



Final Minutes
Ordinance No. 152 Citizen's Oversight Panel of the
Monterey Peninsula Water Management District
January 14, 2022

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

Call to Order The meeting was called to order at 2:00 p.m. via Zoom by David J. Stoldt,
General Manager / Chair to the Panel.

Roll Call

Committee Members Present:

Susan Schiavone
Bill Peake
Scott Dick
Melodie Chrislock
Marli Melton
Mike Rachel
Kevan Urquhart
John Tilley

MPWMD Staff members present:

David J. Stoldt, General Manager / Chair to the Panel
Suresh Prasad, Administrative Services Manager/CFO
Joel G. Pablo, Board Clerk

District Counsel Present:

David Laredo, Esq. with De Lay and Laredo

Committee Members Absent:

Jason Campbell

Comments from the Public:

Opened Public Comment; No Public Comment Received.

Action Items

1. Consider Adoption of October 13, 2021 Committee Meeting Minutes

Opened Public Comment; No public comments were directed to the panel for Item No. 1.

A motion was made by Chrislock with a second by Schiavone to approve the committee meeting minutes of October 13, 2021. The motion passed on a roll-call vote of 8-Ayes (Schiavone, Chrislock, Peake, Melton, Rachel, Dick, Tilley and Urquhart), 0-Noes, 0-Abstain and 1-Absent (Campbell).

2. Review Draft 2021 Annual Report and Authorize Release to the MPWMD Board of Directors

Opened Public Comment; E-mail Comment received from John Tilley on Item No. 2 dated Thursday, January 13, 2022. A copy of the comment is available on the District website and upon request at the District office. No further written or verbal comments were received by the Committee.

David J. Stoldt, General Manager/Chair to the Panel provided introductory remarks. Stoldt addressed Tilley’s letter acknowledging the contents of *Section 2: Process of the Mission and Responsibilities of the MPWMD Ordinance 152 Citizen’s Oversight Panel* (aka and herein after refer to “Committee Charge”) adopted by the MPWMD Board of Directors on December 10, 2012. Stoldt noted that although the current practices stray away from the Committee Charge he noted the District’s practice and timing of finalizing the Annual Report has remain consistent since the inception of the committee. Stoldt further explained that the contents contained in the Draft 2021 Annual Report (Exhibit 2-A) were discussed at the October 13, 2021 committee meeting and incorporated therein.

The committee by consensus directed staff to include the following into the Draft 2021 Ordinance No. 152 Citizen’s Oversight Panel Annual Report:

- a. Include the Water Supply Charge (WSC) Availability Analysis, *FY2020-21 Audited Actuals*; and narrative on how WSC funds are being utilized.
- b. Include minority opinion on the following: (i) Measure J does not constitute a water supply project and not an appropriate use of Water Supply Charge funds; and (ii) sunseting of the Water Supply Charge.

A motion was made by Tilley with a second by Schiavone to (a) allow committee members an opportunity to provide further editorial change(s) or substantive additions to the draft 2021 Annual Report and as discussed during the meeting with the General Manager/Chair of the Panel by noon on Monday, January 17, 2022; (b) conditioned to a final review of the proposed draft by all committee members and receiving majority consensus by close of business on Tuesday, January 18, 2022; and (c) if majority consensus is received, authorize the General Manager to bring the matter before the Board of Director’s at its regularly scheduled meeting on Thursday, January 27, 2022. The motion passed on a roll-call vote of 8-Ayes (Schiavone, Chrislock, Peake, Melton, Rachel, Dick, Tilley and Urquhart), 0-Noes, and 1-Absent (Campbell).

Discussion Items

3. Review of Revenue and Expenditures of Water Supply Charge Related to Water Supply Projects

David J. Stoldt, General Manager/Panel Chair and provided introductory remarks. Suresh Prasad, Administrative Manager/CFO reviewed Exhibits 3-A (Water Supply Charge Receipts) and 3-B (Water Supply Charge Availability Analysis). Prasad provided an overview of FY2020-21 WSC Audited Actuals from receipts, revenues, expenditures, project expenditures and overall totals for each and answered questions from the committee. Stoldt reminded the committee about the WSC chart [also known as, the Water Supply Charge Report (Water Supply Fund) *previously included in the October 13, 2021 agenda packet*] and Prasad confirmed that a simplified version of the chart will be included in future agenda packets to the committee. Mayor Peake requested for the Final 2021-22 Budget to be posted on the District website.

Opened Public Comment; No public comment received on Item No. 3.

4. Discuss District Response to MPTA (“Taxpayers”) Lawsuit

David J. Stoldt, General Manager/Panel Chair provided introductory remarks. Laredo stated the hearing on the demurrer has been rescheduled to Friday, February 18, 2022 at 8:30 a.m. in Department 14 of the Monterey County Superior Court. General direction was provided to the Board Clerk to revise the committee meeting minutes from October 13, 2021 to include the Closed Session matter had and ensure attendance record is reflected therein.

Opened Public Comment; No public comment received on Item No. 4.

Other Items

5. Water Supply Project Update (Verbal Report)

David J. Stoldt, General Manager provided a verbal status report on Water Supply Projects and made the following points and answered committee questions:

1. California American Water has an open application with the California Public Utilities Commission on Pure Water Monterey- Expansion (PWM: Expansion) and will revisit the need for a Desalinization plant.
2. MPWMD and MIW have an established Cost Sharing Agreement on the Pure Water Monterey: Expansion. The agencies have agreed that preconstruction monies can be spent and construction on the expansion will not commence until CalAms application on the PWM: Expansion is considered and a decision is rendered on the matter.
3. Provided an overview of legal limits for various water supply sources from Table 13 Water Rights, Pure Water Monterey and surplus waters that can be carried towards next Calendar Year or Water Year.
4. Stoldt provided an a verbal status update on the District’s Water for Housing Initiative. He hopes the matter can be elevated with both the State Water Resources Control Board and the California Housing and Community Development in order to meet the Association of Monterey Bay Area Government’s Regional Housing Need Allocations.

Opened Public Comment; No public comment received on Item No. 5.

6. Suggest Items to be Placed on a Future Agenda

ADJOURNMENT:

There being no further business, David J. Stoldt, General Manager/Chair of the Panel adjourned the meeting at 2:11 p.m.

/s/ Joel G. Pablo, Board Clerk to the MPWMD Ordinance No. 152 Citizen’s Oversight Panel

Received by the MPWMD Board of Director’s on Monday, May 16, 2022

Approved by the MPWMD Ordinance No. 152 Citizen’s Oversight Panel on Thursday, May 12, 2022