SWRCB	01/27/2022	Bank Draft	0.00	2,031.00	DFT0002228
00768	ICMA	01/01/2022	Bank Draft	0.00	3,701.59	DFT0002229
00256	PERS Retirement	01/18/2022	Bank Draft	0.00	16,419.35	DFT0002230
00768	ICMA	01/14/2022	Bank Draft	0.00	3,701.59	DFT0002231
00768	ICMA	01/28/2022	Bank Draft	0.00	3,701.59	DFT0002232
00766	Standard Insurance Company	01/31/2022	Bank Draft	0.00	1,359.50	DFT0002237
00256	PERS Retirement	01/21/2022	Bank Draft	0.00	15,917.81	DFT0002247
Total Bank Draft:				0.00	180,265.25	

Bank Code APBNK

Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	117	83	0.00	1,235,943.52
Manual Checks	0	0	0.00	0.00
Voided Checks	0	4	0.00	-35,601.41
Bank Drafts	56	45	0.00	180,265.25
EFT's	0	0	0.00	0.00
Virtual Payments	22	19	0.00	114,001.88
	195	151	0.00	1,494,609.24

Check Report

Date Range: 01/01/2022 - 01/31/2022

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						
20661	Vera M Bridges	01/20/2022	Regular	0.00	-500.00	39089
Total Regular:				0.00	-500.00	

Check Report

Date Range: 01/01/2022 - 01/31/2022

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payment Type: Virtual Payment						
22267	Anna Davi	01/28/2022	Virtual Payment	0.00	500.00	APA000110
22278	Aviv Kadosh	01/28/2022	Virtual Payment	0.00	500.00	APA000111
22280	Barbara Bryson	01/28/2022	Virtual Payment	0.00	500.00	APA000112
22325	Barbara Morrison	01/28/2022	Virtual Payment	0.00	150.00	APA000113
22316	Birt Johnson Jr	01/28/2022	Virtual Payment	0.00	75.00	APA000114
22263	Brian Cummings	01/28/2022	Virtual Payment	0.00	500.00	APA000115
22302	Brian Sander	01/28/2022	Virtual Payment	0.00	500.00	APA000116
22331	C & C Property Management	01/28/2022	Virtual Payment	0.00	2,125.00	APA000117
22272	Carter Fries	01/28/2022	Virtual Payment	0.00	500.00	APA000118
22323	Catherine A Bonnici TR	01/28/2022	Virtual Payment	0.00	75.00	APA000119
22297	Cathy Madalone	01/28/2022	Virtual Payment	0.00	500.00	APA000120
22324	Cheryl Merritt	01/28/2022	Virtual Payment	0.00	75.00	APA000121
22298	Christina Danley Property Management	01/28/2022	Virtual Payment	0.00	625.00	APA000122
22309	Colleen Calzetta	01/28/2022	Virtual Payment	0.00	500.00	APA000123
22250	Daniel Son	01/28/2022	Virtual Payment	0.00	500.00	APA000124
22260	David Delfino	01/28/2022	Virtual Payment	0.00	500.00	APA000125
22290	Demetrius Kastros	01/28/2022	Virtual Payment	0.00	500.00	APA000126
22312	Diether Roth	01/28/2022	Virtual Payment	0.00	125.00	APA000127
22270	Drew Linde	01/28/2022	Virtual Payment	0.00	500.00	APA000128
22259	Eugene C. Sanchez	01/28/2022	Virtual Payment	0.00	500.00	APA000129
22319	Gary Simon	01/28/2022	Virtual Payment	0.00	75.00	APA000130
22190	Gayle Crowell	01/28/2022	Virtual Payment	0.00	500.00	APA000131
22274	Glenn Daleo	01/28/2022	Virtual Payment	0.00	500.00	APA000132
22261	Gyll Meyer	01/28/2022	Virtual Payment	0.00	500.00	APA000133
22275	Harry Rivera	01/28/2022	Virtual Payment	0.00	500.00	APA000134
22255	Heinrich Brinks	01/28/2022	Virtual Payment	0.00	500.00	APA000135
22284	Herbert Aarons	01/28/2022	Virtual Payment	0.00	500.00	APA000136
22295	Janet Anderson	01/28/2022	Virtual Payment	0.00	500.00	APA000137
22291	Janet Bruno	01/28/2022	Virtual Payment	0.00	500.00	APA000138
22304	Janice Robinson	01/28/2022	Virtual Payment	0.00	500.00	APA000139
18637	Jeff Howarth	01/28/2022	Virtual Payment	0.00	500.00	APA000140
20483	Jennifer Neilson	01/28/2022	Virtual Payment	0.00	125.00	APA000141
22293	Jerome Fendrych	01/28/2022	Virtual Payment	0.00	500.00	APA000142
22318	Jo L Dildine	01/28/2022	Virtual Payment	0.00	75.00	APA000143
22288	John Eaton	01/28/2022	Virtual Payment	0.00	500.00	APA000144
22310	Johnny Khamis	01/28/2022	Virtual Payment	0.00	125.00	APA000145
22311	Jonathan Scott Clements	01/28/2022	Virtual Payment	0.00	125.00	APA000146
22251	Joseph & Julie Garvin	01/28/2022	Virtual Payment	0.00	75.00	APA000147
22322	Judith Metz	01/28/2022	Virtual Payment	0.00	75.00	APA000148
19515	Judy White	01/28/2022	Virtual Payment	0.00	75.00	APA000149
22317	Karen Sonnergren	01/28/2022	Virtual Payment	0.00	75.00	APA000150
22285	Kathleen Johnson	01/28/2022	Virtual Payment	0.00	500.00	APA000151
22277	Kevin Hulsey	01/28/2022	Virtual Payment	0.00	500.00	APA000152
22279	Laurie O'Grady	01/28/2022	Virtual Payment	0.00	500.00	APA000153
22303	Lewis Adams	01/28/2022	Virtual Payment	0.00	500.00	APA000154
22266	Linda Ross	01/28/2022	Virtual Payment	0.00	500.00	APA000155
22271	Linh Nguyen	01/28/2022	Virtual Payment	0.00	500.00	APA000156
22321	Margaret Ruby	01/28/2022	Virtual Payment	0.00	75.00	APA000157
22254	Marianna Maurer	01/28/2022	Virtual Payment	0.00	500.00	APA000158
22327	Mark A Brown	01/28/2022	Virtual Payment	0.00	500.00	APA000159
22286	Marla Blazina	01/28/2022	Virtual Payment	0.00	500.00	APA000160
22262	Marlayne Assadi	01/28/2022	Virtual Payment	0.00	500.00	APA000161
22268	Mary Molle	01/28/2022	Virtual Payment	0.00	500.00	APA000162
22330	Matthew Wall	01/28/2022	Virtual Payment	0.00	125.00	APA000163
22306	Matthew Watson	01/28/2022	Virtual Payment	0.00	125.00	APA000164
22281	Melissa Mannix	01/28/2022	Virtual Payment	0.00	500.00	APA000165
22314	Michael Cayen	01/28/2022	Virtual Payment	0.00	99.00	APA000166
22296	Michael Quirit	01/28/2022	Virtual Payment	0.00	500.00	APA000167
22265	Michael R Hare	01/28/2022	Virtual Payment	0.00	500.00	APA000168
22276	Ming Liu	01/28/2022	Virtual Payment	0.00	500.00	APA000169

Check Report

Date Range: 01/01/2022 - 01/31/2022

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
22292	Nancy Witham	01/28/2022	Virtual Payment	0.00	500.00	APA000170
21017	Nella Casabella	01/28/2022	Virtual Payment	0.00	500.00	APA000171
22307	Nicholas Mourlan	01/28/2022	Virtual Payment	0.00	125.00	APA000172
22252	Nicole Jakaby	01/28/2022	Virtual Payment	0.00	400.00	APA000173
22269	Pamela Manas	01/28/2022	Virtual Payment	0.00	500.00	APA000174
22273	Pat Hyek	01/28/2022	Virtual Payment	0.00	500.00	APA000175
22256	Paul Walkingstick	01/28/2022	Virtual Payment	0.00	500.00	APA000176
22301	Peter M Thorp	01/28/2022	Virtual Payment	0.00	500.00	APA000177
22328	Premutati Family Trust	01/28/2022	Virtual Payment	0.00	1,000.00	APA000178
22264	Rex A Buddenberg	01/28/2022	Virtual Payment	0.00	500.00	APA000179
22305	Richard Cornelson	01/28/2022	Virtual Payment	0.00	500.00	APA000180
22258	Richard Gadd	01/28/2022	Virtual Payment	0.00	500.00	APA000181
22283	Richard Yoo	01/28/2022	Virtual Payment	0.00	500.00	APA000182
22257	Ronald Patterson	01/28/2022	Virtual Payment	0.00	500.00	APA000183
22326	Roxane Viray	01/28/2022	Virtual Payment	0.00	500.00	APA000184
22287	Sandra Pappani	01/28/2022	Virtual Payment	0.00	500.00	APA000185
22282	Sharon Fugitt	01/28/2022	Virtual Payment	0.00	500.00	APA000186
22299	Sherri Thornton	01/28/2022	Virtual Payment	0.00	500.00	APA000187
22329	Stephen Williams	01/28/2022	Virtual Payment	0.00	500.00	APA000188
22294	Suzanne Ching	01/28/2022	Virtual Payment	0.00	500.00	APA000189
21310	Theodore Kier	01/28/2022	Virtual Payment	0.00	500.00	APA000190
22253	Tom DiMaggio	01/28/2022	Virtual Payment	0.00	500.00	APA000191
22313	Toni Mizerek	01/28/2022	Virtual Payment	0.00	125.00	APA000192
22320	Tracy Manzano	01/28/2022	Virtual Payment	0.00	150.00	APA000193
22300	Travis Modisette	01/28/2022	Virtual Payment	0.00	500.00	APA000194
20661	Vera M Bridges	01/28/2022	Virtual Payment	0.00	500.00	APA000195
22289	Whitney Ning	01/28/2022	Virtual Payment	0.00	500.00	APA000196
22308	William Lally	01/28/2022	Virtual Payment	0.00	125.00	APA000197
22249	Yonghong Chen	01/28/2022	Virtual Payment	0.00	500.00	APA000198
22315	Zenaida H Bactad	01/28/2022	Virtual Payment	0.00	75.00	APA000199
Total Virtual Payment:				0.00	37,999.00	

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	-500.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
Virtual Payments	92	90	0.00	37,999.00
	92	91	0.00	37,499.00

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	117	83	0.00	1,235,943.52
Manual Checks	0	0	0.00	0.00
Voided Checks	0	5	0.00	-36,101.41
Bank Drafts	56	45	0.00	180,265.25
EFT's	0	0	0.00	0.00
Virtual Payments	114	109	0.00	152,000.88
	287	242	0.00	1,532,108.24

Fund Summary

Fund	Name	Period	Amount
99	POOL CASH FUND	1/2022	1,532,108.24
			1,532,108.24

EXHIBIT 3-C

Monterey Peninsula Water Management Dist

Payroll Bank Transaction Report

By Payment Number

Date: 1/1/2022 - 1/31/2022

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
6263	01/14/2022	Regular	1077	Pablo, Joel G	0.00	2,128.56	2,128.56
6264	01/14/2022	Regular	1024	Stoldt, David J	0.00	6,060.03	6,060.03
6265	01/14/2022	Regular	1044	Bennett, Corryn D	0.00	2,002.95	2,002.95
6266	01/14/2022	Regular	1078	Mossbacher, Simona F	0.00	2,194.22	2,194.22
6267	01/14/2022	Regular	1018	Prasad, Suresh	0.00	3,944.72	3,944.72
6268	01/14/2022	Regular	1019	Reyes, Sara C	0.00	2,013.51	2,013.51
6269	01/14/2022	Regular	1042	Hamilton, Maureen C.	0.00	3,414.12	3,414.12
6270	01/14/2022	Regular	6063	Hampson, Larry M	0.00	1,526.37	1,526.37
6271	01/14/2022	Regular	1009	James, Gregory W	0.00	27,546.65	27,546.65
6272	01/14/2022	Regular	1011	Lear, Jonathan P	0.00	4,369.61	4,369.61
6273	01/14/2022	Regular	1012	Lindberg, Thomas L	0.00	2,775.00	2,775.00
6274	01/14/2022	Regular	1080	Steinmetz, Cory S	0.00	2,253.71	2,253.71
6275	01/14/2022	Regular	1045	Atkins, Daniel N	0.00	2,126.47	2,126.47
6276	01/14/2022	Regular	1004	Chaney, Beverly M	0.00	2,789.96	2,789.96
6277	01/14/2022	Regular	6062	Chaney, Ryan D	0.00	345.39	345.39
6278	01/14/2022	Regular	1005	Christensen, Thomas T	0.00	3,816.86	3,816.86
6279	01/14/2022	Regular	1079	Gallagher, Riley M	0.00	2,232.74	2,232.74
6280	01/14/2022	Regular	1007	Hamilton, Cory R	0.00	2,359.24	2,359.24
6281	01/14/2022	Regular	6078	Kneemeyer, Cinthia A	0.00	718.39	718.39
6282	01/14/2022	Regular	1048	Lumas, Eric M	0.00	2,162.24	2,162.24
6283	01/14/2022	Regular	1001	Bravo, Gabriela D	0.00	2,727.73	2,727.73
6284	01/14/2022	Regular	1076	Jakic, Tricia	0.00	2,564.69	2,564.69
6285	01/14/2022	Regular	1010	Kister, Stephanie L	0.00	2,679.17	2,679.17
6286	01/14/2022	Regular	1017	Locke, Stephanie L	0.00	3,597.39	3,597.39
6287	01/14/2022	Regular	1040	Smith, Kyle	0.00	2,580.12	2,580.12
6288	01/13/2022	Regular	7015	Adams, Mary L	0.00	350.25	350.25
6289	01/13/2022	Regular	7020	Anderson, Amy E	0.00	374.02	374.02
6290	01/13/2022	Regular	7019	Paull, Karen P	0.00	623.36	623.36
6291	01/13/2022	Regular	7018	Riley, George T	0.00	374.02	374.02
6292	01/28/2022	Regular	1077	Pablo, Joel G	0.00	2,128.58	2,128.58
6293	01/28/2022	Regular	1024	Stoldt, David J	0.00	6,060.03	6,060.03
6294	01/28/2022	Regular	1044	Bennett, Corryn D	0.00	2,002.96	2,002.96
6295	01/28/2022	Regular	1078	Mossbacher, Simona F	0.00	2,194.23	2,194.23
6296	01/28/2022	Regular	1018	Prasad, Suresh	0.00	3,944.72	3,944.72
6297	01/28/2022	Regular	1019	Reyes, Sara C	0.00	2,013.53	2,013.53
6298	01/28/2022	Regular	1042	Hamilton, Maureen C.	0.00	3,414.13	3,414.13
6299	01/28/2022	Regular	6063	Hampson, Larry M	0.00	2,398.85	2,398.85
6300	01/28/2022	Regular	1011	Lear, Jonathan P	0.00	4,369.61	4,369.61
6301	01/28/2022	Regular	1012	Lindberg, Thomas L	0.00	2,775.01	2,775.01
6302	01/28/2022	Regular	1080	Steinmetz, Cory S	0.00	2,253.72	2,253.72
6303	01/28/2022	Regular	1045	Atkins, Daniel N	0.00	2,239.44	2,239.44
6304	01/28/2022	Regular	1004	Chaney, Beverly M	0.00	2,789.97	2,789.97
6305	01/28/2022	Regular	6062	Chaney, Ryan D	0.00	596.03	596.03
6306	01/28/2022	Regular	1005	Christensen, Thomas T	0.00	3,816.87	3,816.87
6307	01/28/2022	Regular	1079	Gallagher, Riley M	0.00	2,470.28	2,470.28
6308	01/28/2022	Regular	1007	Hamilton, Cory R	0.00	2,359.25	2,359.25
6309	01/28/2022	Regular	6078	Kneemeyer, Cinthia A	0.00	1,207.88	1,207.88
6310	01/28/2022	Regular	1048	Lumas, Eric M	0.00	2,022.30	2,022.30
6311	01/28/2022	Regular	1001	Bravo, Gabriela D	0.00	2,727.75	2,727.75
6312	01/28/2022	Regular	1076	Jakic, Tricia	0.00	2,564.69	2,564.69
6313	01/28/2022	Regular	1010	Kister, Stephanie L	0.00	2,679.17	2,679.17
6314	01/28/2022	Regular	1017	Locke, Stephanie L	0.00	3,597.39	3,597.39
6315	01/28/2022	Regular	1040	Smith, Kyle	0.00	2,580.13	2,580.13
40548	01/13/2022	Regular	7009	Edwards, Alvin	249.34	0.00	249.34
40549	01/13/2022	Regular	7021	Malek, Safwat	498.69	0.00	498.69
Total:					748.03	157,858.01	158,606.04



MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
STATEMENT OF REVENUES AND EXPENDITURES
FOR THE MONTH JANUARY 31, 2022

	<u>Mitigation</u>	<u>Conservation</u>	<u>Water Supply</u>	<u>Current Period Activity</u>	<u>FY 2021/2022 Year-to-Date Actual</u>	<u>FY 2021/2022 Annual Budget</u>	<u>Prior FY Year-to-Date Actual</u>
REVENUES							
Property taxes	\$ -	\$ -	\$ -	\$ -	\$ 1,297,364	\$ 2,200,000	\$ 1,236,027
Water supply charge			-	-	2,031,182	3,400,000	2,028,469
User fees	-	-	-	-	2,268,622	5,000,000	2,783,694
Mitigation revenue	-			-	-	-	-
PWM Water Sales			899,991	899,991	5,505,087	9,828,000	2,241,036
Capacity fees			14,754	14,754	327,988	400,000	252,626
Permit fees	-	13,008		13,008	141,010	198,000	101,135
Investment income	1,546	1,558	3,018	6,122	6,238	130,000	6,660
Miscellaneous	-	-	-	-	19,120	15,000	9,862
Sub-total district revenues	1,546	14,566	917,763	933,876	11,596,612	21,171,000	8,659,510
Project reimbursements	-	-	-	-	707,674	1,802,100	663,845
Legal fee reimbursements		-		-	2,100	16,000	1,306
Grants	-	-	-	-	263,972	2,335,200	7,274
Recording fees		2,750		2,750	32,340	10,400	22,655
Sub-total reimbursements	-	2,750	-	2,750	1,006,086	4,163,700	695,080
From Reserves	-	-	-	-	-	4,269,000	-
Total revenues	1,546	17,316	917,763	936,626	12,602,698	29,603,700	9,354,590
EXPENDITURES							
Personnel:							
Salaries	113,469	37,727	86,401	237,597	1,503,394	2,611,200	1,433,063
Retirement	6,317	3,598	7,667	17,582	591,982	707,100	533,284
Unemployment Compensation	450	-	-	450	450	12,000	2,584
Auto Allowance	92	92	277	462	3,392	6,000	3,416
Deferred Compensation	151	151	454	757	5,564	10,000	5,436
Temporary Personnel	1,287	836	1,094	3,216	20,028	50,000	-
Workers Comp. Ins.	4,181	207	2,204	6,592	41,880	66,800	34,762
Employee Insurance	16,579	8,625	14,827	40,031	264,639	506,900	264,012
Medicare & FICA Taxes	2,038	541	1,282	3,861	26,376	43,600	27,550
Personnel Recruitment	40	26	34	99	743	3,000	-
Other benefits	311	202	265	778	1,378	2,000	1,378
Staff Development	232	37	49	318	1,700	32,800	2,226
Sub-total personnel costs	145,148	52,043	114,553	311,743	2,461,526	4,051,400	2,307,710
Services & Supplies:							
Board Member Comp	-	-	-	-	17,685	34,000	23,085
Board Expenses	168	109	143	421	2,435	8,000	3,662
Rent	1,012	253	953	2,218	14,676	24,200	14,910
Utilities	1,028	652	878	2,558	17,946	33,200	16,273
Telephone	1,753	1,065	1,403	4,221	25,653	50,000	30,808
Facility Maintenance	1,278	844	1,074	3,195	22,124	56,600	26,316
Bank Charges	1,282	833	1,090	3,205	20,611	15,000	10,003
Office Supplies	428	303	188	920	6,019	19,000	8,578
Courier Expense	285	242	185	713	3,953	6,000	2,557
Postage & Shipping	-	-	-	-	1,855	5,900	1,870
Equipment Lease	357	227	288	872	6,923	23,000	7,409
Equip. Repairs & Maintenance	-	-	-	-	906	7,000	1,113
Photocopy Expense				-			
Printing/Duplicating/Binding	-	-	-	-	-	500	59
IT Supplies/Services	13,162	8,555	11,187	32,904	187,692	231,000	167,238
Operating Supplies	280	1,574	98	1,952	14,831	16,700	1,663



MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
STATEMENT OF REVENUES AND EXPENDITURES
FOR THE MONTH JANUARY 31, 2022

	Mitigation	Conservation	Water Supply	Current Period Activity	FY 2021/2022 Year-to-Date Actual	FY 2021/2022 Annual Budget	Prior FY Year-to-Date Actual
Legal Services	5,029	3,374	16,091	24,494	181,423	400,000	151,192
Professional Fees	23,036	14,943	19,493	57,471	207,567	455,000	197,928
Transportation	1,625	10	244	1,879	19,828	30,000	12,357
Travel	97	24	60	181	3,456	19,600	3,005
Meeting Expenses	879	572	748	2,199	9,858	16,600	7,000
Insurance	4,461	2,900	3,792	11,153	78,118	134,000	58,473
Legal Notices	-	-	-	-	-	3,100	-
Membership Dues	280	182	238	699	30,744	35,400	28,397
Public Outreach	(14)	(9)	(12)	(35)	1,115	2,600	250
Assessors Administration Fee	-	-	-	-	-	30,000	-
Miscellaneous	-	-	-	-	387	3,100	386
Sub-total services & supplies costs	56,427	36,652	58,141	151,221	875,805	1,659,500	774,531
Project expenditures	98,859	42,210	59,344	200,413	6,416,451	21,755,000	6,493,352
Fixed assets	23,493	15,271	19,969	58,733	94,011	298,500	34,270
Contingencies	-	-	-	-	-	70,000	-
Election costs	-	-	-	-	-	-	-
Debt service: Principal	-	-	-	-	-	-	-
Debt service: Interest	-	-	77	77	52,385	230,000	62,231
Flood drought reserve	-	-	-	-	-	-	-
Capital equipment reserve	-	-	-	-	-	339,300	-
General fund balance	-	-	-	-	-	500,000	-
Debt Reserve	-	-	-	-	-	500,000	-
Pension reserve	-	-	-	-	-	100,000	-
OPEB reserve	-	-	-	-	-	100,000	-
Other	-	-	-	-	-	-	-
Sub-total other	122,352	57,481	79,390	259,223	6,562,848	23,892,800	6,589,853
Total expenditures	323,927	146,175	252,084	722,187	9,900,178	29,603,700	9,672,093
Excess (Deficiency) of revenues over expenditures	\$ (322,381)	\$ (128,859)	\$ 665,679	\$ 214,439	\$ 2,702,520	\$ -	\$ (317,503)

ITEM: PUBLIC HEARING**9. CONSIDER ADOPTION OF APRIL THROUGH JUNE 2022 QUARTERLY WATER SUPPLY STRATEGY AND BUDGET****Meeting Date: March 21, 2022** **Budgeted: N/A****From: David J. Stoldt,
General Manager** **Program/ N/A
Line Item No.:****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 **April through June 2022** Quarterly Water Supply Strategy and Budget for California American Water's (CalAm's) Main and Satellite Water Distribution Systems (WDS), which are within the Monterey Peninsula Water Resources System (MPWRS). The proposed budget, which is included as **Exhibit 9-A**, outline monthly production by source of supply that will be required to meet projected customer demand in CalAm's Main and Laguna Seca Subarea systems, i.e., Ryan Ranch, Bishop, and Hidden Hills, during the **April through June 2022** 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 9-A shows the 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 **February 2022**. Cal-Am's annual Main system production for Water Year (WY) 2021 will not exceed 8,784 acre-feet (AF). Sources available to meet customer demand are 1,474 AF from the Coastal Subareas of the Seaside Groundwater Basin as set by the Seaside Basin Adjudication Decision and 7,310 AF from the Carmel River as set by WRO 2016-16. Additional water projects and water rights available are an estimated 900 AF of Pure Water Monterey Injection over this quarter, an estimated 1,100 AF from ASR Phase 1 and 2 storage remaining from WY 2020, an estimated 150 AF from the Sand City Desalination Plant, and an estimated 100 AF from CalAm's Table 13 water rights. Under Table 13 water rights, CalAm is allowed to produce water for in-basin uses when bypass flows are in excess of permit conditions. This water budget proposes to produce 950 AF of Pure Water Monterey, so 50 AF will be removed from storage for this quarter. 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.

