

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, unless otherwise noted.



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

Monday, May 15, 2023 at 5:00 p.m. [PST]

Meeting Location: MPWMD – Main Conference Room
5 Harris Court, Building G, Monterey, CA 93940
[Hybrid: In-Person and via Zoom]

To Join by Zoom, please click the link below:
<https://mpwmd-net.zoom.us/j/81906239158?pwd=MHpLYmJkTGZER3RYVXRlTmRyRHlXZz09>

Or join at: <https://zoom.us/>
Webinar ID: 819 0623 9158
Passcode: 05152023

To Participate by Phone: (669) 900-9128

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

This agenda was posted at the District website (www.mpwmd.net) and at 5 Harris Court, Bldg. G, Monterey, California on Thursday, May 11, 2023. 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 P.M. on Thursday, May 11, 2023

CLOSED SESSION AT 5:00 P.M.

CALL TO ORDER / ROLL CALL

<p><u>Board of Directors</u> Mary L. Adams, Chair – Monterey County Board of Supervisors Representative Amy Anderson, Vice Chair – Division 5 Alvin Edwards – Division 1 George Riley – Division 2 Marc Eisenhart – Division 3 Karen Paull – Division 4 Ian Oglesby – Mayoral Representative</p> <p><u>General Manager</u> David J. Stoldt</p>
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<p><u>Mission Statement</u> Sustainably manage and augment the water resources of the Monterey Peninsula to meet the needs of its residents and businesses while protecting, restoring, and enhancing its natural and human environments.</p> <p><u>Vision Statement</u> Model ethical, responsible, and responsive governance in pursuit of our mission.</p> <p><u>Board's Goals and Objectives</u> Are available online at: https://www.mpwmd.net/who-we-are/mission-vision-goals/</p>
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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.*

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 Real Property Negotiators (Government Code Sections 54954.5(b), 54956.8/
District Representative: David Stoldt / Negotiation Affecting Properties Held by California American
Water Company

RECESS TO CLOSED SESSION

Any Closed Session Items not completed may be continued to after the end of all open session items.

REGULAR SESSION AT 6:00 P.M.

CALL TO ORDER / ROLL CALL

PLEDGE OF ALLEGIANCE

ADDITIONS AND CORRECTIONS TO THE 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 Special Board Meeting on Monday, April 3, 2023 and Regular Board Meeting on Monday, April 17, 2023
2. Consider Adoption of Treasurer’s Report for March 2023
3. Receive and File Third Quarter Financial Activity Report for Fiscal Year 2022-2023
4. Consider Approval of Third Quarter Fiscal Year 2022-2023 Investment Report
5. Consider Approval of Expenditure of Funds for Additional Functionality Improvements to the Accela Database
6. Consider Recommendation to Authorize the General Manager to Enter into a Contract with Radiant Landscaping, Inc. to Provide Landscape Maintenance Services

GENERAL MANAGER’S REPORT

7. Status Report on California American Water Compliance with State Water Resources Control Board Order 2016-0016 and Seaside Groundwater Basin Adjudication Decision (*Verbal Report*)
8. Update on Water Supply Projects (*Verbal Report*)
9. Overview of the FEMA / CAL Office of Emergency Services Reimbursement Process / Outcomes (*Verbal Report*)
10. Request Input on District Website

REPORT FROM DISTRICT COUNSEL

11. Report on Pending Litigation

12. Reportable Action on Matters Listed Under Closed Session on Monday, May 15, 2023

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

13. 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.*

14. Receive and Confirm Water Supply Forecast for Period of May 1, 2023 -- September 30, 2024 – and Consider Adopting Resolution 2023 - 06 to Amend Rationing Table XV-4

[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.]

Recommended Action: The Board will receive a report on the available water supply and determine whether water-rationing triggers have been met and consider adoption of Resolution 2023 – 06.

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

15. Update on Expenditure of Contingency Funds Used for the Sleepy Hollow Steelhead Rearing Facility Rearing Channel Rehabilitation Project (Verbal Report)

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 Supplemental Letter Packet
 19. Committee Reports
 20. Monthly Allocation Report
 21. Water Conservation Program Report
 22. Carmel River Fishery Report for April 2023
 23. Monthly Water Supply and California American Water Production Report
 [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]

ADJOURNMENT

Board Meeting Schedule			
Thursday, May 25, 2023	<i>Special - Budget Workshop</i>	6:00 p.m.	<i>Hybrid</i>
Tuesday, June 20, 2023	<i>Regular- Budget Adoption</i>	6:00 p.m.	<i>Hybrid</i>
Monday, July 17, 2023	<i>Regular</i>	6:00 p.m.	<i>Hybrid</i>
<i>Hybrid: In-Person at the District Main Conference Room and via Zoom- Teleconferencing Means.</i>			

Board Meeting Television and On-Line Broadcast Schedule	
Television Broadcast	Viewing Area
Comcast Ch. 24 View live broadcast on meeting dates, and replays on Mondays, Tuesdays and Thursdays at 4:00 p.m.	All Peninsula Cities
Comcast Ch. 28 (Monterey County Government Channel) Replays only at 9:00 a.m. on Saturdays	Throughout the Monterey County Government Television viewing area.
Internet Broadcast	
AMP 1 View live broadcast on meeting dates, and replays on Mondays, Tuesdays, and Thursdays at 4:00 p.m. and at https://accessmediaproductions.org/ scroll to AMP 1 .	
Monterey County Government Channel Replays only at 9:00 a.m. on Saturdays at www.mgtvonline.com	
MPWMD YouTube Page – View live broadcast on meeting dates. Recording/Replays available five (5) days following meeting date - https://www.youtube.com/channel/UCg-2VgzLBmgV8AaSK67BBRg	

Accessibility

In accordance with Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), 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 at least 48 hours prior to the scheduled meeting date/time: (1) Joel G. Pablo, Board Clerk by e-mail at joel@mpwmd.net, or at (831) 658-5652; and (2) Sara Reyes, Sr. Office Specialist by e-mail at sara@mpwmd.net or at (831) 658-5610.

Provide Public Comment at the Meeting

Attend In-Person

The Board meeting will be held in the Main Conference Room at **5 Harris Court, Building G, Monterey, CA 93942** and has limited seating capacity. Face coverings are encouraged, but not required. Please fill out a speaker card for each item you wish to speak on, and place in the speaker card box next to the Board Clerk.

Attend via Zoom: See below “Instructions for Connecting to the **Zoom Meeting**”

Submission of Public Comment via E-mail

Send comments to comments@mpwmd.net with one of the following subject lines "PUBLIC COMMENT ITEM #*n*" (insert the item number relevant to your comment) or “PUBLIC COMMENT – ORAL COMMUNICATIONS.” Staff will forward correspondence received to the Board. Correspondence is not read during public comment portion of the meeting. However, all written public comment received becomes part of the official record of the meeting and placed on the District’s website as part of the agenda packet for the meeting.

Submission of Written Public Comment

All documents submitted by the public must have no less than fifteen (15) copies to be received and distributed by the **Clerk** prior to the Meeting.

Document Distribution

In accordance with Government Code §54957.5, any materials of public record relating to an agenda item for a meeting of the Board of Directors that are provided to a majority of the members less than 72 hours before the meeting will be made available at the District Office, 5 Harris Court, Building G., Monterey, CA, during normal business hours. Materials of public record that are distributed during the meeting shall be made available for public inspection at the meeting if prepared by the Board or a member of its legislative/advisory body, or the next business day after the meeting if prepared by some other person.

Instructions for Connecting to the *Zoom Meeting*

The public may remotely view and participate in the meeting to make public comment by computer, by phone or smart device.

Please log on or call in as early as possible to address any technical issues that may occur and ensure you do not miss the time to speak on the desired item. Follow these instructions to log into Zoom from your computer, smart device or telephone. (Your device must have audio capability to participate).

To Join by Zoom, please click the link below:

<https://mpwmd-net.zoom.us/j/81906239158?pwd=MHpLYmJkTGZER3RYVXRITmRyRHIXZz09>

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

Webinar ID: 819 0623 9158

Passcode: 05152023

To Participate by Phone: (669) 900-9128

1. Use the “raise hand” function to join the queue to speak on the current agenda item when the Chair calls the item for Public Comment.

COMPUTER / SMART DEVICE USERS: You can find the raise hand option under your participant name.

TELEPHONE USERS: The following commands can be entered using your phone’s dial pad:

- *6 – Toggle Mute / Unmute
- *9 – Raise Hand

2. Staff will call your name or the last four digits of your phones number when it is your time to speak.
3. You may state your name at the beginning of your remarks for the meeting minutes.
4. Speakers will have up to three (3) minutes to make their remarks. *The Chair may announce and limit time on public comment.*
5. You may log off or hang up after making your comments.

Refer to the Meeting Rules to review the complete Rules of Procedure for MPWMD Board and Committee Meetings:

<https://www.mpwmd.net/who-we-are/board-of-directors/meeting-rules-of-the-mpwmd/>

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ITEM: CONSENT CALENDAR**1. CONSIDER ADOPTION OF MINUTES OF THE SPECIAL BOARD MEETING ON MONDAY, APRIL 3, 2023 AND REGULAR BOARD MEETING ON MONDAY, APRIL 17, 2023****Meeting Date:** May 15, 2023 **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 meeting minutes of the MPWMD Board of Director's **Special Board Meeting on Monday, April 3, 2023 and Regular Board Meeting on Monday, April 17, 2023.**The draft minutes are attached as **Exhibit 1-A** and **Exhibit 1-B** to the staff report.**RECOMMENDATION:** The Board will consider approval of the draft minutes of the MPWMD Board of Director's Special Board Meeting on Monday, April 3, 2023 and Regular Board Meeting on Monday, April 17, 2023.**EXHIBIT****1-A** MPWMD Board of Director's Special Board Meeting on Monday, April 3, 2023**1-B** MPWMD Board of Director's Regular Board Meeting on Monday, April 17, 2023



EXHIBIT 1-A

Draft Minutes
Special Meeting
Board of Directors
Monterey Peninsula Water Management District
Monday, April 3, 2023

Meeting Location: City of Monterey – City Hall
 City Council Chambers, 580 Pacific Street, Monterey, CA 93940
 (Hybrid: Meeting Held In-Person and via Zoom – teleconferencing means)

CALL TO ORDER

Chair Adams called the meeting to order at 5:30 p.m.

ROLL CALL

Mary L. Adams, Chair – Monterey County Board of Supervisors Representative
 Amy Anderson, Vice Chair – Division 5
 Alvin Edwards, Director – Division 1
 George T. Riley, Director – Division 2
 Marc Eisenhart, Director – Division 3
 Karen Paull, Director – Division 4
 Ian Oglesby, Director – Mayoral Representative

Directors Absent: None

General Manager Present: David J. Stoldt

District Counsel Present: David C. Laredo
 Fran Farina (*appeared via Zoom*)

Special District Counsel Present: Doug Dennington with Rutan & Tucker, LLP (*appeared via Zoom*)

District Staff Present: Joel G. Pablo, Board Clerk
 Suresh Prasad, Administrative Services Manager/Chief Financial Officer (*appeared via Zoom*)
 Stephanie Locke, Water Demand Manager (*appeared via Zoom*)
 Jonathan Lear, Water Resources Manager (*appeared via Zoom*)
 Thomas Christensen, Environmental Resources Manager (*appeared via Zoom*)
 Maureen Hamilton, District Engineer (*appeared via Zoom*)

Consultants Present:

Phil Wellman, Public Outreach Consultant with WellmanAd (*in-person*)
John Mastracchio with Raftelis Financial Consultants, Inc. (*appeared via Zoom*)
Bill Stannard with Raftelis Financial Consultants, Inc. (*appeared via Zoom*)

ADDITIONS AND CORRECTIONS TO THE AGENDA

No additions and corrections.

INTRODUCTORY REMARKS BY MARY L. ADAMS, CHAIR

Mary L. Adams, Chair of the Board provided an opening statement. Adams briefly explained that the local voters of the District service area successfully passed and enacted Measure J in November 2018. She noted that 85% of the California population have a publicly owned water system vs. corporately owned. She shared the nature of discussions to be had during the meeting will be to disclose the appraisal costs of the Monterey Peninsula Water System and is a necessary step in the process.

REPORT FROM DISTRICT COUNSEL

1. Reportable Action from the Closed Session Meeting on Friday, March 24, 2023

David C. Laredo, District Counsel reported that at the Special and Regular Meeting held on Monday, March 20, 2023, the Board continued and deliberated on a closed session matter on Friday, March 24, 2023 pertaining to the following:

1. Conference with Real Property Negotiators (Government Code Sections 54954.5(b), 54956.8/ District Representative: David Stoldt / Negotiation Affecting Properties Held by California American Water Company

Laredo reported the following action was taken by the Board:

A motion was offered by Director Edwards with a second by Director Oglesby to authorize the General Manager to tender a purchase offer letter to California American Water Company effective on April 3, 2023 at 3:30 p.m. to acquire the Monterey Peninsula Water System for an amount not-to-exceed \$448,808,000. The motion passed on a roll-call vote of 7-Ayes (Edwards, Riley, Eisenhart, Paull, Anderson, Adams, and Oglesby), 0-Noes, 0-Absent and 0-Abstain.

WELCOME AND INTRODUCTIONS – David J. Stoldt, General Manager

David J. Stoldt, General Manager presented via MS PowerPoint entitled, “MPWMD Special Board Meeting.” *A copy of the presentation is available at the District office and can be found on the District website.* Stoldt introduced Special District Counsel Doug Dennington with Rutan & Tucker, LLP, followed by John Mastracchio, Accredited Senior Appraiser with Raftelis Financial Consultants, Inc. and made known that Barclays Bank is the investment banking firm.

(Continued with the same slide-deck moving into Item No. 2)

PRESENTATIONS

2. Overview of Appraisal and Offer Process – David J. Stoldt, General Manager

David J. Stoldt, General Manager provided a brief overview on the appraisal and offer process. Stoldt shared the rationale for pursuing a buyout and referenced the successful passage of Measure J by the voters (56% - 44%). He mentioned that an offer letter was tendered to California American Water at 3:30 p.m. on Monday, April 3, 2023 in the amount of \$448,808,000 for the Monterey Peninsula Water System (System). He provided a brief timeline of events leading up to the appraisal of the System. Stoldt concluded his opening remarks and presentation.

3. Methodology and Findings as to the Appraised Value of the Monterey Water System – Raftelis Financial Consultants, Inc.

John Mastracchio with Raftelis presented via MS PowerPoint entitled, “Monterey Water Utility System: Appraisal Summary and Value as of December 31, 2022.” *A copy of the presentation is available at the District office and can be found on the District website.* Mastracchio provided a summary and overview of the appraisal; and provided concluding remarks on the appraisal value of the Monterey Water System. He pointed direction and read California Code of Civil Procedure Section 1263.320-.330 defining *Fair Market Value*. During his presentation Mastracchio provided an overview and as described in detail in the slide-decks to include, but are not limited to: Appraisal Approaches (income, market and asset); Income Approach Considerations; Income Approach Value Indicator; Market Approach Value Indicator; Asset or Cost Approach; Asset Approach; and Opinion of Fair Market Value (as of December 31, 2022).

4. Other Issues and Next Steps – David J. Stoldt, General Manager

David J. Stoldt, General Manager presented via MS PowerPoint entitled, “MPWMD Special Board Meeting.” *A copy of the presentation is available at the District office and can be found on the District website.* Stoldt provided an overview and as described in detail in the presentation to include, but are not limited to: Obvious Areas of Disagreement; They Will Tell You the Final Price is Always More; Bob’s Water Bill TODAY?; What GOES AWAY with Public Ownership?; What NEW Costs Will Bob Pay For?; What Can You Expect in the Future?; Next Steps; and concluding remarks.

PUBLIC COMMENT – Chair Adams opened public comment and limited public comment to 2 (two) minutes in length.

COMMENTS MADE IN-PERSON

1. Paul Bruno, *Board Member of the Seaside Groundwater Basin Watermaster*: Believes the District is making a mistake in pursuing a public buyout. He provided brief background information and the outcome that arose from the Town of Apple Valley vs. Liberty Utilities case. He asked the Board to consider the costs resulting from a failed pursuit.
2. Evan Jacobs, *California American Water*: Commented that Cal-Am and its employees have been providing reliable and dependable water service to the Peninsula. He provided brief background information that led to the denial of the District’s application to activate

its latent powers by LAFCO of Monterey County. Lastly, he encouraged the Board to reconsider the feasibility of a public buyout.

3. Patrick Ferguson in Seaside: Mentioned Congresswoman Katie Porter of Orange County presented and concluded that inflation was a result of and caused by corporate America. He shared that his water utility bill has increased without explanation from Cal-Am.
4. Alexander Henson, Esq., *past Chair and Board Member of the MPWMD*: Shared his past experience with Cal-Am as former Board member and emphasized that during his tenure the company had failed to provide an adequate water supply. Henson hopes the District pursues the path of a buyout and is successful in its pursuit.
5. Karen Araujo, *Chair of the Monterey County Democratic Central Committee (MCDCC)*: Thanked the District for its presentation and reminded the Board that the MCDCC supported Measure J. She thanked Cal-Am for their service to the region throughout the years, however mentioned the residents now seek to have control over the water system via public ownership.
6. Bruce Annetta: Briefly highlighted the success story of Pure Water Monterey not covered during the presentation.
7. Dan Presser: Expressed his gratitude to the District and the General Manager in their perseverance on the matter. Requested the District to conduct a review of Cal-Am's financial transactions and make note of company contributions to individuals and public/private entities within the local community.
8. Michael Baer: Questioned if the appraisal accounts for the Monterey Peninsula Water Supply Project (MPWSP) and if the District intends to purchase the MPWSP. Commented Cal-Am's test slant well is overpriced, is underperforming, and regarded it as a failure.
9. Kate Daniels, *spoke individually as a resident and ratepayer and **NOT** in her official capacity for any public offices or employment she holds*: She stated the community needs a reliable and affordable water supply. She reminded the Board, the people have voiced their support for a public buyout. She commented the community is looking forward to a world without Cal-Am (free from the CPUC, ratepayer return investments, and returns to shareholders) and to bring in local control of the System through an elected Board of Directors. She commended the District for their continued efforts on the matter.
10. Susan Schiavone, *resident of the City of Seaside*: Thanked the District for their work on the matter. She stated the District is fiscally responsible and conservative. She encouraged the District to continue with their efforts and believes it will ultimately prevail with the public buyout.
11. Silvia Shea: Expressed her gratitude for the District's efforts on pursuing a public buyout.

12. Anna Thompson: Thanked the District, Public Water Now, Monterey One Water and other individuals who have provided ongoing support on the matter. Thompson stated she is looking forward to a future where the water system is publicly owned and operated.
13. Melodie Chrislock, *Executive Director with Public Water Now*: Thanked the District for their work on the matter. She vigorously defended the District's spending of \$2.5 million in comparison to the company's rising water costs attributed to the number of failed projects totaling in the millions of dollars to include, but not limited to: \$14 million due to stalled efforts on Pure Water Monterey Expansion; \$154 million on the MPWSP; \$40 million on the last failed desalination project; and \$64 million for unused water. She reminded the Board it was Public Water Now who placed the ballot initiative before the voters and believes public ownership will reduce costs.
14. Jan Shriner, *speaking individually as a resident of Marina and NOT in her official capacity as a Board Member of Marina Coast Water District*: Mentioned that a publicly owned water system best serves the community as opposed to a privately owned water system. She has experienced and has found great partnerships through a good neighbor mutual aid agreement extended to three agencies to include the Castroville Community Services District, Seaside Municipal Water Services and Cal-Am. Of the three, she mentioned Cal-Am has yet to be on board.
15. Anita Dyer: Thanked the Board and District Staff and looks forward to local and public control of the System.
16. Tammy Jennings: Expressed her gratitude to the Board and District Staff on their effort on the matter. She commented that she is glad to witness democracy in action through the District's efforts on the matter.

PUBLIC COMMENT VIA ZOOM

17. Esther Malkin, *Ratepayer/Renter*: concurred with all prior speakers except for the two who spoke in opposition on the matter. Thanked the Board and the General Manager for providing an overview of the appraisal.
18. John McPherson *with Sustainable AG and Energy*: Posed two questions: (1) "What prevents this from becoming a very long and very expensive legal battle?" (2) "What are the guarantees that this will eventually will be successful?"
19. John Tilley: Requested the District to find out the cost of a potential failed attempt and requested the District to inform the public on its findings.
20. S. Folsom: Thanked the District for its work on the matter. She mentioned that she is a low-income ratepayer who has seen an 11% increase in her bill. She believes the District will be successful in a buyout pursuit of the System.
21. Peter Kaiser: Asked the Board and the District to tread carefully on the matter. He believes the District needs to provide a reasonable offer and convince the company of its rationale for pursuing public ownership. Kaiser said he has reached out to two Board

members on the Water District Board who refuse to discuss his opposition on the matter and believes they are not representative of those in the minority (*or those who voted against the Measure J initiative*).

22. Margaret Ann Coppernoll, *resident of the City of Marina*: Expressed her excitement for the District's progress on the matter. She provided well-wishes in the District's continued efforts on the public buyout.
23. Jack Angel: Believes the information presented is inaccurate and public ownership is costly. Angel stated a reliable water supply as proposed by Cal-Am on the MPWSP should be supported and suggested for the Board to consider the continued legal cost on the matter.
24. Rick: Mentioned that an attempt to buyout Cal-Am would wound up in the Supreme Court and believes the District's efforts will fail. Rick stated he did not see maintenance cost and employee labor cost addressed in the presentation and believes a public takeover attempt is no longer needed.
25. Adam Pinterits, *Government and Community Affairs Director with the Monterey County Association of Realtors*: He concurs with several comments that have been made expressing concerns over the public takeover. He stated that there is not enough water for housing and that it has contributed to the high cost of affordability on the Peninsula. Pinterits shared that he would like the District to consider the highest potential cost in its pursuit of a public takeover and questioned if the cost of buying Cal-Am is actually much higher than what it has been appraised for.
26. Jim Clark: Stated that he believes the presentation does not adequately answer the reason why Pure Water Monterey is needed and does not account for employee costs and benefits.
27. Janet Wilson: Mentioned water rates on the Peninsula are the highest in the Country and would like to see Cal-Am removed from the region.
28. Carolyn Bluemle: Stated she is grateful to see local elected and appointed officials carry out the will of the voters and finding avenues to pursue public buyout.
29. Anne Wheelis, *ratepayer since 1971*: She thanked the District Board and Staff on this matter. Wheelis shared that she has experienced increased costs to her water utility bill even though she has minimized and practices conservation efforts over the years.

Written Public Comment Received

The Board Clerk received the following written public comments prior to the start of Special Board Meeting on Monday, April 3, 2023. No other written correspondence was received prior to the meeting or during the meeting.

1. Correspondence was received by e-mail from Carolyn Bluemle, Pacific Grove
Dated Thursday, March 30, 2023 at 10:33 p.m.

Subject Line: "SUPPORT Public Buyout of Cal Am"

2. Correspondence was received via hand delivery at the Special Board Meeting on Monday, April 3, 2023 from Mark Eckles, Pacific Grove; *Wrote in Support of the Public Buyout*

Copies of written public comment received are available at the District office and can be found on the District website. Additionally, written comments received for the meeting were distributed to the Board of Directors, District Counsel, General Manager and members of the public in attendance at Monterey City Hall.

No further verbal or written comments were directed to the Board.

STAFF RESPONSE TO ISSUES RAISED DURING PUBLIC COMMENT

David J. Stoldt, General Manager provided a response to a few comments made during Public Comment. Stoldt mentioned the presentation covered Construction Work In-Progress that excluded the MPWSP and stated the basis for doing so is to take into consideration assets or property that exist or "are real." *In response to Tilley and McPherson's comments*, Stoldt mentioned their comments have been addressed in prior meetings and will likely be done at a future meeting. Stoldt stated Operations and Maintenance (O&M) covers employee costs and benefits and as reflected in the presentation.

