

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  
**Regular Meeting**  
**Board of Directors**  
**Monterey Peninsula Water Management District**  
\*\*\*\*\*  
**Monday, September 16, 2024 at 6:00 p.m. [PST]**

Meeting Location: MPWMD – Main Conference Room  
5 Harris Court, Building G, Monterey, CA 93940

[This is an In-Person meeting. Remote participation may be offered via Zoom, but this is optional as connectivity cannot be assured and thus is not a necessary requisite for the meeting to proceed in-person.]

To Join via Zoom- Teleconferencing means, please click the link below:  
<https://mpwmd-net.zoom.us/j/82714770012?pwd=irsaEdUDXtsdpAcCBXVR59nea2gCMz.1>

Or join at: <https://zoom.us/>  
Webinar ID: 827 1477 0012  
Passcode: 091624  
To Participate by Phone: (669) 900-9128

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

You may also view the live webcast on AMP <https://accessmediaproductions.org/>  
scroll down to the bottom of the page and select AMP 1.

This agenda was posted at the District website ([www.mpwmd.net](http://www.mpwmd.net)) and at 5 Harris Court, Bldg. G, Monterey, California on Thursday, September 12, 2024. 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 Friday, September 13, 2024.

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**CALL TO ORDER / ROLL CALL**

**PLEDGE OF ALLEGIANCE**

<p><b>Board of Directors</b> Amy Anderson, Chair – Division 5 George Riley, Vice-Chair – Division 2 Alvin Edwards – Division 1 Marc Eisenhart – Division 3 Karen Paull – Division 4 Mary L. Adams– Monterey County Board of Supervisors Representative Ian Oglesby– Mayoral Representative</p> <p><b>General Manager</b> David J. Stoldt</p>
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<p><b>Mission Statement</b> 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><b>Vision Statement</b> Model ethical, responsible, and responsive governance in pursuit of our mission.</p> <p><b>Board's Goals and Objectives</b> Are available online at: <a href="https://www.mpwmd.net/who-we-are/mission-vision-goals/">https://www.mpwmd.net/who-we-are/mission-vision-goals/</a></p>
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**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 Regular Board Meeting on August 19, 2024
2. Consider Adoption of Treasurer’s Report for July 2024
3. Consider Approval of the Fourth Quarter Fiscal Year 2023-2024 Investment Report

#### **PRESENTATION ON GIS PROJECTS**

#### **GENERAL MANAGER’S REPORT**

These items are scheduled for the October 21, 2024 Board Meeting:

- Status Report on California American Water Compliance with State Water Resources Control Board Order 2016-0016 and Seaside Groundwater Basin Adjudication Decision (*Verbal Report*)
- Update on Water Supply Projects (*Verbal Report*)
- Update on Water Allocation Process (*Verbal Report*)

#### **REPORT FROM DISTRICT COUNSEL**

4. Report From District Counsel

#### **DIRECTORS’ REPORTS (INCLUDING AB 1234 REPORTS ON TRIPS, CONFERENCE ATTENDANCE AND MEETINGS)**

5. 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.*

6. Consider Second Reading and Adoption of Ordinance No. 195 – Adding Rule 19.9 to Provide Informal Bidding Procedures Under the Uniform Public Construction Cost Accounting Act

*Recommended Action:* *The Board will consider adoption of Ordinance No. 195*

7. Consider Adoption of October through December 2024 Quarterly Water Supply Strategy and Budget

[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, 20020002, and 2016-0016.]

*Recommended Action:* The Board will consider approval of a proposed production strategy for the California American Water Distribution System for the three-month period of October through December 2024. The strategy sets monthly goals for surface and groundwater production from various sources within the California American Water system.

8. Consider Adoption of Resolution No. 2024-11 Modifying Rule 160 – Regulatory Water Production Targets for California American Water Systems

[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.]

*Recommended Action:* The Board will consider adopting Resolution No. 2024-11 modifying Rule 160.

**INFORMATIONAL ITEMS/STAFF REPORTS** - *The public may address the Board on Informational Items and Staff Reports during the Oral Communications portion of the meeting. Please limit your comments to three minutes.*

9. Report on Activity/Progress on Contracts Over \$25,000
10. Status Report on Spending – Public’s Ownership of Monterey Water System
11. Letters Received and Sent Supplemental Letter Packet
12. Committee Reports
13. Monthly Allocation Report
14. Water Conservation Program Report for August 2024
15. Carmel River Fishery Report for August 2024
16. 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		
Monday, October 21, 2024	Regular	6:00 p.m.
Monday, November 18, 2024	Regular	6:00 p.m.

Board Meeting Television and On-Line Broadcast Schedule	
<b>Television Broadcast</b>	<b>Viewing Area</b>
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.
<b>Internet Broadcast</b>	

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](http://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 to Sara Reyes, Board Clerk by e-mail at [sara@mpwmd.net](mailto: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.