According to the Seaside Basin Adjudication Decision, CalAm's production has been reduced to 0 AF. It is recognized that CalAm will need to produce water to serve its customers in the Hidden Hills Distribution System and production in Laguna Seca will be tracked as a ministerial component of tracking production against the Adjudication Decision. CalAm has completed an intertie between the Monterey Main System and the Bishop and Ryan Ranch Systems that allows for transfer of water between the systems.

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 9-B, Quarterly Water Supply Strategy Report: April – June 2022.**

BACKGROUND: The Water Supply Strategy and Budget prescribes production within CalAm's Main and Laguna Seca Subarea systems 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.

If flows exceed 20 cfs at the District's Don Juan Gage, CalAm is allowed to produce from its Upper Carmel Valley Wells, which are used to supply water for injection into the Seaside Groundwater Basin. The permitted diversion season for ASR is between December 1 and May 31. Diversions to storage for ASR will be initiated whenever flows in the river are above permit threshold values. For planning purposes, the QWB group schedules diversions to ASR storage based on operational days that would occur in an average streamflow year. CalAm may also divert under Table 13 Water Rights for in-basin use within Carmel Valley when flows are adequate. This schedule is estimated with average year streamflow conditions and daily demand for Carmel Valley. CalAm will schedule the recovery of Pure Water Monterey water stored in the Seaside Basin with the goal of removing all water injected over the operational reserve for WY 2021. 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.

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

9-A Quarterly Water Supply Strategy and Budget for Cal-Am Main System: April – June 2022

9-B Quarterly Water Supply Strategy and Budget Report: April - June 2022

**California American Water Main Distribution System
Quarterly Water Supply Strategy and Budget: April - June 2022**

Proposed Production Targets by Source and Projected Use in Acre-Feet

SOURCE/USE	MONTH			YEAR-TO-DATE		
	Apr-22	May-22	Jun-22	Oct-21 to Feb-22	% of YTD	% of Annual Budget
Source						
	Low Flow Trigger					
Carmel Valley Aquifer						
Upper Subunits	100	100	0	81		
Lower Subunits	180	277	397	1,623	89%	39%
ASR Diversion	150	150	0	71		
Table 13 Diversion (Service)	0	0	0	68		
Total	430	527	397	1,843		
Seaside Groundwater Basin						
Coastal Subareas	100	100	100	155	155%	11%
ASR Recovery	0	0	0	0		
Sand City Desalination	25	25	25	36	29%	12%
Pure Water Monterey	375	375	375	1,459		
Total	500	500	500	1,650		
Use						
Customer Service	780	877	897	3,422	91%	61%
Table 13 In Basin use	0	0	0			
ASR Injection	150	150	0	71		
Total	930	1,027	897			

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 (10,130 AF) times the average percentage of annual production for April, May, and June (8.2%, 9.0%, and 8.9%, 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 2013 to 2015.
3. Maximum daily diversion values for ASR are based on an average diversion rate of approximately 18.5 AF per day from CAW's sources in the Carmel River Basin. Total monthly production is estimated by multiplying the maximum daily production by operational days per month for "Above Average" flow conditions at the Sleepy Hollow Weir.
4. The production targets for CAW's wells in the Seaside Coastal Subareas are based on the assumption that sufficient flow will occur in the Carmel River at the targeted levels, to support ASR injection. It is planned that Coastal Subarea pumping will not occur, or will be proportionally reduced, if ASR injection does not occur at targeted levels.
5. 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.
6. 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 Wellfield 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.
7. Table 13 values reflect source/use estimates based on SWRCB Permit 21330, which allows diversions from the CVA for "In Basin use" (3.25 AFD) when flows in the River exceed threshold values. In accordance with Water Rights Permits 21330 and CDO2009-0060, water produced and consumed under this right is subtracted from the CVA annual base amount. Actual values will be dependant on the number of days flows exceed minimum daily instream flow requirements.

EXHIBIT 9-B

Quarterly Water Supply Strategy and Budget Report California American Water Main Water Distribution System: April – June 2022

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 Service (NMFS) to protect the Carmel River steelhead population. To accomplish these goals, a water supply strategy and budget for production within California American Water's (CalAm's) Main and Laguna Seca Subarea water distribution systems 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 2022

On March 14, 2022 the Quarterly Water Budget Group including 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) 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. It was recognized by the group that WY 2022 began as if it was going to be a dry year, and the storms in early January did not result in large sustainable flows on that Carmel River that would trigger sustained ASR Operations or Table 13 Diversions. The River dropped below flow triggers for diversion of ASR and Table 13 on January 9th and with the dry forecast additional ASR injection will likely not occur in large volumes. For this quarterly water budget, it was agreed that CalAm would plan to produce water from the wells in the Upper Carmel Valley to support system demand will only occur when the river is not in the "Low Flow" regime. It was assumed that the low flow trigger would be met at some point during this quarter and without knowing if more rainfall would push the trigger into June, the group decided to assume the trigger would happen in March 2022 if no rainfall occurs. The group will be watching streamflow and when the low flow trigger occurs, to the maximum extent, pumping will be shifted away from the river wells and the Seaside well field will be used to meet system 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.

Seaside Groundwater Basin Because production limits off the River are greatly reduced when compared to last Water Year, the Seaside Well Field is being used to recover a mix of Native Groundwater and Pure Water Monterey. The bypass pipeline is currently being tied into the Santa Margarita Site that will allow for simultaneous PWM recovery and ASR injection. At that time, the Seaside wells will be utilized to recover Seaside Native Groundwater, stored Pure Water Monterey water, and inject in ASR 1 and 2. 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. In this context, the production targets represent the maximum monthly production that should occur so that CalAm remains within its adjudicated allocation for the Laguna Seca Subarea. 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. However, the quarterly budget was developed so that CalAm would produce all native groundwater in the Coastal Subareas and Laguna Seca production would be over the Adjudication allotment. On February 5, 2020 the Seaside Groundwater Basin Watermaster Board voted to allow CalAm to claim carryover credits to cover the pumping over the Laguna Seca allotment in the interim prior to establishing a physical solution. Because of this decision, the Quarterly Water Budget Group decided that the table presenting the Laguna Seca allotment of zero would no longer be necessary as the Watermaster is now planning to handle the pumping over allotment with a different mechanism.

ITEM: ACTION ITEM**10. CONSIDER APPROVAL OF AMENDMENT NO. 5 TO AGREEMENT FOR EMPLOYMENT OF GENERAL MANAGER**

Meeting Date:	March 21, 2022	Budgeted:	No
From:	Karen Paull, Board Chair	Program/ Line Item No.:	Salary & Benefits
Prepared By:	Suresh Prasad	Cost Estimate:	\$4,642 plus benefits

General Counsel Review: Yes**Committee Recommendation: The Administrative Committee considered this item on March 14, 2022 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 February 24, 2022, the Board met and discussed the General Manager's annual performance appraisal. The Board is satisfied with the General Manager's performance and noted the General Manager continues to perform at a high level advancing the Board's goals and direction.

The Board convened a Closed Session meeting on February 24, 2022, to discuss compensation changes related to the General Manager's Employment Contract. The following modifications result from that discussion:

- Extend the contract for a term of 5-years, retroactive to July 1, 2021.
- Increase the General Manager's compensation as follows:
 - Effective March 1, 2022, there shall be a salary increase of 3%.
 - Effective July 1, 2022, there shall be a salary increase of 3%.
 - Effective July 1, 2023, there shall be a salary increase of 2.75%.

These salary increases are the same as that provided to the District's professional staff. Salary increases for years 4 and 5 of the contract will be determined at a later date.

A copy of the proposed amendment to the Agreement for Employment of General Manager is attached as **Exhibit 10-A**.

RECOMMENDATION: The Administrative Committee should recommend that the Board approve compensation changes as shown in "Amendment No. 5 to Agreement for Employment of General Manager," **Exhibit 10-A**.

EXHIBIT**10-A Proposed Amendment No. 5 to Agreement for Employment of General Manager**

EXHIBIT 10-A**AMENDMENT NO. 5 TO AGREEMENT FOR EMPLOYMENT
OF GENERAL MANAGER**

The following amendment has been made and entered into this _____ day of _____ 2022, by and between the MONTEREY PENINSULA WATER MANAGEMENT DISTRICT (the District) and DAVID JON STOLDT (“Stoldt”). It amends the term of the agreement and salary provisions found in the Agreement for Employment of General Manager, dated June 22, 2016. The amendment shall have an effective date of July 1, 2021. In consideration of the mutual covenants contained herein, the parties agree to amend the General Manager’s contract as follows, all other terms and conditions remaining the same:

I. EMPLOYMENT.**B. Term of Agreement.**

The term of this Agreement shall commence on July 1, 2021 and expire on June 30, 2026.

III. COMPENSATION OF STOLDT.**A. Salary.**

As General Manager, subject to a satisfactory annual appraisal by the Board STOLDT shall receive annual salary increases as follows:

Effective July 1, 2021, there shall be a salary increase of 3%.

Effective July 1, 2022, there shall be a salary increase of 3%.

Effective July 1, 2023, there shall be a salary increase of 2.75%.

GENERAL MANAGER

DAVID JON STOLDT

MONTEREY PENINSULA
WATER MANAGEMENT
DISTRICT

KAREN P. PAULL, CHAIR

ITEM: ACTION ITEM**11. CONSIDER APPROVAL OF LEGAL SERVICES CONTRACT WITH DELAY AND LAREDO, ATTORNEYS AT LAW**

Meeting Date:	March 21, 2022	Budgeted:	N/A
From:	David J. Stoldt, General Manager	Program/ Line Item No.:	N/A
Prepared By:	David J. Stoldt	Cost Estimate:	\$6,500 (retainer) \$275 per hour (special)

General Counsel Review: Yes**Committee Recommendation: The Administrative Committee considered this item on March 14, 2022 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 FY2011-12 the Administrative Committee began a quarterly review of legal expenses and an increased focus on such expenditures. This resulted in decreased legal expenditures as compared to FY2010-11. When the contract for General Counsel services expired on October 31, 2015, the Board indicated a desire to have stronger control over ongoing legal expenses. The contract approved in October 2015 reflected that desire by bifurcating the scope of work into “retained” and “special” legal services. This proposed renewal is in the same form with updated rates.

RECOMMENDATION: The Administrative Committee recommends that the Board approve the proposed contract for legal services with De Lay and Laredo with a retainer of \$6,500 per month and \$275 per hour for special services with an annual increase of 4.0% commencing on January 1, 2023 and 2024 for the period covering January 1, 2022 through December 31, 2024.

DISCUSSION: “Retained” general counsel services include day-to-day advice, written opinions, legal document review, appearances at all Board meetings, and appearance at committees or subcommittee meetings at the District upon request. This will be billed at a flat \$6,500 per month, with an annual increase of 4.0% beginning January 1, 2023 and 2024.

“Special” legal services, will occur upon request by the District and subject to direction from the General Manager, and will include such things as appearances at non-District meetings or proceedings, oversight of special counsel, litigation advice or services, services subject to reimbursement by third parties, and bond, audit or financial services. These will be billed at the rate of two hundred seventy-five dollars (\$275) per hour, with monthly invoice, with an annual increase of 4.0% beginning January 1, 2023 and 2024.

Such services would include, for example, litigation, Cal-Am applications at the CPUC, reimbursable work on water distribution system permits and water use permits, and so forth. When new needs are

identified, the Board and the General Manager can request a specific budget and scope for the new needs.

While this will provide greater control over monitoring legal expenses, it will not control the number of special cases that arise, nor the hourly commitment each may require. The Board and the Administrative Committee will need to regularly review the District's legal demands.

Additionally, under this contract the District agrees to reimburse General Counsel for all expenses and reasonable costs incurred by General Counsel relating to the District, including registration and expenses (in accord with District per diem rates and policies) for one conference sponsored by ACWA or other comparable organization each calendar year. District shall reimburse General Counsel all costs incurred on behalf of District including specialty counsel, appraisers, filing fees, witness fees, transcripts, reporter fees, hearing officer costs, photocopying costs, long distance telephone costs, travel and lodging costs, legal process fees, discovery costs, and jury fees. Out-of-District travel shall be billed at 50% of service rate. Costs shall be billed at actual cost (no over-head additions). No cost charge shall be made for communications or deliveries to or from other firm counsel.

EXHIBIT

11-A Proposed Agreement for Legal Services

EXHIBIT 11-A**AGREEMENT FOR LEGAL SERVICES
2022 - 2024**

THIS AGREEMENT is made and entered into with an effective date of January 1, 2022 by and between the Monterey Peninsula Water Management District (hereinafter referred to as “District”) and De Lay & Laredo, Attorneys at Law (hereinafter referred to as “General Counsel”). De Lay & Laredo is a legal partnership. For the purpose of further clarification, the term “General Manager” as used herein shall refer to the incumbent Executive Officer of the District.

WHEREAS, the District requires legal services including representation, advice, and consultation as to its powers and duties and as to the rights and obligations of those with whom it deals and/or regulates; and

WHEREAS, General Counsel has civil law experience, has regularly represented local public agencies, and will maintain a civil law office with personnel who are familiar with legal principles applicable to the District;

NOW, THEREFORE, the parties do hereby agree as follows:

1. General Counsel will provide to, or on behalf of District, retained general counsel services including day-to-day advice, written opinions, legal document review, appearances at all Board meetings, and appearance at committees or subcommittee meetings at the District upon request. David C. Laredo is designated as lead attorney; service may also be provided by other De Lay & Laredo counsel or staff. Service by non-firm counsel shall be subject to District approval. District agrees to pay General Counsel for general retained services on a monthly basis upon invoice from General Counsel, upon the basis set forth in paragraph 4.

2. In addition to retained services, General Counsel shall also provide special legal services, upon request and subject to direction from the District General Manager, such as appearance at non-District meetings or proceedings, oversight of special counsel, litigation advice or services, services subject to reimbursement by third parties, and bond, audit or financial services. Special legal services shall also apply to retained services provided in excess of twenty-five hours in one calendar month. District agrees to pay General Counsel for special legal services on upon invoice from General Counsel, upon the basis set forth in paragraph 4.

3. General Counsel’s retained engagement shall not include matters relating to conflicts of interest, Fair Political Practice Act issues, or Government Code Section 1090 issues. As to these matters, special advice shall be provided only as to specific matters for which General Counsel has been formally consulted. General Counsel’s engagement shall not impose a duty upon De Lay & Laredo or any attorney of that firm, to undertake an independent review or special investigation of District files, transactions, contractual arrangements, or other affairs for

the purpose of those issues, except in response to a specific question or consultation. This engagement also does not require separate inquiry or review of any statement of economic interest (or any inquiry as to the accuracy of such statement), nor does this engagement require an independent assessment as to conflict or self-dealing issues absent a specific written consultation or written question thereon.

4. Upon the effective date of this Agreement, General Counsel shall be retained for general counsel services for the monthly fee of \$6,500. General Counsel shall also charge and be paid for special legal services at the rate of two hundred seventy-five dollars (\$275) per hour, upon invoice. The retainer fee and special service rates shall each increase by 4% (adjusted to the nearest five-dollar increment) on the following dates: January 1, 2023 and January 1, 2024.

5. District agrees to reimburse General Counsel for all expenses and reasonable costs incurred by General Counsel relating to the District, including registration and expenses (in accord with District per diem rates and policies) for one conference sponsored by ACWA or other comparable organization each calendar year. District shall reimburse General Counsel all costs incurred on behalf of District including to specialty counsel, appraisers, filing fees, witness fees, transcripts, reporter fees, hearing officer costs, photocopying costs, long distance telephone costs, travel and lodging costs, legal process fees, discovery costs, and jury fees. Out-of-district travel shall be billed at 50% of service rate. Costs shall be billed at actual cost (no over-head additions). No cost charge shall be made for communications or deliveries to or from other firm counsel.

6. This legal services agreement shall end on December 31, 2024, provided however, that this Agreement may be terminated at any time during its term, without cause, by the affirmative vote of five (5) members of the Board. In the absence of a written renewal, this contract shall continue on a monthly basis on January 1, 2025, provided however, that District or General Counsel shall provide thirty (30) days advance notice of any amendment.

7. De Lay & Laredo shall maintain a policy of professional errors and omissions insurance with a minimum of \$1,000,000/\$1,000,000 limits during the term of this agreement.

IN WITNESS WHEREOF, Monterey Peninsula Water Management District and General Counsel have executed this Agreement as of the day and year set forth below.

Dated: _____

MONTEREY PENINSULA WATER
MANAGEMENT DISTRICT

David Stoldt, General Manager

Dated: _____

De LAY & LAREDO

David C. Laredo, SBN 66532

ITEM: ACTION ITEM**12. CONSIDER APPROVAL OF FUNDS AND A CONTRACT FOR THE SLEEPY HOLLOW STEELHEAD REARING FACILITY QUARANTINE TANKS REPLACEMENT PROJECT**

Meeting Date:	March 21, 2022	Budgeted:	Yes-partial
From:	David J. Stoldt, General Manager	Program/	Protect Environmental Quality
		Line Item No.:	2-3-1-O
Prepared By:	Larry Hampson	Cost Estimate:	\$ 262,500

General Counsel Review: N/A**Committee Recommendation:** The Administrative Committee reviewed this item on March 14, 2022, and recommended approval.**CEQA Compliance:** Exempt under §15301 Existing Facilities.

SUMMARY: Staff proposes to contract for the replacement of fiberglass reinforced tanks (FRP) and certain electrical components used in operating the District's Sleepy Hollow Steelhead Rearing Facility (Facility). Bids for the project were received on March 11, 2022, from Monterey Peninsula Engineering and Telemetrix. The bid forms are attached in **Exhibit 12-A**. Both bids were responsive to all requirements in the Notice Inviting Bids. The low bidder was Monterey Peninsula Engineering at \$233,500, which was \$17,000 less than the Telemetrix bid. The engineer's estimate for the project was \$75,000 to \$105,000. Staff notes that despite extending the bid period for as long as possible, supply-chain bottlenecks and labor shortages appear to be causing significant upward pressure on construction project costs.

The mid-year budget adjustment adopted on February 24, 2022, reduced funds for the project to \$225,000, which includes \$115,500 previously authorized by the Board for purchase of quarantine tanks, and planning and engineering. If this item is approved, the total authorized funds for the project would be \$378,000 – an increase of \$153,000 over the budgeted amount.

RECOMMENDATION: The Administrative Committee recommends that the Board authorize the General Manager to enter into a contract with Monterey Peninsula Engineering for the work in an amount not-to-exceed \$233,500. Due to the unknowns associated with this work, staff is requesting approval of a contingency amount of \$29,000 (12.5% of the contract amount) for unforeseen circumstances.