Director Riley: Stated the District has come a long way on the matter and has entered the first phase of the formal process in its pursuit of Measure J.

Director Paull: Clarified that the Monterey Peninsula Water Supply Project (MPWSP) as has been used at various points of the meeting refers to Cal-Am's desalination project.

Director Eisenhart: Stated he is aware of the potential costs and risks of a failed public takeover attempt as mentioned by a few commentators. However, he posed and asked the following question, "What is the cost of not trying?"

Director Paull: Mentioned the District is aware and is taking into account all risks involved. She said that the District is exploring avenues to ensure that the process can be done and can be of benefit to the community.

Director Anderson: Stated that the District is carrying out the will of the voters in its pursuit of Measure J. She commented that it has been interesting process and the District is treading carefully on the matter.

Director Edwards: Thanked District Staff and its consultants for its work on the matter. Edwards stated that some of the work presented has been done previously. He stated the District intends to be fully transparent with the public with costs throughout the process.

Director Oglesby: Thanked District Staff and its consultants for its work. Oglesby believes the Board and the District is operating under the direction of the voters who passed and enacted Measure J. He shared and provided the reasons why he views the buyout as an investment.

Director Adams: Expressed her gratitude for the General Manager's effort on his work on the matter. Lastly, she thanked all those in attendance and the voters who have entrusted in the District to pursue Measure J.

ADJOURNMENT

There being no further business, Chair Adams adjourned the meeting at 7:17 p.m.

Joel G. Pablo, Deputy District Secretary

Minutes approved by the MPWMD Board of Directors on Monday, May XX, 2023

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EXHIBIT 1-B

Draft Minutes
Regular Meeting
Board of Directors
Monterey Peninsula Water Management District

Meeting Location: District Office, Main Conference Room
 5 Harris Court, Building G, Monterey, CA 93940

Monday, April 17, 2023

Chair Adams called the meeting to order at 6:00 p.m.

CALL TO ORDER

Directors Present:

Mary L. Adams, Chair – Monterey County Board of Supervisors Representative
 Amy Anderson, Vice Chair – Division 4
 Alvin Edwards – Division 1
 George T. Riley – Division 2
 Marc A. Eisenhart – Division 3 (*Appeared via Zoom*)
 Karen Paull – Division 4
 Ian Oglesby – Mayoral Representative

ROLL CALL

Directors Absent: None

General Manager Present: David J. Stoldt

District Counsel Present: David C. Laredo, Esq. with De Lay & Laredo

The assembly recited the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

David J. Stoldt, General Manager read two corrections to the agenda meeting materials as provided for by Sections 54954.2 of the California Government Code:

ADDITIONS AND CORRECTIONS TO THE AGENDA

1. Under Consent Calendar, Staff Report to Item No. 8; *under the heading entitled, "BACKGROUND"*

Strikeout May 19, 2023 and Insert March 19, 2023 and to read as "... On March 19, 2023 Raftelis provided an estimate of cost to be \$60,000 and completion by the end of May."

2. Under Informational Items, Staff Report to Item No. 17; *under the heading entitled, "EXHIBITS"*

Strikeout September 9, 2023 and insert

September 9, 2022.

No further corrections were read into the record by the General Manager.

A motion was made by Director Riley with a second by Director Anderson to add the following corrections to the published agenda meeting materials:

1. Under Consent Calendar, Staff Report to Item No. 8; *under the heading entitled, “BACKGROUND”*

Strikeout May 19, 2023 and Insert March 19, 2023 and to read as “... On March 19, 2023 Raftelis provided an estimate of cost to be \$60,000 and completion by the end of May.”
2. Under Informational Items, Staff Report to Item No. 17; *under the heading entitled, “EXHIBITS”*

Strikeout September 9, 2023 and insert September 9, 2022.

The motion passed on a roll-call vote of 7-Ayes (Edwards, Riley, Eisenhart, Paull, Anderson, Adams and Oglesby), 0-Noes and 0-Absent.

Chair Adams opened Oral Communications. *The following communications were directed to the Board:*

ORAL COMMUNICATIONS

Comments Made by Zoom:

1. Nina Beety: Informed and made the Board aware of correspondence sent and addressed to Evan Jacobs of Cal-Am with a courtesy copy to Jonathan Lear with the District on her request to obtain a report on various substances to include chemicals and microbes found in the local drinking water. She stated a response was provided by Jacobs who referred her to Dr. Wang for both a current and detailed report. She has yet to obtain said report, however has requested for the District and Cal-Am to post the report findings online.

No further communications were directed to the Board.

Chair Adams introduced the matter. Edwards requested to pull Item No. 8 for discussion. *No further items were pulled from the Consent Calendar.*

CONSENT CALENDAR

Edwards thanked the District Attorney for promptly making a determination on Cal-Am’s complaint alleging the District had committed a Brown Act violation that went unfounded. Oglesby concurred with Edwards

comments and thanked District Counsel Laredo for his lead on the matter.

A motion was offered by Director Edwards with a second by Director Paull to approve Consent Calendar Item Nos. 1 through 8. The motion passed by roll-call vote of 7-Ayes (Adams, Oglesby, Eisenhart, Anderson, Paull, Riley and Edwards), 0-Noes and 0-Absent.

Approved the meeting minutes of the Special and Regular Board Meeting on Monday, March 20, 2023; Special Board Meeting on Friday, March 24, 2023; and Special Board Meeting on Friday, March 31, 2023.

Adopted the February 2023 Treasurer’s Report and financial statements, and ratification of the disbursements made during the month.

Received and filed the District – Wide Annual Water Distribution System Production Summary Report for Water Year 2022.

Received and filed the District – Wide Annual Water Production Summary Report for Water Year 2022.

Received Fiscal Year 2021 – 2022 Mitigation Program Annual Report.

Authorized the General Manager to enter into a contract with Schaaf & Wheeler to provide drawing support services in an amount not-to-exceed \$30,000.

Approved an expenditure of budgeted funds for Water Conservation Equipment in an amount not-to-exceed \$13,000.

Rescinded Board action on Item No. 14-B made on Monday, March 20, 2023 AND Reauthorized the General Manager to approve additional funding for Raftelis Financial Consultant, Inc. in an amount not-to-exceed \$60,000.

David J. Stoldt, General Manager presented via MS PowerPoint entitled, “Status Report on Cal-Am Compliance with SWRCB Orders and Seaside Basin

1. **Consider Adoption of Minutes of the Special and Regular Board Meeting on Monday, March 20, 2023; Special Board Meeting on Friday, March 24, 2023; and Special Board Meeting on Friday, March 31, 2023**
2. **Consider Adoption of Treasurer’s Report for February 2023**
3. **Receive and File District-Wide Annual Water Distribution System Production Summary Report for Water Year 2022**
4. **Receive and File District-Wide Annual Water Production Summary Report for Water Year 2022**
5. **Receive Fiscal Year 2021-2022 Mitigation Program Annual Report**
6. **Consider Recommendation to Authorize the General Manager to Enter into a Contract with Schaaf & Wheeler to Provide Drawing Support Services**
7. **Consider Expenditure of Budgeted Funds for Water Conservation Equipment**
8. **Consider Rescinding Board Action on Item No. 14-B Made on Monday, March 20, 2023 and Re-Authorizing the General Manager to Approve Additional Funding for Raftelis in an Amount Not-To-Exceed \$60,000**

GENERAL MANAGER’S REPORT

9. **Status Report on California American Water Compliance with State Water Resources Control Board Order 2016-**

Decision as of April 1, 2023” and answered board questions. *A copy of the presentation is available at the District office and can be found on the District website.*

0016 and Seaside Groundwater Basin Adjudication Decision

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

1. Monterey Peninsula Water Resources System (MPWRS) from October to March Water Year (WY) 2023: Carmel River Basin actuals have not been realized [Target: 2,545 Acre Feet (AF); Actual: 865 AF] due to operational issues attributed to heavy precipitation and flooding.
2. Water Projects and Rights from October to March WY 2023: Pure Water Monterey Recovery actuals have been realized [Target: 1,980 AF; Actual: 2,373 AF] and is reporting its highest production numbers since operations began.
3. On Monthly Production for Customer Service for Cal-Am (WY 2023): Demand is 60 AF less than the previous year.
4. On Monthly Recorded Rainfall at the San Clemente Rain Gage (WY 2023): Reported 34.5 inches of precipitation through April 1, 2023 and/or 168% of long-term averages.
5. On Daily Rainfall Recorded at San Clemente Rain Gage (WY 2023): Displayed graph and provided historical context.
6. On Rainfall Year Types: Projections indicate and point towards an “Extremely Wet” year.
7. Displayed a graph on Estimated Unimpaired Carmel River Flow at Sleepy Hollow Weir (WY 2023): January and February 2023 exceeded the long-term averages and anticipates streamflow to do the same.
8. Displayed ASR Injection Summary Well WY2023 both for Daily Injection and Cumulative Injection to Date: Cumulative Injections = 1,065 AF to date.

Stoldt mentioned as a result of Cal-Am, the District and Monterey One Water (M1W) executing the Amended and Restated Water Purchasing Agreement: M1W has drafted and advertised for construction bid packages for Pure Water Monterey (PWM) Expansion and final award to be made at the M1W Board meeting on July 31, 2023. He mentioned the District is working to secure Federal and State funding sources to include: \$42 million in Federal grant funding monies; \$4.8 million through the State Water Resources Control Board and \$11.94 through the CA Department of Water Resources. He anticipates

completion of the PWM Expansion during the 3rd or 4th Quarter of 2025.

Stoldt briefly commented on recent editorials made in local newspapers pertaining to Measure J. He reminded the Board and read an excerpt of Section II: Purpose of the Measure J initiative and another excerpt of an Ordinance directing the District to pursue Measure J.

David C. Laredo, District Counsel introduced Michael Laredo, a partner in his law firm to the Board.

He read and announced that the following action was taken on Closed Session (CS) Item No. 2 on the Monday, March 20, 2023 Special and Regular Board Meeting:

A motion was offered by Director George Riley with a second by Director Karen Paull, the Board authorized staff, General Counsel and Special District Counsel Michael Colantuono to prosecute an appeal of the March 3, 2023 order and judgement in MPTA II tendered by Judge Carrie Panetta. The motion was adopted by a roll call vote of 6-Ayes (Edwards, Riley, Paull, Anderson, Adams and Oglesby), 0-Noes and 1-Absent (Eisenhart).

Director Edwards: Mentioned that he provided a brief report on the District’s Special Meeting on Monday, April 3, 2023 before the Seaside City Council at their April 2023 meeting. He commented that at a recent MIW Recycled Water Committee discussion included, but not limited to: construction bid packages for PWM Expansion and updates on grant status. He requested for the General Manager to identify grants that are in a pending status and need to be worked on.

He requested the General Manager to ensure the District’s funding sources or grants to be secured and identify those grants that still need to be both worked on and settled.

David J. Stoldt, General Manager provided introductory remarks. He directed attention to Exhibit 12-A: Recommended Strategic Goals and Objectives for 2023 and read the Long-Term and Short-Term Goals.

Stoldt provided brief background information leading up to the Cease-and-Desist Order 95-10 issued by the State Water Resources Control Board. He mentioned staff in

REPORT FROM DISTRICT COUNSEL

10. **Report from District Counsel and Report Out from the Closed Session Meeting on Monday, March 20, 2023 on Agenda Item CS 2**

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

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

ACTION ITEM

12. **Consider Adoption of District Strategic Goals and Objectives for 2023**

the future will need to monitor, assess and address pumping from the Carmel River by Cal-Am and other local vineyards during years of continual drought. Stoldt shared that the company has cut down on pumping off of the river and are down to their legal limit of 3,367 Acre Feet and will need to determine in the future to encourage local vineyards to scale back on pumping from the Carmel River.

Director Eisenhart touched upon the need for landlords or tenants to have an Automated Meter Reading (AMR) device. Eisenhart mentioned having AMR technology will empower homeowners and tenants to both monitor water usage and their monthly water utility bill. Paull requested for staff to investigate Cal-Am's approach on installing AMR now and moving forward. Edwards requested for Staff to develop and provide an updated Allocation Environmental Impact Report.

Chair Adams opened public comment; *the following comments were directed to the Board:*

- (1) Susan Schiavone: Commended the Board on their work on developing the District Strategic Goals and Objectives for 2023.

No comments were directed to the committee.

A motion was offered by Director Paull with a second by Director Anderson to adopt the District Strategic Goals and Objectives for 2023. The motion passed on a roll-call vote of 7-Ayes (Edwards, Riley, Paull, Eisenhart, Anderson, Adams and Oglesby), 0-Noes and 0-Absent.

DISCUSSION ITEM

13. Report on Rescission of Stage 2 Water Conservation in Response to Executive Order N-5-23

Stephanie Locke, Water Demand Manager briefly summarized her Staff Report. She informed the Board Executive Order No. N-5-23 has forced the District from moving from Water Conservation Stage II to Stage I. *In response to Edwards*, Locke clarified the Governor's Executive Order issued on March 24, 2023 effectively sunsets the District's Ordinance. *In response to Anderson*, Locke commented local business establishments and their management team will be notified of potential violations prior to notifying the landlord via formal enforcement.

Chair Adams opened public comment; *No comments were directed to the Board.*

Chair Adams opened public comment; *the following comment was directed to the Board:*

1. Melodie Chrislock, *Executive Director with Public Water Now*: Commented on recent

INFORMATIONAL ITEMS/STAFF REPORTS

editorials authored by Ron Chesshire and John McPherson. She called on the District to respond to the editorials in writing with the same newspapers.

2. Susan Schiavone: Concurred with Chrislock’s comments. Noted that she has responded to Chesshire’s editorial and provided a copy of the response to the Board Clerk for circulation amongst the Board Members. *A copy of the letter can be found on the District website and available at the District office upon request.*

No further comments were directed to the Board.

No further discussion was had on Informational Items.

14. **Report on Activity/Progress on Contracts Over \$25,000**
15. **Status Report on Measure J / Rule 19.8 Phase II Spending**
16. **Letters Received**
17. **Committee Reports**
18. **Monthly Allocation Report**
19. **Water Conservation Program Report**
20. **Carmel River Fishery Report for March 2023**
21. **Monthly Water Supply and California American Water Production Report**
[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]
22. **Quarterly Water Use Credit Transfer Status Report**
23. **Quarterly Carmel River Riparian Corridor Management Report**

There being no further business, Chair Adams adjourned the meeting at 7:13 p.m.

ADJOURNMENT

Joel G. Pablo, Deputy District Secretary

Minutes Approved by the MPWMD Board of Directors
on Monday, May XX, 2023

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ITEM: CONSENT CALENDAR**2. CONSIDER ADOPTION OF TREASURER'S REPORT FOR MARCH 2023**

Meeting Date:	May 15, 2023	Budgeted:	N/A
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From:	David J. Stoldt, General Manager	Program/ Line Item No.:	N/A
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Prepared By:	Suresh Prasad	Cost Estimate:	N/A
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General Counsel Review: N/A**Committee Recommendation: The Finance and Administration Committee considered this item on May 8, 2023 and recommended approval.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY: Exhibit 2-A comprises the Treasurer's Report for March 2023. Exhibit 2-B and Exhibit 2-C are listings of check disbursements for the period March 1-31, 2023. Checks, virtual checks (AP Automation), direct deposits of employee's paychecks, payroll tax deposits, and bank charges resulted in total disbursements for the period in the amount of \$2,527,501.98. There were \$0 in conservation rebates paid out during the current period. Exhibit 2-D reflects the unaudited version of the financial statements for the month ending March 31, 2023.

RECOMMENDATION: The Finance and Administration Committee recommends that the Board adopt the March 2023 Treasurer's Report and financial statements, and ratification of the disbursements made during the month.

EXHIBITS

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

**MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
TREASURER'S REPORT FOR MARCH 2023**

<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	\$474,801.98	\$7,688,280.19	\$9,758,646.86	\$6,741,818.44	\$24,663,547.47	\$186,040.56
Fee Deposits		1,565,975.69			1,565,975.69	346,557.90
MoCo Tax & WS Chg Installment Pymt					0.00	
Interest Received				15,691.47	15,691.47	
Transfer - Checking/LAIF					0.00	
Transfer - Money Market/LAIF					0.00	
Transfer - Money Market/Checking	3,000,000.00	(3,000,000.00)			0.00	
Transfer - Money Market/Multi-Bank		(750,000.00)		750,000.00	0.00	
Transfer to CAWD					0.00	(520,000.00)
Voided Checks					0.00	
Bank Corrections/Reversals/Errors					0.00	
Bank Charges/Other	-				0.00	
Credit Card Fees	(533.82)				(533.82)	
Returned Deposits	-				0.00	
Payroll Tax/Benefit Deposits	(146,258.18)				(146,258.18)	
Payroll Checks/Direct Deposits	(148,364.94)				(148,364.94)	
General Checks	(2,352.68)				(2,352.68)	
Rebate Payments	-				0.00	
Bank Draft Payments	(21,431.91)				(21,431.91)	
AP Automation Payments	(2,208,560.45)				(2,208,560.45)	
Ending Balance	\$947,300.00	\$5,504,255.88	\$9,758,646.86	\$7,507,509.91	\$23,717,712.65	\$12,598.46

EXHIBIT 2-B

23

Check Report

By Check Number

Date Range: 03/01/2023 - 03/31/2023



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						
00993	Harris Court Business Park	03/03/2023	Regular	0.00	360.77	40770
00993	Harris Court Business Park	03/03/2023	Regular	0.00	360.49	40771
06746	POSTMASTER	03/03/2023	Regular	0.00	176.00	40772
00224	City of Monterey	03/17/2023	Regular	0.00	50.00	40774
06746	POSTMASTER	03/17/2023	Regular	0.00	290.00	40775
00224	City of Monterey	03/31/2023	Regular	0.00	840.00	40776
01020	Sara Reyes - Petty Cash Custodian	03/31/2023	Regular	0.00	275.42	40778
Total Regular:				0.00	2,352.68	

Check Report

Date Range: 03/01/2023 - 03/31/2023

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payment Type: Virtual Payment						
00983	Beverly Chaney	03/03/2023	Virtual Payment	0.00	126.21	APA002096
04041	Cynthia Schmidlin	03/03/2023	Virtual Payment	0.00	957.29	APA002097
18734	DeVeera Inc.	03/03/2023	Virtual Payment	0.00	11,137.98	APA002098
05164	GardenSoft	03/03/2023	Virtual Payment	0.00	5,000.00	APA002099
12655	Graphicsmiths	03/03/2023	Virtual Payment	0.00	107.90	APA002100
02833	Greg James	03/03/2023	Virtual Payment	0.00	804.58	APA002101
04717	Inder Osahan	03/03/2023	Virtual Payment	0.00	1,371.96	APA002102
00094	John Arriaga	03/03/2023	Virtual Payment	0.00	3,400.00	APA002103
00022	Joseph T. King	03/03/2023	Virtual Payment	0.00	2,355.00	APA002104
01012	Mark Dudley	03/03/2023	Virtual Payment	0.00	540.00	APA002105
00270	Monterey Sanitary Supply	03/03/2023	Virtual Payment	0.00	125.44	APA002106
13396	Navia Benefit Solutions, Inc.	03/03/2023	Virtual Payment	0.00	100.00	APA002107
23759	Ozark Underground Lab, Inc	03/03/2023	Virtual Payment	0.00	983.01	APA002108
00154	Peninsula Messenger Service	03/03/2023	Virtual Payment	0.00	835.00	APA002109
00262	Pure H2O	03/03/2023	Virtual Payment	0.00	65.54	APA002110
04709	Sherron Forsgren	03/03/2023	Virtual Payment	0.00	472.32	APA002111
09425	The Ferguson Group LLC	03/03/2023	Virtual Payment	0.00	6,000.00	APA002112
17965	The Maynard Group	03/03/2023	Virtual Payment	0.00	1,731.96	APA002113
00750	Valley Saw & Garden Equipment	03/03/2023	Virtual Payment	0.00	753.81	APA002114
04707	VertiGIS	03/03/2023	Virtual Payment	0.00	5,901.00	APA002115
00010	Access Monterey Peninsula	03/17/2023	Virtual Payment	0.00	7,875.00	APA002116
00763	ACWA-JPIA	03/17/2023	Virtual Payment	0.00	368.00	APA002117
00767	AFLAC	03/17/2023	Virtual Payment	0.00	869.48	APA002118
01188	Alhambra	03/17/2023	Virtual Payment	0.00	176.24	APA002119
00760	Andy Bell	03/17/2023	Virtual Payment	0.00	618.00	APA002120
00263	Arlene Tavani	03/17/2023	Virtual Payment	0.00	1,036.53	APA002121
00253	AT&T	03/17/2023	Virtual Payment	0.00	1,087.46	APA002122
00252	Cal-Am Water	03/17/2023	Virtual Payment	0.00	8,495.10	APA002123
00083	Clifton Larson Allen LLP	03/17/2023	Virtual Payment	0.00	10,000.00	APA002124
00028	Colantuono, Highsmith, & Whatley, PC	03/17/2023	Virtual Payment	0.00	601.50	APA002125
00281	CoreLogic Information Solutions, Inc.	03/17/2023	Virtual Payment	0.00	1,526.39	APA002126
06001	Cypress Coast Ford	03/17/2023	Virtual Payment	0.00	348.96	APA002127
00046	De Lay & Laredo	03/17/2023	Virtual Payment	0.00	30,010.00	APA002128
18734	DeVeera Inc.	03/17/2023	Virtual Payment	0.00	20,992.78	APA002129
18225	DUDEK	03/17/2023	Virtual Payment	0.00	725.00	APA002130
22793	ETech Consulting, LLC	03/17/2023	Virtual Payment	0.00	8,480.00	APA002131
02656	Graniterock	03/17/2023	Virtual Payment	0.00	2,477.79	APA002132
00073	Grindstone Sharpening	03/17/2023	Virtual Payment	0.00	163.06	APA002133
00986	Henrietta Stern	03/17/2023	Virtual Payment	0.00	1,371.96	APA002134
03965	Irrigation Association	03/17/2023	Virtual Payment	0.00	500.00	APA002135
24162	James Tynan	03/17/2023	Virtual Payment	0.00	210.00	APA002136
03857	Joe Oliver	03/17/2023	Virtual Payment	0.00	1,371.96	APA002137
05371	June Silva	03/17/2023	Virtual Payment	0.00	692.40	APA002138
06999	KBA Docusys	03/17/2023	Virtual Payment	0.00	1,180.00	APA002139
05830	Larry Hampson	03/17/2023	Virtual Payment	0.00	1,755.00	APA002140
13431	Lynx Technologies, Inc	03/17/2023	Virtual Payment	0.00	3,150.00	APA002141
00222	M.J. Murphy	03/17/2023	Virtual Payment	0.00	188.77	APA002142
00259	Marina Coast Water District	03/17/2023	Virtual Payment	0.00	1,473.86	APA002143
00223	Martins Irrigation Supply	03/17/2023	Virtual Payment	0.00	450.98	APA002144
00242	MBAS	03/17/2023	Virtual Payment	0.00	3,097.00	APA002145
00118	Monterey Bay Carpet & Janitorial Svc	03/17/2023	Virtual Payment	0.00	1,260.00	APA002146
00275	Monterey County Herald	03/17/2023	Virtual Payment	0.00	663.36	APA002147
16182	Monterey County Weekly	03/17/2023	Virtual Payment	0.00	231.00	APA002148
00274	Monterey One Water	03/17/2023	Virtual Payment	0.00	1,475,446.29	APA002149
13396	Navia Benefit Solutions, Inc.	03/17/2023	Virtual Payment	0.00	777.91	APA002150
00036	Parham Living Trust	03/17/2023	Virtual Payment	0.00	850.00	APA002151
00755	Peninsula Welding Supply, Inc.	03/17/2023	Virtual Payment	0.00	196.56	APA002152
19700	Shute, Mihaly & Weinberger LLP	03/17/2023	Virtual Payment	0.00	20,425.59	APA002153
09989	Star Sanitation Services	03/17/2023	Virtual Payment	0.00	117.61	APA002154
04719	Telit Io T Platforms, LLC	03/17/2023	Virtual Payment	0.00	165.09	APA002155

