

This meeting has been noticed according to the Brown Act rules. The Board of Directors meets regularly on the third Monday of each month. The meetings begin at 7:00 PM.



AGENDA

Regular Meeting

Board of Directors

Monterey Peninsula Water Management District

Monday, October 17, 2016

Closed Session, 5:30 pm

2999 Monterey Salinas Highway, Monterey, CA 93940

Regular Meeting, 7:00 PM

Conference Room, Monterey Peninsula Water Management District

5 Harris Court, Building G, Monterey, CA

Staff notes will be available on the District web site at

<http://www.mpwmd.net/who-we-are/board-of-directors/bod-meeting-agendas-calendar/>

by 5 PM on Friday, October 14, 2016.

The 7:00 PM Meeting will be televised on Comcast Channels 25 & 28. Refer to broadcast schedule on page 3.

5:30 pm – Closed Session

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

1. **Public Comment** – Members of the public may address the Board on the item or items listed on the Closed Session agenda.
2. **Adjourn to Closed Session**
3. **Conference with Labor Negotiators (Gov. Code 54957.6)**
Agency Designated Representatives: David Stoldt
Employee Organization: General Staff and Management Bargaining Units Represented by United Public Employees of California/LIUNA, Local 792
Unrepresented Employees: Confidential Unit
4. **Conference with Legal Counsel – Existing Litigation (Gov. Code 54956.9 (a))**
 - A. Monterey Peninsula Water Management District v. California Public Utilities Commission (California American Water Company) (Case S208838)
 - B. MPWMD v SWRCB; Santa Clara 1-10-CV-163328 – CDO (6th District Appellate Case #H039194)
5. **Adjourn to 7 pm Session**

Board of Directors

Jeanne Byrne, Chair – Division 4
Robert S. Brower, Sr., Vice Chair – Division 5
Brenda Lewis – Division 1
Andrew Clarke - Division 2
Molly Evans – Division 3
David Pendergrass, Mayoral Representative
David Potter, Monterey County Board of Supervisors Representative

General Manager

David J. Stoldt

This agenda was posted at the District office at 5 Harris Court, Bldg. G Monterey on Thursday, October 13, 2016. Staff reports regarding these agenda items will be available for public review on 10/14/2016, at the District office and at the Carmel, Carmel Valley, Monterey, Pacific Grove and Seaside libraries. After staff reports have been distributed, if additional documents are produced by the District and provided to a majority of the Board regarding any item on the agenda, they will be available at the District office during normal business hours, and posted on the District website at <http://www.mpwmd.net/who-we-are/board-of-directors/bod-meeting-agendas-calendar/>. Documents distributed at the meeting will be made available in the same manner. The next regular meeting of the Board of Directors is scheduled for November 14, 2016 at 7 pm.

7:00 PM – Regular Meeting

CALL TO ORDER/ROLL CALL

PLEDGE OF ALLEGIANCE

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

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.

1. Consider Adoption of Minutes of the September 19, 2016 Board Meeting
2. Receive Alternative Measurement Method Report for Determining Annual Costs for Post-Employment Medical Benefits
3. Consider Adoption of Resolution 2016-16 - Revisions to MPWMD Conflict of Interest Code
4. Consider Approval of Reclassification of the Hydrography Programs Coordinator Position
5. Consider Adoption of Memorandum of Understanding with the General Staff Bargaining Unit
6. Consider Adoption of Memorandum of Understanding with the Management Staff Bargaining Unit
7. Consider Adoption of Memorandum of Understanding with the Confidential Staff Bargaining Unit
8. Consider Adoption of Treasurer's Report for July 2016
9. Consider Adoption of Treasurer's Report for August 2016

GENERAL MANAGER'S REPORT

10. Status Report on California American Water Compliance with State Water Resources Control Board Order 2009-0060 and Seaside Groundwater Basin Adjudication Decision
11. Update on Development of Water Supply Projects

ATTORNEY'S REPORT

12. Report on 5:30 pm Closed Session of the Board

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 HEARINGS – Public comment will be received on each of these items. Please limit your comment to three (3) minutes per item.