DISCUSSION: The Facility was initially constructed in 1996 and has been modified on several occasions, including 2018, when the District undertook a major upgrade of several of the components necessary to successfully rear steelhead rescued from the Carmel River. However, the FRP tanks and associated plumbing and electrical equipment used to control disease in fish rescued from the river were not replaced with the 2018 upgrade. The tanks and their support systems are in various states of disrepair with cracks and failing foundation supports. The existing

tanks also do not have insulated covers, which leads to stress-inducing water temperatures. New tanks would include covers to minimize heat gain during warm periods and new chillers capable of cooling the tanks to the desired temperature (i.e., 55 to 60°F).

Bid advertisements were placed three times with the Monterey County Weekly; the project was placed on ebidboard.com (a comprehensive cross-agency database of California public works construction projects and documents); and staff reached out via email to several contractors with experience at the Facility. Bids for the project were received on March 11, 2022, from Monterey Peninsula Engineering and Telemetrix (see **Exhibit 12-A**). Both bids were responsive to all requirements in the Notice Inviting Bids. The low bidder was Monterey Peninsula Engineering (MPE) at \$233,500, which was \$17,000 less than the Telemetrix bid. MPE has 42 years of experience in contracting.

Much of the work involves removal of an existing deck, plumbing, and electrical equipment under the deck and reconnecting to existing infrastructure underground that has limited as-built information. For this reason, staff is asking for a 20% contingency for unforeseen conditions.

CEQA: The California Environmental Quality Act Section 15301 exempts maintenance of existing facilities, including those under section i).

“ Maintenance of fish screens, fish ladders, wildlife habitat areas, artificial wildlife waterway devices, stream flows, springs and waterholes, and stream channels (clearing of debris) to protect fish and wildlife resources; ”

The quarantine tanks are an integral part of the rearing facility.

IMPACTS ON STAFF AND RESOURCES: Funds for this work are budgeted under Sleepy Hollow Operations Budget Program line item 2-3-1-O Design/Construct Rearing Channel and Quarantine Tank Improvements.

The mid-year budget adjustment adopted on February 24, 2022, reduced funds for the project to \$225,000, which includes \$115,500 previously authorized by the Board for purchase of quarantine tanks, planning and engineering. If this item is approved, the total authorized funds for the project would be \$378,000 – an increase of \$153,000 over the budgeted amount.

The work would be performed under the direction of the District Engineer.

EXHIBIT

12-A Bid Summary and Forms

BID SUMMARY SHEET

Monterey Peninsula Water Management District
 5 Harris Court, Building G., Monterey, CA 93942- Main Conference Room

Project: Sleepy Hollow Steelhead Rearing Facility Quarantine Tank Replacement

Project Manager: Larry Hampson, *District Engineer*

Facilitators: Joel G. Pablo, Executive Assistant/Board Clerk and Simona Mossbacher, HR Coordinator/Contracts Specialist

Department: Water Resources Division

	Bidders / Name and Address	Total
1.	TELEMETRIX, 3024 Owen Ave Marina, CA 93933	\$ 250,536.00
2.	MPWMD Monterey Peninsula Engineering P.O. Box 2347, Monterey, CA 93942	\$ 233,500.00
3.		
4.		
5.		
6.		

Certification: I certify that bids listed above were opened, examined and declared by me at 3:00 p.m. on March 11, 2022 at the MPWMD District Office located at 5 Harris Court, Building G., Monterey, CA 93942.

Suresh Prasad, Administrative Services Manager/CFO

By 
 Simona Mossbacher, HR Coordinator/Contract Specialist

BID FORM ADDENDA 1 (February 22, 2022)

All labor, materials, services, tools, equipment, services and whatever else is required to perform all work in accordance with the requirements in the Call for Bids, and all documents incorporated by reference in the Call for Bids, for construction of the following:

Item		Quantity	Unit	Unit Cost	Total
1	Mobilization	1	LS	13,000	13,000
	Quarantine Deck				
2	Deck removal and reinstallation	1	LS	12,000	12,000
3	Demolition of tanks and infrastructure	1	LS	5,000	5,000
4	Excavation, compaction of native fill, importation of structural fill and concrete pad installation	67	EA	7,000	49,000
5	Set tanks	67	EA	1,000	7,000
6	Furnish and install chiller units, pumps, and pump panels	5	EA	16,000	80,000
7	Furnish and install new circuit panel board	1	EA	10,000	10,000
8	Reconnect plumbing, electrical, and air	1	LS	34,500	34,500
9	Excavation, compaction of native fill, importation of structural fill and concrete pad installation; relocate large chiller, install new pump, panel, piping, and electrical	1	LS	10,000	10,000
	Site Civil				
10	Site restoration	1	LS	5,000	5,000
	Additional Electrical and Controls				
11	Site Electrical, new load center in MCC1	1	LS	8,000	8,000
	Total Construction Bid Amount	\$ 233,500.00			

1. Total price to include sales tax (if applicable) in Carmel Valley, California (currently 7.75%)

Upon award, this Bid Form shall become a part of the final contract.

BID FORM ADDENDA 1 (February 22, 2022)

All labor, materials, services, tools, equipment, services and whatever else is required to perform all work in accordance with the requirements in the Call for Bids, and all documents incorporated by reference in the Call for Bids, for construction of the following:

Item		Quantity	Unit	Unit Cost	Total
1	Mobilization	1	LS	\$20,036	\$20,036
	Quarantine Deck				
2	Deck removal and reinstallation	1	LS	\$35,000	\$35,000
3	Demolition of tanks and infrastructure	1	LS	\$20,000	\$20,000
4	Excavation, compaction of native fill, importation of structural fill and concrete pad installation	67	EA	\$6,571	\$46,000
5	Set tanks	67	EA	\$714.28	\$5,000
6	Furnish and install chiller units, pumps, and pump panels	5	EA	\$10,000	\$50,000
7	Furnish and install new circuit panel board	1	EA	\$7,500	\$7,500
8	Reconnect plumbing, electrical, and air	1	LS	\$15,000	\$15,000
9	Excavation, compaction of native fill, importation of structural fill and concrete pad installation; relocate large chiller, install new pump, panel, piping, and electrical	1	LS	\$15,000	\$15,000
	Site Civil				
10	Site restoration	1	LS		\$5,000
	Additional Electrical and Controls				
11	Site Electrical, new load center in MCC1	1	LS		\$32,000
	Total Construction Bid Amount	\$250,536			

1. Total price to include sales tax (if applicable) in Carmel Valley, California (currently 7.75%)

Upon award, this Bid Form shall become a part of the final contract.

ITEM: ACTION ITEM**13. CONSIDER ADOPTING RESOLUTION NO. 2022-09 MODIFYING RULE 160 TO INCORPORATE ALL WATER RESOURCES PROJECTS TO TABLES XV-1, XV-2 AND XV-3 AND MODIFY TABLE XV-2 TO REPORT YIELD FROM WATER SUPPLY PROJECTS INSTEAD OF PRODUCTION FROM SATELLITE SYSTEMS**

Meeting Date:	March 21, 2022	Budgeted:	No
From:	David J. Stoldt General Manager	Program/ Line Item:	Water Supply Projects 1-2-1 2a
Prepared By:	Jonathan Lear	Cost Estimate:	None

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: Pure Water Monterey startup in WY 2021 and the Cease and Desist Order (CDO) regulatory limits beginning in Calendar Year 2022 have changed the water supply portfolio for the Monterey Peninsula. In subsequent water years, due to the CDO and the Seaside Adjudication the amount of water legally allowed to be produced out of the Monterey Peninsula Water Resource System (MPWRS) will be limited to 4,850 acre feet per year (3,376 from Carmel Valley and 1,474 from the Seaside Basin). The remainder of annual system demand will be met through water supply projects consisting of Pure Water Monterey (PWM), Aquifer Storage and Recovery (ASR), and Sand City Desalination. To better represent the annual water supply, Rule 160 should be modified to reflect the water supplied from the MPWRS and water supply projects. With this change, production tracking against Rule 160 monthly limits can again be utilized as rationing triggers for Rules 162 to 165.

Additionally, the current version of Rule 160 uses Table XV-2 Regulatory water production targets for California American Water Satellite Systems from sources within the Monterey Peninsula Water Resource System. Because of the tri-annual production ramp downs imposed by the Seaside Adjudication, the water allocation for the Laguna Seca Sub-Area has been reduced to zero. Physical interties between the Main System and the Ryan Ranch and Bishop Systems have been constructed. Table XV-2 no longer provides a function to Rule 160.

To better represent the annual supply and demand, the methodology for Tables XV-1 and XV-2 should be modified to take into account the water resources projects and regulatory changes. Table XV-1 should be modified to account for the MPWRS and the water supply projects. The breakdown of the source of the water can be footnoted on the table. This modification will return the functionality of the Rule 160 rationing triggers. Table XV-2 should be modified from reporting on the Satellite Systems to reporting on the water supply projects. This change will restore the

structure of the values in Table XV-1 representing the total water supply by adding the monthly values of Tables XV-2 and XV-3.

RECOMMENDATION: Adopt Resolution 2022-09 adding the monthly and year-to-date at month-end values for all operational water resources projects to Tables XV-1, XV-2, and XV-3 for District Rule 160 and change Table XV-2 to report water supply from water projects and not production from the Satellite Systems.

BACKGROUND: The District established Rule 160 by Ordinance 92 on 1/29/99 and has been modified several times over the years. The Rule establishes the monthly distribution of water production from all sources in the MPWRS, which is described as the Seaside Groundwater Basin and the Carmel Valley Alluvial Aquifer. The monthly limits are tied to the District Rationing Rules set forth in MPWMD Rules 162 to 165.

EXHIBIT

13-A Draft Resolution No. 2022-09 - A Resolution of the Board of Directors of the Monterey Peninsula Water Management District Modifying Rule 160 – Regulatory Production Targets for California American Water.



EXHIBIT 13-A

DRAFT

RESOLUTION NO. 2022-09

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA WATER MANAGEMENT DISTRICT MODIFYING RULE 160 – REGULATORY PRODUCTION TARGETS FOR CALIFORNIA AMERICAN WATER SYSTEMS

WHEREAS, the Monterey Peninsula Water Management District has developed a set of rules to facilitate compliance by California American Water systems with the regulatory and legal water production limits set by the State Water Resources Control Board and the Seaside Basin Adjudication as administered by the Seaside Groundwater Basin Watermaster;

WHEREAS, District Rule 160 specifies the regulatory water production targets that are used to trigger higher stages of water conservation to ensure compliance with these legal and regulatory water production limits;

WHEREAS, these limits are subject to change by action of the State Water Resources Control Board and Seaside Groundwater Basin Watermaster;

WHEREAS, the State Water Resources Control Board adopted Order WR 2016-0016 on July 19, 2016, which requires California American Water to divert no more than 3,376 acre-feet from its Carmel River system sources;

WHEREAS, the Monterey County Superior Court adopted an Amended Decision in the Seaside Groundwater Basin Adjudication on February 9, 2007 (*California American Water v. City of Seaside, et al.*, Case No. M66343), which requires California American Water to divert no more than 1,474 acre-feet from the Coastal Subareas and 0 acre-feet from the Laguna Seca Subarea of the Seaside Groundwater Basin;

WHEREAS, it is necessary to modify the monthly and year-to-date at month-end water production targets in Tables XV-1, XV-2 and XV-3 to reflect the projected quantities of production available to California American Water for diversion from the Carmel River, Seaside Groundwater Basins, and water supply projects for all Water Years; and

WHEREAS, it is necessary to modify Table XV-2 to reflect the projected quantities of production available to California American Water from operational water supply projects instead of reporting monthly and year-to-date at month-end values production from the Satellite Systems.

NOW THEREFORE, BE IT RESOLVED:

1. District staff shall modify Tables XV-1, XV-2 and XV-3 of District Rule 160 to reflect the projected quantities of production available to California American Water for diversion from the Carmel River, Seaside Groundwater Basins, and water resources projects for all Water Years.
2. Specifically, District staff shall add the monthly and year-to-date at month-end values for all operational water resources projects to Tables XV-1, XV-2 and XV-3 of Rule 160 with the monthly and year-to-date at month-end values from the Carmel River and Seaside Groundwater Basins. Table XV-2 will be modified to report water supply from water projects and not production from the Satellite Systems.

PASSED AND ADOPTED on this XX day of March, 2022 on a motion by Director _____ and second by Director _____, by the following vote, to wit:

AYES:

NOES:

ABSENT:

I, David J. Stoldt, Secretary of the Board of Directors of the Monterey Peninsula Water Management District, hereby certify the foregoing is a resolution adopted on XX day of March 2022.

David J. Stoldt,
Secretary to the Board

ITEM: ACTION ITEM**14. CONSIDER ADOPTION OF RESOLUTION 2022-08 AMENDING RULE 25.5, TABLE 4: HIGH EFFICIENCY APPLIANCE CREDITS, TO DELETE CREDIT FOR GRAYWATER/RAINWATER TOILET FLUSHING AND CLOTHES WASHING**

Meeting Date:	March 21, 2022	Budgeted:	N/A
From:	David J. Stoldt, General Manager	Program/ Line Item No.:	N/A N/A
Prepared By:	Stephanie Locke	Cost Estimate:	N/A

Committee Review: The Water Demand Committee unanimously recommended approval of this action at its March 3, 2022, meeting.

General Counsel Review: N/A

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

SUMMARY: Staff asked for committee review of the water credit for installing a rainwater or Graywater plumbing system to flush toilets and/or wash laundry due to a number of complexities related to approval, installation, and operation of a system. The Technical Advisory Committee (TAC) discussed this on March 2, 2022. The TAC thought that every way to obtain credit should continue to be offered due to the lack of water availability. However, the Water Demand Committee reviewing the same topic the following day was adamant that the credit, due to the many potential problems associated with it, should be discontinued.

The Water Demand Committee recommends that the credit for installing and using a Graywater/rainwater system to flush toilets and/or wash laundry should be eliminated at this time, but the rebate for these systems should remain. The District has not permitted any of these systems for a water credit. Citing concerns about the lack of sufficient data on existing operating systems in Monterey County, as well as the potential for problems related to installation, maintenance, and enforcement, the Committee directed staff to proceed with an amendment to Table 4: High Efficiency Appliance Credits.

RECOMMENDATION: Staff recommends the Board approve Resolution 2022-08 amending Rule 25.5, Table 4 to eliminate the credit for installation of a rainwater/Greywater system to flush toilets or wash laundry.

BACKGROUND: Rule 25.5 sets forth the process for obtaining a Water Use Credit for a Permanent Abandonment of Use. The permitting of Graywater¹ reuse systems to replace the water supply for toilet flushing and washing clothes was approved by the Board in 2019 for Multi-Family Dwellings and for Single Family Dwellings in 2020. However, the realistic application of these systems is more complex than originally thought.

¹ Capitalized terms are defined in [MPWMD Rule 11](#).

To qualify for a credit, the system would be required to be separate from the Potable plumbing system with the only access to back-up Potable water at the system tanks where it can be metered. Some of the challenges of a Graywater system discussed by the Water Demand Committee and TAC included:

- There is a requirement that the system “capacity” must be designed to meet 100 percent of the annual demand of the plumbed fixture(s), plus three days. In a small-scale setting such as in an Accessory Dwelling Unit or Single-Family Dwelling, this may not be possible depending on the cleaning habits and number of occupant(s). If the system uses rainwater, dry years such as last year might not provide enough water to meet demand.
- The Monterey County Environmental Health Bureau requires a reliable backup water supply to augment the Graywater system, if needed. The resolutions adopted by the Board specify that this should be done by adding a metered auto-fill Potable water inflow valve to the Graywater storage tank, meaning that there is no Potable water available for use at the fixture. However, if the project involves retrofitting an existing building, the Potable plumbing to the fixtures must be permanently removed and replaced with the Graywater system, requiring a plumbing permit and the potential for cross-connection issues.
- Monterey County Environmental Health Bureau must issue a permit for a Graywater treatment system. As part of their permit process, a backflow survey is required. The Graywater plumbing system must be entirely separate from the Potable system to avoid any potential cross-contamination of the Potable supply within the home(s). It makes sense to install a separate Graywater system during construction of a new building where a building inspector can easily oversee the installation. It does not make sense to replumb an entire existing home to accommodate a Graywater system, especially when it must involve permanent removal of plumbing to toilets and clothes washers to meet the District’s definition of “Permanent Abandonment of Use.”
- Cal-Am is requiring that a backflow preventer be installed on any property that has a Graywater system for flushing toilets or washing laundry. Backflow devices require periodic testing and maintenance and are registered with Cal-Am. Water customers must contract with a licensed professional to perform the required tests and make any necessary repairs.
- If the Board were to allow a credit for a Graywater system, there must be meters on the inflow to the treatment system, outflow to the plumbing system, and a meter on the Cal-Am backup fill. The meters need to measure the amount of inflow into the treatment system, the amount of treated water outflow to the toilets/laundry, and the amount of Cal-Am makeup water that might be needed by the system. This information must be submitted to the District annually for a period of five years, which requires resources to contact the property owner and follow up.
- Regular use of Potable makeup water should result in the revocation of a credit and a requirement to permit the water fixtures supplied by the Graywater system at full Capacity.
- District staff is reliant on the Jurisdiction’s Building Inspector to verify that the plumbing systems are separate and that there is no Potable plumbing to the fixtures for which credit is being given.

- Low flow toilets work best with some flow from showers and sinks to boost the removal of waste from the domestic line into the sewer system. By creating a separate system for supplying the toilets, the flush is not augmented with additional Graywater. This could potentially result in backups.
- Graywater systems require maintenance. There is a long-term property owner commitment associated with installation of a Graywater system. Graywater systems make sense in a Multi-Family Dwelling where management is committed to maintenance and operation of the system, but may be inappropriate for single-family dwellings, especially if the originator of the Graywater system sells and a new owner is less committed to its maintenance.

EXHIBIT

14-A Draft Resolution 2022-08, Amending Rule 25.5, Table 4: High Efficiency Appliance Credits to Delete Graywater and Rainwater Reuse Systems



EXHIBIT 14-A

DRAFT RESOLUTION NO. 2022-08

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA WATER MANAGEMENT DISTRICT AMENDING RULE 25.5, TABLE 4: HIGH EFFICIENCY APPLIANCE CREDITS TO DELETE GRAYWATER AND RAINWATER REUSE SYSTEMS

WHEREAS, District Rule 25.5-G-4-b *Water Use Credits and Water Credits* allows changes to Table 4: High Efficiency Appliance Credits by Board resolution; and

WHEREAS, in 2020, the Board adopted Resolution No. 2020-01 an amendment to Table 4 to allow a high efficiency appliance credits for installation of Graywater and rainwater systems for flushing toilets and washing clothes; and

WHEREAS, staff has identified a number of complexities and potential issues related to approval, installation, and operation of these systems; and

WHEREAS, ensuring that such a system results in quantifiable and permanent water savings is problematic; and

WHEREAS, Table 4: High Efficiency Appliance Credits applies to Residential uses and reflects retrofits that result in permanent, quantifiable reductions in water use, and that the rainwater/Graywater systems contemplated by Board Resolution No. 2020-01 did not consider the extent of effort and other factors required to ensure permanent and quantifiable water savings.

NOW, THEREFORE, the Board of Directors of the Monterey Peninsula Water Management District resolves that District Rule 25.5-G-4-b, *Water Use Credits and Water Credits*, Table 4: High Efficiency Appliance Credits, shall be amended as shown in bold/italics (added text) and strikethrough (deleted text) on Attachment 1 to eliminate a Water Credit for the installation of a rainwater/Graywater systems that are used for toilet flushing and/or clothes washing in a Residential application. The amendments also include updates to definitions from adoption of Ordinance No. 189 on December 13, 2021.

PASSED AND ADOPTED on this XXth day of March 2022 on a motion by Director _____ with a second by Director _____, by the following vote, to wit:

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 XX day of March 2022.

David J. Stoldt,
Secretary to the Board of Directors

TABLE 4: HIGH EFFICIENCY APPLIANCE CREDITS

Appliance	Description	Water Use Credit in Fixture Units (FU)
High Efficiency Toilets	A toilet designed to have an average maximum flush of 4.3 1.28 gallons <i>and that is labeled by the U.S. Environmental Protection Agency's WaterSense program.</i>	0.5 FU
Ultra High Efficiency Toilet	A toilet designed and manufactured to flush with a maximum of 0.8 gallon of water and that is labeled by the U.S. Environmental Protection Agency's WaterSense program.	1 FU
Instant-Access Hot Water System	A recirculating hot water system or other device(s) that results in hot water contact at every point of access throughout the Dwelling Unit within ten (10) seconds. Instant-Access Hot Water Systems shall be installed in each auxiliary building plumbed with hot water on a Single-Family Residential Site. There shall be no Water Use Credit for installation of Instant-Access Hot Water Systems for New Structures.	0.5 FU
High Efficiency Dishwasher	A dishwasher designed to use a maximum of 5.8 3.5 gallons per cycle. A High Efficiency Dishwasher shall have Energy Star certification.	0.5 FU
High Efficiency Clothes Washer	A Clothes Washer with a Water Factor of 5.0 4.3 or less <i>that has Energy Star certification.</i>	1 FU
Rainwater/Graywater Toilet Flushing System for Multi-Family Dwellings	A rainwater or Graywater recycling storage system used to flush toilet(s). System capacity shall meet 100% projected annual demand, plus three days.	75% of FU
Rainwater/Graywater Clothes Washing System for Multi-Family Dwellings	A rainwater or Graywater recycling storage system used to wash clothes. System capacity shall meet 100% projected annual demand, plus three days.	75% of FU

Table 4 amended by Resolution 2008-03 (2/28/2008); Resolution 2009-10 (7/20/2009); Ordinance No. 140 (11/16/2009); Resolution 2009-14 (12/14/2009); Ordinance No. 151 (11/19/2012); Ordinance No. 156 (11/18/2013); Resolution 2019-09 (7/15/2019); Resolution 2020-01 (1/23/2020)

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ITEM: ACTION ITEM**15. STREAMLINING AND SCHEDULING OF COMMITTEE MEETINGS**

Meeting Date: March 21, 2022 **Budgeted:** N/A

From: David J. Stoldt,
General Manager **Program/** N/A
Line Item No.:

Prepared By: Joel G. Pablo **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.