Check Report

Date Range: 03/01/2023 - 03/31/2023

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
04366	Tom Lindberg	03/17/2023	Virtual Payment	0.00	47.16	APA002156
00225	Trowbridge Enterprises Inc.	03/17/2023	Virtual Payment	0.00	789.98	APA002157
23764	Tyman Construction Inc.	03/17/2023	Virtual Payment	0.00	435,668.10	APA002158
00269	U.S. Bank	03/17/2023	Virtual Payment	0.00	11,508.39	APA002159
00271	UPEC, Local 792	03/17/2023	Virtual Payment	0.00	1,188.00	APA002160
00750	Valley Saw & Garden Equipment	03/17/2023	Virtual Payment	0.00	93.61	APA002161
04360	WateReuse Association	03/17/2023	Virtual Payment	0.00	10,000.00	APA002162
23550	WellmanAD	03/17/2023	Virtual Payment	0.00	8,325.00	APA002163
20230	Zoom Video Communications Inc	03/17/2023	Virtual Payment	0.00	448.69	APA002164
18734	DeVeera Inc.	03/23/2023	Virtual Payment	0.00	1,365.99	APA002165
00192	Extra Space Storage	03/23/2023	Virtual Payment	0.00	1,184.00	APA002166
02656	Graniterock	03/23/2023	Virtual Payment	0.00	59.43	APA002167
23552	LoopUp, LLC	03/23/2023	Virtual Payment	0.00	13.74	APA002168
13396	Navia Benefit Solutions, Inc.	03/23/2023	Virtual Payment	0.00	777.91	APA002169
04736	Pitney Bowes Global Financial Svc, LLC	03/23/2023	Virtual Payment	0.00	392.41	APA002170
23892	PSTS, Inc	03/23/2023	Virtual Payment	0.00	165.00	APA002171
24163	Quality Print & Copy LLC	03/23/2023	Virtual Payment	0.00	267.58	APA002172
00251	Rick Dickhaut	03/23/2023	Virtual Payment	0.00	540.00	APA002173
00176	Sentry Alarm Systems	03/23/2023	Virtual Payment	0.00	185.50	APA002174
09425	The Ferguson Group LLC	03/23/2023	Virtual Payment	0.00	60.07	APA002175
22792	Uline	03/23/2023	Virtual Payment	0.00	1,791.32	APA002176
00750	Valley Saw & Garden Equipment	03/23/2023	Virtual Payment	0.00	297.23	APA002177
08105	Yolanda Munoz	03/23/2023	Virtual Payment	0.00	540.00	APA002178
00010	Access Monterey Peninsula	03/31/2023	Virtual Payment	0.00	875.00	APA002179
04045	California Society of Municipal Finance Officers	03/31/2023	Virtual Payment	0.00	100.00	APA002180
00224	City of Monterey	03/31/2023	Virtual Payment	0.00	697.75	APA002181
11822	CSC	03/31/2023	Virtual Payment	0.00	10,000.00	APA002182
00046	De Lay & Laredo	03/31/2023	Virtual Payment	0.00	28,805.57	APA002183
21199	G3LA, LLC	03/31/2023	Virtual Payment	0.00	3,250.00	APA002184
00993	Harris Court Business Park	03/31/2023	Virtual Payment	0.00	360.77	APA002185
00993	Harris Court Business Park	03/31/2023	Virtual Payment	0.00	360.49	APA002186
04717	Inder Osahan	03/31/2023	Virtual Payment	0.00	1,371.96	APA002187
11223	In-Situ	03/31/2023	Virtual Payment	0.00	327.94	APA002188
07622	KISTERS North America, Inc.	03/31/2023	Virtual Payment	0.00	4,000.00	APA002189
00222	M.J. Murphy	03/31/2023	Virtual Payment	0.00	34.33	APA002190
16182	Monterey County Weekly	03/31/2023	Virtual Payment	0.00	970.00	APA002191
00270	Monterey Sanitary Supply	03/31/2023	Virtual Payment	0.00	346.61	APA002192
19700	Shute, Mihaly & Weinberger LLP	03/31/2023	Virtual Payment	0.00	23,291.48	APA002193
04359	The Carmel Pine Cone	03/31/2023	Virtual Payment	0.00	726.00	APA002194
00024	Three Amigos Pest Control DBA Central Coast Exte	03/31/2023	Virtual Payment	0.00	104.00	APA002195
18737	U.S. Bank Equipment Finance	03/31/2023	Virtual Payment	0.00	871.81	APA002196
05378	Water Awareness Committee	03/31/2023	Virtual Payment	0.00	1,000.00	APA002197
Total Virtual Payment:				0.00	2,207,398.45	

Check Report

Date Range: 03/01/2023 - 03/31/2023

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payment Type: Bank Draft						
00252	Cal-Am Water	03/03/2023	Bank Draft	0.00	78.79	DFT0002757
00252	Cal-Am Water	03/03/2023	Bank Draft	0.00	181.21	DFT0002758
00758	FedEx	03/03/2023	Bank Draft	0.00	213.18	DFT0002759
00221	Verizon Wireless	03/03/2023	Bank Draft	0.00	1,387.96	DFT0002761
18163	Wex Bank	03/03/2023	Bank Draft	0.00	153.81	DFT0002762
00277	Home Depot Credit Services	03/03/2023	Bank Draft	0.00	863.41	DFT0002769
00266	I.R.S.	03/10/2023	Bank Draft	0.00	14,044.93	DFT0002771
00266	I.R.S.	03/10/2023	Bank Draft	0.00	3,020.28	DFT0002772
00267	Employment Development Dept.	03/10/2023	Bank Draft	0.00	5,528.89	DFT0002773
00266	I.R.S.	03/10/2023	Bank Draft	0.00	387.04	DFT0002774
00266	I.R.S.	03/09/2023	Bank Draft	0.00	20.31	DFT0002775
00266	I.R.S.	03/09/2023	Bank Draft	0.00	78.30	DFT0002776
00266	I.R.S.	03/09/2023	Bank Draft	0.00	334.80	DFT0002777
00769	Laborers Trust Fund of Northern CA	03/10/2023	Bank Draft	0.00	35,650.00	DFT0002778
00252	Cal-Am Water	03/17/2023	Bank Draft	0.00	182.42	DFT0002779
00758	FedEx	03/17/2023	Bank Draft	0.00	352.59	DFT0002780
00277	Home Depot Credit Services	03/17/2023	Bank Draft	0.00	127.11	DFT0002781
00282	PG&E	03/17/2023	Bank Draft	0.00	3.32	DFT0002782
00282	PG&E	03/17/2023	Bank Draft	0.00	11,727.97	DFT0002783
18163	Wex Bank	03/17/2023	Bank Draft	0.00	1,060.88	DFT0002784
00266	I.R.S.	03/24/2023	Bank Draft	0.00	13,959.11	DFT0002785
00266	I.R.S.	03/24/2023	Bank Draft	0.00	3,008.96	DFT0002786
00267	Employment Development Dept.	03/24/2023	Bank Draft	0.00	5,489.25	DFT0002787
00266	I.R.S.	03/24/2023	Bank Draft	0.00	338.66	DFT0002788
16235	California Department of Tax and Fee Administrat	03/23/2023	Bank Draft	0.00	18.72	DFT0002789
00252	Cal-Am Water	03/31/2023	Bank Draft	0.00	235.38	DFT0002790
00252	Cal-Am Water	03/31/2023	Bank Draft	0.00	78.79	DFT0002791
00282	PG&E	03/31/2023	Bank Draft	0.00	479.72	DFT0002792
00282	PG&E	03/31/2023	Bank Draft	0.00	2,365.71	DFT0002793
00221	Verizon Wireless	03/31/2023	Bank Draft	0.00	1,324.31	DFT0002794
18163	Wex Bank	03/31/2023	Bank Draft	0.00	310.88	DFT0002795
00758	FedEx	03/31/2023	Bank Draft	0.00	285.75	DFT0002796
00256	PERS Retirement	03/03/2023	Bank Draft	0.00	17,813.86	DFT0002824
00256	PERS Retirement	03/17/2023	Bank Draft	0.00	17,829.18	DFT0002825
00256	PERS Retirement	03/17/2023	Bank Draft	0.00	-17,829.18	DFT0002825
00768	MissionSquare Retirement- 302617	03/10/2023	Bank Draft	0.00	5,463.09	DFT0002842
00768	MissionSquare Retirement- 302617	03/24/2023	Bank Draft	0.00	16,189.27	DFT0002843
00256	PERS Retirement	03/24/2023	Bank Draft	0.00	17,828.79	DFT0002844
00256	PERS Retirement	03/17/2023	Bank Draft	0.00	17,828.82	DFT0002846
00768	MissionSquare Retirement- 302617	03/24/2023	Bank Draft	0.00	5,463.09	DFT0002848
Total Bank Draft:				0.00	183,879.36	

Payment Type	Bank Code APBNK		Summary	
	Payable Count	Payment Count	Discount	Payment
Regular Checks	7	7	0.00	2,352.68
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	66	40	0.00	183,879.36
EFT's	0	0	0.00	0.00
Virtual Payments	166	102	0.00	2,207,398.45
	239	149	0.00	2,393,630.49

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	7	7	0.00	2,352.68
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	66	40	0.00	183,879.36
EFT's	0	0	0.00	0.00
Virtual Payments	166	102	0.00	2,207,398.45
	239	149	0.00	2,393,630.49

Fund Summary

Fund	Name	Period	Amount
99	POOL CASH FUND	3/2023	2,393,630.49
			2,393,630.49

EXHIBIT 2-C

Payroll Bank Transaction Report



Monterey Peninsula Water Management Dist

By Payment Number

Date: 3/1/2023 - 3/31/2023

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
7107	03/10/2023	Regular	1077	Pablo, Joel G	0.00	2,300.40	2,300.40
7108	03/10/2023	Regular	1024	Stoldt, David J	0.00	6,435.98	6,435.98
7109	03/10/2023	Regular	1044	Bennett, Corryn D	0.00	2,490.90	2,490.90
7110	03/10/2023	Regular	1078	Mossbacher, Simona F	0.00	2,374.72	2,374.72
7111	03/10/2023	Regular	1018	Prasad, Suresh	0.00	3,922.08	3,922.08
7112	03/10/2023	Regular	1019	Reyes, Sara C	0.00	2,087.16	2,087.16
7113	03/10/2023	Regular	1083	Silvas Robles, Teresa	0.00	2,085.80	2,085.80
7114	03/10/2023	Regular	1081	Banker-Hix, William C	0.00	2,350.54	2,350.54
7115	03/10/2023	Regular	1042	Hamilton, Maureen C.	0.00	3,555.94	3,555.94
7116	03/10/2023	Regular	6063	Hampson, Larry M	0.00	2,408.87	2,408.87
7117	03/10/2023	Regular	1011	Lear, Jonathan P	0.00	4,544.60	4,544.60
7118	03/10/2023	Regular	1012	Lindberg, Thomas L	0.00	2,885.24	2,885.24
7119	03/10/2023	Regular	1080	Steinmetz, Cory S	0.00	2,212.22	2,212.22
7120	03/10/2023	Regular	1045	Atkins, Daniel N	0.00	2,253.01	2,253.01
7121	03/10/2023	Regular	1004	Chaney, Beverly M	0.00	2,867.07	2,867.07
7122	03/10/2023	Regular	1005	Christensen, Thomas T	0.00	3,406.72	3,406.72
7123	03/10/2023	Regular	1007	Hamilton, Cory R	0.00	2,459.07	2,459.07
7124	03/10/2023	Regular	1085	Hettrick, Clyde Marlin	0.00	2,082.99	2,082.99
7125	03/10/2023	Regular	1048	Lumas, Eric M	0.00	2,188.10	2,188.10
7126	03/10/2023	Regular	1001	Bravo, Gabriela D	0.00	2,789.85	2,789.85
7127	03/10/2023	Regular	1084	Ignacio, Fredrick M	0.00	1,729.20	1,729.20
7128	03/10/2023	Regular	1076	Jakic, Tricia	0.00	2,240.48	2,240.48
7129	03/10/2023	Regular	1010	Kister, Stephanie L	0.00	2,777.89	2,777.89
7130	03/10/2023	Regular	1017	Locke, Stephanie L	0.00	3,723.12	3,723.12
7131	03/10/2023	Regular	1082	Osborn, Carrie S	0.00	2,096.77	2,096.77
7132	03/10/2023	Regular	1040	Smith, Kyle	0.00	2,794.58	2,794.58
7133	03/09/2023	Regular	7015	Adams, Mary L	0.00	353.71	353.71
7134	03/09/2023	Regular	7020	Anderson, Amy E	0.00	623.36	623.36
7135	03/09/2023	Regular	7022	Eisenhart, Marc A	0.00	249.34	249.34
7136	03/09/2023	Regular	7023	Oglesby, Ian N	0.00	124.67	124.67
7137	03/09/2023	Regular	7019	Paull, Karen P	0.00	374.02	374.02
7138	03/09/2023	Regular	7018	Riley, George T	0.00	374.02	374.02
7139	03/24/2023	Regular	1077	Pablo, Joel G	0.00	2,300.41	2,300.41
7140	03/24/2023	Regular	1024	Stoldt, David J	0.00	6,435.98	6,435.98
7141	03/24/2023	Regular	1044	Bennett, Corryn D	0.00	2,490.90	2,490.90
7142	03/24/2023	Regular	1078	Mossbacher, Simona F	0.00	2,374.73	2,374.73
7143	03/24/2023	Regular	1018	Prasad, Suresh	0.00	3,922.08	3,922.08
7144	03/24/2023	Regular	1019	Reyes, Sara C	0.00	2,087.16	2,087.16
7145	03/24/2023	Regular	1083	Silvas Robles, Teresa	0.00	2,085.80	2,085.80
7146	03/24/2023	Regular	1081	Banker-Hix, William C	0.00	2,350.54	2,350.54
7147	03/24/2023	Regular	1042	Hamilton, Maureen C.	0.00	3,555.95	3,555.95
7148	03/24/2023	Regular	6063	Hampson, Larry M	0.00	2,174.05	2,174.05
7149	03/24/2023	Regular	1011	Lear, Jonathan P	0.00	4,544.60	4,544.60
7150	03/24/2023	Regular	1012	Lindberg, Thomas L	0.00	2,885.24	2,885.24
7151	03/24/2023	Regular	1080	Steinmetz, Cory S	0.00	2,212.22	2,212.22
7152	03/24/2023	Regular	1045	Atkins, Daniel N	0.00	2,253.01	2,253.01
7153	03/24/2023	Regular	1004	Chaney, Beverly M	0.00	2,867.07	2,867.07
7154	03/24/2023	Regular	1005	Christensen, Thomas T	0.00	3,406.72	3,406.72
7155	03/24/2023	Regular	1007	Hamilton, Cory R	0.00	2,459.06	2,459.06
7156	03/24/2023	Regular	1085	Hettrick, Clyde Marlin	0.00	2,082.98	2,082.98
7157	03/24/2023	Regular	1048	Lumas, Eric M	0.00	2,188.09	2,188.09
7158	03/24/2023	Regular	1001	Bravo, Gabriela D	0.00	2,789.87	2,789.87
7159	03/24/2023	Regular	1084	Ignacio, Fredrick M	0.00	1,729.20	1,729.20
7160	03/24/2023	Regular	1076	Jakic, Tricia	0.00	2,240.48	2,240.48
7161	03/24/2023	Regular	1010	Kister, Stephanie L	0.00	2,777.89	2,777.89
7162	03/24/2023	Regular	1017	Locke, Stephanie L	0.00	3,723.12	3,723.12
7163	03/24/2023	Regular	1082	Osborn, Carrie S	0.00	2,096.77	2,096.77

Payment Number	Payment Date	Payment Type	Employee Number	Employee Name	Check Amount	Direct Deposit Amount	Total Payment
7164	03/24/2023	Regular	1040	Smith, Kyle	0.00	2,794.58	2,794.58
40773	03/09/2023	Regular	7009	Edwards, Alvin	374.02	0.00	374.02
Total:					374.02	147,990.92	148,364.94



MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
 STATEMENT OF REVENUES AND EXPENDITURES
 FOR THE MONTH MARCH 31, 2023

	<u>Mitigation</u>	<u>Conservation</u>	<u>Water Supply</u>	<u>Current Period Activity</u>	<u>Current FY Year-to-Date Actual</u>	<u>Current FY Annual Budget</u>	<u>Prior FY Year-to-Date Actual</u>
REVENUES							
Property taxes	\$ -	\$ -	\$ -	\$ -	\$ 1,429,959	\$ 2,500,000	\$ 1,297,364
Water supply charge			-	-	2,022,764	3,400,000	2,031,182
User fees	3,989	736	-	4,725	3,862,124	5,500,000	3,886,916
Mitigation revenue	-			-	-	-	-
PWM Water Sales			1,513,078	1,513,078	11,149,051	12,201,000	7,257,651
Capacity fees			50,737	50,737	280,635	500,000	391,550
Permit fees	50	16,419		16,469	153,957	198,000	180,880
Investment income	-	-	-	-	115,544	80,000	18,115
Miscellaneous	85	75	90	249	14,331	15,000	19,344
Sub-total district revenues	4,123	17,229	1,563,904	1,585,257	19,028,364	24,394,000	15,083,001
Project reimbursements	-	-	-	-	1,917,619	2,775,200	1,232,724
Legal fee reimbursements	-	-	-	-	3,150	16,000	3,450
Grants	-	-	-	-	333,785	3,470,200	353,735
Recording fees	-	1,551	-	1,551	23,441	20,000	40,810
Sub-total reimbursements	-	1,551	-	1,551	2,277,995	6,281,400	1,630,719
From Reserves	-	-	-	-	-	2,020,000	-
Total revenues	4,123	18,780	1,563,904	1,586,808	21,306,360	32,695,400	16,713,721
EXPENDITURES							
Personnel:							
Salaries	76,080	51,731	91,490	219,301	1,984,551	2,920,500	1,894,539
Retirement	6,694	4,661	8,399	19,754	704,014	791,900	627,493
Unemployment Compensation	-	-	-	-	-	10,000	450
Auto Allowance	92	92	277	462	4,292	6,000	4,315
Deferred Compensation	161	161	482	803	7,228	10,500	7,078
Temporary Personnel	-	-	-	-	6,264	10,000	28,588
Workers Comp. Ins.	3,053	287	2,382	5,723	53,158	57,100	52,528
Employee Insurance	16,415	12,378	16,536	45,330	390,718	589,000	347,991
Medicare & FICA Taxes	1,370	850	1,488	3,708	33,352	50,500	33,263
Personnel Recruitment	-	-	-	-	513	8,000	802
Other benefits	34	30	36	100	1,578	2,000	1,578
Staff Development	278	245	434	957	7,408	32,800	2,930
Sub-total personnel costs	104,178	70,436	121,524	296,138	3,193,077	4,488,300	3,001,555
Services & Supplies:							
Board Member Comp	1,426	1,426	1,469	4,320	24,030	37,000	24,570
Board Expenses	586	492	598	1,676	4,906	9,000	3,122
Rent	828	355	851	2,034	17,964	24,200	19,329
Utilities	1,071	945	1,134	3,149	26,191	33,200	22,959
Telephone	2,201	1,645	1,678	5,525	35,640	47,000	32,664
Facility Maintenance	752	663	796	2,211	26,778	55,000	32,338
Bank Charges	182	160	192	534	11,440	25,000	24,674
Office Supplies	2,122	2,755	2,220	7,097	28,861	24,200	7,909
Courier Expense	309	272	327	908	6,445	7,600	5,304
Postage & Shipping	121	107	128	355	3,234	7,900	2,877
Equipment Lease	518	329	417	1,264	9,058	18,000	9,059
Equip. Repairs & Maintenance	-	-	-	-	3,031	5,000	1,870
Photocopy Expense	-	-	-	-	-	-	-
Printing/Duplicating/Binding	-	-	-	-	-	600	2
IT Supplies/Services	3,094	2,730	3,276	9,101	248,182	250,000	204,823
Operating Supplies	563	199	239	1,001	4,672	21,200	20,755
Legal Services	6,918	6,703	25,796	39,417	237,394	400,000	206,238



MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
 STATEMENT OF REVENUES AND EXPENDITURES
 FOR THE MONTH MARCH 31, 2023

	Mitigation	Conservation	Water Supply	Current Period Activity	Current FY Year-to-Date Actual	Current FY Annual Budget	Prior FY Year-to-Date Actual
Professional Fees	9,780	8,629	10,355	28,764	227,669	460,000	261,990
Transportation	3,591	111	217	3,919	22,145	31,000	25,670
Travel	9	16	37	62	17,924	18,000	3,483
Meeting Expenses	1,619	1,429	1,714	4,762	14,630	21,200	12,525
Insurance	5,777	3,755	4,911	14,443	130,038	160,000	101,338
Legal Notices	79	69	83	231	231	3,200	476
Membership Dues	3,530	4,000	3,600	11,130	46,518	42,200	33,967
Public Outreach	150	150	150	450	1,060	3,000	1,175
Assessors Administration Fee	-	-	-	-	-	34,000	-
Miscellaneous	-	-	-	-	393	3,200	387
Sub-total services & supplies costs	45,225	36,940	60,188	142,354	1,148,433	1,740,700	1,059,503
Project expenditures	60,273	43,353	49,038	152,664	12,143,067	24,095,500	11,216,360
Fixed assets	345	305	365	1,015	325,826	450,000	94,011
Contingencies	-	-	-	-	-	70,000	-
Election costs	-	-	-	-	-	250,000	-
Debt service: Principal	-	-	-	-	-	-	-
Debt service: Interest	-	-	-	-	49,009	230,000	52,387
Flood drought reserve	-	-	-	-	-	-	-
Capital equipment reserve	-	-	-	-	-	408,500	-
General fund balance	-	-	-	-	270	262,400	-
Debt Reserve	-	-	-	-	-	500,000	-
Pension reserve	-	-	-	-	-	100,000	-
OPEB reserve	-	-	-	-	-	100,000	-
Other	-	-	-	-	-	-	-
Sub-total other	60,619	43,658	49,403	153,679	12,518,171	26,466,400	11,362,758
Total expenditures	210,022	151,034	231,114	592,171	16,859,681	32,695,400	15,423,817
Excess (Deficiency) of revenues over expenditures	\$ (205,899)	\$ (132,254)	\$ 1,332,790	\$ 994,637	\$ 4,446,679	\$ -	\$ 1,289,904

ITEM: CONSENT CALENDAR**3. RECEIVE AND FILE THIRD QUARTER FINANCIAL ACTIVITY REPORT FOR FISCAL YEAR 2022-2023**

Meeting Date:	May 15, 2023	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 Finance and Administration Committee reviewed this item on May 8, 2023 and recommended approval.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY: The third quarter of Fiscal Year (FY) 2022-2023 concluded on March 31, 2023. Table comparing budgeted and actual year-to-date revenues and expenditures for the period are included as **Exhibit 3-A**. **Exhibits 3-B** and **3-C** presents the same information in bar graph format. The following comments summarize District staff's observations:

REVENUES

The revenue table compares amounts received through the current quarter of FY 2022-2023 to the amounts budgeted for that same time-period. Total revenues collected were \$21,306,360, or 86.9% of the budgeted amount of \$24,521,550. Variances within the individual revenue categories are described below:

- Water Supply Charge revenues were \$2,022,764, or 79.3% of the budget for the period. The first installment of this revenue was received in December 2022. The second installment will be received in April 2023.
- Property tax revenues were \$1,429,959, or 76.3% of the budget for the period. The first installment of this revenue was received in December 2022. The second installment will be received in April 2023.
- User fee revenues were \$3,862,124, or about 93.6% of the amount budgeted. This is slightly lower than the budgeted amount.
- Pure Water Monterey Water Sales revenue was \$11,149,051, or 121.8% of the budget for the period. This is water sales revenue for water purchased from Monterey One Water and sold to California American Water and is a pass-through to the District.
- Connection Charge revenues were \$280,635, or 74.8% of the budget for the period. Actual collection was lower than anticipated budgeted figure as the forecasted figures are based on estimated number of customers pulling permits. There were less connections received than budgeted for the current quarter.