**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](mailto:comments@mpwmd.net) with one of the following subject lines "PUBLIC COMMENT ITEM #" (insert the item number relevant to your comment) or "PUBLIC COMMENT – ORAL COMMUNICATIONS." 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 via Zoom- Teleconferencing means, please click the link below:

<https://mpwmd-net.zoom.us/j/82714770012?pwd=irsaEdUDXtsdpAcCBXVR59nea2gCMz.1>

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

Webinar ID: 827 1477 0012

Passcode: 091624

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's 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/>









**EXHIBIT 1-A**

**Draft Minutes**

**Regular Meeting**

**Board of Directors**

**Monterey Peninsula Water Management District**

*August 19, 2024 at 6:00 P.M.*

Meeting Location: District Office, Main Conference Room  
5 Harris Court, Building G, Monterey, CA 93940 AND  
By Teleconferencing Means - *Zoom*

**CALL TO ORDER**

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

**ROLL CALL**

**Board Members Present**

Amy Anderson, Chair  
George Riley, Vice Chair  
Karen Paull  
Mayor Ian Oglesby  
Alvin Edwards  
Marc Eisenhart (via Zoom)

**Board Members Absent**

Supervisor Mary Adams

**District Staff Members Present**

David Stoldt, General Manager  
Nishil Bali, Administrative Services Manager/ Chief  
Financial Officer  
Jonathan Lear, Water Resources Manager  
Maureen Hamilton, District Engineer  
Stephanie Locke, Water Demand Manager  
Thomas Christensen, Environmental Resources Manager  
Sara Reyes, Executive Assistant/Board Clerk

**District Staff Members Absent**

None

**District Counsel Present**

Michael Laredo, De Lay & Laredo

Fran Farina, De Lay & Laredo (via Zoom)

**PLEDGE OF ALLEGIANCE**

The assembly recited the Pledge of Allegiance.

**ADDITIONS AND CORRECTIONS TO THE AGENDA**

None

**ORAL COMMUNICATIONS**

Chair Anderson opened Oral Communications; no comments were directed to the Board.

**CONSENT CALENDAR**

Chair Anderson introduced the matter.

Director Paull offered a motion with a second by Director Eisenhart, to approve the Consent Calendar. The motion passed by a voice vote of 6-Ayes (Oglesby, Eisenhart, Anderson, Riley, Paull, and Edwards), 0-Noes, and 1-Absent

(Adams).

The following agenda items were accepted as part of the Consent Calendar:

1. Consider Adoption of Minutes of the Regular Board Meeting on July 15, 2024
2. Consider Authorization of a Contract with TM Process & Controls, Inc. to Provide ASR Well Turbidity Control
3. Consider Recommendation to Authorize a Lease for Three Photocopy Machines
4. Consider Adoption of Treasurer’s Report for June 2024
5. Consider Approval of 2024 Annual Memorandum of Agreement for Releases from Los Padres Reservoir Among California American Water, California Department of Fish and Wildlife, and Monterey Peninsula Water Management District

#### GENERAL MANAGER’S REPORT

Chair Anderson introduced the matter.

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

- General Manager David Stoldt provided information on the status of this agenda item via slide-deck presentation titled “Status Report on Cal-Am Compliance with SWRCB Orders and Seaside Basin Decision as of August 19, 2024”. A discussion on this topic was then conducted by the Board. *A copy of the presentation is available at the District office and can be found on the District website.*
- General Manager Stoldt called upon Maureen Hamilton to provide an update on the ASR Rehabilitation.

#### 7. Progress Report on Strategic Goals Assigned to General Manager for 2024

General Manager provided a brief report and directed the Board to Exhibit 7-A in the meeting packet titled “Summary of Status of 2024 District Strategic Goals”. The Board engaged in discussion with the General Manager.

Chair Anderson opened Public Comment on Items 6 and 7; no comments were directed to the Board.

#### REPORT FROM DISTRICT COUNSEL

Chair Anderson introduced the matter.

#### 8. Report From District Counsel

District Counsel Michael Laredo referred to his memorandum dated August 16, 2024, which was distributed to the Board as part of their meeting materials. He noted that updates made since last month are highlighted in redline text.

Chair Anderson opened the public comment; no comments were directed to the Board.

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

Chair Anderson introduced the matter.

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

- Vice Chair Riley noted his attendance at the Seaside Groundwater Basin Watermaster meeting on August 7, 2024.
- Director Edwards also noted his attendance at the Seaside Groundwater Basin Watermaster meeting on August 7, 2024
- Director Paull noted her attendance at two of the ex parte meetings (as noted in the District Counsel memorandum) with PUC Advisors to the CPUC Commissioners about the supply and demand forecast where the District is waiting for a proposed decision

**PUBLIC HEARING**

Chair Anderson introduced the matter.

