

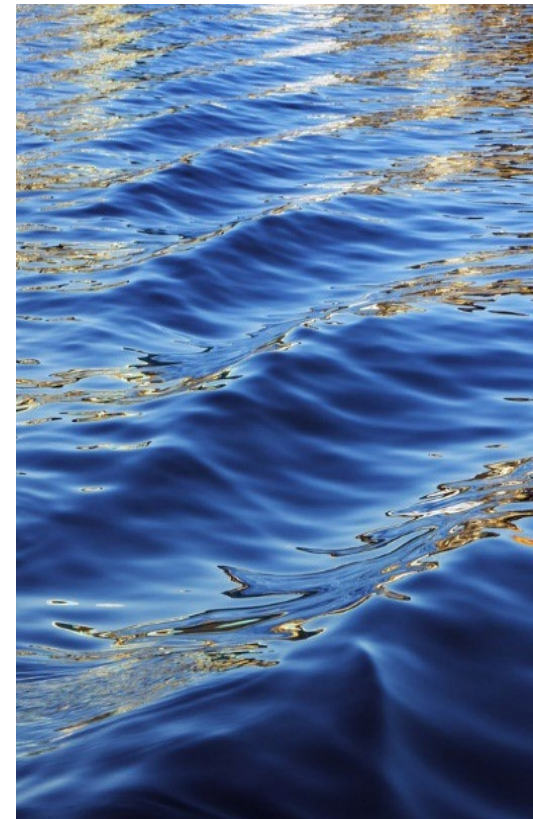


# Special Board Meeting

## Item 2: Public Hearing

David J. Stoldt, General Manager

October 10, 2023



# The Board's Measures of Feasibility

## 11/12/19 Special Meeting

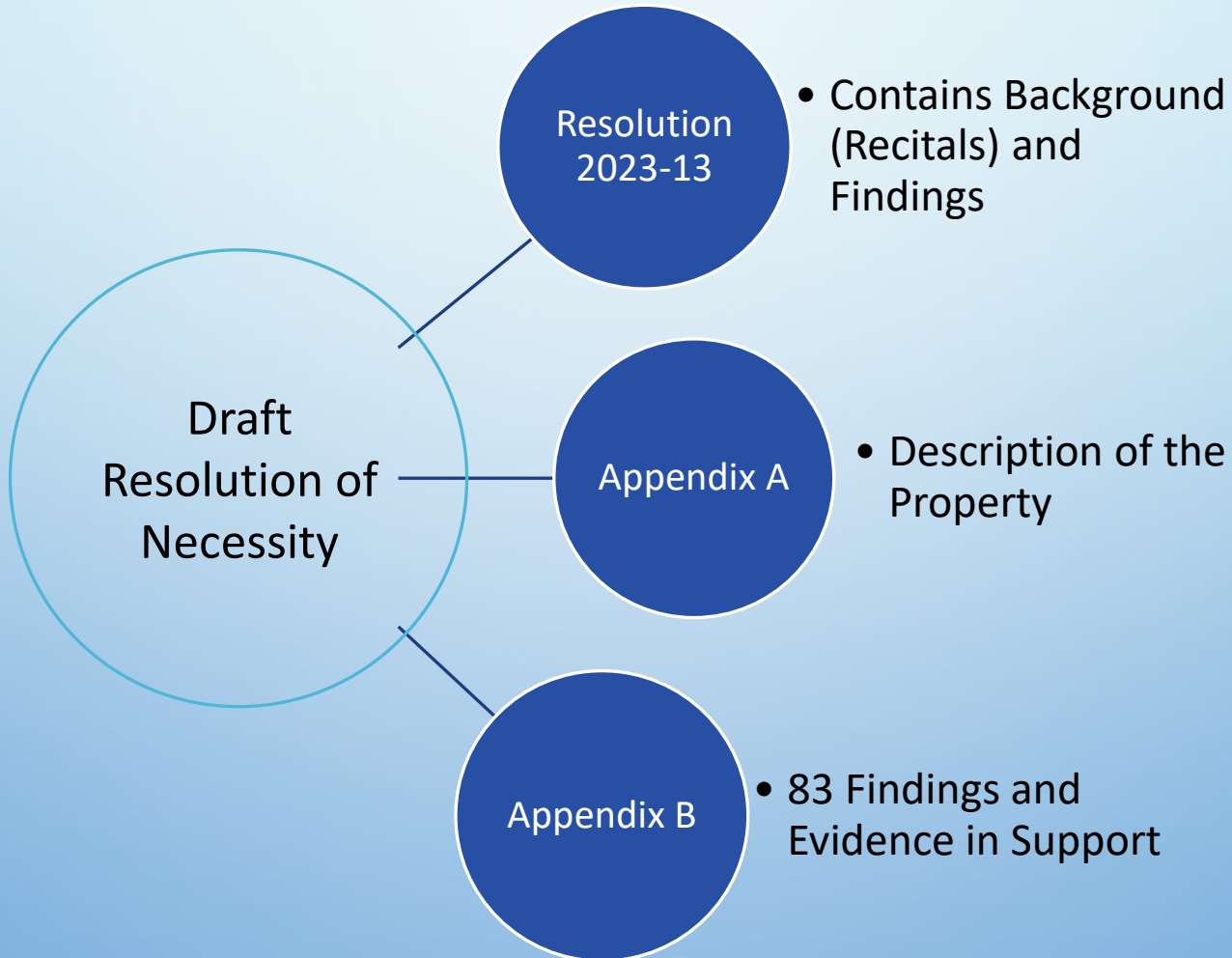
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Evaluate whether the following four measures, taken together, indicate it is in the public interest to acquire the system and sufficiently satisfy the criterion of “feasible” inherent in paragraph A of Rule 19.8:

- **Cost to ratepayers:** Will the system be less costly to operate; how soon will total cost savings (including acquisition costs) inure to ratepayers?
- **Quality and delivery of service:** Can the District provide operations and quality of water service as good as or better than the current operator?
- **Governance:** Will public ownership provide greater local control, oversight, and transparency in rate-setting, capital planning, and operations?
- **Legally Permissible:** Will the acquisition pass muster under California's Eminent Domain Law if Cal-Am challenges the District's “right to take” its Main System?

# 3 Components to the Draft Resolution

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# Appendix B – 83 Findings and Evidence

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1 - 28	• Cost of Service
29 - 56	• Quality of Service
57 - 72	• Transparent & Accessible Governance
73 - 77	• Greatest Public Good & Least Private Injury
78	• Property is Necessary & Required for the Project
79	• Offer to Acquire Complies With the Law
80 - 83	• District has Full & Proper Authority to Acquire w/ Eminent Domain

## Other Information for the Board to Consider

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- EIR Certified October 29, 2020
- Findings in Attachment A to Resolution 2020-17
- October 5, 2023 Cal-Am Letter and Exhibits
- Administrative Record in MPWMD v. LAFCO
- Property Owner (Cal-Am) Presentation
- Public Comment
- Q & A
- Board Discussion / Action



# Staff Recommendation

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The General Manager Recommends that the Board Adopt Resolution 2023-13, a Resolution of the Board of Directors of the Monterey Peninsula Water Management District Determining the Public Interest and Necessity and Related Matters Supporting Acquisition of the Monterey Water System Owned by California American Water Company.