- Permit Fees revenues were \$153,957, or 103.7% of the budget for the period. Actual collection was higher than anticipated budgeted figure as the forecasted figures are based on estimated number of customers pulling permits. There were more permits received than budgeted for the current quarter.
- Interest revenues were \$115,544, or 192.6% of the budget for the period. Actual interest was higher than budgeted as there has been a rise in interest rates.
- Reimbursements of \$1,944,210 or 92.2% of the budget. This is based on actual spending and collection of reimbursement project funds. This is due to projects being deferred and continued to next quarter. Additionally, \$1.5 million of reimbursement from M1W related to PWM project is included in this line.
- Grant revenue of \$333,785, or 12.8% of the budget. This is due to grant funded projects being deferred and continued to next quarter.
- The Other revenue category totaled \$14,331 or about 127.4% of the budgeted amount. This category includes insurance refunds, miscellaneous reimbursements, and other miscellaneous services. Actual collections were higher than anticipated.
- The Reserves category totaled \$0 or about 0.00% of the budgeted amount. This category includes potential use of reserves and the water supply carry forward balance during the fiscal year for which adjustments will be made at the conclusion of the fiscal year.

EXPENDITURES

Expenditure activity as depicted on the expenditure table is similar to patterns seen in past fiscal years. Total expenditures of \$16,859,412 were about 68.8% of the budgeted amount of \$24,521,550 for the period. Variances within the individual expenditure categories are described below:

- Personnel costs of \$3,193,077 were about 94.9% of the budget. This was slightly lower than the anticipated budget.
- Expenditures for supplies and services were \$1,148,433, or about 88.0% of the budgeted amount. This was lower than the anticipated budget due to legal and consulting services being lower than anticipated for the current quarter.
- Fixed assets purchases of \$325,826 represented around 96.5% of the budgeted amount. This was due to some of the fixed asset purchases deferred to next quarter.
- Funds spent for project expenditures were \$12,143,067, or approximately 67.2% of the amount budgeted for the period. This is lower than budgeted due to some of the project spending being deferred to next quarter. This line also includes water purchased from Monterey One Water.
- Debt Service included costs of \$49,009, or 9.0% of the budget for the period. Debt service is paid semi-annually, in December and June.
- Contingencies/Other expenditures \$0, or 0% of the budgeted amount. This was due to the contingency budget not spent during this quarter.
- Reserve expenditures of \$0, or 0% of the budgeted amount. This was due to the adjustments made at the conclusion of the fiscal year.

EXHIBITS

3-A Revenue and Expenditure Table

3-B Revenue Graph

3-C Expenditure Graph

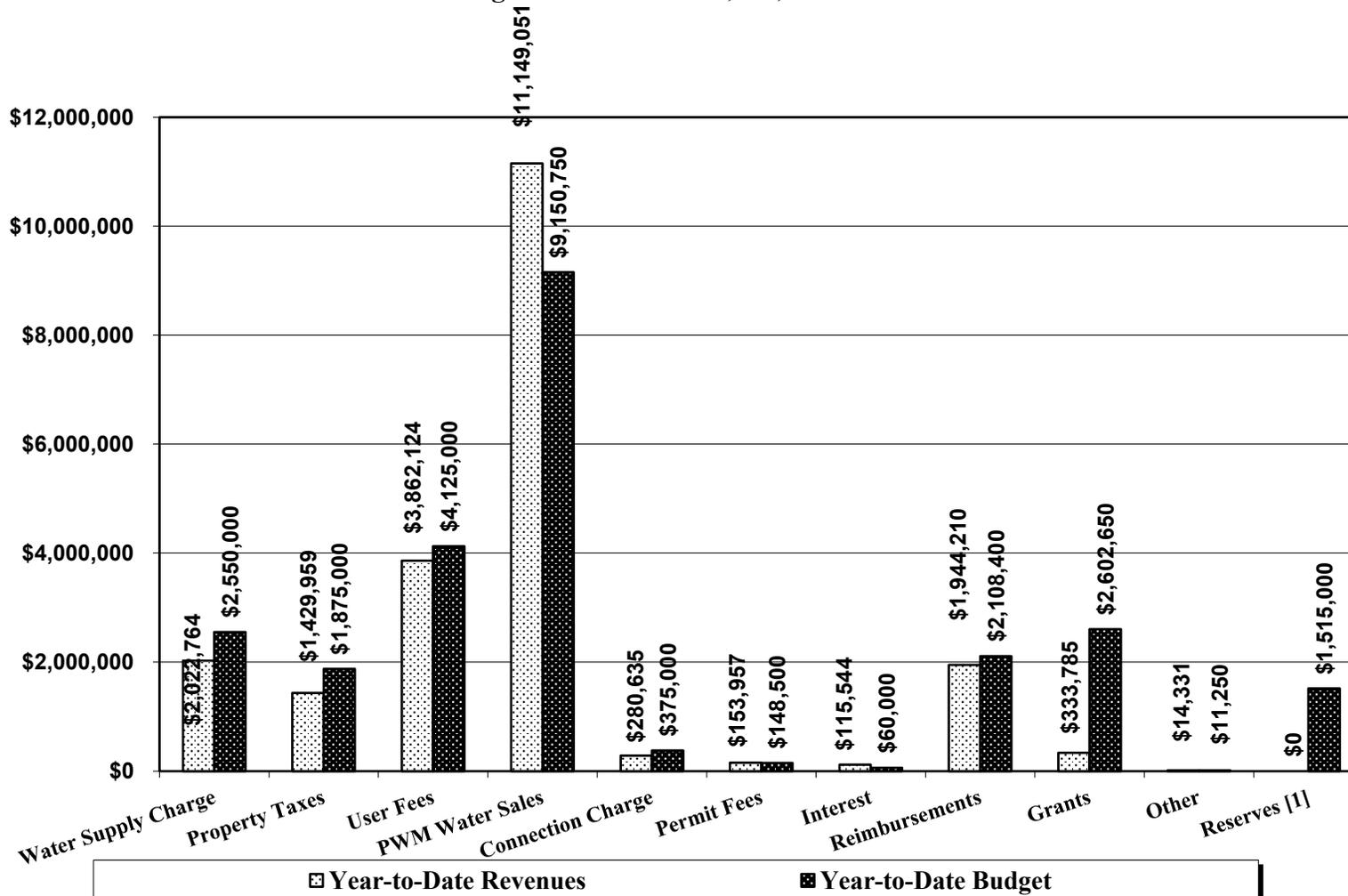
**Monterey Peninsula Water Management District
Financial Activity as of March 31, 2023
Fiscal Year 2022-2023**

	Year-to-Date <u>Revenues</u>	Year-to-Date <u>Budget</u>	<u>Variance</u>	Percent of <u>Budget</u>
Water Supply Charge	\$2,022,764	\$2,550,000	\$527,236	79.3%
Property Taxes	\$1,429,959	\$1,875,000	\$445,041	76.3%
User Fees	\$3,862,124	\$4,125,000	\$262,876	93.6%
PWM Water Sales	\$11,149,051	\$9,150,750	(\$1,998,301)	121.8%
Connection Charge	\$280,635	\$375,000	\$94,365	74.8%
Permit Fees	\$153,957	\$148,500	(\$5,457)	103.7%
Interest	\$115,544	\$60,000	(\$55,544)	192.6%
Reimbursements	\$1,944,210	\$2,108,400	\$164,190	92.2%
Grants	\$333,785	\$2,602,650	\$2,268,865	12.8%
Other	\$14,331	\$11,250	(\$3,081)	127.4%
Reserves [1]	\$0	\$1,515,000	\$1,515,000	0.0%
Total Revenues	\$21,306,360	\$24,521,550	\$3,215,190	86.9%

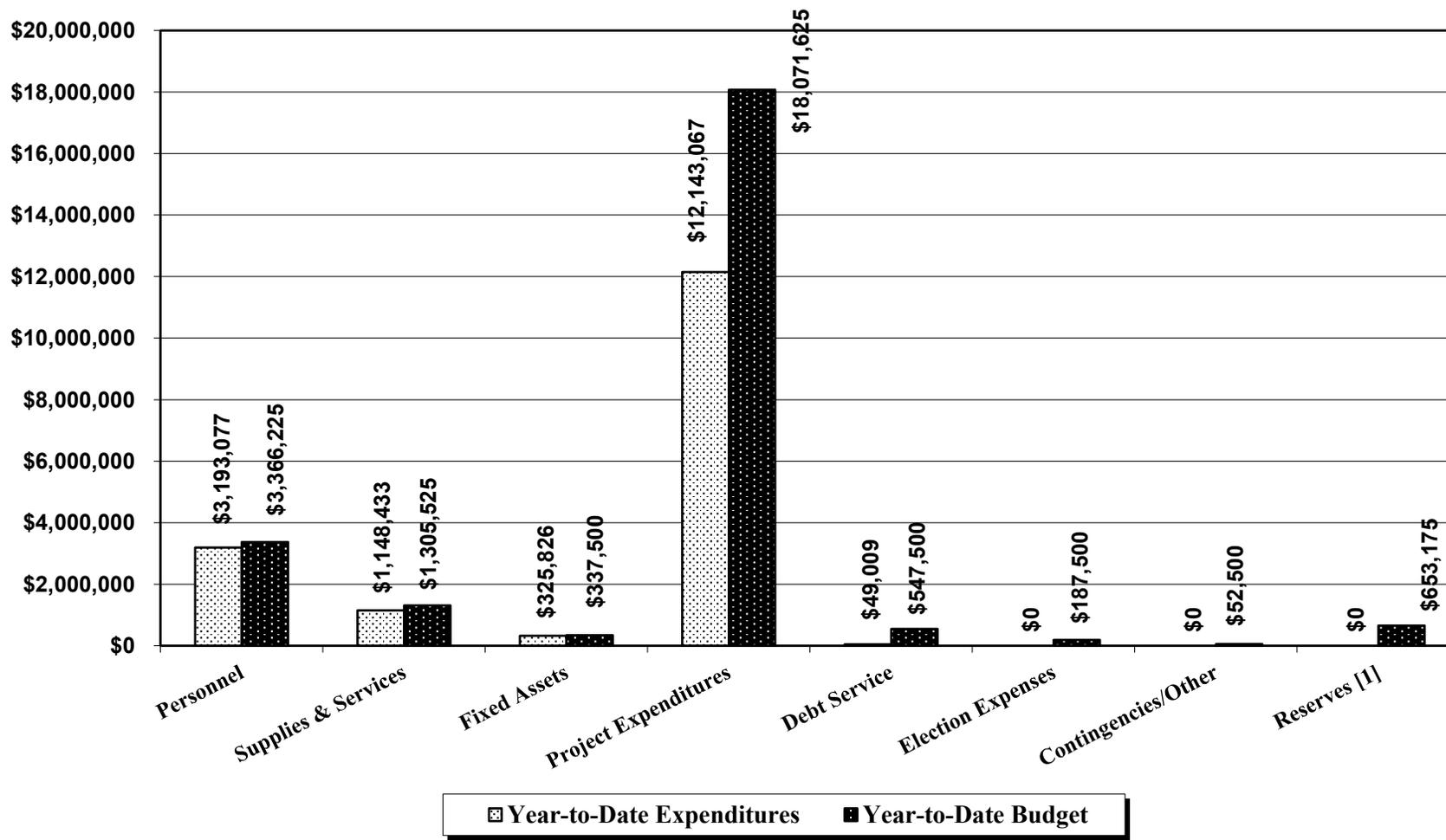
	Year-to-Date <u>Expenditures</u>	Year-to-Date <u>Budget</u>	<u>Variance</u>	Percent of <u>Budget</u>
Personnel	\$3,193,077	\$3,366,225	\$173,148	94.9%
Supplies & Services	\$1,148,433	\$1,305,525	\$157,092	88.0%
Fixed Assets	\$325,826	\$337,500	\$11,674	96.5%
Project Expenditures	\$12,143,067	\$18,071,625	\$5,928,558	67.2%
Debt Service	\$49,009	\$547,500	\$498,491	9.0%
Election Expenses	\$0	\$187,500	\$187,500	0.0%
Contingencies/Other	\$0	\$52,500	\$52,500	0.0%
Reserves [1]	\$0	\$653,175	\$653,175	0.0%
Total Expenditures	\$16,859,412	\$24,521,550	\$7,662,138	68.8%

[1] Budget column includes fund balance, water supply carry forward, and reserve fund

REVENUES
Fiscal Year Ended March 31, 2023
 Year-to-Date Actual Revenues \$21,306,360
 Year-to-Date Budgeted Revenues \$24,521,550



EXPENDITURES
Fiscal Year Ended March 31, 2023
 Year-to-Date Actual Expenditures \$16,859,412
 Year-to-Date Budgeted Expenditures \$24,521,550



4. CONSIDER APPROVAL OF THIRD QUARTER FISCAL YEAR 2022-2023 INVESTMENT REPORT

Meeting Date:	May 15, 2023	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 Finance and Administration Committee considered this item on May 8, 2023 and recommended approval.

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

SUMMARY: The District's investment policy requires that each quarter the Board of Directors receive and approve a report on investments held by the District. **Exhibit 4-A** is the report for the quarter ending March 31, 2023. District staff has determined that these investments do include sufficient liquid funds to meet anticipated expenditures for the next six months and as a result this portfolio is in compliance with the current District investment policy. This portfolio is also in compliance with the California Government Code, and the permitted investments of Monterey County.

RECOMMENDATION: The Finance and Administration Committee recommends that the Board approve the Third Quarter Fiscal Year 2022-2023 Investment Report.

EXHIBIT

4-A Investment Report as of March 31, 2023

**MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
INVESTMENT REPORT AS OF MARCH 31, 2023**

MPWMD

Issuing Institution Security Description	Purchase Date	Maturity Date	Cost Basis	Par Value	Market Value	Annual Rate of Return	Portfolio Distribution
Local Agency Investment Fund	03/31/23	04/01/23	\$9,758,646	\$9,758,646	\$9,758,646	2.740%	41.15%
Bank of America:							
Money Market	03/31/23	04/01/23	5,504,255	5,504,255	5,504,255	0.000%	
Checking	03/31/23	04/01/23	947,300	947,300	947,300	0.000%	
			<u>\$6,451,555</u>	<u>\$6,451,555</u>	<u>\$6,451,555</u>		27.20%
Multi-Bank Securities Cash Account	03/31/23	04/01/23	128,509	128,509	128,509	0.000%	
Multi-Securities Bank Securities:							
Interest Bearing Certificate of Deposit	07/12/22	07/12/23	\$250,000	\$250,000	\$248,505	2.900%	
Interest Bearing Certificate of Deposit	11/28/22	11/28/23	\$250,000	\$250,000	\$249,575	4.850%	
Interest Bearing Certificate of Deposit	11/30/22	11/30/23	\$250,000	\$250,000	\$249,510	4.900%	
Interest Bearing Certificate of Deposit	12/09/22	12/08/23	\$250,000	\$250,000	\$249,535	4.850%	
Interest Bearing Certificate of Deposit	09/28/22	03/28/24	\$250,000	\$250,000	\$247,435	4.050%	
Interest Bearing Certificate of Deposit	10/09/21	04/29/24	\$250,000	\$250,000	\$238,325	0.600%	
Interest Bearing Certificate of Deposit	09/30/20	09/30/24	\$249,000	\$249,000	\$232,456	0.400%	
Interest Bearing Certificate of Deposit	03/31/23	09/30/24	\$250,000	\$250,000	\$251,687	5.500%	
Interest Bearing Certificate of Deposit	11/30/21	11/29/24	\$250,000	\$250,000	\$233,577	0.850%	
Interest Bearing Certificate of Deposit	12/07/22	12/09/24	\$250,000	\$250,000	\$249,585	4.900%	
Interest Bearing Certificate of Deposit	03/13/20	03/13/25	\$249,000	\$249,000	\$231,848	1.250%	
Interest Bearing Certificate of Deposit	03/27/23	03/27/25	\$249,000	\$249,000	\$252,357	5.450%	
Interest Bearing Certificate of Deposit	03/30/20	03/31/25	\$248,000	\$248,000	\$232,301	1.600%	
Interest Bearing Certificate of Deposit	03/04/22	09/04/25	\$250,000	\$250,000	\$231,852	1.750%	
Interest Bearing Certificate of Deposit	09/22/20	09/22/25	\$249,000	\$249,000	\$223,793	0.550%	
Interest Bearing Certificate of Deposit	06/16/21	06/16/26	\$249,000	\$249,000	\$219,438	0.900%	
Interest Bearing Certificate of Deposit	07/14/21	07/14/26	\$250,000	\$250,000	\$220,652	1.000%	
Interest Bearing Certificate of Deposit	07/22/21	07/22/26	\$250,000	\$250,000	\$220,090	0.950%	
Interest Bearing Certificate of Deposit	10/27/21	10/27/26	\$250,000	\$250,000	\$218,420	1.050%	
Interest Bearing Certificate of Deposit	01/07/22	01/07/27	\$250,000	\$250,000	\$220,937	1.500%	
Interest Bearing Certificate of Deposit	05/11/22	05/11/27	\$250,000	\$250,000	\$232,867	3.050%	
Interest Bearing Certificate of Deposit	05/12/22	05/12/27	\$250,000	\$250,000	\$234,242	3.200%	
Interest Bearing Certificate of Deposit	07/12/22	07/12/27	\$245,000	\$245,000	\$230,493	3.350%	
Interest Bearing Certificate of Deposit	09/06/22	09/15/27	\$250,000	\$250,000	\$237,247	3.600%	
Interest Bearing Certificate of Deposit	09/30/22	09/30/27	\$250,000	\$250,000	\$241,115	4.000%	
Interest Bearing Certificate of Deposit	02/10/23	02/10/28	\$250,000	\$250,000	\$243,480	4.250%	
Interest Bearing Certificate of Deposit	03/23/23	03/23/28	\$250,000	\$250,000	\$250,570	4.900%	
			<u>\$6,738,000</u>	<u>\$6,738,000</u>	<u>\$6,391,892</u>	<u>2.821%</u>	28.41%
Multi-Securities Bank Securities:							
U.S. Government Bonds	02/25/21	02/25/26	\$390,000	\$390,000	\$351,101	0.700%	
U.S. Government Bonds	03/10/22	03/10/27	\$250,000	\$250,000	\$235,315	2.500%	
			<u>\$640,000</u>	<u>\$640,000</u>	<u>\$586,416</u>	<u>1.403%</u>	2.70%
TOTAL MPWMD			<u>\$23,716,710</u>	<u>\$23,716,710</u>	<u>\$23,317,018</u>	<u>1.967%</u>	

CAWD/PBCSD WASTEWATER RECLAMATION PROJECT

Issuing Institution Security Description	Purchase Date	Maturity Date	Cost Basis	Par Value	Market Value	Annual Rate of Return	Portfolio Distribution
Bank of America:							
Money Market Fund	03/31/23	04/01/23	12,598	12,598	\$12,598	0.000%	100.00%
TOTAL WASTEWATER RECLAMATION PROJECT			<u>\$12,598</u>	<u>\$12,598</u>	<u>\$12,598</u>	<u>0.000%</u>	

These investments do include sufficient liquid funds to meet anticipated expenditures for the next six months as reflected in the FY 2022-2023 annual budget adopted on June 20, 2022.

ITEM: ACTION ITEM**5. CONSIDER APPROVAL OF EXPENDITURE OF FUNDS FOR ADDITIONAL FUNCTIONALITY IMPROVEMENTS TO THE ACCELA DATABASE**

Meeting Date:	May 15, 2023	Budgeted:	Yes
From:	David J. Stoldt, General Manager	Program/ Line Item No.	26-05-781155
Prepared By:	Stephanie Kister	Cost Estimate:	\$4,800

Committee Recommendation: The Finance and Administration Committee reviewed this item on May 8, 2023, and recommended approval.

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

SUMMARY: The District currently has a contract with Etech Consulting, LLC to revise and enhance the District’s Accela database for the permitting and conservation programs. Part of this project involves a new online portal, Accela Citizen Access, that will allow the public to log in and view District records for individual properties and to submit applications and payments. Records that have been uploaded into Accela since it launched in 2018 are available in Accela Citizen Access, but records uploaded from the former database (Zone 24/7) require additional coding to make them accessible to the public.

This project outlined in the Statement of Work (**Exhibit 5-A**) will associate the Zone 24/7 documents with a “mother” property file that will make the documents accessible to the public when they visit the web portal. Without this work, these older documents will not be visible to the public, although they are visible to staff. Making these documents visible to the public is important because the public needs a complete record to review when accessing the database. Staff is requesting approval of an expenditure of \$4,800 to do this work. The entire project should be completed in the next month.

RECOMMENDATION: The Finance and Administration Committee recommends that the Board approve the expenditure of \$4,800 for the work identified in **Exhibit 5-A: Statement of Work with ETech Consulting, LLC**. Funding for this work is included in 26-05-781155 (Best Management Practices).

EXHIBIT**5-A ETech Consulting, LLC: Statement of Work**

Statement of Work

This document defines the scope of work to be provided to **Monterey Peninsula Water Management District (MPWMD)**. This document may be refined, modified, cancelled, and/or terminated in whole or in part by mutual agreement.

Job Description

At high level, ETech Consulting will assist MPWMD with parcel document conversion.

During the original implementation, all legacy documents were uploaded to parcels. While documents exist on parcels and staff is able to access those, parcel documents cannot be accessed via Citizen Access portal.

ETech will lead the conversion effort and specifically assist in the following areas:

1. Assessing Parcels with Documents that do NOT have associated Base Premise Record
2. Develop and Execute Batch script to create (shell/empty) Based Premise record for the parcels assessed.
3. Develop script to convert existing parcel documents to be documents under base premise records.

Assigned Personnel

- Georgiy Sichinava – Business Analyst
- Erich von Trapp - Senior Technical Consultant

Assumptions

- The agency will provide Subject Matter Experts (SMEs) to identify desired solution functionality.
- Record Types within Civic Platform are fully configured to meet the needs of Data Conversion processes.
- Acceptance of all deliverables shall occur within 14 calendar days after delivery.
- UAT will take place throughout the implementation.
- ETech Consulting, LLC will assist with documentation and communication of Accela Support related issues.
- ETech Consulting, LLC is not responsible for delays caused by the Accela environment or Accela support.

Expected Timeline

April 10 – April 30,2023

Payment Terms

Invoicing shall be submitted on a monthly basis for the work performed based on the hours actually worked. Payment to ETech Consulting, LLC shall be mailed or made via ACH within thirty (30) days of receiving the invoice. If the thirty (30) day period falls on a weekend or holiday, payment shall be issued the following business day.

Expenses Covered

None

Work Location

Remote

Service Estimate

ETech Consulting, LLC

160 Liberty Street Suite 111
Salem, OR 97301

Date: April 10, 2023

To:

Monterey Peninsula Water Management District

Attn:

Service Description

ETech Consulting will provide consulting and technical services related to Data Conversion of Environmental Health Records

Item	Qty	Rate	Amount
Technical Management	20	175	4,800
Total			\$4,800

Thank you for your business!

ETech Consulting, LLC

MPWMD

Signature

Signature

Name

Name

Title

Title

Date

Date

ITEM: ACTION ITEM**6. CONSIDER RECOMMENDATION TO AUTHORIZE THE GENERAL MANAGER TO ENTER INTO A CONTRACT WITH RADIANT LANDSCAPING, INC. TO PROVIDE LANDSCAPE MAINTENANCE SERVICES**

Meeting Date:	May 15, 2023	Budgeted:	Yes
From:	Dave Stoldt General Manager	Program/ Line Item No.:	1-2-1/ 35-04-786004 transfer to 35-04-786005
Prepared By:	Maureen Hamilton	Cost Estimate:	NTE \$10,455

General Counsel Approval: N/A**Committee Recommendation:** The Finance and Administration Committee reviewed this item on May 8, 2023 and recommended approval.**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: Weeds at the Santa Margarita ASR site impede operation and need to be managed. Operator access to the outside treatment header is hindered, the automatic gate safety eyes are regularly blocked, and the weeds are unsightly.