BACKGROUND / DISCUSSION

On January 27, 2022, Chair Paull and the Board discussed with staff the frequency of and potential streamlining of the District's Committees. The Board received feedback and by consensus created a subcommittee to include Director Alvin Edwards, Director Karen Paull and Director Clyde Roberson to discuss the matter further and return to the Board with recommendations. Chair Paull solicited the General Manager's recommendations (**Exhibit 15-A**). The subcommittee concurs with most of them and provides some additional recommendations to the Board (**Exhibit 15-B**). This report incorporates the General Manager's recommendations and recommendations of the subcommittee.

Following final Board Action on the matter, staff will return to the Board with any needed committee charge amendments as well as eliminate the Rules and Regulations and Carmel River Advisory committees (assuming Board approval) at the April 18, 2022 Board meeting.

SUMMARY OF SUBCOMMITTEE RECOMMENDATIONS

1. No changes to structure of Board committees that are currently active. Two inactive committees can be eliminated: the Rules and Regulations Committee and the Carmel River Advisory Committees.
2. The Administrative Committee should continue meeting monthly.
3. **Frequency of regularly scheduled committee meetings:** Recommendations on how often each Board committee should meet on a regular basis are provided. See **Exhibits 15-A and 15-B**. Reasonably predictable meeting dates are necessary, but committees may decide to meet more or less often than suggested here, in consultation with the General Manager and Board Clerk.
4. Committees can call a **Special Meeting**, as needed or at Board direction.

5. Some Committee Chairs may want an opportunity to review draft agendas before meetings in case they want to suggest changes or consider cancelling a meeting.
6. If Staff wants to cancel a committee meeting, the Committee Chair should be notified (by phone if requested).
7. General Manager's participation in committee meetings is very valuable and should continue as needed. Informational presentations to committees can often be provided by other District staff. This practice benefits the District and its staff.

RECOMMENDATION

The Board will review the general recommendations of the subcommittee and provide direction to staff.

EXHIBITS

- 15-A** General Manager's Proposal to Subcommittee
- 15-B** Subcommittee's Recommendation to the Board

EXHIBIT 15-A

General Manager's Proposal to Subcommittee

Administrative Committee –monthly.

Rename “Finance and Administration Committee” [to emphasize the Board and management keep a very close eye on District finances]

Water Supply Planning – every other month/ 6 times a year
Alternate with Water Demand Committee

Water Demand Committee – every other month/6 times a year

Public Outreach Committee – quarterly

Legislative Advocacy Committee – 3 times per year: Feb/March, June/July, and Sept/Oct – do not disband (later conversation)

Rules and Regulations Committee – already on hiatus/permanently disband

MPWSP Governance Committee – leave in place, but do not appoint member until (if) meetings ever re-start (desalination-related)

Others: Watermaster, CSDA, ACWA/JPIA are outside committees for which we have no control

Advisory Committees

Ordinance 152 Citizens Oversight Panel – change to meet 3 times per year: May (budget), October (end of year review), January (first receipts and annual report)

Redistricting Advisory Committee – keep until the redistricting process is completed (April 2022).

Carmel River Advisory Committee – permanently disband (in favor of the more recent system of all stakeholder groups meeting)

TAC, PAC, or Joint PAC/TAC – as needed

All committees can call a special meeting as needed or at Board direction.

EXHIBIT 15-B

Subcommittee's Recommendation to the Board

Recommendations from Directors Edwards, Roberson, and Paull on committee/liaison assignments and frequency of committee meetings

General Recommendations:

1. No changes to structure of Board committees that are currently active. Two inactive committees can be eliminated.
2. The Administrative Committee should continue to meet monthly. Consider renaming it "Finance and Administration Committee" to emphasize GM and Board pay close attention to District finances.
3. We offer recommendations on how often the other Board committees should meet on a regular basis (see below). Committees may decide to meet more or less often, in consultation with the General Manager and Board Clerk.
4. In addition to their regularly scheduled meetings, committees can call a special meeting as needed or at Board direction.
5. Committee chairs may want an opportunity to review draft agendas before meetings. They may want to suggest changes, or to consider canceling a meeting if it is not needed.
6. If Staff wants to cancel a committee meeting, staff should notify the chair (by phone if requested).
7. The General Manager's participation in committee meetings is valuable and welcome, but given the many other demands on his time, it is a good idea to have other staff provide informational presentations, when appropriate.

Recommendations on Frequency of Meetings:

Administrative Committee

- monthly (no change)

Water Supply Planning and Water Demand Committees

- every other month (6 times a year).
- If both committees meet every other month, they can alternate.

Public Outreach Committee

- in 2022, at least every other month, as we revamp outreach.
- Some meetings without consultants

Legislative Advocacy Committee

- 3 times a year with consultants: Feb/March, June/July, and Sept/Oct
- May need a meeting without consultants to discuss their contracts.

Rules and Regulations Committee – inactive; disband.

- An ad hoc rules committee can be created if needed.

Representatives to outside bodies:

MPWSP Governance Committee – leave in place, but only appoint member if meetings restart.

Watermaster, CSDA, ACWA/JPIA --
continue appointing representatives and alternates.

Advisory Committees:

Ordinance 152 Citizens Oversight Panel

- GM suggests meeting 3 times a year instead of 4: May (budget), October (end of year review), January (first receipts and annual report)
- Is meeting 3X/year rather than 4X/year permissible (see Charter)? Assuming it is, Panel should be consulted.

Redistricting Advisory Committee - keep until the redistricting process is completed (April 2022).

TAC, PAC, or Joint PAC/TAC – as needed.

Carmel River Advisory Committee – disband.

- Has been replaced by a system of all stakeholder groups meeting.

ITEM: INFORMATIONAL ITEM/STAFF REPORT**16. REPORT ON ACTIVITY/PROGRESS ON CONTRACTS OVER \$25,000**

Meeting Date: March 21, 2022 **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 did not review this item.

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 16-A**, monthly status report on contracts over \$25,000 for the period January 2022. This status report is provided for information only, no action is required.

EXHIBIT

16-A Status on District Open Contracts (over \$25k)

EXHIBIT 16-A

75

Monterey Peninsula Water Management District Status on District Open Contracts (over \$25K) For The Period January 2022

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 Shute, Mihaly & Weinberger LLP	Measure J LAFCO Litigation Legal Services	1/1/2022	\$ 50,000.00	\$ -	\$ 1,701.00	\$ 1,701.00		Current period billing for LAFCO Measure J litigation services	PO02843
2 Reiff Manufacturing	Quarantine tanks with for the Sleepy Hollow steelhead facility	10/18/2022	\$ 48,000.00	\$ -	\$ 40,350.00	\$ 40,350.00		Current period billing for purchase of SHRF quarantine tanks	PO02824
3 Psomas	Measure J/Rule 19.8 MPWMD Survey Services	9/20/2021	\$ 28,000.00	\$ 14,525.25	\$ 10,783.24	\$ 25,308.49		Current period billing for LAFCO Measure J survey services	PO02791
4 Hayashi & Wayland	Audit services	6/15/2020	\$ 69,500.00	\$ 24,065.80	\$ 30,000.00	\$ 54,065.80		Current period billing for auditing services	PO02783
5 Regional Government Services	Human Resouces contractual services	6/21/2021	\$ 70,000.00	\$ 19,103.10	\$ 2,513.30	\$ 21,616.40		Current period billing for HR services	PO02698
6 The Marketing Department	Outreach Consultant Contract FY 2021/2022	6/21/2021	\$ 51,000.00	\$ 12,750.00	\$ 8,500.00	\$ 21,250.00		Current period retainer billing for outreach services	PO02696
7 Tetra Tech, Inc.	Engineering services Sleepy Hollow Facility Upgrade	6/21/2021	\$ 67,500.00	\$ 6,446.29	\$ 5,338.83	\$ 11,785.12		Current period billing for Sleepy Hollow engineering services	PO02693
8 DeVeera Inc.	Dell PE R740XD Series Server (2)	6/21/2021	\$ 60,000.00	\$ -		\$ -			PO02666
9 CSC	Annual e-recording of deed restrictions.	6/21/2021	\$ 26,000.00	\$ 21,000.00	\$ 5,000.00	\$ 26,000.00		Current period payment for e-recording services	PO02663
10 Zim Industries, Inc.	ASR 1 Rehabilitation	2/25/2021	\$ 113,350.00	\$ 106,277.25		\$ 106,277.25			PO02650
11 DeVeera Inc.	BDR Datto Services Contract FY 2021/2022	6/21/2021	\$ 26,352.00	\$ 13,176.00	\$ 2,196.00	\$ 15,372.00		Current period billing for IT backup services	PO02646
12 DeVeera Inc.	IT Managed Services Contract for FY 2021/2022	6/21/2021	\$ 58,728.00	\$ 29,360.40	\$ 4,893.40	\$ 34,253.80		Current period billing for IT managed services	PO02647
13 The Ferguson Group LLC	2021-22 - Legislative and Administrative Services	6/21/2021	\$ 99,500.00	\$ 48,520.96	\$ 8,072.89	\$ 56,593.85		Current period retainer billing	PO02645
14 JEA & Associates	Legislative and Administrative Services	6/21/2021	\$ 43,400.00	\$ 19,200.00	\$ 3,200.00	\$ 22,400.00		Current period retainer billing	PO02644
15 Lynx Technologies, Inc	Geographic Information Systems contractual services	6/21/2021	\$ 35,000.00	\$ 3,425.00	\$ 4,725.00	\$ 8,150.00		Current period billing for GIS services	PO02637
16 Pueblo Water Resources, Inc.	ASR Operations Support	6/21/2021	\$ 75,000.00	\$ 53,807.14		\$ 53,807.14			PO02630
17 MBAS	ASR Water Quality	6/21/2021	\$ 40,000.00	\$ 35,417.50		\$ 35,417.50			PO02627
18 Monterey One Water	PWM Deep Injection Well #4 Design/Construction	9/21/2020	\$ 4,070,000.00	\$ 1,109,051.76		\$ 1,109,051.76			PO02604
19 Goodin, MacBride, Squeri & Day, LLP	Legal Fee Related MPWSP	4/1/2021	\$ 50,000.00	\$ 29,848.31		\$ 29,848.31			PO02601
20 Local Agency Formation Commission (LAFCO) of Monterey County	Measure J/Rule 19.8 MPWMD LAFCO Application Proces	5/17/2021	\$ 232,800.00	\$ 128,965.74	\$ 69,151.49	\$ 198,117.23		Current period billing for LAFCO Measure J services	PO02598
21 FISHBIO	Carmel River Fish Weir	8/17/2020	\$ 130,000.00	\$ 126,799.07		\$ 126,799.07			PO02586
22 Shute, Mihaly & Weinberger LLP	Measure J CEQA Litigation Legal Services	12/23/2020	\$ 200,000.00	\$ 134,820.57		\$ 134,820.57			PO02490
23 De Lay & Laredo	Measure J/Rule 19.8 3rd Party Operations Phase II	12/16/2019	\$ 87,000.00	\$ 18,690.50		\$ 18,690.50			PO02398
24 Weston Solutions, Inc.	UXO Support Services	6/15/2020	\$ 26,378.70	\$ 5,677.76		\$ 5,677.76			PO02371
25 Denise Duffy & Assoc. Inc.	CEQA addendum for ASR Parallel Pipeline	4/20/2020	\$ 28,567.00	\$ 25,970.44		\$ 25,970.44			PO02363
26 De Lay & Laredo	Measure J/Rule 19.8 Appraisal/MAI Services	6/15/2020	\$ 120,000.00	\$ 76,032.00		\$ 76,032.00			PO02316
27 De Lay & Laredo	Measure J/Rule 19.8 Appraisal/Rate Study Phase II	12/16/2019	\$ 200,000.00	\$ 188,683.75		\$ 188,683.75			PO02282

Monterey Peninsula Water Management District
Status on District Open Contracts (over \$25K)
For The Period January 2022

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
28	De Lay & Laredo	Measure J/Rule 19.8 Operations Plan - Phase II	12/16/2019	\$ 145,000.00	\$ 62,077.50		\$ 62,077.50		PO02281
29	De Lay & Laredo	Measure J/Rule 19.8 CEQA Services Consultant	12/16/2019	\$ 134,928.00	\$ 134,779.54		\$ 134,779.54		PO02273
30	Rutan & Tucker, LLP	Rule 19.8 Eminent Domain Legal Services - Phase II	12/16/2019	\$ 200,000.00	\$ 167,535.44		\$ 167,535.44		PO02236
31	Norton Rose Fulbright	Cal-Am Desal Structuring & Financing Order	4/20/2015	\$ 307,103.13	\$ 38,557.29		\$ 38,557.29		PO02197
32	Pueblo Water Resources, Inc.	ASR SMWTF Engineering Services During Construction	10/21/2019	\$ 148,100.00	\$ 142,709.87		\$ 142,709.87		PO02163
33	U.S. Bank Equipment Finance	Copier machine leasing - 60 months	7/15/2019	\$ 52,300.00	\$ 24,528.31	\$ 871.81	\$ 25,400.12	6/30/2024 Current period billing for photocopy machine lease	PO02108
34	Monterey One Water	Supplemental EIR Costs for PWM Expansion Project	3/18/2019	\$ 750,000.00	\$ 731,336.70		\$ 731,336.70		PO02095
35	Monterey One Water	Pre-Construction Costs for PWM Expansion Project	11/13/2017	\$ 360,000.00	\$ 312,617.94		\$ 312,617.94		PO02094
36	DUDEK	Consulting Services for Prop 1 grant proposal	4/15/2019	\$ 95,600.00	\$ 94,315.05		\$ 94,315.05		PO01986
37	Denise Duffy & Associates	Consulting Services IRWM plan update	12/17/2018	\$ 55,000.00	\$ 53,322.32		\$ 53,322.32		PO01985
38	Tetra Tech, Inc.	Engineering services Sleepy Hollow Facility Upgrade	7/16/2018	\$ 30,000.00	\$ 26,878.87		\$ 26,878.87		PO01880
39	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	6/30/2022	PO01874
40	Ecology Action of Santa Cruz	IRWM HEART Grant	4/16/2018	\$ 152,600.00	\$ 86,362.33		\$ 86,362.33		PO01824
41	Pueblo Water Resources, Inc.	ASR Backflush Basin Expansion, CM services	7/16/2018	\$ 96,034.00	\$ 68,919.39		\$ 68,919.39		PO01778
42	Rural Community Assistance Corporation	IRWM DAC Needs Assessment	4/16/2018	\$ 100,000.00	\$ 99,250.00		\$ 99,250.00		PO01777
43	Mercer-Fraser Company	Sleepy Hollow Intake upgrade project	7/16/2018	\$ 2,075,000.00	\$ 1,944,949.80		\$ 1,944,949.80		PO01726
44	Colantuono, Highsmith, & Whatley, PC	MPTA Legal Matter	7/1/2018	\$ 50,000.00	\$ 28,677.93	\$ 11,286.50	\$ 39,964.43	Current period billing for MPTA lawsuit legal services	PO01707
45	Pueblo Water Resources, Inc.	Seaside Groundwater Basin Geochemical Study	1/24/2018	\$ 68,679.00	\$ 57,910.25		\$ 57,910.25		PO01628
46	Pueblo Water Resources, Inc.	SSAP Water Quality Study	8/21/2017	\$ 94,437.70	\$ 44,318.11		\$ 44,318.11		PO01510
47	Normandeau Associates, Inc.	Assistance with IFIM Study	11/13/2017	\$ 35,000.00	\$ 31,482.50		\$ 31,482.50		PO01509
48	Balance Hydrologics, Inc	Design Work for San Carlos Restoration Project	6/19/2017	\$ 51,360.00	\$ 50,894.32		\$ 50,894.32		PO01321
49	AECOM Technical Services, Inc.	Los Padres Dam Alternatives Study	1/25/2017	\$ 700,700.00	\$ 625,812.50		\$ 625,812.50		PO01268
50	Denise Duffy & Assoc. Inc.	MMRP Services for Monterey Pipeline	1/25/2017	\$ 80,000.00	\$ 73,144.06		\$ 73,144.06		PO01202
51	Goodin,MacBride,Squeri,Day,Lamprey	User Fee PUC Proceedings Legal Fee	7/1/2016	\$ 50,000.00	\$ 49,318.05		\$ 49,318.05	6/30/2022	PO01100
52	Whitson Engineers	Carmel River Thawleg Survey	9/19/2018	\$ 52,727.43	\$ 49,715.00		\$ 49,715.00		PO01076
53	HDR Engineering, Inc.	Los Padres Dam Fish Passage Study	4/18/2016	\$ 320,000.00	\$ 316,085.56		\$ 316,085.56		PO01072
54	Michael Hutnak	GS Flow Modeling for Water Resources Planning	8/19/2013	\$ 71,800.00	\$ 65,880.00		\$ 65,880.00		PO00123

Monterey Peninsula Water Management District
Status on District Open Contracts (over \$25K)
For The Period January 2022

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
55	Justin Huntington	GS Flow Modeling for Water Resources Planning	8/19/2013	\$ 59,480.00	\$ 53,918.98		\$ 53,918.98			PO00122

ITEM: INFORMATIONAL ITEM/STAFF REPORT**17. STATUS REPORT ON MEASURE J/RULE 19.8 PHASE II SPENDING****Meeting Date: March 21, 2022 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: This item did not go through Administrative Committee Meeting.****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 17-A**, monthly status report on Measure J/Rule 19.8 Phase II spending for the period January 2022. This status report is provided for information only, no action is required.

EXHIBIT**17-A Status on Measure J/Rule 19.8 Phase II Spending**

**Monterey Peninsula Water Management District
Status on Measure J/Rule 19.8 Spending Phase II
Through January 2022**

	Contract	Date Authorized	Contract/Approved Amount	Prior Period Spending	Current Period Spending	Total Expended To Date	Spending Remaining	Project No.
1	Eminent Domain Legal Counsel	12/16/2019	\$ 345,000.00	\$ 167,535.44		\$ 167,535.44	\$ 177,464.56	PA00005-01
2	CEQA Work	12/16/2019	\$ 134,928.00	\$ 134,779.54		\$ 134,779.54	\$ 148.46	PA00005-02
3	Appraisal Services	12/16/2019	\$ 430,000.00	\$ 188,683.75		\$ 188,683.75	\$ 241,316.25	PA00005-03
4	Operations Plan	12/16/2019	\$ 145,000.00	\$ 94,860.00		\$ 94,860.00	\$ 50,140.00	PA00005-04
5	District Legal Counsel	12/16/2019	\$ 40,000.00	\$ 145,395.56	\$ 5,106.00	\$ 150,501.56	\$ (110,501.56)	PA00005-05
6	MAI Appraiser	12/16/2019	\$ 170,000.00	\$ 76,032.00		\$ 76,032.00	\$ 93,968.00	PA00005-06
7	Jacobs Engineering	12/16/2019	\$ 87,000.00	\$ 86,977.36		\$ 86,977.36	\$ 22.64	PA00005-07
8	LAFCO Process	12/16/2019	\$ 240,000.00	\$ 136,165.74	\$ 69,151.49	\$ 205,317.23	\$ 34,682.77	PA00005-08
8	PSOMAS	9/20/2021	\$ 28,000.00	\$ 14,525.25	\$ 10,783.24	\$ 25,308.49	\$ 2,691.51	PA00005-09
9	Contingency/Miscellaneous/Uncommitted	12/16/2019	\$ 289,072.00	\$ 31,959.95	\$ 3,737.50	\$ 35,697.45	\$ 253,374.55	PA00005-20
	Total		\$ 1,909,000.00	\$ 1,076,914.59	\$ 88,778.23	\$ 1,165,692.82	\$ 743,307.18	

1	Measure J CEQA Litigation Legal Services	12/23/2000	\$ 200,000.00	\$ 134,820.57	\$ 1,701.00	\$ 136,521.57	\$ 63,478.43	PA00005-15
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**Phase I Costs
Status on Measure J/Rule 19.8 Spending
Through November 2019**

	Contract	Date Authorized	Contract Amount	Prior Period Spending	Current Period Spending	Total Expended To Date	Spending Remaining	Project No.
1	Eminent Domain Legal Counsel	12/17/2018	\$ 100,000.00	\$ 148,802.21	\$ 12,195.95	\$ 160,998.16	\$ (60,998.16)	PA00002-01

2	Investment Banking Services	2/21/2019	\$ 30,000.00	\$ -	\$ 27,000.00	\$ 27,000.00	\$ 3,000.00	PA00002-02
3	Valuation & Cost of Service Study Consultation	2/21/2019	\$ 355,000.00	\$ 247,690.63	\$ 39,274.54	\$ 286,965.17	\$ 68,034.83	PA00002-03
4	Investor Owned Utility Consultant	2/21/2019	\$ 100,000.00	\$ 84,221.69		\$ 84,221.69	\$ 15,778.31	PA00002-04
5	District Legal Counsel		\$ 35,000.00	\$ 33,763.61	\$ 8,133.98	\$ 41,897.59	\$ (6,897.59)	PA00002-05
6	Contingency/Miscellaneous		\$ 30,000.00	\$ 9,931.83	\$ 33,814.12	\$ 43,745.95	\$ (13,745.95)	PA00002-10
	Total		\$ 650,000.00	\$ 524,409.97	\$ 120,418.59	\$ 644,828.56	\$ 5,171.44	

ITEM: INFORMATIONAL ITEM/STAFF REPORT**18. LETTERS RECEIVED****Meeting Date:** March 21, 2022 **Budgeted:** N/A**From:** David J. Stoldt,
General Manager **Program/** N/A
Line Item No.:**Prepared By:** Joel G. Pablo **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 February 16, 2022 and March 15, 2022 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 website at www.mpwmd.net.