14. **Consider Second Reading and Adoption of Ordinance No. 174 - An Ordinance of the Monterey Peninsula Water Management District Suspending Authority to Accept Water Permit Applications for New Connections Based Upon Paralta Allocation, Pre-Paralta Allocation, Quail Meadows Subdivision Annexation, and Water West Reserve**
Action: The proposed ordinance would supersede Urgency Ordinance No. 173 adopted on August 15, 2016, and suspend staff's authority to accept Water Permit applications for new Connections when the application relies on a Jurisdiction's Paralta or pre-Paralta Allocation, the Quail Meadows Annexation, or the Water West Reserve until the Main California-American Water Company Water Distribution System is no longer subject to a Public Utilities Commission ordered moratorium or the District explicitly rescinds or repeals this measure.

15. Consider First Reading of Ordinance No. 175 - Modification of District Rules re Use of Water from the Carmel Valley Alluvial Aquifer for Water Supply

Action: The Board will consider modifications to the Rules for Water Distribution Systems that depend on the Carmel Valley Alluvial Aquifer for supply. The modifications reflect the Board policy set in August 2016 to reverse the trend of seasonal dewatering of the Carmel River and ensure that new development has a long-term sustainable supply.

16. Consider First Reading of Ordinance No. 176 – Amending Rules 11, 21, 24, 25.5, 60, 64, 141, 143 and 144

Action: The Board will consider adoption of the first reading of Ordinance No. 176 that amends several sections of the MPWMD rules and Regulations related to conservation, fees, and water permit processing.

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

17. Consider Adoption of Resolution No. 2016 – 17 - Resolution of Intention to Approve an Amendment to the District’s Contract with the California Public Employees’ Retirement System

Action: The Board will consider the first of two steps in amending the District’s contract with the CalPERS Retirement System to formally recognize Employees’ 3% Share of Cost of the Employers Premium Portion.

18. Consider Adoption of Resolution No. 2016-18 – Directing California American Water to Continue Collection and Remittance of the District Water Distribution System User

Action: The Board will consider adoption of a resolution ordering California American Water to collect and remit to the District the Water Distribution System User Fee, in order to defray the full costs of the District’s Mitigation, Conservation, and Water Supply Programs.

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.

- 19. Letters Received
- 20. Committee Reports
- 21. Monthly Allocation Report
- 22. Water Conservation Program Report
- 23. Carmel River Fishery Report
- 24. Quarterly Water Use Credit Transfer Status Report
- 25. Quarterly Carmel River Riparian Corridor Management Program Report
- 26. Monthly Water Supply and California American Water Production Report

ADJOURNMENT

Board Meeting Broadcast Schedule – Comcast Channels 25 & 28	
View Live Webcast at Ampmedia.org	
Ch. 25, Sundays, 7 PM	Monterey
Ch. 25, Mondays, 7 PM	Monterey, Del Rey Oaks, Pacific Grove, Sand City, Seaside
Ch. 28, Mondays, 7 PM	Carmel, Carmel Valley, Del Rey Oaks, Monterey, Pacific Grove, Pebble Beach, Sand City, Seaside
Ch. 28, Fridays, 9 AM	Carmel, Carmel Valley, Del Rey Oaks, Monterey, Pacific Grove, Pebble Beach, Sand City, Seaside

Upcoming Board Meetings

Monday, November 14, 2016	Regular Board Meeting	7:00 pm	District conference room
Monday, December 19, 2016	Regular Board Meeting	7:00 pm	District conference room
Wednesday, Jan. 25, 2016	Regular Board Meeting	7:00 pm	District conference room

Upon request, MPWMD will make a reasonable effort to provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. MPWMD will also make a reasonable effort to provide translation services upon request. Please submit a written request, including your name, mailing address, phone number and brief description of the requested materials and preferred alternative format or auxiliary aid or service by 5:00 PM on Thursday, October 13, 2016. Requests should be sent to the Board Secretary, MPWMD, P.O. Box 85, Monterey, CA, 93942. You may also fax your request to the Administrative Services Division at 831-644-9560, or call 831-658-5600.