The proposed scope of work includes monthly hand weeding, sweeping, weed whacking, and gate track cleaning; as well as annual basin bottom clearing, and drain inlet clearing. At the May 8, 2023 the Finance and Administration Committee (Committee) meeting, staff was informed Cal-Am has a pest control service for the Santa Margarita site and the Committee directed staff to remove pest control from the proposed scope of work.

Work will be conducted on a per-visit lump sum basis not to exceed \$10,455, less a credit for removing pest control from the scope of work, for thirteen monthly visits and two annual visits. Landscape maintenance is reimbursable by Cal Am.

RECOMMENDATION: The Finance and Administration Committee recommends that the Board authorize the General Manager to enter into a contract with Radiant Landscaping, Inc. to provide landscape maintenance services at the Santa Margarita ASR Facility in the amount not to exceed \$10,455, less a credit for removing pest control from the Scope of Work.

BACKGROUND: Annual and bi-annual weeding has not proven sufficient to control weed growth inside the facility fence. Landscaping outside the facility fence is on hold until recycled water is available for irrigation.

A Request for Quotations and outreach to six local companies for gardening services yielded one quote. Radiant Landscaping is located in Salinas, has been incorporated since 2017, has a C27

Landscaping License, and is bonded and insured. Staff contacted the references who highly recommend the company.

EXHIBIT

6-A Updated Draft Contract

U:\staff\Boardpacket\2023\20230515\Consent Calendar\06\Item-6.docx

EXHIBIT 6-A

Draft
**AGREEMENT BETWEEN THE
 MONTEREY PENINSULA WATER MANAGEMENT DISTRICT AND
 XXX
 FOR SERVICES TO PROVIDE XXXXXX**

THIS AGREEMENT is entered into this XXX day of XXX, 2023, by and between Radiant Landscaping Inc., hereinafter called "Consultant," and the Monterey Peninsula Water Management District, hereinafter called "MPWMD".

SECTION I - SCOPE OF SERVICES

MPWMD hereby engages Consultant for services as set forth in **Exhibit A**, Scope of Work.

SECTION II COMPENSATION

A. FEE SCHEDULE

Fees payable to Consultant for services specified herein shall be in accordance with the Budget and Fee Schedule in **Exhibit B**.

B. METHOD OF PAYMENT

Payment of fees shall be based on work completed, as documented in monthly billings submitted by Consultant. Monthly billings shall include previous invoice amount, current invoice amount, and remaining budget. Work reports shall be rendered in accordance with the schedule shown in **Exhibit C**, Work Schedule.

Payments are due and payable within thirty (30) days after receipt of each invoice subject to a finding by MPWMD that work performed has been satisfactory and that payment is for the work specified in **Exhibit A**, Scope of Work. Where MPWMD finds the work to be unsatisfactory, MPWMD shall describe deficiencies in writing to Consultant within ten (10) days.

The final invoice for work performed shall be submitted not later than sixty (60) days following notification by MPWMD of completion of such work. The final invoice shall be paid not later than thirty (30) days after receipt of the final invoice.

C. MAXIMUM PAYMENT

Payments to Consultant for services rendered and expenses incurred under this Agreement **shall not exceed \$XXXX** for thirteen (13) monthly visits and two (2) annual visits.

D. PREVAILING WAGE

Reference is hereby made to the wage scale established by the State Director of the Department of Industrial Relations which is hereby specified as the rate of prevailing wage to paid workers on this project, and the provisions of Article 2, Chapter 1, Part 7, Division 2 (commencing with Section 1770) of the Labor Code shall be complied with. A copy of the prevailing wage rates is on file and may be inspected at the MPWMD office.

SECTION III TIME OF PERFORMANCE

Consultant shall begin work upon the effective date of this Agreement and shall complete all tasks described herein according to the schedule shown in **Exhibit C**, Work Schedule, and consistent with the professional skill and care ordinarily provided by engineering professionals practicing in the State of California under the same or similar circumstances.

SECTION V RESPONSIBILITIES

- A. The Contractor shall have all applicable **licenses** and permits, including a C-27 license.
- B. Consultant represents that it has or will secure at its own expense all personnel, materials, and related services required to perform the services under this Agreement. Consultant shall act as an independent consultant and not as an agent or employee of MPWMD. Consultant shall have exclusive and complete control over its employees and subcontractors, and shall determine the method of performing the services hereunder.
- C. Nothing is allowed to be put in the large percolation **basin**; including but not limited to debris, dirt, or liquid of any kind.
- D. No **dirt** may be removed from the property.
- E. ALL workers must take annual **Unexploded Ordnance (UXO) training**, available in English and Spanish, on-line at [index \(fortordsafety.com\)](http://index.fortordsafety.com). The site is located on the Former Fort Ord in a Munitions Response Area and training is required for all individuals involved in ground disturbing work. The training takes approximately 30 minutes. Certificates must be saved and copies sent to the MPWMD Project Manager each August for the prior fiscal year.
- F. MPWMD shall coordinate and arrange for all meetings required to be held with other agencies or persons hereunder, unless otherwise specified in **Exhibit A**, Scope of Services.
- G. The officers, agents, and employees of MPWMD shall cooperate with Consultant in the performance of services under this agreement without charge to Consultant. Consultant agrees to use such services insofar as feasible in order to effectively discharge Consultant's obligations hereunder and further agrees to cooperate with MPWMD's officers, agents and employees.
- H. The Consultant agrees to indemnify, defend and save harmless MPWMD, its officers, agents and employees from any and all claims and losses accruing or resulting to any and all consultants, subcontractors, material men, laborers and any other person, firm or corporation who may be injured or damaged by the negligent acts, errors, and/or omissions of the Consultant, Consultant's employees, or Consultant's subcontractors or subconsultants in the performance of this Agreement.

- I. Consultant shall provide products and perform all services required pursuant to this Agreement in accordance with generally accepted professional practices and principles and in a manner consistent with the level of care, skill, and diligence ordinarily exercised under similar conditions (Standard of Care) by a member of Consultant's profession currently practicing in California.
- J. The Contractor shall immediately report any hazardous conditions to MPWMD. In the event of any incidents, altercations or accidents involving the public, Contractor employees, or MPWMD employees, the Contractor will notify MPWMD immediately.

SECTION VII INSURANCE

- A. Consultant shall obtain and keep insurance policies in full force and effect as shown in **Exhibit D**, Insurance Requirements.
- B. Consultant shall provide photocopies of his/her current Automobile insurance policy [or policies], including endorsements thereto, or current certificates of insurance in lieu thereof, to MPWMD.
- C. Consultant shall require any subcontractor to provide evidence of the same insurance coverages specified in VII.A.
- D. Consultant shall provide notice to MPWMD of any cancellation or material change in insurance coverage where MPWMD has been named as additional insured, such notice to be delivered to the MPWMD in accord with Section XV of this Agreement at least ten (10) days before the effective date of such change or cancellation of insurance.
- E. Evidence acceptable to MPWMD that Consultant has complied with the provisions of this Section VII shall be provided to the MPWMD, prior to commencement of work under this Agreement.
- F. All policies carried by the Consultant shall provide primary coverage instead of any and all other policies that may be in force. MPWMD shall not be responsible for any premium due for the insurance coverages specified in this Agreement.

SECTION VIII CHANGES AND CHANGED CONDITIONS

If, during the course of the work herein contemplated, the need to change the Scope of Work or the Work Schedule should arise, for whatever reasons, whichever party first identifies such need to change shall notify the other party in writing. The representatives of the parties shall meet within seven (7) working days of the date of such notice to discuss the need for change so identified and to set the proposed action to be taken by the parties. A change in the Scope of Work may also result in a change in the compensation amount. Compensation changes shall be based upon the Consultant Budget and Fee Schedule (**Exhibit B**) attached hereto. Any changes agreed to shall be documented by duly executed amendments to this Agreement.

SECTION IX TERMINATION

- A. MPWMD may terminate Consultant's services at any time by written notice to Consultant at least thirty (30) days prior to such termination. Upon receipt of written notice from MPWMD that this Agreement is terminated, Consultant shall submit an invoice for an amount that represents the value of services actually performed to the date of said notice for which he/she has not previously been compensated. Upon approval of this invoice by MPWMD, Consultant shall be paid from the sum found due, and MPWMD shall have no further obligation to Consultant, monetarily or otherwise.
- B. Upon receipt of written notice of termination, the Consultant shall (1) promptly discontinue all services affected (unless the notice directs otherwise).

SECTION X SUB-CONTRACTING AND ASSIGNABILITY

Consultant shall not sub-contract any portion of the work required by this Agreement nor otherwise assign or transfer any interest in it without prior written approval of MPWMD. Any work or services subcontracted hereunder shall be specified by written contract or agreement and shall be subject to each provision of this Agreement.

SECTION XI DISCRIMINATION AND FAIR EMPLOYMENT

Attention is directed to Section 1735 of the California Labor Code, which reads as follows:

“No discrimination shall be made in the employment of persons upon public works because of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, or sex of such persons, except as provided in Section 12940 of the government code and every Consultant for public works violating this section is subject to all penalties imposed by a violation of this chapter.”

During the performance of this Agreement, Consultant and its contractors shall not unlawfully discriminate, harass, or allow harassment against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition (cancer), age (over 40), marital status, and denial of family care leave. Consultant and its contractors shall insure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. Consultant and its contractors shall comply with the provisions of the Fair Employment and Housing Act (Government Code Section 12990 (a-f) et seq.) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 7285 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code Section 12990 (a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations, are incorporated into this Agreement by reference and made a part hereof as if set forth in full.

SECTION XII INTEREST OF CONSULTANT

Consultant covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of services required to be performed under this Agreement.

SECTION XIII CONTINGENT FEES

Consultant warrants that he/she has not employed or retained any company or person, other than a bona fide employee working solely for the Consultant to solicit or secure this Agreement, and that he/she has not paid or agreed to pay any company, or person, other than a bona fide employee working solely for Consultant, any fee, commission, percentage, brokerage fee, gifts, or other consideration, contingent upon or resulting from the award or making of this Agreement. For breach of violation of this warranty, MPWMD shall have the right to annul this Agreement without liability or at its discretion to deduct from the contract price or consideration, or otherwise recover, the full amount of such fee, commission, percentage, brokerage, gift or contingent fee.

SECTION XIV DISPUTES

In the event of a dispute arising out of the performance of this Agreement either party shall, as soon as a conflict is identified, submit a written statement of the conflict to the other party. Within five (5) working days of receipt of such a statement of conflict, the second party will respond and a meeting will be arranged not more than five (5) working days thereafter to arrive at a negotiated settlement or procedure for settlement. If, within twenty (20) working days from the initial filing of a statement of conflict an agreement cannot be reached, it is agreed that the dispute may be resolved in a court of law competent to hear this matter. This Agreement shall be construed in accord with California law and it is agreed that venue shall be in the County of Monterey. The prevailing party shall be awarded costs of suit, and attorneys' fees.

SECTION XV NOTICES

All communications to either party by the other shall be deemed given when made in writing and delivered or mailed to such party at its respective address, as follows:

MPWMD: Simona Mossbacher
 Monterey Peninsula Water Management District
 5 Harris Court, Building G
 or
 P. O. Box 85
 Monterey, CA 93942-0085

CONSULTANT: XXX
 XXX

SECTION XVI AMENDMENTS

This Agreement together with **Exhibits A, B, C and D** sets forth the entire understanding of the parties with respect to the subject matter herein. There are no other agreements expressed or implied, oral or written, except as set forth herein. This Agreement may not be amended except upon written amendment, executed by both parties hereto.

SECTION XVII ATTACHMENTS

The following exhibits attached hereto and referred to in the preceding sections are, by reference, incorporated herein and made an integral part of this Agreement:

- Exhibit A.** Scope of Work
- Exhibit B.** Budget and Fee Schedule
- Exhibit C.** Work Schedule
- Exhibit D.** Insurance Requirements
- Exhibit E.** Drug Free Workplace Certification
- Exhibit F.** Special Conditions

IN WITNESS WHEREOF, the parties hereto have entered into this Agreement effective as of the day and year first above written.

MONTEREY PENINSULA WATER MANAGEMENT DISTRICT

_____ **Date** _____

BY: David J. Stoldt, General Manager

CONSULTANT

_____ **Date** _____

BY:

FEDERAL TAX IDENTIFICATION NUMBER:

EXHIBIT A – SCOPE OF WORK

The scope of work is to provide regular landscaping at MPWMD's Aquifer Storage and Recovery (ASR) Facility located at 1910 General Jim Moore Boulevard in Seaside, California.

Monthly services include:

1. **Weed Control:** On each visit, the Contractor is to provide weed control for the complete suppression/removal of weed growth.
 - a. The use of pesticides and/or herbicides is not permitted.
 - b. Decomposed Granite areas must be weed free after each visit.
 - c. **Litter & Debris Control:** On each visit, the Contractor shall be responsible for the collection and removal of vegetative litter debris from all horticultural areas within the contracted site. All material is to be disposed of off-site in an acceptable manner.
2. **Decomposed Granite Areas:** All bed surfaces are to be raked, foreign materials removed. Rock should be raked away from drains at the front of the property.
3. **Paved Areas:**
 - a. Plant material must be pruned to keep clear of any roadways, sidewalks, service boxes, fire hydrants and signage at all times.
 - b. Sidewalks and driveways shall be blown free of maintenance and seasonal related debris.
 - c. Moss or mold growing next to the front building drains shall be removed.
 - d. Sweeping/raking up and disposing of loose soil.
 - e. Dirt may not be put down the drains. Dirt can be moved to the north side of the site.
4. **Gates:**
 - a. Tracks for rolling gates shall be blown and rocks removed so they are free of debris.
 - b. Plants lining the gate tracks shall be trimmed, weeds removed.
 - c. Electric eyes shall be free of interfering plants.
 - d. Mothballs shall be put in the control units.

Annual services include:

1. Clean **drain inlets**, create rock berm around the inlets at the front of the property. This work must be done in the dry season after July 1 and before September 30.
2. **Clear Basin floor.** This work is expected to be performed this calendar year.
 - a. All plantings must be removed from site and disposed of at an authorized location by the Landscaper.
 - b. Access to the Basin may be accomplished at the southeast corner of the basin.
 - c. No access is permitted near any infrastructure.

EXHIBIT B – BUDGET AND FEE SCHEDULE

Monthly Service \$595.00 per visit

Annual Service \$1,360.00 per visit, less a negotiated credit for removal of pest control work from scope of work in the Request for Quotations and subsequent Quotation.

EXHIBIT C – WORK SCHEDULE

Monthly Work:

June 2023 through June 2024.

Annual Work:

May 31, 2023 to September 30 2024

May 31, 2024 to June 30, 2024

EXHIBIT D – INSURANCE REQUIREMENTS

- I. Subgrantee shall provide evidence of valid and collectible insurance carried for those exposures indicated by an "X".
- A. Professional Liability Errors & Omissions
 - B. Workers Compensation and Employers Liability
 - C. Automobile Liability - "Any Auto - Symbol 1"
 - D. Comprehensive General Liability, including Bodily Injury, Property Damage and Personal Injury
 - E. Owners & Contractors Protective
 - F. Protection & Indemnity (Marine/Aviation)
- II. The minimum limit of protection provided by insurance policies for each of the coverages listed above shall be not less than \$2,000,000. The procurement and maintenance by the Subgrantee of the policies required to be obtained and maintained by Subgrantee under this Agreement shall not relieve or satisfy Subgrantee's obligation to indemnify, defend and save harmless the District.
- III. Evidence of insurance carried shall be Certificates of Insurance for the current policies. The District shall be listed as a certificate holder on the Subgrantee's Comprehensive General Liability insurance policy and the policy must be endorsed to provide a 60-day prior written notice of cancellation.
- IV. The District requires that all Subgrantees carry a commercial liability policy written on a broad comprehensive general liability form.
- A. Such protection is to include coverage for the following hazards, indicated by an "X":
 - 1. Premises and Operations
 - 2. Products and Completed Operations
 - 3. Explosion Collapse and Underground
 - 4. Broad Form Blanket Contractual
 - 5. Broad Form Property Damage
 - 6. Personal Injury, A, B & C
 - 7. Employees named as Persons Insured
 - 8. Protective and/or Contingent Liability (O&CP)
 - B. The "Persons Insured" provision on each comprehensive general liability policy shall include as an insured the "Monterey Peninsula Water Management District, its officers, directors, agents and employees."
 - C. This policy shall contain a severability of interest clause or similar language to the following:

"The insurance afforded applies separately to each insured against whom claim is made or suit is brought including claims made or suits brought by any persons included within the persons insured provision of the insurance against any other such person or organization."

- D. All policies shall contain a provision that the insurance company shall give the District at least thirty (30) days prior written notice mailed to the address shown below prior to any cancellation, lapse or non-renewal. The 30-day written notice must be shown on all certificates of insurance.
- E. Certificates of Insurance for the current policies shall be delivered by the Subgrantee to the Risk Manager for the District as verification that terms A, B, C and D have been met.
- V. All insurance correspondence, certificates, binders, etc., shall be mailed to:
 - Monterey Peninsula Water Management District
 - Attn: Administrative Services Manager
 - 5 Harris Court, Building G
 - P.O. Box 85
 - Monterey, CA 93942-0085
- VI. All policies carried by the Subgrantee shall be primary coverage to any and all other policies that may be in force. The District shall not be responsible for payment of premiums due as a result of compliance with the terms and conditions of the insurance requirements.
- VII. All such policies of insurance shall be issued by domestic United States insurance companies with general policy holders' rating of not less than "B" and admitted to do business in the State of California. The policies of insurance so carried shall be carried and maintained throughout the term of this Agreement.

EXHIBIT E – DRUG-FREE WORKPLACE CERTIFICATION

The District is committed to maintaining a work environment free from the influence of alcohol and drugs in keeping with the spirit and intent of the Drug-Free Workplace Acts of 1988 and 1990. Illegal drugs in the workplace are a danger to all of us. They impair health, promote crime, lower productivity and quality, and undermine public confidence in the work we do. The use of any controlled substances is inconsistent with the behavior expected of our employees, contractors, and subcontractors. It subjects all employees, contractors, and subcontractors, as well as visitors to our facilities and work site, to unacceptable safety risks and undermines the District's ability to operate effectively and efficiently. In this connection, any location at which Monterey Peninsula Water Management District business is conducted, whether on District property or at any other site, is declared to be a drug-free workplace. This means that:

1. All employees, contractors, and subcontractors are absolutely prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession, sale, or use of a controlled substance in the workplace or while engaged in District business off our premises. Violation of this policy by contractors or subcontractors could result in termination of the contract for their services.
2. Employees, contractors, and subcontractors have the right to know the dangers of drug abuse in the workplace, the Monterey Peninsula Water Management District's policy about it, and what help is available to combat drug problems.
3. Any employee, contractor, or subcontractor convicted of violating a criminal drug statute in this agency's workplace must inform the District of such conviction (including pleas of guilty and nolo contendere) within five (5) days of its occurrence. Failure to do so by a contractor or subcontractor could result in termination of the contract for their services. By law, the District will notify the federal contracting officer within ten (10) days of receiving any notice of such a conviction.

ALL CONTRACTORS AND SUBCONTRACTORS ARE ASKED TO ACKNOWLEDGE THAT THEY HAVE READ THE ABOVE POLICY AND AGREE TO ABIDE BY IT IN ALL RESPECTS. BY LAW, THIS ACKNOWLEDGEMENT AND AGREEMENT ARE REQUIRED OF YOU AS A CONDITION OF ENTERING INTO THIS AGREEMENT.

EXHIBIT F – SPECIAL CONDITIONS

As used herein, the term "work" refers to the articles, equipment, materials, supplies, services and labor as specified, designated or otherwise required by the scope of work and the Request for Quote (RFQ).

1. The Contractor shall have all applicable **licenses** and permits, including a C-27 license.
2. Work must adhere to the City of Seaside **noise** Ordinance 9.12.
3. **Hours** of work as of the writing of this RFQ are:
 - a. 7 a.m. to 7 p.m. Monday through Friday and
 - b. 9 a.m. to 7 p.m. Saturday, Sunday, and holidays.
 - c. Hours are subject to change by the City of Seaside.
4. Provider to **notify** MPWMD two (2) weeks before and less than one (1) week after landscape services at the operating facility.
5. Nothing is allowed to be put in the large percolation **basin**; including but not limited to debris, dirt, or liquid of any kind.
6. No **dirt** may be removed from the property.
7. ALL workers must take annual **Unexploded Ordnance (UXO) training**, available in English and Spanish, on-line at [index \(fortordsafety.com\)](https://www.fortordsafety.com). The site is located on the Former Fort Ord in a Munitions Response Area and training is required for all individuals involved in ground disturbing work. The training takes approximately 30 minutes. Certificates must be saved and copies sent to the MPWMD Project Manager each August for the prior fiscal year.
8. The Contractor shall have valid business, automobile, and workers compensation **insurance** in effect.

ITEM: PUBLIC HEARING**14. RECEIVE AND CONFIRM WATER SUPPLY FORECAST FOR PERIOD OF MAY 1, 2023 -- SEPTEMBER 30, 2024 AND CONSIDER ADOPTING DRAFT RESOLUTION 2023 – 06 TO AMEND RATIONING TABLE XV-4****Meeting Date: May 15, 2023** **Budgeted: N/A****From: David J. Stoldt,** **Program/ N/A**
General Manager **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: Regulation X of the Monterey Peninsula Water Management District (District) Rules and Regulations requires that a water supply summary forecast report be compiled annually to analyze the status of water supply and demand on the resource system within the District. This report quantifies rainfall, runoff, and storage conditions within the District as of May 1, 2023, and forecasts the amount of water that will be available for use during the upcoming water year from the Monterey Peninsula Water Resource System (MPWRS). The MPWRS supplies water to meet both Cal-Am and non Cal-Am demand on the Peninsula. As Cal-Am constructs water projects to comply with the Cease and Desist order, the company will rely less on water from the MPWRS to meet customer demand and more on the water produces from water projects. Regulation X tests the drought resilience of the of the MPWRS to supply the legal component of water to Cal-Am and non Cal-Am users on the Peninsula for the next 16 months.

Physical Water Availability: As of May 1, 2023, usable water storage within MPWRS totaled **30,090** acre-feet (AF) or 91% of maximum storage capacity. A map of the MPWRS is included as **Exhibit 14-A**. A breakdown of total storage by reservoir and aquifers is shown in **Exhibit 14-B**. As shown, usable reservoir storage totals 1,670 AF and usable aquifer storage totals 28,420 AF. For the Seaside Groundwater Basin, the annual Natural Safe Yield is 3,000 Acre Feet and 2,140 Acre Feet remain for WY 2023. In addition, a summary of other water-supply related conditions within the MPWRS – rainfall and runoff recorded at San Clemente Dam and California American Water (Cal-Am) monthly diversions from the Carmel River and Seaside Groundwater Basins relative to limits set by the State Water Resources Control Board (SWRCB) and Court --are shown in **Exhibit 14-C** and **14-D**.