Author	Addressee	Date	Topic
Remleh Scherzinger	General Manager	March 2, 2022	California- American Water Extraction Wells 1 & 2
Melodie Chrislock	Board of Directors	February 18, 2022	Letter to LAFCo- Ron Weitzman, re: District's Reconsideration Application to LAFCo
Melodie Chrislock	Board of Directors	February 18, 2022	Herald – Letters to the Editor on Leffel
Melodie Chrislock	Board of Directors	February 18, 2022	Open Letter to LAFCo, Re: District's Reconsideration Application to LAFCo
Karin Locke	Board of Directors	February 22, 2022	Agenda Item No. 10 on the MPWMD Board of Director's Agenda for February 24, 2022, re: Internet License for Water Wise Gardening in Monterey
Michael Baer	Board of Directors	February 22, 2022	MPWMD Resolution No. 2022-06- LAFCo Resolution "In Support of of Activation of Latent District Powers"
Ralph Porras	Board of Directors	February 22, 2022	Property Tax-Related Issues in the Monterey Peninsula Water Management District's Application/Proposal to LAFCO

Mary L. Adams	Board of Directors and GM	February 23, 2022	Regional Water Forum – MoCo Board of Supervisors Meeting on March 15, 2022
Daniela Bryan	David Stoldt	February 24, 2022	1 Ave. Maria Road- Accessory Dwelling Unit Conversion, re: Water Permit WP040794

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ITEM: INFORMATIONAL ITEM/STAFF REPORT**19. COMMITTEE REPORTS**

Meeting Date: March 21, 2022 **Budgeted:** N/A

From: David J. Stoldt, **Program/** N/A
 General Manager **Line Item No.:**

Prepared By: Joel G. Pablo **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 19-A through 19-E** are the final minutes of the committee meetings listed below.

EXHIBITS

- 19-A** MPWMD Technical Advisory Committee – July 2, 2020 Meeting Minutes
- 19-B** MPWMD Technical Advisory Committee – September 13, 2017 Meeting Minutes
- 19-C** MPWMD Water Demand Committee – January 13, 2022 Meeting Minutes
- 19-D** MPWMD Administrative Committee – February 16, 2022 Meeting Minutes
- 19-E** MPWMD Redistricting Advisory Commission – February 14, 2022 Meeting Minutes
- 19-F** MPWMD Redistricting Advisory Commission – March 7, 2022 Meeting Minutes



EXHIBIT 19-A

FINAL MINUTES

Technical Advisory Committee of the Monterey Peninsula Water Management District July 2, 2020

Call to Order

The virtual meeting was called to order at 10:00 am via WebEx.

Committee members present:

City of Carmel-by-the-Sea	Marnie Waffle
City of Del Rey Oaks	Dino Pick
City of Monterey	Kimberly Cole
City of Sand City	Aaron Blair
City of Seaside	Kurt Overmeyer
Monterey Peninsula	Dan Johanson
Airport District	

Committee members absent:

City of Pacific Grove	Anastazia Aziz
County of Monterey	Carl Holm

Staff members present:

David J. Stoldt, General Manager
Stephanie Locke, Water Demand Division Manager
Arlene Tavani, Executive Assistant

District Counsel present:

David Laredo, De Lay & Laredo
Heidi Quinn, De Lay & Laredo

Comments from the Public:

No comments.

Review of Committee Charge by Stephanie Locke

Action Items

1. Elect Committee Chair and Vice Chair

Pick offered a motion to elect Kimberly Cole as Committee Chair. The motion was approved on a vote of 5 – 0 by Waffle, Cole, Blair, Overmeyer and Pick. Johanson was not present for the vote. Aziz and Holm were absent from the meeting.

Discussion Items

2. Discuss Responses from Jurisdictions on Near-Term Needs for Housing and Review Next Steps

Locke and Stoldt reviewed information provided in the staff report and responded to questions. He also noted that Table 6 in the staff note was in error, the total was 70 acre-feet, not 75 acre-feet as shown. He explained that 5 acre-feet would be placed in the District Reserve, and a jurisdiction could request use of that water in the future. No objections to the plan were raised by the committee members. The following comments were expressed by the committee. (a) Support the proposed plan for requesting the State to release water for the jurisdictions. It could take five years to develop projects that could benefit from the water. (b) How did the District arrive on the

75 acre-feet allocation. Why not go bigger? The amount should be characterized as a contribution to satisfy the RHNA numbers, but not as an amount sufficient to meet housing targets. *Stoldt responded that 75 acre-feet seemed adequate for what the jurisdictions could realistically permit. The 75 acre-feet was developed by reviewing the difference between water use in 2009 and present water use. Approximately 2% of that number was 75 acre-feet; a de minimis and reasonable amount that would result in very minimal impact on the Carmel River.*

(c) Support this proposal, the amount offered was very short of meeting the city's goals, but it was a substantial step forward. No public comment was directed to the committee.

3. Update on Revisions to Second Bathroom Protocol

Locke reported that the Board adopted Ordinance No. 185, effective June 18, 2020, that allowed a second bathroom to be added in a dwelling unit without a debit to the jurisdiction's allocation, if there were less than four dwelling units on the site. The second bathroom was previously permitted only in a single-family dwelling on a single-family residential site. Under the new ordinance, ADU's could be permitted without the need to permit the second bathroom that previously was added under the second bathroom protocol. Locke also advised the committee that during the moratorium on setting of new water meters in the California American Water system, there was no requirement to separately meter an ADU.

Adjournment – The meeting was adjourned at 10:40 am.

/s/ Arlene Tavani, Executive Assistant/Board Clerk
Clerk to the MPWMD Technical Advisory Committee

Approved by the MPWMD Technical Advisory Committee on March 2, 2022
Received by the MPWMD Board of Directors on March 21, 2022

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EXHIBIT 19-B

FINAL MINUTES

Technical Advisory Committee of the Monterey Peninsula Water Management District *September 13, 2017*

Call to Order

The meeting was called to order at 9:10 am in the Conference room at the offices of the Monterey Peninsula Water Management District.

Committee members present:

City of Monterey	Todd Bennett, Chair
City of Pacific Grove	Anastazia Aziz
City of Seaside	Kurt Overmeyer (arrived at 9:20 am)
County of Monterey	Nadia Amador (arrived at 9:30 am)
Monterey Peninsula Airport District	Shelley Glennon

Committee members absent:

City of Carmel-by-the-Sea	Marc Weiner
City of Del Rey Oaks	Vacant
City of Sand City	Tod Bodem, Vice Chair

Staff members present:

David J. Stoldt, General Manager
Stephanie Locke, Water Demand Division Manager
Arlene Tavani, Executive Assistant
Gabriella Ayala, Conservation Analyst

District Counsel present:

Fran Farina

Comments from the Public:

No comments.

Action Items

1. **Consider Adoption of April 16, 2016 Committee Meeting Minutes**
On a motion by Aziz and second of Glennon, minutes of the April 16, 2016 committee meeting were approved on a vote of 3 – 1 by Aziz, Bennett and Glennon. Committee member Overmeyer abstained because he had not attended the meeting. Amador did not cast a vote No comments were directed to the committee during the public comment period on this item.

2. **Elect Committee Chair and Vice Chair**
On a motion by Bennett and second of Aziz, Aziz was elected to the position of Committee Chair and Bennett was elected to the position of Vice-Chair each for a 2-year term ending the first meeting of the Committee in 2020. The motion was approved on a vote of 4 – 0 by Overmeyer, Bennett, Aziz and Glennon. Amador did not cast a vote.

Discussion Items**3. Discuss Water Permitting Considerations for Auxiliary Dwelling Units**

Stephanie Locke stated that passage of Senate Bill No. 1069 (Wieckowski) has increased interest in development of auxiliary dwelling units (ADU). The legislation is in conflict with the water permit moratorium and other Water Management District regulations.

District Counsel Fran Farina explained that SB 1069 applies to “a city, county, or city and county, whether general law or chartered.” The Water Management District is not subject to the requirements of SB 1069. However, the Water Management District could modify its rules to allow sub-metering for ADUs and specify conditions for compliance. In addition, capacity fees for new fixtures could be reduced or exempted to align with the legislation.

Aziz requested that the Water Management District’s rules be modified as follows. If sufficient water credit could not be obtained from the primary residence for a bathroom in the ADU, the second bathroom protocol should be utilized for installation of a bathroom in the ADU. She expressed strong support for development of rules that would allow sub-metering of the ADU. Aziz recommended against a requirement that the ADU meet the conditions for a affordable housing in order to qualify for special consideration by the Water Management District. She has observed that property owners are not willing to spend the time and money to qualify their units as affordable. The City of Pacific Grove limits the size of ADUs to 800 square feet. The city’s ordinance specifies that an ADU cannot be rented for less than 30 days.

(Nadia Amador from the County of Monterey Planning Department arrived at 9:30 am)

Locke advised the committee that a CEQA challenge could be raised against any proposal to allow the second bathroom protocol to be applied to an ADU. The second bathroom protocol was based on the premise that adding another bath does not increase water use – but offers convenience for the property owner. Use of the second bathroom protocol as suggested would provide a bathroom for another family.

Bennett stated that the City of Monterey does not require that an ADU meet the requirements for affordable housing. Project size is limited to 1,200 square feet, and the owner must live in either the primary unit or the ADU. In addition, a prohibition on short-term rentals of all residential properties is in effect.

Overmeyer noted that there is confusion about under what circumstances Cal-Am will set a meter. For example, it is not clear if Cal-Am would set a meter for projects that receive water from adjudicated sources that are not subject to the Cease and Desist Order.

Locke stated that the Water Management District allows sub metering of ADUs only if that unit could not be sold separately from the primary unit, and only if water credits are available for the ADU. The Water Management District could consider: (a) installation of sub-meters on ADUs with the condition that a Cal-Am meter be set after the moratorium is lifted, or in some cases a sub-meter could be permanent; (b) if the source of water was from a jurisdictional allocation, a capacity fee would be due but the Board could consider a reduced fee or no fee for an ADU, and (c) at the behest of the committee, staff will bring forward to the Water Demand Committee the concept of the second bathroom protocol as a source of water for the ADUs, however; there is a CEQA issue with that proposal.

4. Update on Development of Water Supply Projects

Stoldt reported that sizing of Cal-Am's desalination plant is in question, and the CPUC has asked for testimony regarding this issue. One of the questions being analyzed is could the Pure Water Monterey Project be expanded to provide additional water. Water demand has been reduced over time, and it has been suggested that construction of a 6.4 mgd desalination plant with other supplies may be a sufficient solution. There is a concern that if the CPUC certifies the desalination project EIR in March 2018, a CEQA lawsuit could be filed during the 30-day comment period, which could delay project construction. The potential for PWM expansion could be a solution should Cal-Am's 6.4 mgd or 9.6 mgd desal project be delayed or not approved.

Representatives from the cities of Monterey, Pacific Grove and Seaside stated that there is pent-up demand for new construction and remodels in their jurisdictions. Many underdeveloped properties exist and the lack of water impedes progress.

Stoldt reported that in October 2017, testing will begin on the Pacific Grove Local Water Project, which has established a 66 acre-feet water entitlement for use within the City of Pacific Grove. However, terms of the State Revolving Loan that partially funded the project specify that the entitlement water cannot be used for new development. The Water Management District has a 9 AF per year entitlement from that project which it would like to set aside for public benefit projects throughout the District. Before the entitlements can be utilized, the City of Pacific Grove must present evidence to the State to support the premise that the entitlement is not "new water" but is replacement water made available due to reuse of treated stormwater from the Local Water Project. The District is also formulating rules that would allow the Malpaso water entitlement to be used for public benefit projects throughout the District.

Questions from Committee Members to MPWMD Staff: None

Adjournment – The meeting was adjourned at 10:15 am.

/s/ Arlene Tavani, Executive Assistant/Board Clerk
Clerk to the MPWMD Technical Advisory Committee

Approved by the MPWMD Technical Advisory Committee on March 2, 2022
Received by the MPWMD Board of Directors on March 21, 2022

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EXHIBIT 19-C

FINAL MINUTES Water Demand Committee of the Monterey Peninsula Water Management District Thursday, January 13, 2022

Call to Order

The meeting was called to order at 10:02 a.m. by Chair Anderson. *Pursuant to AB 361, the meeting was conducted with virtual participation via Zoom.*

Committee members present: *(By Roll-Call)*

Amy Anderson, Chair
Alvin Edwards
Clyde Roberson

Committee members absent:

None

Staff members present:

Stephanie Locke, Water Demand Manager
Joel G. Pablo, Board Clerk

District Counsel present:

David Laredo with De Lay and Laredo

Comments from the Public:

No comments were directed to the committee.

Action Items

1. Consider Adoption of Committee Meeting Minutes from December 2, 2021

Committee Member Anderson directed attention to the meeting schedule previously discussed on the December 2, 2021 meeting and asked staff to ensure the day of the week found on Staff Report Item No. 2 to be revised striking-out Monday and inserting Thursday.

Opened Public Comment Period; no comments were directed to the committee on Item No. 1.

A motion was made by Roberson with a second by Edwards to approve the committee meeting minutes from December 2, 2021. The motion passed on a roll-call vote of 3-Ayes (Anderson, Edwards and Roberson), 0-Noes, and 0-Absent.

Discussion Items

2. Update on District's Water for Housing Initiative

Stephanie Locke, Water Demand Manager provided a verbal status report, answered committee questions and reminded the committee that the Water for Housing Initiative remains a high priority of the District. Locke stated General Manager Stoldt met with: (a) CA State Senator Laird and a representative of the City of Monterey in October/November 2021 timeframe; (b) had further discussions with an Ad Hoc Housing Committee comprised of several City Council Members from various cities; and (c) the Monterey Bay Economic Partnership in Mid-November 2021. She mentioned Stoldt sent a draft template letter to Senator Laird for his review seeking

that the CA State Water Resources Control Board (SWRCB) conduct a workshop on housing issues and a final version of that letter would be sent from his District Office. Locke noted the District remains committed to finding other viable options and avenues to resolve the matter.

Opened Public Comment Period; no comments were directed to the committee on Item No. 2.

3. Discuss District's Submetering Condition Which Requires No Potential for Subdivision of a Property (Rules 23-A-1-I-(4) and (6))

Stephanie Locke, Water Demand Manager provided an overview of her staff report, answered committee questions, recommended adding language that the deed restriction recorded with the Water Permit to require immediate installation of a Water Meter upon subdivision of the property if the sub-metered unit is located in a new lot from the Water Distribution System Operator and to be completed within 120 days or something to that effect and sought committee direction. Locke and committee members discussed policies and policies being considered with city jurisdictions as it relates to the passage of Senate Bill 9, also known as the California Housing Opportunity and More Efficiency (HOME) Act passed into law in September 2021, and effective January 1, 2022 and discussed submetering conditions as proposed by staff. After much deliberation, Director Edwards recommended that staff call and convene a meeting of the Technical Advisory Committee to inform various City jurisdictions of staff's recommendation and seek their input on the matter.

Opened Public Comment Period; no comments were directed to the committee on Item No. 3.

4. Discuss Credit for Greywater Systems Used for Toilet Flushing and Clothes Washing in Single-Family Residential and Accessory Dwelling Units

Stephanie Locke, Water Demand Manager provided a historical overview of a Board Adopted Resolution passed in 2019 on Credits for Greywater Systems, her concerns which included, but are not limited to the ability of an Accessory Dwelling Unit to provide sufficient Greywater flows to meet the needs of toilets and clothes washing among, answered committee questions, and sought committee direction. Locke recommended and asked the committee to consider modifying the credit for Greywater Systems as it relates to the permitting process to a minimum of eight (8) units applicable to an apartment building verses a single-dwelling unit or an Accessory Dwelling Unit and provided her rationale. Committee Member Anderson, Edwards and Roberson via Consensus asked Locke to provide a staff report to review the matter further at a future meeting and to include this as a discussion item on the next Technical Advisory Committee.

Opened Public Comment Period; no comments were directed to the committee on Item No. 4

Suggest Items to be Placed on Future Agendas

- None

Adjournment

Chair Anderson adjourned the meeting at 10:39 a.m.

/s/ Joel G. Pablo, Board Clerk to the MPWMD Water Demand Committee

Reviewed and Approved by the MPWMD Water Demand Committee on March 3, 2022

Received by the MPWMD Board of Directors on March 21, 2022



EXHIBIT 19-D

FINAL MINUTES

Monterey Peninsula Water Management District Administrative Committee February 16, 2022

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

Call to Order

The virtual meeting was called to order at 2:00 PM via Zoom.

Committee members present: Amy Anderson, Chair
Alvin Edwards
Karen Paull

Committee members absent: None

District staff members present: David Stoldt, General Manager
Suresh Prasad, Administrative Services Manager/Chief Financial Officer
Stephanie Locke, Water Demand Manager
Sara Reyes, Sr. Office Specialist

District Counsel present: David Laredo with De Lay and Laredo

Additions / Corrections to Agenda: None

Comments from the Public: None

Items on Board Agenda for February 16, 2022

1. Consider Adoption of January 19,2022 Committee Meeting Minutes

On a motion by Paull and second by Anderson, the minutes of the January 16, 2022 meeting were approved on a roll call vote of 3 – 0 by Edwards, Paull and Anderson.

2. Consider Approval of Annual Purchase of Internet License for Water Wise Gardening in Monterey County

On a motion by Edwards and second by Paull, the Administrative Committee recommended that the Board approve the the expenditure of \$5,000 to renew the internet license with GardenSoft for the Monterey County Water Wise Landscaping software. The motion was approved on a roll call vote of 3 – 0 by Paull, Edwards and Anderson.

3. Authorize Expenditure for Purchase and Installation of Security Camera System

On a motion by Edwards and second by Paull, the Administrative Committee recommended that the

Board approve expenditures not-to-exceed \$50,000 to acquire and install surveillance system. The motion was approved on a roll call vote of 3 – 0 by Edwards, Paull and Anderson.

4. Receive Pension Reporting Standards Government Accounting Standards Board Statement No. 68 Accounting Valuation Report

On a motion by Edwards and second by Paull, the Administrative Committee recommended that the Board receive the GASB 68 Accounting Valuation Report prepared by CalPERS. The motion was approved on a roll call vote of 3 – 0 by Edwards, Paull and Anderson.

5. Receive Government Accounting Standards Board Statement No. 75 Accounting and Financial Reporting for Postemployment Benefits Other than Pensions

On a motion by Paull and second by Anderson, the Administrative Committee recommended that the Board receive the GASB 75 OPEB Valuation Report prepared by Precision Actuarial, Inc. The motion was approved on a roll call vote of 3 – 0 by Paull, Edwards and Anderson.

6. Consider Adoption of Treasurer’s Report for December 2021

On a motion by Edwards and second by Paull, the committee voted to recommend that the Board adopt the December 2021 Treasurer’s Report and financial statements, and ratification of the disbursements made during the month. The motion was approved by a roll call vote of 3 – 0 by Edwards, Paull and Anderson.

7. Receive and File Second Quarter Financial Activity Report for Fiscal Year 2021-2022

On a motion by Paull and second by Edwards, the committee voted to recommend that the Board receive and file the Second Quarter Financial Activity Report for Fiscal Year 2021-2022. The motion was approved by a roll call vote of 3 – 0 by Edwards, Paull and Anderson.

8. Consider Approval of Second Quarter Fiscal Year 2021-2022 Investment Report

On a motion by Edwards and second by Paull, the committee voted to recommend the the Board approve the Second Quarter Fiscal Year 2021-2022 Investment Report. The motion was approved by a roll call vote of 3 – 0 by Paull, Edwards and Anderson.

9. Review Annual Disclosure Statement of Employee/Board Reimbursements for Fiscal Year 2020-2021

On a motion by Edwards and second by Paull, the committee voted that action was taken to review the Annual Disclosure Statement of Employee/Board Reimbursements for Fiscal Year 2020-2021. The motion was approved by a roll call vote of Edwards, Paull and Anderson.

10. Semi-Annual Financial Report on the CAWD/PBCSD Wastewater Reclamation Project

This item was presented as information to the committee. No action was required or taken by the committee.

11. Report on Activity/Progress on Contracts Over \$25,000

This item was presented as information to the committee. No action was required or taken by the committee.

12. 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.

13. Review Second Quarter Legal Services Activity Report for Fiscal Year 2021-2022

This item was presented as information to the committee. No action was required or taken by the committee.

14. Review 2022 Committee Meeting Schedule

The Committee reviewed the proposed meeting schedule for 2022 and agreed to the schedule.

15. Review Draft February 24, 2022 Board Meeting Agenda

General Manager reviewed the agenda with the Committee. The Committee made no changes to the agenda.

Suggest Items to be Placed on Future Agendas

None

Adjournment

The meeting adjourned at 3:33 PM.

/s/ Sara Reyes, Sr. Office Specialist / Clerk to the MPWMD Administrative Committee

Reviewed and Approved by the MPWMD Administrative Committee on March 14, 2022

Received by the MPWMD Board of Director's on March 21, 2022

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EXHIBIT 19-E

FINAL MINUTES

Redistricting Advisory Commission of the Monterey Peninsula Water Management District Monday, February 14, 2022

Call to Order

The meeting was called to order at 5:36 pm by Chair Dave J. Stoldt. *Pursuant to AB 361 (Rivas), the meeting was conducted with virtual participation via Zoom.*

Commissioners Present:

(By Roll-Call Vote)

Susan Schiavone, *Division 1*
 Esther Malkin, *Division 2*
 Nancy Selfridge, *Division 3 (Joined at 6:33 p.m.)*
 Tama Olver, *Division 4*
 Myrleen Fisher, *Division 5*
 Troy Ishikawa, *County Representative*
 Steven Lilley, *City Representative*
 Marc Eisenhart, *At-Large Member*
 N. Monica Lal, *At-Large Member*

Commissioners Absent:

None

Staff Members Present:

David J. Stoldt, General Manager
 Joel G. Pablo, Board Clerk

District Counsel Present:

David Laredo, Esq. with De Lay and Laredo

Demographers Present:

Shelley Lapkoff, Ph.D and Jeanne Gobalet, Ph.D with
 Lapkoff and Gobalet Demographic Research, Inc.