The amount of carryover storage that is needed to meet the projected water needs within the District for the remainder of Water Year (WY) 2023 and all of WY 2024 is shown in **Exhibit 14-E**. These projections include the water needs of both Cal-Am customers and non Cal-Am water users within the District who rely on water from the MPWRS. As shown, the projected water

demand on the MPWRS for the remainder of WY 2023 on the MPWRS is 4,193 AF. Similarly, the projected demand for WY 2024 is 7,097 AF. These projections are based on the maximum annual production amount for the Cal-Am main system from the Carmel River Basin directed by the SWRCB in Order WR 2016-0016 (3,376 AF in WY 2023 and 3,376 in WY 2024), the maximum annual production amount for Cal-Am from the Seaside Groundwater Basin specified by the Court as a result of the Seaside Basin adjudication (1,474 AF in WY 2023 and 1,474 AF in WY 2024), and the maximum production amount for non Cal-Am users in the MPWRS specified in the District's Water Allocation Program (3,046 AF). As shown in **Exhibit 14-E**, the total amount of water needed on May 1 to meet the projected water demand for the remainder of WY 2023 and all of WY 2024 is **12,089 AF**. Given the current usable storage estimate of **32,090 AF**, there is sufficient stored water in the MPWRS to meet the projected water needs from the MPWRS for the remainder of WY 2023 and begin WY 2024 with a full year's supply in reserve. This is consistent with the District drought protection goal approved by the Board in August 1993.

It should also be noted that this approach is conservative in that it is based entirely on storage and does not include any allowance for surface and subsurface inflows that are expected to occur. Therefore, based on the physical availability of water, no mandatory water demand reductions, i.e., rationing actions, are required at this time. It should be noted, however, that this analysis does not incorporate environmental considerations such as effects on riparian and aquatic resources or regulatory restrictions.

Note that all water users within the District are presently under Stage 1 Water Conservation which prohibits water waste and all non-essential uses of water.

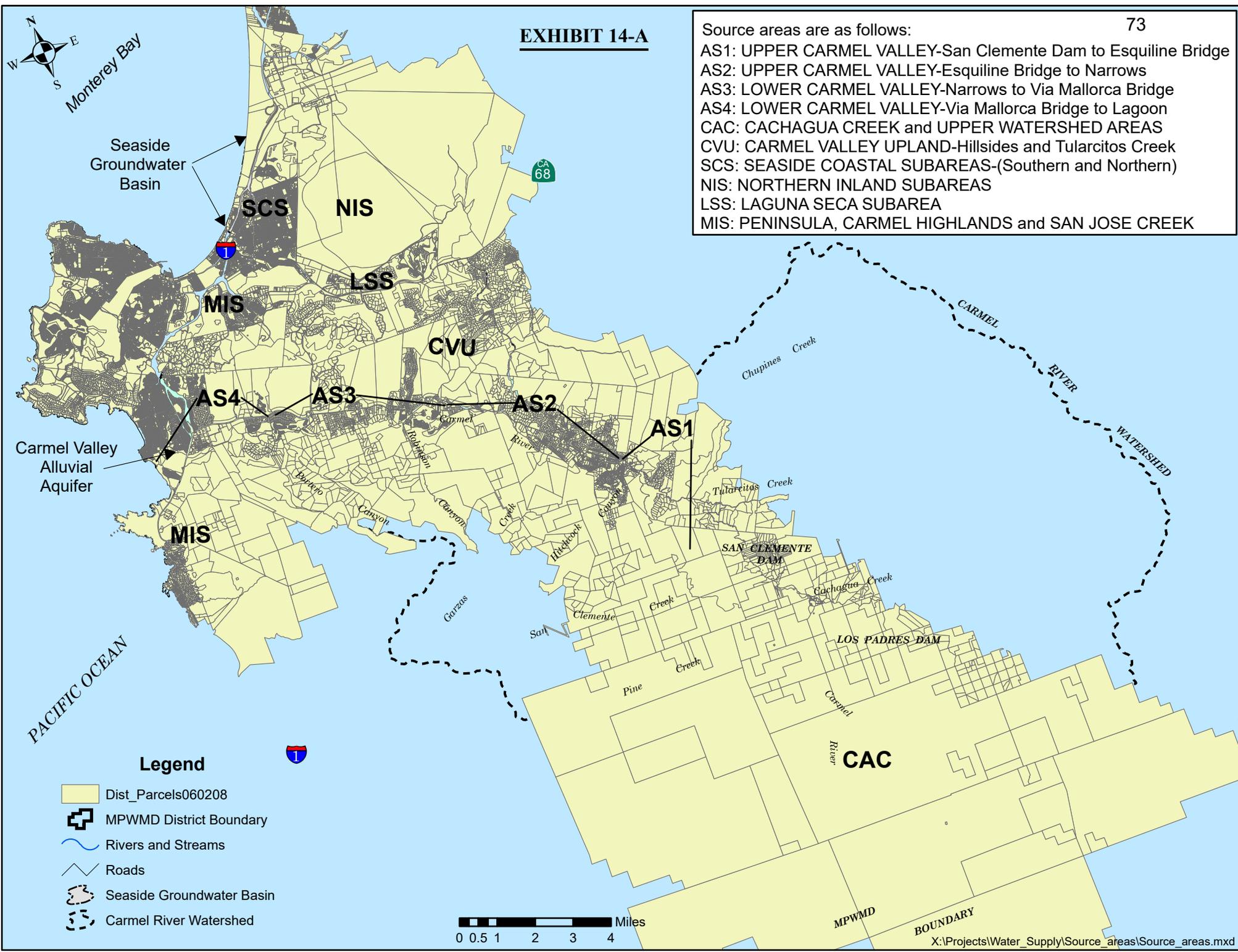
Community Water Demand: For WY 2023, as of May 1, 2024, Cal-Am had produced 1,705 AF of water from its sources in the MPWRS. This amount of production is 1,696 AF under the year-to-date at month-end production target that had been set for Cal-Am based on SWRCB Order WR 2016-0016 and the Seaside Groundwater Basin adjudication decision.

RECOMMENDATION: The Board should receive the water supply forecast for the May 1, 2023 through September 30, 2024 period and adopt Resolution 2023-06 to amend Rationing Table (XV-4).

IMPACTS ON STAFF/RESOURCES: District staff currently tracks and reports on water production and water supply conditions on a monthly basis; no additional impacts are anticipated related to this item.

EXHIBITS

- 14-A** Map of the Monterey Peninsula Water Resources System (MPWRS)
- 14-B** Water Storage Conditions, MPWRS
- 14-C** MPWMD Water Supply Status -- May 1, 2023
- 14-D** California American Water Production vs. CDO and Adjudication to Date: Water Year 2023
- 14-E** Derivation of Water Rationing Triggers for the MPWRS for the Remainder of 2023 Water Year and all of 2024 Water Year
- 14-F** Draft Resolution 2023-06



Source areas are as follows:

AS1: UPPER CARMEL VALLEY-San Clemente Dam to Esquiline Bridge
 AS2: UPPER CARMEL VALLEY-Esquiline Bridge to Narrows
 AS3: LOWER CARMEL VALLEY-Narrows to Via Mallorca Bridge
 AS4: LOWER CARMEL VALLEY-Via Mallorca Bridge to Lagoon
 CAC: CACHAGUA CREEK and UPPER WATERSHED AREAS
 CVU: CARMEL VALLEY UPLAND-Hillsides and Tularcitos Creek
 SCS: SEASIDE COASTAL SUBAREAS-(Southern and Northern)
 NIS: NORTHERN INLAND SUBAREAS
 LSS: LAGUNA SECA SUBAREA
 MIS: PENINSULA, CARMEL HIGHLANDS and SAN JOSE CREEK



Monterey Bay

Seaside Groundwater Basin

EXHIBIT 14-A

CA 68

Carmel Valley Alluvial Aquifer

PACIFIC OCEAN

Legend

- Dist_Parcels060208
- MPWMD District Boundary
- Rivers and Streams
- Roads
- Seaside Groundwater Basin
- Carmel River Watershed

0 0.5 1 2 3 4 Miles

MPWMD BOUNDARY

EXHIBIT 14-B

**WATER STORAGE CONDITIONS
MONTEREY PENINSULA WATER RESOURCE SYSTEM
May 1, 2023**

STORAGE FACILITY	MAXIMUM STORAGE CAPACITY (AF)	CURRENT STORAGE (AF)	PERCENT OF MAXIMUM CAPACITY (%)
<u>RESERVOIR</u>			
LOS PADRES	1,670	1,670	100%
<u>AQUIFERS</u>			
UPPER CARMEL VALLEY	6,530	6,250	96%
LOWER CARMEL VALLEY	21,930	20,030	91%
SEASIDE COASTAL	<u>3,000</u>	<u>2,140</u>	71%
TOTAL SYSTEM	33,130	30,090	91%

Notes:

1. Storage estimates refer to usable storage or water that can be diverted or pumped.
2. "AF" refers to acre-feet. One acre-foot equals 325,851 gallons.

EXHIBIT 14-C

**Monterey Peninsula Water Management District
Water Supply Status
May 1, 2023**

Factor	Oct – Apr 2023	Average To Date	Percent of Average	Oct – Apr 2022
Rainfall (Inches)	34.61	20.46	169%	12.80
Runoff (Acre-Feet)	197,092	62,777	314%	21,510
Storage ⁵ (Acre-Feet)	32,090	31,320	102%	28,390

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 1922-2022 and 1902-2022 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 1989-2022 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 2023

(All values in Acre-Feet)

Year-to-Date Values	MPWRS					Water Projects and Rights				Water Projects and Rights Total
	Carmel River Basin ^{2, 6}	Seaside Groundwater Basin		MPWRS Total	ASR Recovery	PWM Recovery	Table 13 ⁷	Sand City ³		
		Coastal	Laguna Seca						Ajudication Compliance	
Target	2,645	965	0	965	3,610	0	2,335	0	175	2,510
Actual ⁴	894	750	62	812	1,705	0	2,675	410	92	3,178
Difference	1,752	215	-62	153	1,905	0	-340	-410	83	-668
WY 2022 Actual	2,362	313	69	381	2,743	0	2,259	68	76	2,404

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, 1250 AF and 410 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 2023

(All values in Acre-Feet)

	Carmel River Basin	Seaside Basin	ASR Recovery	PWM Recovery	Table 13	Sand City	Mal Paso	Total
Oct-22	269	105	0	405	0	20	7	805
Nov-22	223	87	0	334	0	27	7	677
Dec-22	189	38	0	359	20	9	9	624
Jan-23	111	86	0	340	102	14	8	661
Feb-23	4	37	0	436	91	0	7	575
Mar-23	69	170	0	499	101	15	8	862
Apr-23	28	289	0	302	98	7	7	731
May-23								
Jun-23								
Jul-23								
Aug-23								
Sep-23								
Total	894	812	0	2,675	410	92	53	4,936
WY 2022	2,205	381	0	2,259	68	76	27	5,017

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

Table XV-4
Physical Storage Target
for the Monterey Peninsula Water Resource System
for the May-September 2023 and all WY 2024

PRODUCER	MAY-SEPTEMBER DEMAND	CARRYOVER STORAGE NEEDS FOR NEXT YEAR DEMAND FROM MPWRS	TOTAL STORAGE REQUIRED ON MAY 1
California American Water (Cal-Am)	2,247	4,850	7,097
Non Cal-Am	1,946	3,046	4,992
Total	4,193	7,896	12,089
			TOTAL STORAGE AVAILABLE ON MAY 1
			32,090 ⁵

Notes:

1. The May-September period refers to the remainder of the current water year.
2. Carryover storage refers to the volume of usable surface and groundwater that is in storage at the end of the current water year and is projected to be available for use at the beginning of the following water year.
3. Total storage refers to the combination of demand remaining from May 1 to the end of the current water year and carryover storage for the next water year that is required to avoid imposing various levels of water rationing. The value in **bold type** represents the storage trigger that would be used for the system in Water Year 2022. The value is based on the production limits for California American Water (Cal-Am) from Carmel River sources (3,376 acre-feet in WY 2023 and 3,376 acre-feet WY 2024) set by State Water Resources Control Board Order WR 2016-0016, the production limit for Cal-Am from the Seaside Groundwater Basin (1,474 acre-feet in WY 2023 and 1,474 AF in WY 2024) set by the Court in its March 27, 2006 adjudication decision, and the production limit specified for non Cal-Am users from the Monterey Peninsula Water Resource System set in the District's Water Allocation Program (Ordinance No. 87).
4. The rationing trigger is based on physical water availability and do not account for legal or environmental constraints on diversions from the Carmel River system.
5. May 1, 2023 System Storage = 32,090 AF (26,280 AF Carmel Valley Alluvial Aquifer; 2,140 AF Seaside Groundwater Basin; 1,650 AF Los Padres Reservoir); this is 102% of average and 91% of system capacity (33,130 AF).



EXHIBIT 14-F

Draft

RESOLUTION NO. 2023-06

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
MODIFYING RULE 160 – RATIONING TABLE FOR REMAINDER WATER YEAR
2023 AND ALL OF WATER YEAR 2024**

WHEREAS, the Monterey Peninsula Water Management District (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; and

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; and

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

WHEREAS, the State Water Resources Control Board adopted Order WR 2016-0016, which requires California American Water to divert no more than 3,376 acre-feet in Water Year 2023, and no more than 3,376 acre-feet in Water Year 2024; and

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 of the Seaside Groundwater Basin in Water Year 2023, and no more than 1,474 acre-feet from the Coastal Subareas of the Seaside Groundwater Basin in Water Year 2024; and

WHEREAS, Regulation X of the Monterey Peninsula Water Management District (District) Rules and Regulations requires that a water supply summary forecast report be compiled annually to analyze the status of water supply and demand within the District.

NOW THEREFORE, BE IT RESOLVED:

1. Specifically, District staff shall add Table XV-4 (**Attachment 1**) to District Rule 160.

PASSED AND ADOPTED on this 15th day of March 2023 on motion by Director _____,
and second by Director _____ by the following vote to wit:

AYES:

NAYES:

ABSENT:

I, David J. Stoldt, Secretary of the Board of Directors of the MPWMD, hereby certify that the foregoing is a resolution duly adopted on the 15th day of May 2023.

David J. Stoldt,
Secretary to the Board

ITEM: INFORMATIONAL ITEM/STAFF REPORT**16. REPORT ON ACTIVITY/PROGRESS ON CONTRACTS OVER \$25,000****Meeting Date: May 8, 2023** **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 Finance and Administration Committee reviewed this item on May 8, 2023.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY: Attached for review as **Exhibit 16-A**, monthly status report on contracts over \$25,000 for the period March 2023. 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

**Monterey Peninsula Water Management District
Status on District Open Contracts (over \$25K)
For The Period March 2023**

Contract	Description	Date Authorized	Contract Amount	Prior Period	Current Period	Total	Expected	Current Period Activity	P.O. Number
				Expended To Date	Spending	Expended To Date	Completion		
1	City of Monterey	MPWMD Local Water Project Development Grant	10/17/2022	\$ 25,000.00	\$ 12,831.50		\$ 12,831.50		PO03242
2	DeVeera Inc.	HP Smart Array 2062 SAN Server	12/12/2022	\$ 160,000.00	\$ 157,273.63		\$ 157,273.63		PO03222
3	DeVeera Inc.	Board Conference Room A/V Upgrade	12/12/2022	\$ 30,000.00	\$ 17,997.00	\$ 1,015.00	\$ 19,012.00	Current period billing for upgrade of A/V Room equipment	PO03221
4	Access Monterey Peninsula	Board Conference Room A/V Upgrade	12/12/2022	\$ 25,000.00	\$ 20,528.37		\$ 20,528.37		PO03220
5	Tyman Construction Inc.	Sleepy Hollow Rearing Channel Rehabilitation	11/14/2022	\$ 693,000.00	\$ 435,668.10		\$ 435,668.10		PO03195
6	Montgomery & Associates	Annual Groundwater Modeling Support	6/20/2022	\$ 50,000.00	\$ -		\$ -		PO03193
7	Clifton Larson Allen LLP	Audit for FYE 06/30/2022	6/15/2020	\$ 71,000.00	\$ 61,000.00	\$ 10,000.00	\$ 71,000.00	Current period billing for audit work	PO03160
8	WellmanAD	Public Outreach Consultant	10/10/2022	\$ 70,875.00	\$ 39,375.00	\$ 8,325.00	\$ 47,700.00	Current period retainer billing for outreach services	PO03155
9	Telemetrix	Consultant Services for Sleepy Hollow Facility	6/20/2022	\$ 27,060.00	\$ 5,115.00		\$ 5,115.00		PO03121
10	ETech Consulting, LLC	Accela Improvements	5/16/2022	\$ 52,000.00	\$ 47,040.00		\$ 47,040.00		PO02969
11	De Lay & Laredo	Measure J/Rule 19.8 Appraisal/Water Rights Phase 3	8/15/2022	\$ 75,000.00	\$ 45,490.46		\$ 45,490.46		PO03113
12	De Lay & Laredo	Measure J/Rule 19.8 Appraisal/Real Estate Phase 3	8/15/2022	\$ 80,000.00	\$ 53,309.64		\$ 53,309.64		PO03112
13	De Lay & Laredo	Measure J/Rule 19.8 Appraisal/Rate Study Phase 3	8/15/2022	\$ 160,000.00	\$ 119,130.85		\$ 119,130.85		PO03111
14	Rutan & Tucker, LLP	Measure J/Rule 19.8 Eminent Domain Phase 3	12/16/2019	\$ 175,000.00	\$ 2,512.50	\$ 14,000.00	\$ 16,512.50	Current period billing for Measure J eminent domain services	PO03110
15	Lynx Technologies, Inc	GIS Consultant Contract for 2022-2023	6/20/2022	\$ 35,000.00	\$ 16,950.00	\$ 975.00	\$ 17,925.00	Current period billing for GIS services	PO03048
16	Regional Government Services	HR Contracted Services for FY 2022-2023	6/20/2022	\$ 35,000.00	\$ 8,576.15		\$ 8,576.15		PO03047
17	Monterey One Water	PWM Expansion Project Amd #6	11/15/2021	\$ 1,200,000.00	\$ 483,114.17		\$ 483,114.17		PO03042
18	Martin B. Feeney, PG, CHG	Installation of sampling pump in Paralta Test for RWQCB Permit Sampling	7/18/2022	\$ 30,000.00	\$ 29,915.69		\$ 29,915.69		PO03040
19	JEA & Associates	Legislative and Administrative Services - FY 2022-2023	7/18/2022	\$ 44,300.00	\$ 23,800.00	\$ 3,400.00	\$ 27,200.00	Current period retainer billing	PO03037
20	The Ferguson Group LLC	Contract for Legislative Services for FY 2022-2023	7/18/2022	\$ 75,500.00	\$ 48,504.63	\$ 6,053.69	\$ 54,558.32	Current period retainer billing	PO03036
21	DeVeera Inc.	IT Managed Services Contract FY 2022-2023	6/15/2020	\$ 60,480.00	\$ 40,320.00	\$ 5,040.00	\$ 45,360.00	Current period billing for IT managed services	PO03028
22	DeVeera Inc.	BDR Datto Services Contract FY 2022-2023	9/6/2019	\$ 26,352.00	\$ 15,372.00	\$ 2,196.00	\$ 17,568.00	Current period billing for IT backup services	PO03027
23	CSC	Recording Fees	7/22/2022	\$ 50,000.00	\$ 20,000.00	\$ 10,000.00	\$ 30,000.00		PO03010
24	Pueblo Water Resources, Inc.	ASR Operations Support	6/20/2022	\$ 75,000.00	\$ -		\$ -		PO02983
25	MBAS	ASR Water Quality FY 2022-2023	6/20/2022	\$ 40,000.00	\$ 7,098.00	\$ 3,042.00	\$ 10,140.00	Current period billing for ASR related water quality testing	PO02982
26	Monterey Peninsula Engineering	Install quarantine tanks at the Sleepy Hollow facility	3/21/2022	\$ 262,500.00	\$ 227,855.12		\$ 227,855.12		PO02967
27	City of Sand City	IRWM Grant Reimbursement	3/28/2022	\$ 1,084,322.50	\$ 4,598.75		\$ 4,598.75		PO03093

Monterey Peninsula Water Management District
Status on District Open Contracts (over \$25K)
For The Period March 2023

Contract	Description	Date Authorized	Contract Amount	Prior Period		Current Period Spending	Total		Expected Completion	Current Period Activity	P.O. Number
				Expended To Date	Expended To Date		Expended To Date	Expended To Date			
28	Marina Coast Water District	IRWM Grant Reimbursement	3/28/2022	\$ 83,079.00	\$ 2,255.50		\$ 2,255.50				PO02947
29	City of Seaside	IRWM Grant Reimbursement	3/28/2022	\$ 578,987.90	\$ 317,190.32		\$ 317,190.32				PO02948
30	Montgomery & Associates	Annual Groundwater Modeling support	11/15/2021	\$ 50,000.00	\$ 31,941.00		\$ 31,941.00				PO02849
31	DUDEK	Grant administration services for the Proposition 1 IRWM Implementation	12/14/2020	\$ 114,960.00	\$ 33,022.50	\$ 326.25	\$ 33,348.75		Current period billing for Prop 1 IRWM grant administration services		PO02847
32	Shute, Mihaly & Weinberger LLP	Measure J LAFCO Litigation Legal Services	1/1/2022	\$ 300,000.00	\$ 241,843.40	\$ 34,924.30	\$ 276,767.70		Current period billing for LAFCO Measure J litigation services		PO02843
33	Reiff Manufacturing	Quarantine tanks with for the Sleepy Hollow steelhead facility	10/18/2022	\$ 48,000.00	\$ 40,350.00		\$ 40,350.00				PO02824
34	Psomas	Measure J/Rule 19.8 MPWMD Survey Services	9/20/2021	\$ 28,000.00	\$ 25,900.00		\$ 25,900.00				PO02791
35	Tetra Tech, Inc.	Engineering services Sleepy Hollow Facility Upgrade	6/21/2021	\$ 67,500.00	\$ 44,243.86	\$ 752.28	\$ 44,996.14		Current period billing for Sleepy Hollow engineering services		PO02693
36	Zim Industries, Inc.	ASR 1 Rehabilitation	2/25/2021	\$ 113,350.00	\$ 106,277.25		\$ 106,277.25				PO02650
37	Monterey One Water	PWM Deep Injection Well #4 Design/Construction	9/21/2020	\$ 4,070,000.00	\$ 1,662,829.66		\$ 1,662,829.66				PO02604
38	Goodin, MacBride, Squeri & Day, LLP	Legal Fee Related MPWSP	4/1/2021	\$ 50,000.00	\$ 29,848.31		\$ 29,848.31				PO02601
39	Local Agency Formation Commission (LAFCO) of Monterey County	Measure J/Rule 19.8 MPWMD LAFCO Application Procs	5/17/2021	\$ 232,800.00	\$ 210,584.62		\$ 210,584.62				PO02598
40	Shute, Mihaly & Weinberger LLP	Measure J CEQA Litigation Legal Services	12/23/2020	\$ 200,000.00	\$ 140,933.56		\$ 140,933.56				PO02490
41	Weston Solutions, Inc.	UXO Support Services	6/15/2020	\$ 26,378.70	\$ 6,521.66		\$ 6,521.66				PO02371
42	Denise Duffy & Assoc. Inc.	CEQA addendum for ASR Parallel Pipeline	4/20/2020	\$ 28,567.00	\$ 25,970.44		\$ 25,970.44				PO02363
43	Norton Rose Fulbright	Cal-Am Desal Structuring & Financing Order	4/20/2015	\$ 307,103.13	\$ 38,557.29		\$ 38,557.29				PO02197
44	Pueblo Water Resources, Inc.	ASR SMWTF Engineering Services During Construction	10/21/2019	\$ 148,100.00	\$ 142,709.87		\$ 142,709.87				PO02163
45	U.S. Bank Equipment Finance	Copier machine leasing - 60 months	7/15/2019	\$ 52,300.00	\$ 36,733.65	\$ 871.81	\$ 37,605.46	6/30/2024	Current period billing for photocopy machine lease		PO02108
46	Monterey One Water	Supplemental EIR Costs for PWM Expansion Project	3/18/2019	\$ 750,000.00	\$ 731,336.70		\$ 731,336.70				PO02095
47	Monterey One Water	Pre-Construction Costs for PWM Expansion Project	11/13/2017	\$ 360,000.00	\$ 312,617.94		\$ 312,617.94				PO02094
48	DUDEK	Consulting Services for Prop 1 grant proposal	4/15/2019	\$ 95,600.00	\$ 94,315.05		\$ 94,315.05				PO01986
49	Denise Duffy & Associates	Consulting Services IRWM plan update	12/17/2018	\$ 55,000.00	\$ 53,322.32		\$ 53,322.32				PO01985
50	Tetra Tech, Inc.	Engineering services Sleepy Hollow Facility Upgrade	7/16/2018	\$ 30,000.00	\$ 26,878.87		\$ 26,878.87				PO01880
51	Ecology Action of Santa Cruz	IRWM HEART Grant	4/16/2018	\$ 152,600.00	\$ 86,362.33		\$ 86,362.33				PO01824
52	Pueblo Water Resources, Inc.	ASR Backflush Basin Expansion, CM services	7/16/2018	\$ 96,034.00	\$ 68,919.39		\$ 68,919.39				PO01778
53	Mercer-Fraser Company	Sleepy Hollow Intake upgrade project	7/16/2018	\$ 2,075,000.00	\$ 2,047,318.58		\$ 2,047,318.58				PO01726
54	Colantuono, Highsmith, & Whatley, PC	MPTA Legal Matter	7/1/2018	\$ 200,000.00	\$ 138,873.10	\$ 11,830.00	\$ 150,703.10		Current period billing for MPTA legal matter		PO01707