Additions and Corrections to the Published Agenda:

None

Introductions

Introductions Made by:

Dave J. Stoldt, General Manager
 Dave Laredo, Esq.
 Shelley Lapkoff, Ph.D and Jeanne Gobalet, Ph.D.
 Members of the Commission

Comments from the Public:

No public comments were directed to the Commission.

Action Items

1. Review and Approve the Redistricting Advisory Commission Meeting Schedule

Opened Public Comment; No Comments were directed to the Commission on Item No. 1

Joel G. Pablo, Board Clerk briefed the Commission on the proposed meeting schedule. The Commission reviewed the proposed meeting scheduled and agreed to modify the schedule by striking out February 23, 2022 at 5:30 p.m. and adding in Thursday, March 17, 2022 at 5:30 p.m. (if needed).

A motion was made by Eisenhart with a second by Schiavone to amend the proposed meeting schedule by striking out February 23, 2022 at 5:30 p.m. and adding in Thursday, March 17, 2022 (if needed). The motion carried on a roll-call vote of 7-Ayes (Schiavone, Malkin, Olver, Ishikawa, Lilley, Eisenhart and Lal), 1-Absent (Selfridge) and 0-Noes.

Commissioner Fisher was present during the virtual meeting and no vote was captured/recorded during the meeting.

Discussion Item

2. RAC Rules of Procedure and Brown Act Considerations

Opened Public Comment; No Comments were directed to the Commission on Item No. 2

Joel G. Pablo, Board Clerk highlighted a few points on the Redistricting Advisory Commission Rules of Procedure and Brown Act Considerations and presented via MS PowerPoint. *A copy of the presentation is on file at the District office and can be viewed on the District website.*

3. Redistricting Orientation and Review of 2020 Census Data

Opened Public Comment; No Comments were directed to the Commission on Item No. 3

Jeanne Gobalet, Ph.D. delivered and presented via MS PowerPoint presentation entitled Post-2020 Census Redistricting: Redistricting Advisory Commission (RAC) Meeting #1. *A copy of the presentation is on file at the District office and can be viewed on the District website.* Gobalet provided an overview of her firm's work and on past redistricting efforts in 1991 and 2011 with the District. Gobalet covered the rationale for conducting the redistricting process, reviewed current Election Districts (adopted in 2002), the Federal/State legal requirements Demographers must follow, provided the definition of and examples of communities of interest, noted that the current election district populations are not balanced and Division - Director boundaries need to be adjusted.

Highlights from the PowerPoint include:

- a. Redistricting involves the demographic evaluation of Division – Director areas using the 2020 Federal Census data to determine equal population in each area.
- b. Redistricting is required every 10 years
- c. Current Directors complete their terms of office even if they no longer live in the Area they were elected to represent.
- d. Gobalet reviewed the 2020 population of each Division – Director area by:
 - i. Total Population
 - ii. Voting Age Population, Age 18 and over

- iii. Citizens of Voting Age
- iv. Registered Voters
- v. Actual Voters (by Spanish and Asian Surname)
- e. Provided an overview and a brief explanation of the Federal Voting Rights Act and the CA Elections Code
- f. Communities of Interest (COI): COIs are contiguous areas where people share common social and economic interests and should be in a single Director- Division or be considered when drawing Director – Division boundaries.

4. Presentation of Draft Maps, Commission Discussion and Feedback

Shelley Lapkoff, Ph.D reviewed/presented Draft Plan 1 and 2 Maps and discussed possibilities with the commissioners via MS PowerPoint presentation entitled Post-2020 Census Redistricting: Redistricting Advisory Commission (RAC) Meeting #1. *A copy of the presentation is on file at the District office and can be viewed on the District website.*

Presentation of Draft Plan 1 Highlights include:

- a. Minimum change, with options to include:
 - i. Boundary between District 1 and 2 could be moved from Phoenix Street to San Pablo, which would lower the Districts' deviation.

Move District 3's Eastern Boundary to Sloat

- b. Reviewed and Compared the Current Districts 2002 Adopted Maps with Proposed Plan 1 (Colored-coded maps 2002 census and black lines 2020 Census)
- c. Provided an overview of Plan 1 Population Data Tables showing: Total Population, Age 18+ (voting age) population and citizens of voting age (CVAP) percentages. Noting that the Standard Deviation for all Division – Director Boundaries are still within the legal requirements and are under 10%.

Presentation of Draft Plan 2 Highlights:

- a. Seaside's LatinX population concentrated in one district
- b. District 3, 4 and 5 same as in Plan 1
- c. District 2 Boundaries based on Seaside's LatinX community of interest: LatinX are 58% of total population; 30% of CVAP
- d. District 1 includes other parts of Seaside
- e. Reviewed and Compared the Current Districts 2002 Adopted Maps with Proposed Plan 2 (Colored-coded maps 2002 census and black lines 2020 Census)
- f. Provided an overview of Plan 2 Population Data Tables showing: Total Population, Age 18+ (voting age) population and citizens of voting age (CVAP) percentages. Noting that the Standard Deviation for all Division – Director Boundaries are still within the legal requirements and are under 10%.

Draft Plan Ideas and Commission Discussion Highlights:

- a. Commissioner Malkin: Requested Income Driven Data and Census Tracking Maps of Medium Income Households and information on renter populations.

In response to Malkin, Gobalet noted that information can be provided, and the American Community Survey does provide estimates of renter vs. owner occupied groups.

- b. Commissioner Schiavone: Asked for and concurred with Commissioner Malkin and emphasized the need for income driven data, specifically low-income as it relates to the rental population.
- c. *In response to Commissioner Eisenhart's question*, Lapkoff explained that current incumbents with Draft Plans 1 and 2 as presented were considered and the current incumbents are all still within their respective districts.

In addition, Laredo responded to Commissioner Eisenhart on separate question. District Counsel Laredo stated he believes each of the draft plans as presented would be judged not against each other, but rather under the criteria of each of the draft plans as laid out by the District's Demographers, *if challenged in court*.

- d. Further discussion and deliberation amongst the Commission members centered on: Plans 1 and 2 (specifically Division- Director Districts 1 and 2) and the need for rental, low and medium-income households, business vs. residential communities and ethnicity.
- e. Shelley and Jeanne focused in and requested each of the Commissioners look at Division-Director Districts 3, 4 and 5 and direct any comments or questions to Joel Pablo, Board Clerk prior to the March 7, 2022 Commission Meeting.

Opened Public Comment; No Comments were directed to the Commission on Item No. 4

5. Live mapping, if desired

Discussed and not required by the Commission.

Suggest Items to be Placed on Future Agendas

- Demographers will prepare and provide a report in response to the Commissioners' discussions. Draft plans will be reviewed at the March 7, 2022 Commission Meeting.

Adjournment

The Commission adjourned at 8:00 p.m.

/ s/ Joel G. Pablo, Board Clerk to the MPWMD Redistricting Advisory Commission

Reviewed and Approved by the MPWMD Redistricting Advisory Commission on March 7, 2022
Received by the MPWMD Board of Directors on March 21, 2022



EXHIBIT 19-F

FINAL MINUTES

Redistricting Advisory Commission of the Monterey Peninsula Water Management District Monday, March 7, 2022

Call to Order

The meeting was called to order at 5:33 p.m. by Chair Dave J. Stoldt. *Pursuant to AB 361 (Rivas), the meeting was conducted with virtual participation via Zoom.*

Commissioners Present:

(By Roll-Call Vote)

Susan Schiavone, *Division 1*
Esther Malkin, *Division 2*
Nancy Selfridge, *Division 3*
Tama Olver, *Division 4*
Myrleen Fisher, *Division 5*
Troy Ishikawa, *County Representative*
Marc Eisenhart, *At-Large Member*
N. Monica Lal, *At-Large Member*

Commissioners Absent:

Steven Lilley, *City Representative*

Staff Members Present:

David J. Stoldt, General Manager
Joel G. Pablo, Board Clerk

District Counsel Present:

David Laredo, Esq. with De Lay and Laredo

Demographers Present:

Shelley Lapkoff, Ph.D and Robin Merrill with Lapkoff and Gobalet Demographic Research, Inc.

Additions and Corrections to the Published Agenda:

None

Comments from the Public:

Konny Murray with the Monterey County League of Women Voters thanked the Commissioners for undertaking the District's redistricting efforts.

Action Items

1. Consider Adoption of Commission Meeting Minutes from February 14, 2022

David J. Stoldt, General Manager introduced the item.

Opened Public Comment; No Comments were directed to the Commission on Item No. 1

A motion was offered by Eisenhart with a second by Olver to approve the commission meeting

minutes from February 14, 2022. The motion carried on a roll-call vote of 8-Ayes (Schiavone, Malkin, Olver, Fischer, Ishikawa, Eisenhart, Lal and Selfridge), 1-Absent (Lilley) and 0-Noes.

2. **Presentation of Draft Plans/Maps, Commission Discussion/Feedback and Possibly Take Action to Proposed Recommendations**

David J. Stoldt, General Manager introduced Shelley Lapkoff, Ph.D, demographer from Lapkoff & Gobalet Demographic Research, Inc.

Lapkoff delivered and presented via MS PowerPoint presentation (revised) entitled Post 2020 Census Redistricting: Redistricting Advisory Commission (RAC) Meeting #2. *A copy of the presentation is on file at the District office and can be viewed on the District website.* Lapkoff provided a verbal status report, answered Commissioner questions and gave an overview of Draft Map Plans 1 and 2 as discussed on February 14, 2022 with further map and data breakdowns of the (a) Latinx community; (b) shares of cities, *by district*; (c) Description of the “Triangle” (the part of District 3 that moves to District 5); (d) Map showing 2019 median household income, *by Census tract*; (e) Map of 2019 share of homes occupied by homeowners and renters, *by Census tract*; (f) Election cycle effects of Plan 1 and 2; and (g) Seaside’s business district.

Highlights from the PowerPoint Include:

- a. Timeline/Next Steps
 - i. Redistricting Advisory Commission (RAC) meeting on Thursday, March 17, 2022, *if needed*
 - ii. Board Meeting on Monday, March 21, 2022 to hear interim or final results from the RAC
 - iii. Board Meeting on Friday, April 1, 2022 to deliberate
 - iv. Board Adopts Plan prior to Sunday, April 17, 2022
- b. Rationale for Redistricting
 - i. Based on the 2020 Census; current Districts are unequal and must be relatively equal in order to minimize the deviation.
- c. Provided an Overview of Draft Map Plan 1 (a minimum change plan) and Draft Map Plan 2 (keeps Latinx Community of Interest together in the Seaside/Sand City Area) as introduced at the February 14, 2022 RAC Meeting and provided highlights of discussions had and presented to the Commission:
 - i. Plans 1 and 2 (Cities Color Shaded) drawing attention City jurisdiction and boundaries
 - ii. Plans 1 and 2 (Color Shaded) maps focusing in on the Hispanic/Latino/Latinx shares of the Voting Age Population by 2020 Census Block.
 - iii. Plans 1 and 2 Data by Total Population, Voting Age Population, Citizens of Voting Age (CVAP), Registered Voters and Actual Voters.
 - iv. Current (2002) District, Plan 1 and 2 Shares of Cities in Each District in Each Plan
 - v. Provided a Further Description of the “Triangle” in Plan 1 and 2 that moves a portion of District 3 to District 5.
 - Triangle includes the La Mesa Military Housing and

- Registrar of Voters prefers that the 18 people that live East of Highway 68 be assigned to Division 3 within the city limits of Monterey.

In response to Commissioner Eisenhart, Lapkoff stated the population in District 3 is large and must be trifurcated to balance populations. Eisenhart questioned the propriety of trifurcating the City of Monterey into Districts 2, 3 and 5 and suggested to explore splitting the City into two separate districts shared between 3 and 1. Lapkoff agreed to explore the idea further.

- vi. Overview of Median Household Income | American Community Survey Data from 2015-19 by Census Tract
- vii. Overview of Owners and Renters | American Community Survey Data from 2015-19 by Census Tract displaying Owners Occupied vs. Renter Occupied.
- viii. Overview and Overlay of Non-Owner-Occupied Housing Units in Seaside (Houses, Condos and Duplexes) in:
 - Plan 1: Rental Population Split between District 1 and 2; and
 - Plan 2: Majority of the Rental Population Represented
- ix. Election Cycles
 - Voters in Districts 1, 2 and 3 elect directors in November 2022
 - Voters in Districts 4 and 5 elect directors in November 2024
 - In Plan 1 and 2, voters would wait six (6) years rather than four (4) for the next Director election living the “Triangle.”
- x. Overview of the Seaside/Sand City Business District in District – Division 2

Robin Merrill presented, initiated live GIS mapping with Plan 2 with modifications as suggested by Eisenhart, received Commissioner input and adjusted maps – in real-time. Dr. Shelley Lapkoff and Robin Merrill were available for questions during the below discussions by the Commissioners.

Plan 2 with Further Modifications and Plan 3 Drafted During the Live-Mapping Discussion:

- a. Merrill presented Plan 2 with Further Modification bifurcating the City of Monterey with District 3 and 1.
 - Schiavone requested for more of Seaside be brought into District 2.
 - *In response to Commissioner Eisenhart*, Lapkoff noted that the Division – Director Boundary legal limits with adjustments made should fall under a standard deviation less than 10%.
- b. After substantial discussion on the matter, the responses of the Commission on the draft maps being considered are as follows:
 - Olver is in favor of with Plan 2 and 3.
 - Malkin is glad to see the renter population being taken into consideration and is in favor of Plan 2.
 - Ishikawa is in favor of Plan 2 and Plan 3
 - Lal is in favor of Plan 2 and Plan 3.
 - Selfridge is in favor of Plan 3.
 - Schiavone is in favor of Plan 3.
 - Eisenhart looks forward to reviewing the refined plans at a future meeting.

Opened Public Comment; The following comments were directed to the Commission:

Konny Murray with the League of Women Voters: Praised the Commission on being able to work with each other during the meeting and making progress on the District’s redistricting efforts.

Suggest Items to be Placed on Future Agendas

Demographers will prepare and provide a report in response to the Commissioners' discussions. Draft Map Plans 2, 3-A and 3-B will be reviewed at the Thursday, March 17, 2022 Commission meeting.

Adjournment

The Commission adjourned at 7:07 p.m.

/s/ Joel G. Pablo, Board Clerk to the MPWMD Redistricting Advisory Commission

Reviewed and Approved by the MPWMD Redistricting Advisory Commission on March 17, 2022

Received by the MPWMD Board of Directors on March 21, 2022

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ITEM: INFORMATIONAL ITEM/STAFF REPORT**20. MONTHLY ALLOCATION REPORT****Meeting Date: March 21, 2022 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 February 28, 2022, a total of **26.419** acre-feet (**7.7%**) of the Paralta Well Allocation remained available for use by the Jurisdictions. Pre-Paralta water in the amount of **32.979** acre-feet is available to the Jurisdictions, and **28.990** acre-feet is available as public water credits.

Exhibit 20-A shows the amount of water allocated to each Jurisdiction from the Paralta Well Allocation, the quantities permitted in February 2022 (“changes”), and the quantities remaining. The Paralta Allocation had no debits in February 2022.

Exhibit 20-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 20-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 20-C**.

EXHIBITS**20-A** Monthly Allocation Report**20-B** Monthly Entitlement Report**20-C** District’s Water Allocation Program Ordinances

EXHIBIT 20-A
MONTHLY ALLOCATION REPORT
 Reported in Acre-Feet
 For the month of February 2022

Jurisdiction	Paralta Allocation *	Changes	Remaining	PRE-Paralta Water	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	0.181	38.121	0.000	2.451	2.877
Monterey County	87.710	0.000	10.579	13.080	0.000	0.352	7.827	0.000	1.775	12.706
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	0.013	31.351	2.693	0.000	1.144	32.495
District Reserve	9.000	0.000	9.000	N/A			N/A			9.000
TOTALS	342.720	0.000	26.419	101.946	0.000	32.979	90.142	0.000	28.990	88.388

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	0.063	9.768	2.992

* Does not include 15.280 Acre-Feet from the District Reserve prior to adoption of Ordinance No. 73.

EXHIBIT 20-B
MONTHLY ALLOCATION REPORT
ENTITLEMENTS
 Reported in Acre-Feet
 For the month of February 2022

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	209.510	0.300	32.261	177.249
Del Monte Forest Benefited Properties ² (Pursuant to Ord No. 109)	155.490	0.332	66.220	89.270
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	0.632	113.310	266.690

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	0.000	7.677	198.323
Malpaso Water Company	80.000	0.073	20.028	59.972
D.B.O. Development No. 30	13.950	0.000	3.784	10.166
City of Pacific Grove	38.390	0.145	6.956	31.434
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 20-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**21. WATER CONSERVATION PROGRAM REPORT****Meeting Date: March 21, 2022 Budgeted: N/A****From: David J. Stoldt, General Manager Program/ Line Item No. N/A****Prepared By: Kyle Smith 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.**

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 occasionally conducted to verify compliance. Properties that do not require an inspection are issued a Conservation Certification document.

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 **109** property transfers that occurred between February 1, 2022, and February 28, 2022, were added to the database.

B. Certification

The District received **75** WCCs between February 1, 2022, and February 28, 2022. Data on ownership, transfer date, and status of water efficiency standard compliance were entered into the database.

C. Verification

From February 1, 2022, and February 28, 2022, **73** properties were verified compliant with Rule 144 (Retrofit Upon Change of Ownership or Use). Of the **73** verifications, **23** properties verified compliance by submitting certification forms and/or receipts. District staff completed **50** Site inspections. Of the **50** properties verified, **29 (58%)** passed.

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 sent notification of the requirements and a date that inspectors will be on Site to check the property. In February, District inspectors performed **three** verification inspections.

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. 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 February 2021, MPWMD referred **three** properties 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 Waste occurrences at www.mpwmd.net or www.montereywaterinfo.org. There were **two** 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 July 6, 2021, the District has been processing both electronic and in person 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 **50** Water Permits from February 1, 2022, and February 28, 2022. **Six** Water Permits were issued using Water Entitlements (Pebble Beach Company, Malpas Water, etc.). **No** Water Permits involved a debit to a Public Water Credit Account. In addition to those Water Permits issued in February, **six** Meter Permits and **four** 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 Dwelling Unit. Of the **50** Water Permits issued from February 1, 2022, and February 28, 2022, **two** were issued under this provision.

B. Permit Compliance

District staff completed **no** conditional Water Permit finals during February 2021. Staff completed **36** site inspections. **Twenty-four** properties passed and **seven** 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. District staff provided Notary services for **26** Water Permits with deed restrictions.

D. Rebates

The full list of available rebates can be found in Rule 141:

<https://www.mpwmd.net/rules/Rule141-TableXIV-1.pdf>. Below is the rebate information for February 2022.

REBATE PROGRAM SUMMARY		February-2022				2022 YTD		1997 - Present	
I.	Application Summary								
A.	Applications Received	66				160		29,393	
B.	Applications Approved	53				117		22,956	
C.	Single Family Applications	50				112		25,914	
D.	Multi-Family Applications	3				5		1,569	
E.	Non-Residential Applications	0				0		358	
II.	Type of Devices Rebated	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)	15	\$1,050.00	0.075000	24,439	26	\$1,875.00	0.13000	
B.	Ultra HET	2	\$250.00	0.020000	6,517	4	\$500.00	0.04000	
C.	Toilet Flapper			0.000000	0	0	\$0.00	0.00000	
D.	High Efficiency Dishwasher	10	\$1,250.00	0.030000	9,776	22	\$2,750.00	0.06600	
E.	High Efficiency Clothes Washer - Res	24	\$11,500.00	0.386400	125,909	61	\$30,000.00	0.98210	
F.	High Efficiency Clothes Washer - Com			0.000000	0	0	\$0.00	0.00000	
G.	Instant-Access Hot Water System			0.000000	0	2	\$400.00	0.01000	
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	3	\$6,950.00	0.000000	0	5	\$14,960.00	0.00000	
K.	Smart Controllers	3	\$260.00	0.000000	0	4	\$360.00	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	0	\$0.00	0.00000	
O.	Graywater			0.000000	0	0	\$0.00	0.00000	
R.	Other			0.000000	0	0	\$0.00	0.00000	
III.	TOTALS	57	\$21,260.00	0.511400	166,640	124	\$50,845.00	1.22810	
IV.	TOTALS Since 1997				Paid Since 1997: \$		6,409,600	561.4 Acre-Feet Per Year Saved Since 1997 (from quantifiable retrofits)	

ITEM: INFORMATIONAL ITEM/STAFF REPORT**22. CARMEL RIVER FISHERY REPORT FOR FEBRUARY 2022****Meeting Date: March 21, 2022 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 conditions continued in February as the watershed received little measurable precipitation for the second month. Carmel River steelhead migration and rearing conditions were “fair” in the mainstem, and “poor” in the tributaries.

February’s mean daily streamflow at the Sleepy Hollow Weir dropped from 38 to 24 cfs (monthly mean 30.3 cfs) resulting in 1,680 acre-feet (AF) of runoff, while the streamflow at the Highway 1 gage dropped from 45 to 25 cfs (monthly mean 32.9 cfs) resulting in 1,820 acre-feet (AF) of runoff.

There were 0.40 inches of rainfall in February as recorded at the San Clemente gauge. The rainfall total for WY 2022 (which started on October 1, 2021) is 9.96 inches, or 64% of the long-term year-to-date average of 15.48 inches.