Monterey Peninsula Water Management District
Status on District Open Contracts (over \$25K)
For The Period March 2023

Contract	Description	Date Authorized	Contract Amount	Prior Period	Current Period	Total	Expected Completion	Current Period Activity	P.O. Number	
				Expended To Date	Spending	Expended To Date				
55	Pueblo Water Resources, Inc.	Seaside Groundwater Basin Geochemical Study	1/24/2018	\$ 68,679.00	\$ 57,168.85		\$ 57,168.85			PO01628
56	Pueblo Water Resources, Inc.	SSAP Water Quality Study	8/21/2017	\$ 94,437.70	\$ 44,318.11		\$ 44,318.11			PO01510
57	Normandeau Associates, Inc.	Assistance with IFIM Study	11/13/2017	\$ 35,000.00	\$ 31,482.50		\$ 31,482.50			PO01509
58	Balance Hydrologics, Inc	Design Work for San Carlos Restoration Project	6/19/2017	\$ 51,360.00	\$ 50,894.32		\$ 50,894.32			PO01321
59	AECOM Technical Services, Inc.	Los Padres Dam Alternatives Study	1/25/2017	\$ 794,920.00	\$ 785,389.80		\$ 785,389.80			PO01268
60	Denise Duffy & Assoc. Inc.	MMRP Services for Monterey Pipeline	1/25/2017	\$ 80,000.00	\$ 73,144.06		\$ 73,144.06			PO01202
61	Goodin,MacBride,Squeri,Day,Lamprey	User Fee PUC Proceedings Legal Fee	7/1/2016	\$ 50,000.00	\$ 49,318.05		\$ 49,318.05	6/30/2023		PO01100
62	Whitson Engineers	Carmel River Thawleg Survey	9/19/2018	\$ 52,727.43	\$ 49,715.00		\$ 49,715.00			PO01076
63	HDR Engineering, Inc.	Los Padres Dam Fish Passage Study	4/18/2016	\$ 320,000.00	\$ 316,085.56		\$ 316,085.56			PO01072
64	Michael Hutnak	GS Flow Modeling for Water Resouces Planning	8/19/2013	\$ 71,800.00	\$ 65,880.00		\$ 65,880.00			PO00123
65	Justin Huntington	GS Flow Modeling for Water Resouces Planning	8/19/2013	\$ 59,480.00	\$ 53,918.98		\$ 53,918.98			PO00122

ITEM: INFORMATIONAL ITEM/STAFF REPORT**17. STATUS REPORT ON MEASURE J/RULE 19.8 PHASE III SPENDING****Meeting Date: May 15, 2023** **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 Finance and Administration Committee reviewed this item on May 8, 2023.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY: Attached for review as **Exhibit 17-A**, monthly status report on Measure J/Rule 19.8 Phase II spending for the period March 2023. 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 III
Through March 2023**

	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	\$ 175,000.00	\$ 140,903.06	\$ 14,000.00	\$ 154,903.06	\$ 20,096.94	PA00007-01
2	Appraisal Services	12/16/2019	\$ 160,000.00	\$ 119,130.85		\$ 119,130.85	\$ 40,869.15	PA00007-03
3	District Legal Counsel	12/16/2019	\$ 100,000.00	\$ 23,333.50	\$ 9,747.00	\$ 33,080.50	\$ 66,919.50	PA00007-05
4	Real Estate Appraiser	12/16/2019	\$ 80,000.00	\$ 53,309.64		\$ 53,309.64	\$ 26,690.36	PA00007-06
5	Water Rights Appraisal	12/16/2019	\$ 75,000.00	\$ 45,490.46		\$ 45,490.46	\$ 29,509.54	PA00007-10
6	Contingency/Miscellaneous	12/16/2019	\$ -	\$ -		\$ -	\$ -	PA00007-20
	Total		\$ 590,000.00	\$ 382,167.51	\$ 23,747.00	\$ 405,914.51	\$ 184,085.49	
1	Measure J CEQA Litigation Legal Services	12/23/2020	\$ 200,000.00	\$ 140,303.06		\$ 140,303.06	\$ 59,696.94	PA00005-15
1	Measure J LAFCO Litigation Legal Services	1/1/2022	\$ 250,000.00	\$ 198,126.33		\$ 198,126.33	\$ 51,873.67	PA00005-16

**Monterey Peninsula Water Management District
Status on Measure J/Rule 19.8 Spending Phase II
Through September 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	\$ 168,265.94		\$ 168,265.94	\$ 176,734.06	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	\$ 162,254.16		\$ 162,254.16	\$ (122,254.16)	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	\$ 217,784.62		\$ 217,784.62	\$ 22,215.38	PA00005-08
8	PSOMAS	9/20/2021	\$ 28,000.00	\$ 25,308.49		\$ 25,308.49	\$ 2,691.51	PA00005-09
9	Contingency/Miscellaneous/Uncommitted	12/16/2019	\$ 289,072.00	\$ 39,298.59		\$ 39,298.59	\$ 249,773.41	PA00005-20
	Total		\$ 1,909,000.00	\$ 1,194,244.45	\$ -	\$ 1,194,244.45	\$ 714,755.55	

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 Consulta	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: May 15, 2023** **Budgeted: N/A****From: David J. Stoldt,
General Manager** **Program/
Line Item No.: N/A****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 sent by and/or received by the Board Chair and/or General Manager between April 12, 2023 and May 9, 2023 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
Melodie Chrislock	Board of Directors and General Manager	April 11, 2023	Voices of Monterey Bay – Op Ed entitled, “Cal-Am Buyout Begins Monterey Peninsula Reaches Major Milestones on Water”
Susan Schiavone	Board of Directors and General Manager	April 17, 2023	Letter to the Editor of the Monterey Herald entitled, “Measure J Says Buy CalAm”
Melodie Chrislock	Board of Directors and General Manager	April 26, 2023	Herald Letter in Response to Ron Chesshire – Your Views: Measure J Says Buy CalAm

ITEM: INFORMATIONAL ITEM/STAFF REPORT**19. COMMITTEE REPORTS****Meeting Date: May 15, 2023 Budgeted: N/A****From: David J. Stoldt, General Manager Program/ Line Item No.: N/A****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- C** are the Final Minutes of the committee meetings listed below.

EXHIBITS**19-A Public Outreach Committee: February 27, 2023****19-B Water Supply Planning Committee: March 6, 2023****19-C Finance and Administration Committee: April 10, 2023**



EXHIBIT 19-A

Final Minutes
**Monterey Peninsula Water Management District
 Public Outreach Committee
 Monday, February 27, 2023**

Pursuant to AB 361 (Rivas) and to protect public health and safety, this meeting was conducted via Zoom – teleconferencing means.

Call to Order | Roll Call

Committee Member Anderson called the meeting to order at 3:03 p.m.

Committee members present: George T. Riley – Chair (Joined at 3:05 p.m.)
 Amy Anderson
 Karen Paull

Committee members absent: None

District staff members present: David J. Stoldt, General Manager
 Stephanie Locke, Water Demand Manager
 Phil Wellman, Public Outreach Consultant with WellmanAd
 Joel G. Pablo, Board Clerk

District Counsel Present: David C. Laredo with De Lay and Laredo

Comments from the Public: Committee Member Anderson opened public comment; *no comments were directed to the committee.*

Action Items

1. Consider Adoption of August 22, 2022 and December 15, 2022 Committee Meeting Minutes

Anderson introduced the matter and opened public comment; *no comments were directed to the committee.*

[Chair Riley joined via Zoom at 3:05 p.m.]

A motion was made by Paull with a second by Anderson to approve the August 22, 2022 and December 15, 2022 Committee Meeting Minutes. The motion passed on a roll-call vote of 3-Ayes (Paull, Anderson and Riley), 0-Noes and 0-Absent.

2. **Adopt 2023 Public Outreach Committee Meeting Schedule**

Stoldt introduced the matter.

Chair Riley opened public comment; *no comments were directed to the committee*

A motion was made by Riley with a second by Paull to approve the 2023 Public Outreach Committee Meeting Schedule. The motion passed on a roll-call vote of 3-Ayes (Paull, Anderson and Riley), 0-Noes and 0-Absent.

3. **Review Annual Report Formats and Consider Recommendation to Board Regarding Adoption of the 2022 MPWMD Annual Report**

Wellman commented on the meeting formats and contents of the Annual Report as presented in Exhibit 3-A and 3-B.

Stoldt briefly covered the MPWMD Enabling Legislation Section 118-350 (A thru E) which provides direction on required content to include in the District's publication of its Annual Report (Report). He stated most of requirements found in the statute except for "(d) a recommendation as to whether or not a ground water charge should be levied in any zone or zones of the district during the ensuing water year" have been covered in the Report and sought committee direction. Laredo believes the financial revenue and expenditure pie charts coupled with a footnote on the groundwater charge would bring the report up to compliance on Section 118-350 (d). Anderson plans to send via e-mail to the General Manager and Water Demand Manager edits and points of clarification on the Report.

Chair Riley opened public comment; *No comments were directed to the Committee.*

A motion was made by Riley with a second by Anderson to recommend to the Board to adopt Exhibit 3-A: Option 1 with non-substantive edits to be made on the Report and inclusion of a footnote covering Section 118-350 (d). The motion passed on a roll-call vote of 3-Ayes (Paull, Anderson and Riley), 0-Noes and 0-Absent.

Discussion Items

4. **Review 2023 Public Education Classes / Workshops**

Stephanie Locke, Water Demand Manager presented via MS PowerPoint entitled, "Review 2023 Public Education Classes/Workshops." *A copy of the presentation is available online on the District website and available upon request at the District office.* She commented the District will team with Greens Garden Group (G3) and Cal-Am on public education classes and outreach. She briefly covered the G3 Classes for 2023 and mentioned costs are split with the District and the Water Awareness Committee of Monterey County. She stated that in June 2023, the Irrigation Association will provide an in-person two-day session for the Certified Landscape Irrigation Auditor Training. Lastly, she mentioned that there will be a Food Service and Hospitality Water Auditing class to occur in the late Summer/Early

Fall of 2023 at the Asilomar Hotel and Conference Grounds (or similar facility) and briefly covered several areas of focus and highlighted on her slide-deck.

Anderson questioned if the hospitality association can share training costs as offered by the District, Cal-Am and G3. Wellman shared with Locke that he would like to include and promote upcoming classes on the District’s newsletters to bring awareness to the community.

5. Status of Public Outreach Projects / WellmanAd

Phil Wellman, Public Outreach Consultant with WellmanAd presented via MS PowerPoint entitled, “MPWMD Public Outreach Report: February 27, 2023.” *A copy of the presentation is available online on the District website and available upon request at the District office.* Wellman covered the three communications goals for the committee to include: “(1) Counter Cal-Am’s misinformation; (2) Clearly inform Monterey Peninsula ratepayers about the Water District’s role in developing an affordable and sustainable water supply; and (3) Educating ratepayers about the stewardship role the Water District plays in caring for an environment that provides our essential resource.” Wellman covered projects completed to include:

- (1) January 5, 2023 in the Monterey County Weekly- Branding Ad “CalAm is Holding Our Water Hostage”
- (2) January 5, 2023 in an e-mail newsletter entitled, “Long and Winding Road to Pure Water Monterey Expansion”
- (3) January 16, 2023 in the Carmel Pine Cone- Branding Ad “Feet on the Ground”
- (4) January 26, 2023 in an e-mail newsletter entitled, “What if We Could Capture the Excess Carmel River Water that Flows out to Sea? WE DO!”
- (5) February 16, 2023 in the Monterey County Weekly, the Carmel Pine Cone and in an e-mail newsletter entitled, “Carmel River Steelhead. The Renewal.”
- (6) January / February 2023: Social Media Posts were coordinated and simultaneously posted with current ads and newsletters.
- (7) Developed two draft Annual Report designs for the Committee to select from.

Wellman briefly covered future upcoming projects to include: Measure J, Fix a Leak Week, Update Collateral and District Website. After much deliberation, Wellman, Riley, Paull, Locke and Stoldt believes a coordinated effort with Suresh Prasad, Administrative Services Manager/CFO; Stephanie Locke, Water Demand Manager; Joel Pablo, Board Clerk; Sara Reyes, Sr. Office Specialist and others is needed in the development of a new website. Riley added that the new site should mirror the readability and be as photogenic as the electronic newsletter.

Chair Riley opened public comment; *the following comment was directed to the committee:*

- (1) Melodie Chrislock: Shared that on the California Public Utilities Commission (CPUC) website that there are 190 comments. She commented that Cal-Am continues to state their support for Pure Water Monterey– Expansion, yet has

not provided funds to build the project. She believes the District should highlight and bring community awareness that the CPUC granted Cal-Am \$61.4 million or 75% of the company's original ask for cost recoveries.

No further comments were directed to the committee.

6. Suggest Items to be Placed on a Future Agenda

Riley- Shared that he is interested in exploring the idea of having a joint meeting with MPWMD and Monterey One Water Committee on Water Supply Projects / Issues.

CLOSED SESSION

Roll Call

Committee members present:	George T. Riley – Chair Amy Anderson Karen Paull
Committee members absent:	None
District staff members present:	David J. Stoldt, General Manager Stephanie Locke, Water Demand Manager Phil Wellman, Public Outreach Consultant with WellmanAd Joel G. Pablo, Board Clerk
District Counsel Present:	David C. Laredo with De Lay and Laredo
Comments from the Public On the Closed Session Agenda:	Chair Riley opened public comment; <i>no comments were directed to the committee.</i>

7. Conference with Legal Counsel – Anticipated Litigation: Significant exposure to litigation pursuant to § 54956.9(b) (One potential case)

David C. Laredo read the board into closed session.

Chair Riley recessed the committee at 4:15 p.m. from open session to closed session. Riley announced and confirmed with Laredo that the committee will adjourn the Public Outreach Committee meeting following the conclusion of matters as listed on the closed session agenda.

Report Out from Closed Session

David C. Laredo reported that committee met to discuss one item of potential litigation. No reportable action was taken.

Adjournment

Director Riley adjourned the meeting at 5:02 p.m.

/s/ Joel G. Pablo

Joel G. Pablo, Board Clerk

Received by the MPWMD Board of Director's on May 15, 2023

Approved by the MPWMD Public Outreach Committee on April 24, 2023

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EXHIBIT 19-B

Final Minutes Water Supply Planning Committee of the Monterey Peninsula Water Management District *Monday, March 6, 2023*

Call to Order: Chair Edwards called the meeting to order at 3:00 p.m.

Committee Members Present: Alvin Edwards, Chair
Karen Paull
George Riley (*Joined at 3:03 p.m.*)

Committee Members Absent: None

Staff Members Present: David J. Stoldt, General Manager
Jonathan Lear, Water Resources Division Manager
Maureen Hamilton, District Engineer
Simona Mossbacher, Human Resources Coordinator/Contract Specialist
Joel G. Pablo, Board Clerk

District Counsel Present: Fran Farina with De Lay & Laredo

Comments from the Public: Chair Edwards opened public comment; *No comments were directed to the Committee.*

Action Items

1. Consider Adoption of the December 14, 2022, Committee Meeting Minutes

David J. Stoldt, General Manager introduced Item No. 1 and noted a revised set of meeting minutes were sent by e-mail prior to the start of the meeting. Committee Member Paull thanked staff for revising the meeting minutes and mentioned that she plans to send over additional non-substantive edits to staff.

Chair Edwards opened public comment; *no comments were directed to the Committee.*

A motion was offered by Paull with a second by Riley to approve the December 14, 2022, Committee Meeting Minutes (revised) with additional non-substantive edits to be made. The motion passed on a roll-call vote of 3-Ayes (Riley, Paull and Edwards), 0-Noes and 0-Abstain.

2. Adopt CY 2023 Water Supply Planning Committee Meeting Schedule

David J. Stoldt, General Manager introduced Item No. 2 and recommended approval.

Chair Edwards opened public comment; *no comments were directed to the Committee.*

A motion was offered by Paull with a second by Edwards to approve the 2023 Water Supply Planning Committee Meeting Schedule. The motion passed on a roll-call vote of 3-Ayes (Riley, Paull and Edwards), 0-Noes and 0-Abstain.

3. Consider Authorizing the General Manager to Enter into a Contract with Montgomery and Associates to Provide a Tularcitos ASR Feasibility Study

David J. Stoldt, General Manager stated the proposed agreement between the District and Montgomery and Associates will be presented at the March 2023 Board meeting for consideration and adoption following committee approval.

Maureen Hamilton, District Engineer, provided a brief overview of her staff note and requested the committee to approve the matter. Hamilton indicated staff has identified a project, the Tularcitos ASR project to pursue the feasibility of diverting water from the Carmel River and injecting it into the ASR wells located in the Tularcitos Creek subwatershed for subsequent recovery during the dry season. She described the steps to conduct an ASR feasibility in the area and as covered in further detail in the staff note. Lastly, she clarified the recommendation found in the staff report is for an amount not-to-exceed \$119,200, *not \$119.*

Chair Edwards opened public comment; *no comments were directed to the Committee.*

A motion was offered by Riley with a second by Paull to recommend to the Board to authorize the General Manager to enter into a contract with Montgomery and Associates to provide a Tularcitos ASR Feasibility Study in an amount not-to-exceed \$119,200. The motion passed on a roll-call vote of 3-Ayes (Riley, Paull and Edwards), 0-Noes and 0-Abstain.

4. Consider Recommending the Board Approve a Memorandum of Agreement to Share in the Cost of Installing a Groundwater Monitoring Well (Fort Ord 09 – Shallow)

David J. Stoldt, General Manager provided a brief overview of the staff note and recommended approval of the cost sharing Memorandum of Agreement with the Seaside Basin Watermaster and Marina Coast Water District.

Chair Edwards opened public comment; *no comments were directed to the Committee.*

Committee members agreed with staff’s recommendation to recommend to the Full Board to approve a Memorandum of Agreement with the Seaside Basin Watermaster and Marina

Coast Water District and to authorize an amount not-to-exceed \$46,500 inclusive of a 10% contingency.

Discussion Items

[The Committee heard Item No. 7 ahead of all other Discussion Items]

5. Seaside Basin Water Quality and Operations Meeting Transition from M1W to MPWMD

David J. Stoldt, General Manager provided introductory remarks.

Maureen Hamilton, District Engineer, summarized her staff note and answered committee questions. She mentioned that Division of Drinking Water (DDW) staff requested increased communication between water projects and stakeholders. Staff proposes that the Seaside Basin Water Quality and Operations (WQO) meeting responsibilities transition from Monterey One Water (M1W) to the District. She noted the move to have the District host and coordinate the WQO meeting will bring together all other water facility operators to effectively communicate on current, planned, and future water facility operations in the Seaside Basin.

In response to Paull, Stoldt communicated that the meetings serve as a platform to allow water stakeholders to discuss operations and their respective interests.

Chair Edwards opened public comment; *no comments were directed to the Committee.*

[Following Discussion of Item No. 5; the committee moved to Item No. 8]

6. Overview of the FEMA / CAL Office of Emergency Services Reimbursement Process

Simona Mossbacher, Human Resources Coordinator/Contract Specialist presented via slide-deck entitled, “FEMA/OES Process” and answered committee questions. *A copy of the presentation is on file with the District and can be found on the District website.* She provided background information and mentioned the District is applying for both Federal Emergency Management Agency (FEMA) and California Office of Emergency Services (OES) grants. Mossbacher provided an overview of the FEMA Program Delivery Process steps and shared the District has applied for reimbursement: **Category A:** Debris removal; and **Category E:** Public Buildings and Equipment. She commented the District would not qualify for grants under **Category C:** Roads and Bridges due to preexisting road conditions that were exacerbated, but not caused by the rains. She discussed FEMA 404 and 406 Mitigation grant funding, cost share basics, FEMA Cost Adjustments, and projected schedule/timeframe.

Chair Edwards opened public comment; *no comments were directed to the Committee.*

7. Discuss Alternative Methods to Finance and Utilize Pure Water Monterey Expansion

David J. Stoldt, General Manager provided an overview of his staff report that included, but are not limited to:

- a. Finance and Construction of the Expansion without Cal-Am’s participation in the WPA
- b. Original Intent of the Expansion
- c. Cal-Am facilities (at least two wells) that may be built
- d. Lifting of the Cease-and-Desist Order
- e. Federal and State Grant Opportunities
- f. Monterey One Water Participation
- g. Overview of the 2012 Proposition 218 Protest Hearing
- h. Issue Debt in the Public Markets, *if the WIFIA loan becomes unavailable*

[Specific details on each can be found in the Staff Report]

In response to Director Edwards, District Counsel Farina indicated the District had evaluated and sent a complaint letter in response to Cal-Am’s refusal to sign the Water Purchasing Agreement following the CPUC’s December 1, 2022 decision. Furthermore, she informed Edwards of the CPUC complaint process and she has no intention of sending a complaint letter to the Commission on their delayed inaction on the District’s petition.

Chair Edwards opened public comment; *The following comments were directed to the committee:*

1. Susan Schiavone: Concurred with Riley’s comments. She stated she had sent a letter to the Commissioners of the California Public Utilities Commission requesting that they compel Cal-Am to sign the Water Purchasing Agreement. She believes it is imperative for more public officials to be aware of the Cal-Am’s refusal to sign off on the WPA in an effort to place pressure on the company.

No further comments were directed to the Committee.

[Following discussion on Item No. 7; Discussion Item No. 5 was heard]

8. Discuss Pure Water Monterey Legal Expenses

David J. Stoldt, General Manager provided a brief overview of budgeted amounts for the Pure Water Monterey- Expansion, as of March 2022 and pointed direction to the table on legal expenses on PWM- Expansion demonstrating the budgeted, the expended, and remaining funds available. Edwards suggested at the next Mid-Year Budget Review that the Board should be presented with the information presented in the staff note. Paull and Edwards shared their concern over the District’s 75% cost share with Perkins Coie, LLP and requested that the District review incoming invoices in relation to work produced.

Chair Edwards opened public comment; *no comments were directed to the Committee.*

Informational Item

9. Receive and Discuss Information on State and Federal Priorities for 2023

The committee received the report on State and Federal Priorities for 2023.

Suggest Items to be Placed on Future Agendas

None.

Adjournment

There being no further business, Chair Edwards adjourned the meeting at 4:39 p.m.

/ s/ Joel G. Pablo

Joel G. Pablo, Board Clerk to the
MPWMD Water Supply Planning Committee

Approved by the MPWMD Water Supply Planning Committee on May 1, 2023
Received by the MPWMD Board of Director's on May 15, 2023

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EXHIBIT 19-C

Final Minutes
Monterey Peninsula Water Management District
Finance and Administration Committee
April 10, 2023

Meeting Location: District Office, Main Conference Room
 5 Harris Court, Building G., Monterey, CA 93940
 (Hybrid: Meeting Held In-Person and via Zoom – Teleconferencing means)

Call to Order

Chair Anderson called the meeting to order at 2:00 PM via Zoom.

Committee members present: Amy Anderson, Chair
 Alvin Edwards
 Marc Eisenhart

Committee members absent: None

District staff members present: Suresh Prasad, Administrative Services Manager/Chief Financial Officer
 Jonathan Lear, Water Resources Manager
 Maureen Hamilton, District Engineer
 Joel Pablo, Board Clerk/Executive Assistant
 Sara Reyes, Sr. Office Specialist

District staff members absent: David Stoldt, General Manager

District Counsel present: David Laredo with De Lay and Laredo

Additions / Corrections to Agenda:

None

Comments from the Public: None

Action Items

1. Consider Adoption of March 13, 2023 Committee Meeting Minutes

On a motion by Edwards and second by Eisenhart, the minutes of the March 13, 2023 meeting were approved on a roll call vote of 3 – 0 by Eisenhart, Edwards and Anderson.

2. Consider Recommendation to Authorize the General Manager to Enter Into a Contract with Schaaf & Wheeler to Provide Drawing Support Services

On a motion by Eisenhart and second by Edwards, the Finance and Administration Committee recommended the Board authorize the General Manager to enter a contract with Schaaf & Wheeler to

provide drawing support services to MPWMD for an amount not-to-exceed \$30,000. The motion was approved on a roll call vote of 3 – 0 by Edwards, Eisenhart and Anderson.

3. Consider Expenditure of Budgeted Funds for Water Conservation Equipment

On a motion by Edwards and second by Eisenhart, the Finance and Administration Committee recommended that the Board approve the spending of \$13,000 to renew the District's stock of water conservation equipment. The motion was approved on a roll call vote of 3 – 0 by Edwards, Eisenhart and Anderson.

Discussion/Other Items

4. Review Draft April 17, 2023 Regular Board Meeting Agenda

The committee reviewed the draft agenda and made no changes.

Suggest Items to be Placed on Future Agendas

Director Eisenhart followed up with his request from the March 13, 2023 Finance and Administration Committee (FAC) where he asked if staff could provide the committee with an update on the financial impact of the MPTA ruling and the status of the Rehabilitation Project. Suresh Prasad, Administrative Services Manager/Chief Financial Officer stated an update would be provided at the May 8, 2023 FAC meeting.

Adjournment

Chair Anderson adjourned the meeting at 2:29 PM.

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ITEM: INFORMATIONAL ITEM/STAFF REPORT**20. MONTHLY ALLOCATION REPORT****Meeting Date: May 15, 2023** **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 April 30, 2023, a total of **26.471** acre-feet (**7.8%**) of the Paralta Well Allocation remained available for use by the Jurisdictions. Pre-Paralta water in the amount of **30.769** acre-feet is available to the Jurisdictions, and **28.333** 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 April 2023 (“changes”), and the quantities remaining. The Paralta Allocation had no debits in April 2023.

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 March 2023**

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	0.298	50.659	0.000	0.181	38.121	0.000	2.451	2.920
Monterey County	87.710	0.000	10.578	13.080	0.000	0.352	7.827	0.000	1.181	12.121
Pacific Grove	25.770	0.000	0.000	1.410	0.000	0.014	15.874	0.000	0.002	0.016
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	0.296	29.181	2.693	0.000	1.144	30.325
District Reserve	9.000	0.000	9.000	N/A			N/A			9.000
TOTALS	342.720	0.000	26.471	101.946	0.296	30.809	90.142	0.000	28.333	85.613

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	0.159	10.051	2.709

* 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 April 2023**

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. *	198.890	0.320	32.282	166.608
Del Monte Forest Benefited Properties (Pursuant to Ord No. 109)	166.110	0.688	73.269	92.841
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	1.008	120.380	259.620

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	8.114	197.886
Malpaso Water Company	80.000	0.199	21.928	58.072
D.B.O. Development No. 30	13.950	0.000	3.908	10.042
City of Pacific Grove	38.390	0.156	8.781	29.609
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.

In addition to releasing water from the development of the Paralta Well, Ordinance No. 70 established a "special reserve" of 12.76 acre-feet of water saved by system improvements to the former Water West System when it was purchased and integrated into Cal-Am. This reserve was made available to properties in the former Water West System on a first-come, first-served basis. The ordinance also increased Cal-Am's production limit for savings related to the annexation of the Quail Meadows subdivision.

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.

and a date that inspectors will be on Site to check the property. In April, District inspectors performed **no** 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 April 2023, MPWMD referred **no** 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 **76** Water Permits from April 1, 2023, and April 30, 2023. **Eleven** Water Permits were issued using Water Entitlements (Pebble Beach Company, Malpasco Water, etc.). **No** Water Permits involved a debit to a Public Water Credit Account. In addition to those Water Permits issued in April, **five** Meter Permits and **five** Hydrant Meter Permits were issued. All Water Permits have a disclaimer informing applicants of the Cease-and-Desist Order against California American Water and that MPWMD reports Water Permit details to California American Water.

District Rule 24-3-A allows the addition of a second Bathroom in an existing Dwelling Unit. Of the **76** Water Permits issued from April 1, 2023, and April 30, 2023, **two** were issued under this provision.

B. Permit Compliance

District staff completed **no** conditional Water Permit finals during April 2023. Staff completed **76** site inspections. **48** properties passed and **twelve** 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 **38** 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>.

EXHIBIT

21-A Rebate information for April 1, 2023 to April 30, 2023

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REBATE PROGRAM SUMMARY		April-2023			2023 YTD	1997 - Present		
I. Application Summary								
A.	Applications Received	64			305	30,364		
B.	Applications Approved	51			242	23,723		
C.	Single Family Applications	47			229	26,622		
D.	Multi-Family Applications	4			13	1,617		
E.	Non-Residential Applications	0			0	361		
		Number of Devices	Rebate Paid	Estimated AF	Gallons Saved	Year to Date Number	Year to Date Paid	Year to Date Estimated AF
II. Type of Devices Rebated								
A.	High Efficiency Toilet (HET)	11	\$825.00	0.055000	17,922	41	\$3,075.00	0.20500
B.	Ultra HET			0.000000	0	9	\$1,125.00	0.09000
C.	Toilet Flapper			0.000000	0	0	\$0.00	0.00000
D.	High Efficiency Dishwasher	8	\$1,000.00	0.024000	7,820	54	\$6,750.00	0.16200
E.	High Efficiency Clothes Washer - Res	28	\$14,000.00	0.450800	146,894	118	\$59,000.00	1.89980
F.	High Efficiency Clothes Washer - Com			0.000000	0	0	\$0.00	0.00000
G.	Instant-Access Hot Water System			0.000000	0	7	\$1,399.98	0.03500
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	2	\$775.00	0.000000	0	7	\$1,891.25	0.00000
K.	Smart Controllers	2	\$338.00	0.000000	0	9	\$1,072.45	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 - Smart Flowmeters	3	\$548.00	0.000000	0	15	\$2,856.00	0.00000
III. TOTALS		54	\$17,486.00	0.529800	172,636	260	\$77,169.68	2.39180
IV. TOTALS Since 1997					Paid Since 1997:	\$ 6,435,925	594.62	Year Saved Since 1997 (from quantifiable retrofits)

ITEM: INFORMATIONAL ITEM/STAFF REPORT**22. CARMEL RIVER FISHERY REPORT FOR APRIL 2023****Meeting Date: May 15, 2023 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: April was dry but cool, keeping river flows above normal for the month. The upper tributaries continued to flow to their confluence with the river and Los Padres Dam was spilling at 100 cubic-feet-per-second (CFS). Adult and smolt migration conditions were excellent and rearing conditions were excellent throughout the watershed.

April's mean daily streamflow at the Sleepy Hollow Weir gaging station dropped from 838 to 188 cfs (monthly mean 395 cfs) resulting in 23,500 acre-feet (AF) of runoff, while flows at the Highway 1 gage dropped from 826 to 205 cfs (monthly mean 409 cfs), resulting in 24,340 acre-feet (AF).

There were 0.15 inches of rain in April as recorded at the San Clemente gauge. The rainfall total for WY 2023 (which started October 1, 2022) is 34.61 inches, or 168% of the long-term year-to-date average of 20.47 inches.

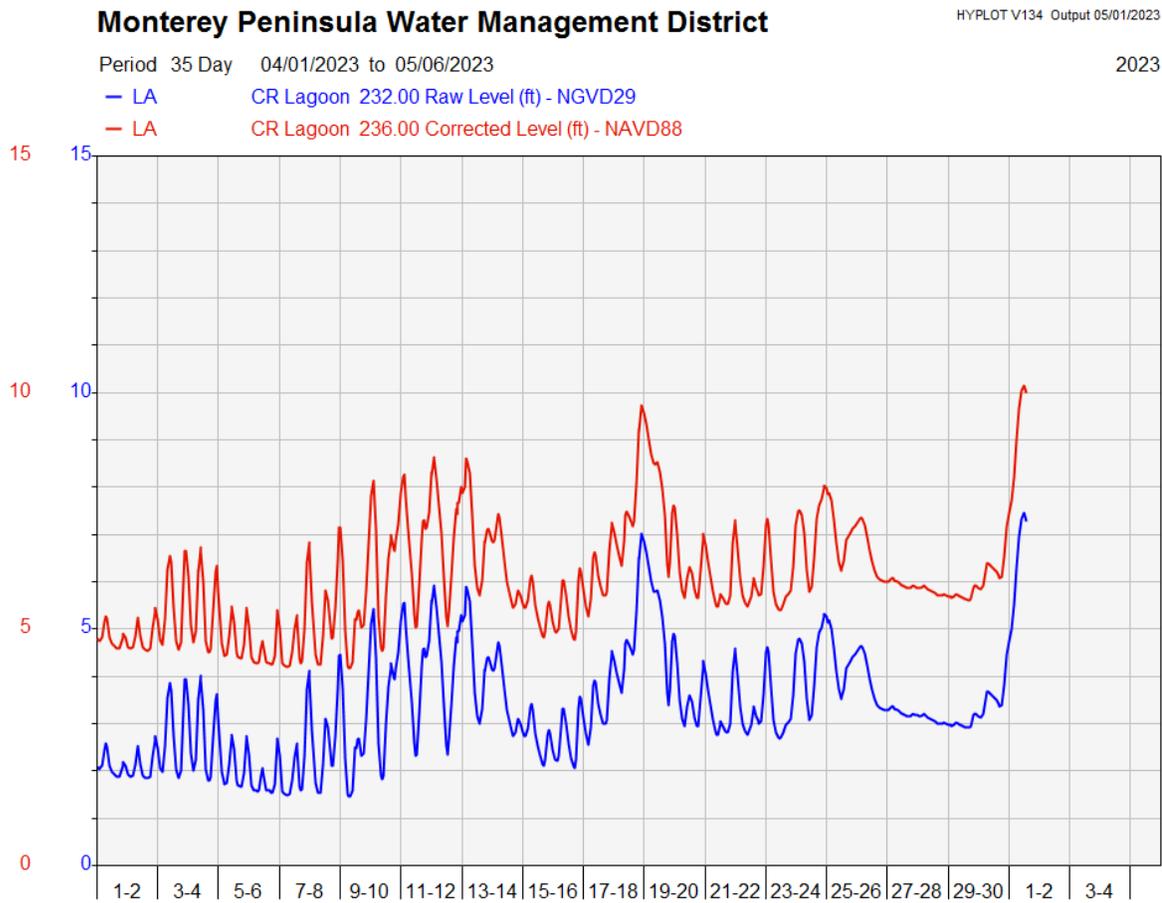
LOS PADRES DAM ADULT STEELHEAD COUNT: Los Padres Reservoir filled and spilled on December 10, 2022, reaching a peak daily mean outflow of over 800 cfs on December 11, 2022. The fish ladder and trap began operating on December 15, 2022, and two adult steelhead were counted before the ladder was damaged in January's large storms. The ladder was repaired and reinstalled in April and two additional adults were trapped and moved up to the reservoir.

CARMEL RIVER LAGOON: The lagoon water surface elevation (WSE) ranged from approximately 4.2 to 9.8 feet in April, largely due to tidal and wave action (North American Vertical Datum of 1988; NAVD 88) (See graph below). The lagoon was open to the ocean the entire month.

Water quality depth-profiles were conducted at five sites on April 28, 2023, while the lagoon mouth was open to the north, water surface elevation was 5.75 feet, and river inflow was 217 cfs. Steelhead passage conditions were excellent, but rearing conditions were not ideal as the north arm was largely filled with sand and the mouth of the south arm was partially blocked with sand, limiting the amount of freshwater exchange. Salinity levels were generally low, water temperatures

ranged from 58 - 64 degrees F, and dissolved oxygen (DO) levels were variable, ranging from 1 – 10 mg/l.

Carmel River Lagoon Plot:



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

Meeting Date: May 15, 2023 **Budgeted:** N/A

From: David J. Stoldt, **Program/** N/A
 General Manager **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 **May 1, 2023**. 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) 2023 and focuses on three 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 **April** 2023 totaled **0.15 inches** and brings the cumulative rainfall total for WY 2023 to **34.61 inches**, which is **169%** of the long-term average through **April**. Estimated unimpaired runoff through **April** totaled **23,390 acre-feet (AF)** and brings the cumulative runoff total for WY 2023 to **197.092 AF**, which is **314%** of the long-term average through **April**. Usable storage for the MRWPRS was **32,080 acre-feet**, which is **102%** of average through **April**, and equates to **102%** 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 3,376 AF of water from the Carmel River in WY 2023. Through **April**, using the CDO accounting method, Cal-Am has produced **894 AF** from the Carmel River (excluding **410 AF** of Table 13 and **53 AF** of Mal Paso.) 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 2023. Through **April**, Cal-Am has produced **812 AF** from the Seaside Groundwater Basin. Through **April**, **1,250 AF** of Carmel River Basin groundwater have been diverted for Seaside Basin injection; **0 AF** have been recovered for customer use, **410 AF** have been diverted under Table 13 water rights, and **2,675 AF** of Pure Water Monterey recovered. Cal-Am has produced **4,936 AF** for customer use from all sources through **April**. **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: **May 1, 2023**

23-B Monthly Cal-Am production by source: WY 2023

EXHIBIT 23-A

**Monterey Peninsula Water Management District
Water Supply Status
May 1, 2023**

Factor	Oct – Apr 2023	Average To Date	Percent of Average	Oct – Apr 2022
Rainfall (Inches)	34.61	20.46	169%	12.80
Runoff (Acre-Feet)	197,092	62,777	314%	21,510
Storage⁵ (Acre-Feet)	32,090	31,320	102%	28,390

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 1922-2022 and 1902-2022 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 1989-2022 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 2023

(All values in Acre-Feet)

Year-to-Date Values	MPWRS					Water Projects and Rights				Water Projects and Rights Total
	Carmel River Basin ^{2, 6}	Seaside Groundwater Basin		MPWRS Total	ASR Recovery	PWM Recovery	Table 13 ⁷	Sand City ³		
		Coastal	Laguna Seca						Ajudication Compliance	
Target	2,645	965	0	965	3,610	0	2,335	0	175	2,510
Actual ⁴	894	750	62	812	1,705	0	2,675	410	92	3,178
Difference	1,752	215	-62	153	1,905	0	-340	-410	83	-668
WY 2022 Actual	2,362	313	69	381	2,743	0	2,259	68	76	2,404

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, 1250 AF and 410 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 2023

(All values in Acre-Feet)

	Carmel River Basin	Seaside Basin	ASR Recovery	PWM Recovery	Table 13	Sand City	Mal Paso	Total
Oct-22	269	105	0	405	0	20	7	805
Nov-22	223	87	0	334	0	27	7	677
Dec-22	189	38	0	359	20	9	9	624
Jan-23	111	86	0	340	102	14	8	661
Feb-23	4	37	0	436	91	0	7	575
Mar-23	69	170	0	499	101	15	8	862
Apr-23	28	289	0	302	98	7	7	731
May-23								
Jun-23								
Jul-23								
Aug-23								
Sep-23								
Total	894	812	0	2,675	410	92	53	4,936
WY 2022	2,205	381	0	2,259	68	76	27	5,017

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



Supplement to May 15, 2023 MPWMD Board Packet

Attached are copies of letters sent and/or received between **April 12, 2023 and May 9, 2023**. These letters are listed in the **Monday, May 15, 2023** Board Packet under Letters Received / Sent.

Author	Addressee	Date	Topic
Melodie Chrislock	Board of Directors and General Manager	April 11, 2023	Voices of Monterey Bay – Op Ed entitled, “Cal-Am Buyout Begins Monterey Peninsula Reaches Major Milestones on Water”
Susan Schiavone	Board of Directors and General Manager	April 17, 2023	Letter to the Editor of the Monterey Herald entitled, “Measure J Says Buy CalAm”
Melodie Chrislock	Board of Directors and General Manager	April 26, 2023	Herald Letter in Response to Ron Chesshire – Your Views: Measure J Says Buy CalAm

Joel Pablo

To: mwchrislock@redshift.com; Alvin Edwards; Amy Anderson; George Riley; Karen Paull; District 5; Marc Eisenhart; Ian Oglesby; Dave Stoldt
Subject: RE: VOMB Op Ed - Chrislock

From: mwchrislock@redshift.com <mwchrislock@redshift.com>

Sent: Tuesday, April 11, 2023 7:53 PM

To: Alvin Edwards <alvinedwards420@gmail.com>; Amy Anderson <carmelcellogal@comcast.net>; George Riley <georgetriley@gmail.com>; Karen Paull <karenppaull@gmail.com>; District 5 <district5@co.monterey.ca.us>; Marc Eisenhart <mae@gedlaw.com>; Ian Oglesby <ioglesby@ci.seaside.ca.us>; Dave Stoldt <dstoldt@mpwmd.net>; Joel Pablo <Joel@mpwmd.net>

Subject: VOMB Op Ed - Chrislock

Voices of Monterey Bay | April 11, 2023

Cal Am buyout begins Monterey Peninsula reaches major milestones on water

By Melodie Chrislock

<https://voicesofmontereybay.org/2023/04/11/cal-am-buyout-begins/>

By Melodie Chrislock

On April 3, 2023, the Monterey Peninsula Water Management District (MPWMD) made Cal Am a buyout offer of \$448,808,000. This begins the buyout process. The water management district can use eminent domain if Cal Am refuses to sell.

Back in 2018, Public Water Now put Measure J on the ballot, and voters passed it by 56%, despite a multimillion-dollar campaign by Cal Am to defeat it. When Measure J passed, it became law, and MPWMD was mandated by that law to acquire Cal Am if feasible. The buyout was proven feasible by expert consultants in 2019.

Most ratepayers voted to get rid of Cal Am because of the cost of their water. According to the California Public Utilities Commission's Public Advocates

Office, out of all the private investor-owned water systems in California, the Peninsula has the most expensive water except for two tiny water systems in Dillon Beach and Catalina Island. Only 15% of Californians still get their water from private investor-owned water systems.

Over the last five years, the reasons to say goodbye to Cal Am have multiplied. The most recent example was Cal Am's refusal to sign a water purchase agreement for the Pure Water Monterey expansion. Cal Am held the Peninsula's urgently needed new water supply hostage for years.

After three years of stalling the expansion, Cal Am finally signed the agreement on April 4, 2023. In the process, we discovered that no one, not even the Public Utilities Commission, could force Cal Am to sign the water purchase agreement to allow this public agency project to be built. It took \$70 million to convince Cal Am to sign. This is far more than the needed infrastructure should cost.

It's too complex to get into here, but it's in Cal Am's interest to take the most expensive approach to build water infrastructure because it earns them more profit. That is why they so desperately want their oversized, overpriced desalination plant, which would raise our water bills by 60% to 70%, according to the Public Advocates Office.

The cost of water and local control are the reasons 85% of California gets water from public, municipally owned systems.

Cal Am threatens millions of dollars in legal fees, but that pales in comparison to the tens of millions Cal

Cal Am continually adds to our water bills.

Cal Am claims that water would cost more under MPWMD's public ownership. Not true. Since Cal Am makes a guaranteed profit and the water district would make no profit, it should cost less. Remember, the cost to buy out Cal Am is not added to our water bills on top of what we pay now. For the first 30 years, the profit we have been paying Cal Am would cover the cost of the loan, so the buyout should not raise water bills.

The purchase price, the cost of the loan, and Cal Am's actual profit will determine how much lower the cost of water will be. Under eminent domain, a jury will decide what Cal Am is worth.

Cal Am threatens millions of dollars in legal fees, but that pales in comparison to the tens of millions Cal Am continually adds to our water bills.

Over the three years from 2019 through 2021, Cal Am raised our water rates by almost \$18 million. In January 2023, they raised rates by another \$8.5 million. The delay of the Pure Water Monterey Expansion caused by Cal Am has cost us \$14 million. And Cal Am has already wasted over \$154 million on a desal plant that is unnecessary and will most likely never be built.

Cal Am has mismanaged our water system for decades. And it has never produced one drop of new water. Ironically, Cal Am claims MPWMD should be focused on delivering new water supplies instead of the buyout. But that is exactly what they have done, despite Cal Am's obstruction.

Monterey One Water and MPWMD are responsible for Pure Water Monterey and the Aquifer Storage and Recovery agreement between the water management district and Cal Am — two of the three legs of Cal Am's three-

legged stool. Once the expansion is built, these two public water agencies will produce over half of the Peninsula's water.

If we want more water and at a reasonable cost, Cal Am must go.

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About Melodie Chrislock

Melodie Chrislock is the director of Public Water Now, the citizens' group that organized and promoted the Measure J initiative that requires the Monterey Peninsula Water Management District to pursue a possible public takeover of Cal Am. She lives in Carmel.

Joel Pablo

From: susan schiavone <s.schiavone@sbcglobal.net>
Sent: Monday, April 17, 2023 6:37 PM
To: Joel Pablo
Subject: Letter to Editor

Joel - please include this in the next board meeting packet and share it with the Board - I responded to Mr. Chessire's editorial with lots of misinformation about measure J.

Sent to Herald April 17, 2023

Measure J Says Buy CalAm

Ron Chessire's arguments against Measure J in his April 11th guest editorial, are replete with misinformation. Measure J never told voters it would be quick and easy. Nor has there been any rush; it has been five years since passage.

Feasibility is not in the "eye of the beholder" as Chessire asserts. Feasibility was determined through analysis by the Raftelis utility consulting firm in 2019, a highly rated national firm. LAFCO voted against its own staff and consultants. The district has sold retail water to Pebble Beach for some time, making that permission unnecessary. Mr. Chessire asserts Measure J does not mean a voter mandate to buy the water system. Measure J does mandate purchase of the water system as long as it is feasible to do so, and clearly states "It shall be the policy of the District, if and when feasible, to secure and maintain public ownership of all water production, storage and delivery system assets and infrastructure providing services within its territory." Further, Measure J states "The District shall acquire through negotiation, or through eminent domain, if necessary, all assets of California American Water, or any successor in interest to California American Water, for the benefit of the District as a whole."

Demonizing MPWMD side steps the reality that it was 56% of the voters in the district who passed Measure J, who want to do away with being held captive by a private company that gouges the ratepayers and pushes for profit over everything else.

Susan Schiavone, Seaside

Joel Pablo

From: mwchrislock@redshift.com
Sent: Wednesday, April 26, 2023 6:39 PM
To: Alvin Edwards; Amy Anderson; George Riley; Karen Paull; District 5; Marc Eisenhart; Ian Oglesby; Dave Stoldt; Joel Pablo
Subject: Herald Letter in Response to Ron Chesshire

Monterey Herald | April 26, 2023

YOUR VIEWS

Measure J says buy CalAm

Ron Chessire's arguments against Measure J in his April 11 guest editorial, are replete with misinformation. Measure J never told voters it would be quick and easy. Nor has there been any rush; it has been five years since passage.

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— *Susan Schiavone, Seaside*