CARMEL RIVER LAGOON: During February, the lagoon water surface elevation (WSE) ranged from ~ 3.9 to 11.2 feet as the river mouth opened and closed (North American Vertical Datum of 1988; NAVD 88) (See graph below).

Water quality depth-profiles were conducted at five sites on February 28, 2022, while the lagoon mouth was closed, water surface elevation was 10.25 feet, and river inflow was 25 cfs. Steelhead rearing conditions were generally “good”. Salinity increased with depth, ranging from 2 - 31 ppt, dissolved oxygen (DO) levels ranged from 8 – 11 mg/l, while water temperatures remained cool, ranging from 51- 54 degrees F.

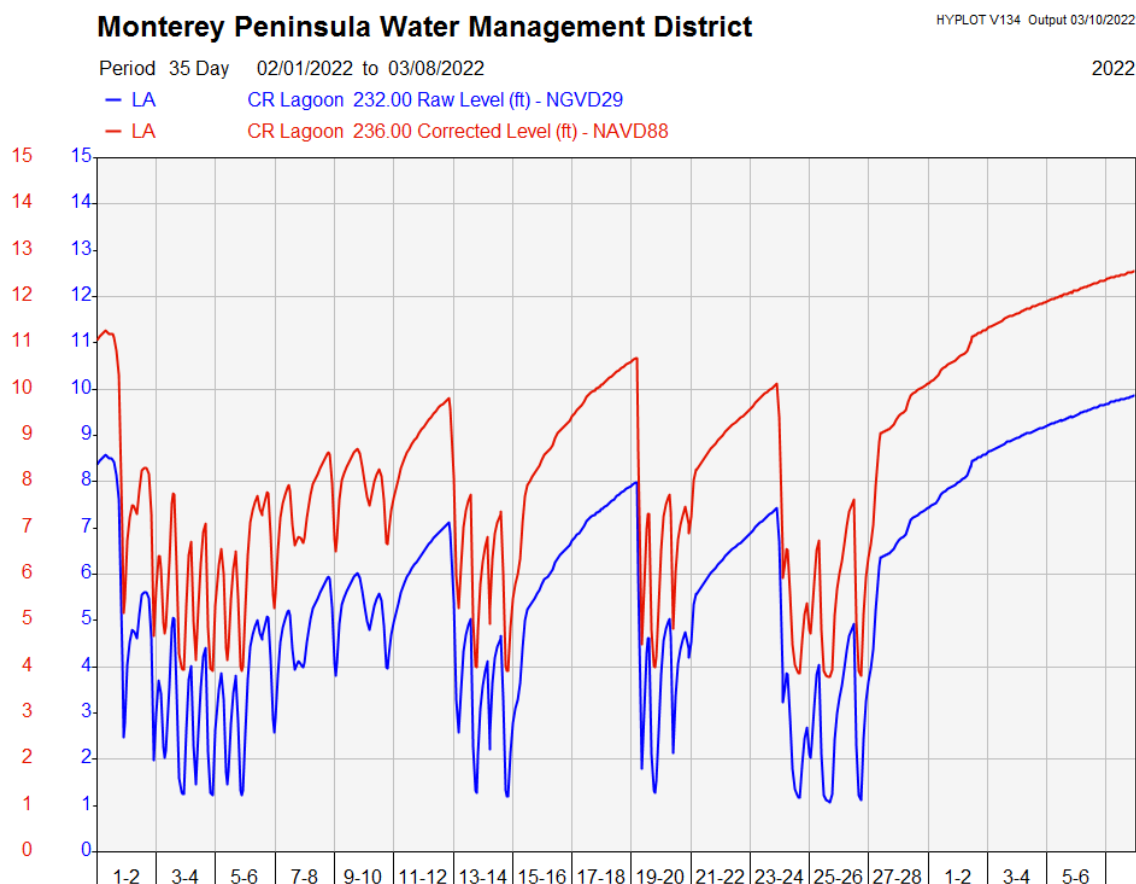
LOS PADRES DAM ADULT STEELHEAD COUNT: Los Padres Reservoir filled and spilled on December 14, 2021, reaching a peak daily mean outflow of 629 on December 23, 2021. The fish ladder and trap began operating on December 22, 2021. To date, there have been nine adult steelhead counted (January – 1, February – 8), including four recaptured (previously tagged) fish.

RESISTANCE BOARD WEIR: As part of the District’s steelhead life-cycle monitoring program, a fish weir was installed in the lower river to temporarily trap upstream migrating adult

steelhead for tagging and measurement. The weir was installed January 6, 2022, and the first fish were captured on January 7th.

As of February 28, 57 adult, sea-run steelhead had been captured and PIT tagged, with two recaptured fish. Lengths ranged from 525 mm to 750 mm (ave. 672 mm, 27.5 inches) (21 – 32 inches).

Carmel River Lagoon Plot:



ITEM: INFORMATIONAL ITEM/STAFF REPORT**23. MONTHLY WATER SUPPLY AND CALIFORNIA AMERICAN WATER PRODUCTION REPORT**

Meeting Date: March 21, 2022 **Budgeted:** N/A

From: David J. Stoldt,
General Manager **Program/** N/A
Line Item No.:

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 23-A shows the water supply status for the Monterey Peninsula Water Resources System (MPWRS) as of **March 1, 2022**. 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 23-A** is for Water Year (WY) 2022 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 **February** 2022 totaled **0.40 inches** and brings the cumulative rainfall total for WY 2022 to **9.96 inches**, which is **65%** of the long-term average through **February**. Estimated unimpaired runoff through **February** totaled **1,680 acre-feet (AF)** and brings the cumulative runoff total for WY 2022 to **18,771 AF**, which is **51%** of the long-term average through **February**. Usable storage for the MRWPRS was **28,840 acre-feet**, which is **93%** of average through **February**, and equates to **87%** 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 4,110 AF of water from the Carmel River in WY 2022. Through **February**, using the CDO accounting method, Cal-Am has produced **1,861 AF** from the Carmel River (including ASR capped at 600 AF in, Table 13, and Mal Paso in Calendar Year 2021.) In addition, under the Seaside Basin Decision, Cal-Am is allowed to produce 1,474 AF of water from the Coastal Subareas and 0 AF from the Laguna Seca Subarea of the Seaside Basin in WY 2022. Through **February**, Cal-Am has produced **203 AF** from the Seaside Groundwater Basin. Through **February**, **71 AF** of Carmel River Basin groundwater have been diverted for Seaside Basin injection; **0 AF** have been recovered for customer use, **68 AF** have been diverted under Table 13 water rights, and **1,459 AF** of Pure Water Monterey recovered. Cal-Am has produced **3,497 AF** for customer use from all sources through **February**. **Exhibit 23-B** 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.

EXHIBITS

23-A Water Supply Status: **March 1, 2022**

23-B Monthly Cal-Am production by source: WY 2022

EXHIBIT 23-A

**Monterey Peninsula Water Management District
Water Supply Status
March 1, 2022**

Factor	Oct – Feb 2021	Average To Date	Percent of Average	Oct – Feb 2020
Rainfall (Inches)	9.96	15.40	65%	9.85
Runoff (Acre-Feet)	18,771	36,639	51%	11,123
Storage ⁵ (Acre-Feet)	28,840	31,010	93%	29,850

Notes:

1. Rainfall and runoff estimates are based on measurements at San Clemente Dam. Annual rainfall and runoff at Sleepy Hollow Weir average 21.22 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 1922-2020 and 1902-2021 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 1989-2021 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 2022

(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		Ajudication Compliance	ASR Recovery	PWM Recovery	Table 13 ⁷		Sand City ³
Target	2,535	100	0	100	2,635	0	1,534	114	125	1,773
Actual ⁴	1,861	155	48	203	2,064	0	1,459	17	36	1,512
Difference	675	-55	-48	-103	572	0	0	97	89	261
WY 2021 Actual	1,822	808	88	896	2,718	0	902	17	49	968

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, 71 AF and 68 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 2022

(All values in Acre-Feet)

	Carmel River Basin	Seaside Basin	ASR Recovery	PWM Recovery	Table 13	Sand City	Mal Paso	Total
Oct-21	438	41	0	344	0	0	7	829
Nov-21	407	45	0	234	0	6	7	698
Dec-21	361	39	0	162	42	28	7	639
Jan-22	268	39	0	301	26	2	3	639
Feb-22	230	40	0	419	0	0	3	692
Mar-22								
Apr-22								
May-22								
Jun-22								
Jul-22								
Aug-22								
Sep-22								
Total	1,704	203	0	1,459	68	36	27	3,497
WY 2021	1,714	896	0	902	17	49	26	3,603

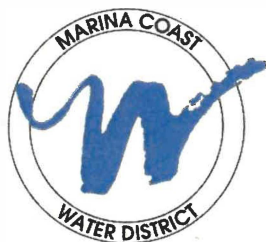
1. This table is produced as a proxy for customer demand.
2. Numbers are provisional and are subject to correction.



Supplement to 03/21/2022 MPWMD Board Packet

Attached are copies of letters received between February 16, 2022 and March 15, 2022. These letters are listed in the March 2022 Board packet under Letters Received.

Author	Addressee	Date	Topic
Remleh Scherzinger	General Manager	March 2, 2022	California- American Water Extraction Wells 1 & 2
Melodie Chrislock	Board of Directors	February 18, 2022	Letter to LAFCo- Ron Weitzman, re: District's Reconsideration Application to LAFCo
Melodie Chrislock	Board of Directors	February 18, 2022	Herald – Letters to the Editor on Leffel
Melodie Chrislock	Board of Directors	February 18, 2022	Open Letter to LAFCo, Re: District's Reconsideration Application to LAFCo
Karin Locke	Board of Directors	February 22, 2022	Agenda Item No. 10 on the MPWMD Board of Director's Agenda for February 24, 2022, re: Internet License for Water Wise Gardening in Monterey
Michael Baer	Board of Directors	February 22, 2022	MPWMD Resolution No. 2022-06- LAFCo Resolution "In Support of of Activation of Latent District Powers"
Ralph Porras	Board of Directors	February 22, 2022	Property Tax-Related Issues in the Monterey Peninsula Water Management District's Application/Proposal to LAFCO
Mary L. Adams	Board of Directors and GM	February 23, 2022	Regional Water Forum – MoCo Board of Supervisors Meeting on March 15, 2022
Daniela Bryan	David Stoldt	February 24, 2022	1 Ave. Maria Road- Accessory Dwelling Unit Conversion, re: Water Permit WP040794



MARINA COAST WATER DISTRICT

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DIRECTORS

JAN SHRINER
President

HERBERT CORTEZ
Vice President

THOMAS P. MOORE
GAIL MORTON
MATT ZEFFERMAN

March 2, 2022

Mr. Ian Crooks
California-American Water Company
511 Forest Lodge Road, Suite 110
Pacific Grove, CA 93950

Re: California-American Water Extraction Wells 1 & 2

Dear Mr. Crooks,

It has come to Marina Coast Water District's (District) attention that California-American Water (CalAm) is currently in the project/design development phase for its proposed extraction wells 1 & 2. Currently, the proposed extraction wells are located within the District's jurisdictional boundaries and adjacent to the Bayonet and Black Horse Golf Course. The District will soon be delivering advanced treated water to irrigate the golf course pursuant to the City of Seaside's Groundwater Storage and Recovery Agreement with the Seaside Basin Watermaster. We believe your proposed extraction wells will adversely impact that program and other District projects currently being considered.

We simply request that CalAm relocate these facilities outside of the District, away from the golf course and away from Seaside City Well No. 4. District staff will provide all necessary planning and coordination support as needed to prevent any further delays in your project.

Regards,


Remleh Scherzinger MBA, CSDM, P.E.

Cc. MCWD Board of Directors
District Counsel, Roger Masuda, Griffith, Masuda, and Hobbs
Assistant District Counsel, David Hobbs, Griffith, Masuda, and Hobbs
Specialty Counsel, Howard Wilkins, Remy Moose Manley
General Manager, Paul Sciuto, M1W
Authority Counsel, M1W
General Manager, David Stoldt, MPWMD
Interim City Manager, Roberta Greathouse, City of Seaside
Assistant City Manager, Trevin Barber, City of Seaside
Sheri Damon, City Attorney, City of Seaside

Joel Pablo

From: mwchrislock@redshift.com
Sent: Friday, February 18, 2022 9:15 AM
To: Alvin Edwards; Amy Anderson; Clyde Roberson; Dave Stoldt; George Riley; Joel Pablo; Karen Paull; District 5; SAFWAT MALEK
Subject: Letter to LAFCO - Ron Weitzman
Attachments: open letter to Lafco for reconsideration[1].pdf

Note: According to MPWMD the tax loss estimate is \$1,257,974 (not \$1.7 million) because all the schools (except Carmel and PG) and MPC are backfilled.

Chuck Cech, George Riley and three other PWN members prepared the first chart in Michael's letter that Ron is referring to.

Melodie Chrislock

Water Plus

To: LAFCO commissioners and alternates
 From: Ron Weitzman, president, Water Plus
 Subject: Reconsideration of decision on MPWMD application for latent powers
 Date: 16 February 2022
 Attachment: Letter to Monterey LAFCO from Michael Baer

In this memo, I am supporting and expanding on the attached letter from Michael Baer and, with him, doing so on behalf—and in memory—of Chuck Cech, who prepared the first table in Michael's letter.

The total amount of money recorded in that table that Monterey Peninsula water ratepayers have paid and are continuing to pay in surcharges on projects and water never used or removal of projects no longer usable is, to date, almost \$164 million

Add to that the total of over \$184 million spent to date on Cal Am's proposed desal project, which is almost 60 percent of its total estimated cost of \$339 million before construction has even begun, and you get a total of \$348 million Cal Am has charged and expects to charge its local water ratepayers for nothing.

That is \$348 million going out of the county with nothing in return to anyone, not

only ratepayers but also all others, who live here.

Contrast that amount with the trivial annual loss of \$1.7 in property taxes to county agencies if the MPWMD purchases and operates the utility. At that annual rate, it would take the county almost 205 years to recoup all the money it has already lost to Cal Am by continuing the property tax. In those 205 years, Cal Am—continuing along the path it has pursued so far---is almost certain to cost ratepayer at least another \$384 for promised but undelivered water.

Commissioners, please, reverse your decision, and get this Cal Am monkey off our backs.

Thank you,

Open Letter to the LAFCO Commissioner on reconsideration of MPWMD's application

Reconsideration calls for new information that might change the decision that LAFCO commissioners (The Commission) have already made denying Monterey Peninsula Water Management District's application (The District.) What I offer here is additional background and data in attempting to give The Commission additional perspective to further inform your decision making.

Cal Am (The Company) has been fleecing Monterey Peninsula ratepayers for decades. A report from Food and Water watch updated in 2018 put Cal Am's Monterey District as the most expensive water bills in the country for systems with more than 2,000 hookups. One of the points that make this fact so remarkable is that, at the time, Cal Am did not have to pay a single penny for the water they were selling, as they had no Water Purchase Agreements., They merely dipped their straw into the Carmel River or the Seaside Basin and piped it to customers, while over-drafting the river and threatening the habitat of the steelhead trout and the red-legged tree frog among others, and also over-drafting the basin while lowering its water table inviting seawater intrusion.

What's so expensive about that? In fact, recent submissions have pointed out that while Chualar pays less than \$40/month for 5000 gallons, the Peninsula pays about \$125/month for 5000 gallons. That does not seem unreasonable. Chualar is a disadvantaged community, and the disparity is not unreasonable given the economic conditions. What's the big fuss over \$125/month anyway? Surely that can't be the highest rate in the nation. Surely that won't keep people from not affording affordable housing as some are arguing. What is the big deal? Well, let me tell you.

The short answer to those questions is that it is not the monthly rate that is so ruinous, it is the surcharges the community pays for failed infrastructure attempts at new water supplies and failed policies. Please review the table below. This comes from the work of Charles Cech, a longtime advocate of public water ownership and friend to many. Chuck passed in December 2021 from cancer in his mid-eighties and he leaves a sore spot in the hearts of those who knew him well and worked alongside him. If he were alive and kicking today, I have little doubt he would be making arguments along these lines, but as it is we carry on without him.

The general idea is that if Cal Am proposes something that doesn't work, or that stops working (like a silted dam for example) they still go to the CPUC and ask to be reimbursed, and often with profit attached, from the ratepayers. Reimbursement shows up as surcharges on customer bills and generally are amortized over 20-30 years. Take a look at what customers are trying to pay down each month from failed projects in the last twenty years. Failed projects are referred to as "stranded costs."

Year	Project	Cost to Customers
2004	Failed plans for new San Clemente Dam	\$ 3 million
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What's so expensive about that? In fact, recent submissions have pointed out that while Chualar pays less than \$40/month for 5000 gallons, the Peninsula pays about \$125/month for 5000 gallons. That does not seem unreasonable. Chualar is a disadvantaged community, and the disparity is not unreasonable given the economic conditions. What's the big fuss over \$125/month anyway? Surely that can't be the highest rate in the nation. Surely that won't keep people from not affording affordable housing as some are arguing. What is the big deal? Well, let me tell you.

The short answer to those questions is that it is not the monthly rate that is so ruinous, it is the surcharges the community pays for failed infrastructure attempts at new water supplies and failed policies. Please review the table below. This comes from the work of Charles Cech, a longtime advocate of public water ownership and friend to many. Chuck passed in December 2021 from cancer in his mid-eighties and he leaves a sore spot in the hearts of those who knew him well and worked alongside him. If he were alive and kicking today, I have little doubt he would be making arguments along these lines, but as it is we carry on without him.

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From: mwchrislock@redshift.com
To: [Alvin Edwards](#); [Amy Anderson](#); [Clyde Roberson](#); [Dave Stoldt](#); [George Riley](#); [Joel Pablo](#); [Karen Paull](#); [District 5; SAFWAT MALEK](#)
Subject: Herald LTE on Leffel
Date: Friday, February 18, 2022 8:05:55 AM

Because Leffel signed the ballot argument against Measure J should she have been recused from her LAFCO vote for bias?

Melodie

From: Beverly Bean <beverlygb@gmail.com>
Date: Thu, 17 Feb 2022 20:43:37 -0800

Mary Ann Leffel was a founder of the Monterey County Business Council and president of the Chamber of Commerce. She never met a development she didn't like. She was a leader in the fight for Monterey Downs and signed the ballot argument against Measure J.

On Thu, Feb 17, 2022 at 7:47 PM susan schiavone
 <s.schiavone@sbcglobal.net> wrote:

Monterey Herald | February 17, 2022

Water is critical infrastructure

LAFCO Commissioner Mary Ann Leffel should be recalled for defying her constituency-approved goal to acquire California American Water Co. for the public benefit and for misrepresenting facts to the Del Rey Oaks City Council.

Leffel's community service includes serving as secretary of the board for the Monterey Bay Defense Alliance, a 501c(3) nonprofit, whose explicit mission is to support

and grow Monterey Bay Area National Security Assets, notably the Defense Language Institute and Naval Postgraduate School. The chair of MBDA, Fred Meurer, recently claimed the threat to our military assets on the Monterey Peninsula is the “lack of workforce housing and adequate critical infrastructure.”

Did Leffel’s legal responsibility as a nonprofit board member of MBDA, conflict with her role as LAFCO commissioner and the public’s interest by denying the voters’ wish to acquire Cal Am’s critical infrastructure? It is no wonder that confidence in our electoral process is at an all-time low.

The California State Attorney’s office should launch an investigation into Monterey County’s election integrity by identifying those groups and individuals lobbying to subvert the will of the people as demonstrated by this ballot referendum.

Bill Ray, Monterey

To unsubscribe: <<mailto:pwnaction-unsubscribe@lists.riseup.net>>

List help: <<https://riseup.net/lists>>

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----- End of Forwarded Message

From: mwchrislock@redshift.com
To: [Alvin Edwards](#); [Amy Anderson](#); [Clyde Roberson](#); [Dave Stoldt](#); [George Riley](#); [Joel Pablo](#); [Karen Paull](#); [District 5; SAFWAT MALEK](#)
Subject: Open Letter to LAFCO
Date: Friday, February 18, 2022 9:13:51 AM
Attachments: [open letter to Lafco for reconsideration.pdf](#)

Michael,

Thanks for your letter to LAFCO (attached) on the reconsideration of MPWMD's application. And thanks for the reminder of all our money that Cal Am has wasted!

The 2017 Food & Water Watch update showed we had the most expensive water in the country and our bills have gone up since then.

I don't agree that \$125 for 5,000 gallons of water is not a lot to pay. And of course that is only the tip of the tiered iceberg that forces many Cal Am bills up into hundreds of dollars per month. Just to be clear, the costs below (which I complied) are the current total cost to the consumer, surcharges and all. These reflect all the costs you have pointed out.

Your point is well taken that Cal Am's waste and mismanagement has raised our water costs. Now they are more than double what others in Monterey County pay for water.

Melodie Chrislock

Residential Water Bills in Monterey County

Cal Water Salinas

5,000 gallons – \$50.12
 10,000 gallons – \$76.56
 15,000 gallons – \$131.70

Marina Coast

5,000 gallons – \$66.38

10,000 gallons – \$96.50
15,000 gallons – \$133.32

Cal Am Monterey Penn

5,000 gallons – \$125.00
10,000 gallons – \$320.00
15,000 gallons – \$625.00

Cal Am Chualar

5,000 gallons – \$30.02
10,000 gallons – \$34.85
15,000 gallons – \$39.67

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From: [Karin Locke](#)
To: [comments](#)
Cc: [karin locke](#)
Subject: Agenda item 10 consent agenda 2/ 24/22
Date: Tuesday, February 22, 2022 12:54:43 PM

Board of Directors, Monterey Peninsula Water Management District

Comments on Item 10 on the consent agenda.

10. CONSIDER APPROVAL OF ANNUAL PURCHASE OF INTERNET LICENSE
FOR WATER WISE GARDENING IN MONTEREY

Providing education and resources for the community and outdoor watering is essential to the community. Please approve this item on the consent agenda in case it is pulled.

Sustainable landscaping provides for a healthy environment.

Thank you,

Karin Locke

The more clearly we can focus our attention on the wonders and realities of the universe about us, the less taste we shall have for destruction. Rachel Carson

From: [Michael Baer](#)
To: [Joel Pablo](#)
Cc: [Dave Stoldt](#)
Subject: Baer writing MPWMD
Date: Tuesday, February 22, 2022 1:29:35 PM

Hello Joel,

Please distribute in time for the FEB 24, 2022 regular meeting. Thanks, mb

Esteemed Board Members of the Monterey Peninsula Water Management District,

Please move to strike the following sentence from page 3 of Resolution 2022-06, Exhibit 19-A, page 162 of your packet

In furtherance of the commitments cited above, the District will discuss and negotiate outcomes satisfactory to LAFCO.

I believe The District and it's Director has bent over backwards to accommodate LAFCO requests over this *entire past year* and the time for negotiating and discussions no longer needs to be highlighted as a strategy. Striking this sentence from the resolution in no way changes the meaning, intent, or action of the board in this resolution. It in no way forbids further discussions or negotiation with LAFCO.

My concern is that this sentence leaves an opening for LAFCO commission members, who have demonstrated repeatedly that they are not acting in good faith, to find nefarious ways and means to prolong the process with some new request for information or action that the District will then feel obliged to follow-up on to demonstrate good faith. A judge might also get hooked by this sentence and direct further negotiations leading to delay but not to resolution on latent powers. Just leave it out. It serves no purpose at this point in the process, the opportunity for discussions and negotiations is always implied, and the statement might come back to haunt you in some unanticipated way.

Thank you all for your consideration of this request and all your hard work for the benefit of Peninsula water-users.

Michael Baer

cc: David Stoldt



www.pgusd.org

21

PACIFIC GROVE UNIFIED SCHOOL DISTRICT
435 Hillcrest Avenue Pacific Grove, CA 93950

Dr. Ralph Gómez Porras
Superintendent
(831) 646-6520
Fax (831) 646-6500
rporras@pgusd.org

Song Chin-Bendib
Assistant Superintendent
(831) 646-6509
Fax (831) 646-6582
schinbendib@pgusd.org

February 22, 2022

Via Email: dstoldt@mpwmd.net

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

Re: MPWMD Application to LAFCO

Dear Mr. Stoldt:

Thank you for your correspondence dated December 28, 2021, regarding property tax-related issues in Monterey Peninsula Water Management District's (hereon "MPWMD" or "District") proposal to the Local Agency Formation Commission of Monterey County (LAFCO). We understand that MPWMD has submitted an application to LAFCO requesting reconsideration of the "activation" of the District's latent powers authority to provide and maintain potable water production and distribution services for retail customers, as well as the annexation certain parcels. We also understand that LAFCO expected MPWMD to address tax loss impacts. District staff will continue to monitor the status of your LAFCO proposal including the item currently scheduled for February 28, 2022.

The Pacific Grove Unified School District appreciates MPWMD's commitment towards negotiating with each affected tax receiving entity, as it relates to a reasonable basis to mitigate revenue impacts. Being that a significant number of parties could potentially be impacted, we believe that future discussions on mitigating tax revenue losses could benefit from a unified approach. We would appreciate you including the District in unified discussions with affected school districts and other impacted taxing entities. We look forward to such discussions following the conclusion of LAFCO's formal review of your District's application.

Should you have any questions, please do not hesitate to contact me (831)646-6509 or schinbendib@pgusd.org.

Sincerely,

Ralph Porras
Superintendent

cc: Executive Officer, Monterey County LAFCO

From: [Henault, Alice G. x4843](#)

To: [Deidre Sullivan \(DeidreSullivan5@gmail.com\)](#); [Donlon, Kelly L. x5313](#); [Jason Smith \(jason.smith@smithfamilywines.com\)](#); [john@celeryhearts.com](#); [Kenneth O. Ekelund \(ken@carmelcaninesports.com\)](#); [Mark Gonzalez \(markgonzalez51@gmail.com\)](#); [matt@taproduce.com](#); [mborzini \(mlebarre@kingcity.com\)](#); [scat461@aol.com](#); [a.vatsula@gmail.com](#); [Alina Werth \(AWerth@bhfs.com\)](#); [Alison Imamura \(alison@mrwpca.com\)](#); [Andrew Goodrich \(andrew@ascott.net\)](#); [Arista, Margarita x5372](#); [Walker, Ashley S.](#); [Bill Lipe \(william.o.lipe@gmail.com\)](#); [Bokanovich, Karina T. x5113](#); [Bruce C. Delgado \(bdelgado62@gmail.com\)](#); [Buche, Brent Ext.8982](#); [Carmelita Garcia \(cg54@comcast.net\)](#); [Carroll, Maia](#); [Chayito Ibarra \(Chayito@my1water.org\)](#); [cheryl dodge](#); [Cheryl@AqLandTrust.org](#); [Christopher Guillen \(cguillen@bhfs.com\)](#); [Clyde Roberson](#); [Darlene Din \(darlenedin@earthlink.net\)](#); [David K. Pendergrass \(sandcitymyr@aol.com\)](#); [Dave Stoldt](#); [dchardavoyne@gmail.com](#); [Dennis O'Neal \(Dennis.ONeil@fire.ca.gov\)](#); [Don Bullard \(710dkbullard@gmail.com\)](#); [EllenWrona5@gmail.com](#); [eric](#); [Felix Bachofner \(felix@felixforseaside.com\)](#); [Fred Marsh \(fred@my1water.org\)](#); [Gary Hazard \(garyhazard1941@gmail.com\)](#); [Gary Petersen \(peterseng@svbgsa.org\)](#); [George Fontes \(gefontes@fontesfarms.com\)](#); [Grant, Irv x6406](#); [Heather Lukacs \(heather.lukacs@communitywatercenter.org\)](#); [hulanicki@yahoo.com](#); [jdiodati@co.slo.ca.us](#); [Joel Pablo](#); [John Martin \(johnatpri@att.net\)](#); [Kay Ballentyne \(kballantyne@co.slo.ca.us\)](#); [Krafft, Elizabeth A. Ext.4864](#); [KRKC-South County Radio \(news@krkc.com\)](#); [Lis Soto \(elizabes@ci.salinas.ca.us\)](#); [Luke.Gianni@amwater.com](#); [Margie Kay \(margie17k@aol.com\)](#); [Maria Orozco \(oromaria56@yahoo.com\)](#); [Mark Dias \(jdias@att.net\)](#); [matt@grapevinecap.com](#); [McKee, Charles J](#); [Merkle, Nathan x5462](#); [Michael DeLapa \(execdir@landwatch.org\)](#); [Michael Stephenson \(michael@horizonh2o.com\)](#); [Michael Vail \(Michael.Vail@ferc.gov\)](#); [Mike Bright \(brightm@aol.com\)](#); [Molly Erickson](#); [Moreno, Laurie R.x4691](#); [Murray, Shaunna](#); [Nancy Isakson](#); [Nick Brockman \(brockman1nicholas@gmail.com\)](#); [Nick Pantuso \(npantuso@fbfloans.com\)](#); [Nicole Goehring \(Nicole@abcnorcal.org\)](#); [norm@montereycfb.com](#); [Office Assistant II](#); [Ontiveros, Sandra x6796](#); [Pasculli, Nicholas 796-3094](#); [Patrick J. Maloney \(pjmlaw@pacbell.net\)](#); [Paul A. Sciuto \(paul@my1water.org\)](#); [Peter Le \(peter381@sbcglobal.net\)](#); [Ramirez, Crystal L. x4890](#); [Rich Casey](#); [Richard Paul \(rpaul@rspaulcompany.com\)](#); [Richard Rosenthal \(rrosenthal62@sbcglobal.net\)](#); [Robert Johnson \(robert@aromaswaterdistrict.org\)](#); [Roberto Moreno \(morenor@svbgsa.org\)](#); [Rodriguez, Amy x5373](#); [Ron Drake](#); [Ryan Montgomery \(ryanmontgomery992@yahoo.com\)](#); [S Gary Varga \(vargalaw@mbay.net\)](#); [sara](#); [Sherwood@AqLandTrust.org](#); [sdayton](#); [Stephanie Osler Hastings \(SHastings@bhfs.com\)](#); [Tamsen McNarie \(tamsen@my1water.org\)](#); [Tina Platt - Heritage Ranch Owners Association \(tplatt@hroa.us\)](#); [Shepherd, Thomas J.](#); [Virginia Miyamoto](#); [Voss, Tamara L. x8914](#); [Woods, Dewayne x5309](#); [930-Water Resources Everyone](#)

Subject: FW: Regional Water Forum - letter to Boards from Chair Adams

Date: Wednesday, February 23, 2022 2:59:10 PM

Attachments: [Regional Water Forum Press Release.pdf](#)
[Regional Water Forum Chair Ltr to agencies.pdf](#)

Importance: High

Good afternoon,

Please see the attached Press Release and Letter from the Board of Supervisors Chair Adams.

Thank you,

Alice Henault
 Senior Secretary – Confidential
 MCWRA
 1441 Schilling Pl., Salinas, CA 93901
 831-755-4843

For Immediate Release
February 23, 2022

Monterey County Board of Supervisors to Hold Regional Water Forum

On March 15, 2022 at 1:30pm, the Monterey County Board of Supervisors will be holding a forum to discuss regional water issues in northern Monterey County.

The purpose of the forum is to provide an overview of current efforts regarding water management and sustainability, and to initiate a comprehensive discussion on regional water supplies and solutions. The focus will be on over drafted areas in the 180/400-Foot Aquifer, Monterey, Langley and Eastside Subbasins and areas of northern Monterey County outside of those subbasins.

Presentations will be provided by the Monterey County Water Resources Agency, Salinas Valley Basin Groundwater Sustainability Agency, Marina Coast Water District Groundwater Sustainability Agency, and Monterey One Water.

The meeting will provide a clear picture of how the regional water situation is now influenced by the Sustainable Groundwater Management Act's required outcomes. An understanding of the larger regional water picture is important to forge a consensus approach for water agencies and County leaders. This meeting will be the first in a series of three meetings planned to address these issues. Subsequent conversations will be planned for the summer and fall of this year.

The meeting will be held in the Board of Supervisors Chambers at 168 W. Alisal St., Salinas, CA or by zoom at <https://montereycty.zoom.us/j/224397747>. For more information, please contact Chair Supervisor Mary L. Adams at district5@co.monterey.ca.us.

####

MONTEREY COUNTY

BOARD OF SUPERVISORS

MARY L. ADAMS, SUPERVISOR – FIFTH DISTRICT

1200 Aguajito Road, Suite #1, Monterey, CA 93940

E-mail: District5@co.monterey.ca.us

Phone: (831) 647-7755



February 23, 2022

**To: Monterey County Water Resources Agency Board of Directors
Salinas Valley Basin Groundwater Sustainability Agency (GSA) Board of Directors
Marina Coast Water District GSA Board of Directors
Monterey One Water Board of Directors**

Re: Regional Water Forum, March 15, 2022 at 1:30pm

Dear Agency Board Members:

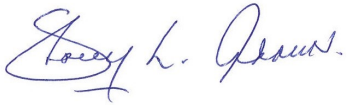
On March 15, 2022 at 1:30pm, the Monterey County Board of Supervisors will be holding a forum to discuss regional water issues in northern Monterey County. As Chair of the Board of Supervisors, I am writing this letter to express my appreciation to your agency staff for their collaborative efforts to put together the presentation for this forum, and to extend a personal invitation to you to participate in the forum.

The purpose of the regional water forum is to provide an overview of current efforts regarding water management and sustainability, and to initiate a comprehensive discussion on regional water supplies and solutions. The focus will be on over drafted areas in the 180/400-Foot Aquifer, Monterey, Langley and Eastside Subbasins and areas of northern Monterey County outside of those subbasins.

The meeting will result in a clear picture of how the regional water picture is now influenced by the Sustainable Groundwater Management Act's required outcomes. An understanding of the larger regional water picture is important to forge a consensus approach for water agencies and County leaders. This meeting will be the first in a series of three meetings planned to address these issues. Subsequent conversations will be planned for the summer and fall of this year.

Please note that this meeting is being held as a Board of Supervisors workshop. We have been advised that Board members of other agencies are able and welcome to participate during public comment or as part of a presentation by their agency. However, to avoid any Brown Act issues, a majority of your members must not confer among each other during the meeting on matters that are within the jurisdiction of your agency. It is hoped that your Boards will continue the discussion at your respective Board meetings following the forum, as we move toward collaborative, regional solutions to our water supply.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mary L. Adams".

Mary L. Adams, Chair
Monterey County Board of Supervisor, Chair
Fifth District

Cc: Brent Buche, MCWRA General Manager
Donna Meyers, SVBGSA General Manager
Remleh Scherzinger, MCWD General Manager
Paul Scuito, M1W General Manager

RECEIVED²⁷

FEB 24 2022

MPWMD

DANIELA BRYAN

February 21, 2022

David Stoldt

General Manager

cc. Kimberly Cole - Community Development Director at City of Monterey

Monterey Peninsula Water Management District

5 Harris Court, Bldg G

Monterey, CA 93940

Re: 1 Ave Maria Road - ADU Conversion

Dear Mr. Stoldt,

The purpose of this letter is to determine a path forward and resolve the current discrepancies regarding Water Permit WP040794 and building permit MBP-19-2524 for my primary residence at 1 Ave Maria Rd, Monterey, CA.

On March 25, 2021, building permit MBP-19-2524 was pulled for an addition to my residence. Since then, construction has commenced and proceeded up to approximately a 95% completion, to the point where the final inspection had cleared on February 15, 2022. The intention has been to construct an addition to my single family residence and subsequently convert the space to an Auxiliary Dwelling Unit.

Concurrently with the building permit, a separate water permit by the Monterey Peninsula Water Management District should have been issued prior to construction proceeding. I was not informed of this requirement by the City of Monterey Planning or Building Department until a meeting with Monterey Peninsula Water Management District on January 24, 2022, 10 months into the construction process. At that same meeting on January 24, 2022, I was informed that the Water District does not accept wall mounted toilets to meet 0.8GPF UHET requirements. By that time, a 1.28/0.8GPF Geberit wall hung toilet was already plumbed for, installed and ready to be inspected as part of the previously approved construction documents. To note, this is the same model of toilet that is installed in the main residence of the house, with same flow specifications. The water permit (WP040794) was finally issued on January 28, 2022, notarized and the deed restriction was recorded.

Had the water permit been issued in conjunction with the building permit, when it was supposed to be issued (in March 2021), I would have been able to plumb and install a 0.8GPF floor mounted toilet. The lack of coordination between the planning/building department and the water district and failure to issue the water permit when it was supposed to, prior to commencement of construction, led to this mistake.

I see the following possible paths to resolution:

a) The Water District waive and sign off on the primary residence / non ADU 1.28/0.8GPF wall mounted toilet as a 0.8GPF toilet with the 1.28GPF flush functionally disabled, which has already been completed (your water inspector, Tricia/TJ, has already noted that on the water inspection report of 2/8/22). This may result in 0.5 water credits.

b) The Water District waive and sign off on two wall-mounted toilets as 0.96 (the average of one 1.28GPF and 2 x 0.8 GPF flushes = 0.96 GPF each) and assign each a value of 1.0 instead of 1.3 as it states right now, resulting in 0.6 water credit. (Please see the receipt from Bay Plumbing that the toilet carrier is a 1.28GPF/0.8GPF unit). I have installed the same toilet in the primary bathroom in 2018 and have been using it solely as a 0.8GPF toilet.

Both of these options result in 0.8GPF flushing capability only in each bathroom with the existing wall hung toilets.

c) The Water District, in conjunction with the building and planning department, assume responsibility for the cross-departmental error made by only issuing the building without the water permit prior to commencement of construction by funding the retrofit of a floor-mounted 0.8GPF toilet, which is estimated by my contractor to be \$15,548 (see estimate by Halderman Construction).

To be clear, I am operating the two toilets as 0.8GPF toilets already, so there would be no water savings by making me retrofit the toilets (see letter from Halderman Construction). I am doing everything I can to comply with all codes and standards and I have built the addition in good faith.

As you know both water and housing is scarce here on the Peninsula. The State of California is eager to get more housing by converting livable space into ADUs with various mandates and regulatory incentives. As a homeowner, who is deeply concerned about climate change and its affects here in Monterey, I am trying my best to do the right thing. Therefore, I have embarked on this 4-year, costly process and I implore the Water District to do everything you can to help me get this project across the finish line. It would be a shame to have the newly constructed 650 square feet of livable space in Monterey County go unused.

Please feel free to ask any question you might have. Thank you for taking the time to consider my request. I am looking forward to a favorable response.

Respectfully,


Daniela Bryan

APN 001-622-009

BAY PLUMBING SUPPLY, INC.
 2776 Soquel Ave
 Santa Cruz, CA 95062
 831-475-2900 Fax 831-475-5825

** ACKNOWLEDGEMENT **
 Order #: S1505463
 P/O # :
 Printed: 13:47:06 21 MAY 2021
 Page # : 1 of 2

Sold To:
 DANIELA BRYAN
 1 AVE MARIA RD
 MONTEREY, CA 93940

Ship To:
 DANIELA BRYAN
 1 AVE MARIA RD
 MONTEREY, CA 93940

** C.O.D. ** C.O.D. ** C.O.D. **

Ordered by	Order Date	Ship Date	Ship Via	Warehouse	
	05/21/21	07/02/21		Shp 1	Prc 1
Writer	Salesperson	Release #	Freight Allowed		
JILL CHAVEZ			No		
Ordered	Product Description			Net Prc	Ext Prc
	ETA: 3-WEEKS				
	TOILET				
1ea	GEB 115.883.11.1 SIGMA 30 DUAL			115.200	115.20
	FLUSH ACTUATOR WHITE-MATTE WHITE				
	** SPECIAL ORDER NON-RETURNABLE **				
1ea	GEB 111.597.00.1 2X4 CONCEALED DUAL			498.960	498.96
	FLUSH CARRIER W/ TANK FOR 2X4 WALL				
	INSTALLATION (1.28GPF/0.8GPF)				
	** SPECIAL ORDER NON-RETURNABLE **				
1ea	DURAVIT 2545090092 DARLING WALL			504.000	504.00
	MOUNT BOWL WHITE				
	** SPECIAL ORDER NON-RETURNABLE **				
1ea	DURAVIT 0069890000 SOFTCLOSE SEAT			136.000	136.00
	WHITE				
	** SPECIAL ORDER NON-RETURNABLE **				
	TUB/SHOWER				
1ea	AMERICH KN6030TR-WH KENT			800.000	800.00
	60"X30"X19" SOAKING TUB RIGHT HAND				
	DRAIN - WHITE				
1ea	GEB 151.505.00.1 17-22 ABS 40 W&O			44.250	44.25
	(OLD PART# 151.191.00.1)				
1ea	GEB 151.551.21.1 PC W/O TRIM KIT			78.000	78.00
	(POL CHROME) (OLD P/N-240.722.21.1)				
1ea	GROHE 14468000 CONCETTO 3.0 TRIM W/			121.680	121.68
	CARTRIDGE CHROME				
1ea	GROHE 35110000 GROHESAFE 3.0			65.520	65.52
	ROUGH-IN VALVE				
1ea	GROHE 26513000 EUPHORIA 110 MASSAGE			66.240	66.24
	HAND SHOWER 1.75GPM, 3-SPRAY,				
	CHROME				
	** SPECIAL ORDER NON-RETURNABLE **				
1ea	GROHE 27523000 NEW TEMPESTA 24"			47.520	47.52
	WALL BAR CHROME				
1ea	GROHE 28417000 59" TWIST FREE HOSE			91.440	91.44
	CHROME				
1ea	GROHE 28627000 WALL UNION - CHROME			71.280	71.28

*** Continued on Next Page ***



February 16, 2022

Daniela Bryan
1 Ave Maria Road
Monterey, CA 93940

Subject: Wall Hung Toilet Modifications

Dear Daniela,

As the general contractor on the remodel in 2018 and the addition in 2021 to 1 Ave Maria Road, Monterey, California, I hereby attest that the solid flush function of the Geberit Actuator in combination with the Duravit Darling toilet in both bathrooms have been disabled and both toilets are functioning properly.

Sincerely,

Jim Halderman, President
Halderman Construction, Inc.

CA License #343668
373 Merk Road, Corralitos, CA 95076
(831) 722-0444
jim@haldermanconstruction.com

HALDERMAN CONSTRUCTION, INC.

Toilet Retrofit Budget Allowance

February 9, 2022

Daniela Bryan
1 Ave Maria Road
Monterey, CA 93940

SCOPE OF WORK:

To remove two existing wall-hung toilets, including in-wall carrier units, and replace with new floor mounted 0.8 gallon per flush toilets. Work to include demo; off-hauling; floor framing where required; new plumbing waste piping and water piping; drywall repair; tile repair to both floors and wainscot; painting; final cleanup. This is a preliminary allowance until the exact scope of work is determined.

PRELIMINARY ALLOWANCE:

Permit and Design Fees (if necessary)	TBD
Design Meetings & Const. Management Allowance (\$80/hr.)	960
Demolition & Off-hauling	1,150
Carpentry Materials & Labor	3,000
Rough and Finish Plumbing Labor & Materials	5,000
Tile	1,500
Floor Protection Allowance	180
Toilets	800
Painting Allowance	680
Portable Toilet Allowance	<u>250</u>

Subtotal	13,520
Overhead 15%	<u>2,028</u>
Total	\$15,548

Respectfully Submitted,

Jim Halderman, President

Phone (831) 722-0444 CA License #343668 373 Merk Road
Fax (831) 722-5271 jim@haldermanconstruction.com Corralitos, CA 95076