**10. Consider the First Reading of Ordinance No. 195 Adding Rule 19.9 to Provide Informal Bidding Procedures Under the Uniform Public Construction Cost Accounting Act**

Maureen Hamilton, District Engineer provided information on this item via slide-deck presentation titled “Consider the First Reading of Ordinance No. 195 Adding Rule 19.9 to Provide Informal Bidding Procedures Under the Uniform Public Construction Cost Accounting Act”. Nishil Bali, Chief Financial Officer/Administrative Services Manager, also provided information to the Board. The Board engaged in discussion. *A copy of the presentation is available at the District office and can be found on the District website.*

Chair Anderson opened the public comment; no comments were directed to the Board.

A motion was made by Director Riley with a second by Director Edwards to approve the first reading of Ordinance No. 195, adding Rule 19.9 to provide Informal Bidding Procedures under the Uniform Public Construction Cost Accounting Act. The motion passed by a roll call vote of 6-Ayes (Oglesby, Eisenhart, Paull, Edwards, Riley and Anderson), 0-Noes, and 1-Absent (Adams).

**11. Consider Adoption of Urgency Ordinance No. 196, an Ordinance of the Monterey Peninsula Water Management District Clarifying Rule 24, Second Bathroom Protocol**

Stephanie Locke, Water Demand Manager provided information on this item via slide-deck presentation titled “Urgency Ordinance No. 196 Clarifying Rule 24, Second Bathroom Addition Protocol”. The Board engaged in discussion. *A copy of the presentation is available at the District office and can be found on the District website.*

Director Eisenhart asked if Finding No. 6 could be modified to add more clarity and suggested this be included in the motion.

Chair Anderson opened the public comment; no comments were directed to the Board.

A motion was made by Director Paull with a second by Director Edwards to adopt the urgency ordinance to immediately clarify that the removal of Bathroom fixtures used as a Water Credit to offset other water uses disqualifies a Dwelling Unit from using the second Bathroom protocol to reinstall fixtures due to the CEQA Finding adopted by the board with the adoption and amendments to the rule and to make the amendments in Finding No. 6 as discussed by the Board. The motion passed by a roll call vote of 6-Ayes (Oglesby, Eisenhart, Paull, Edwards, Riley and Anderson), 0-Noes, and 1-Absent (Adams).

**ACTION ITEM**

Chair Anderson introduced the matter.

**12. Consider Inclusion of California Liquid Assets Securities System and California Asset Management Program in District’s Investment Policy**

Nishil Bali, Chief Financial Officer/Administrative Services Manager, presented this via slide-deck presentation titled “Review California CLASS & CAMP Investment Programs to include in District I-Policy”. The Board engaged in discussion.

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

- (1) John Tilley commented that the District’s legal risks seem to outweigh its financial risks and perhaps it should focus on its legal risks and future expenses.

*No further comments were directed to the Board.*

A motion was made by Director Riley with a second by Director Edwards to approve the inclusion of CLASS

and CAMP programs in the District’s Investment Policy. The motion passed by voice vote of 6-Ayes (Oglesby, Paull, Eisenhart, Edwards, Riley and Anderson), 0-Noes and 1-Absent (Adams).

### **13. Consider Approval of Job Description, Salary Range, and Authorize Search for Assistant General Manager Position**

David Stoldt informed the Board about this item and directed the Board to the staff report and exhibits contained in their meeting packet. The Board engaged in discussion.

Chair Anderson opened the public comment; no comments were directed to the Board.

On a motion by Director Riley with a second by Director Eisenhart, the Board (1) approved the job description, (2) authorized the candidate search, and (3) agreed to designate the position as an At Will” position. The motion passed by a roll call vote of 6-Ayes (Oglesby, Paull, Eisenhart, Edwards, Riley, and Anderson), 0-Noes and 1-Absent (Adams).

### **DISCUSSION ITEMS**

Chair Anderson introduced the matter.

#### **14. Report on July 26, 2024 State & Local Water Forum**

David Stoldt, General Manager, delivered a brief report on the July 26<sup>th</sup> community Water Forum that was facilitated by Senator John Laird. A discussion on this topic was then conducted by the Board.

Chair Anderson opened the public comment; *the following comments were directed to the Board.*

- (1) Melodie Chrislock, stated that she attended the State Water Board meeting and commented that David Stoldt and Paul Sciuto did a brilliant job with making their case and that she submitted a question asking if the State Water Board considers Pure Water Monterey and its expansion a permanent water supply.

*No further comments were directed to the Board.*

#### **15. Update on 2024-2025 Water Allocation Process**

General Manager Stoldt provided a summary of this item via slide-deck presentation titled “Update on 2024-2025 Water Allocation Process” and answered questions from the Board. Mr. Stoldt highlighted the following points but not limited to (1) Allocation Supply & Demand Component (2) Supply Analysis, (3) Demand Analysis, (4) Allocation Goal, and (5) Timeline.

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

- (1) Tom Rowley, expressed disagreement with the District’s timeline and its estimation of where water is needed
- (2) Andrew Myrick, Community Planning Manager with the City of Seaside, asked the Board to consider water allocation for economic development projects

*No further comments were directed to the Board.*

### **INFORMATIONAL ITEMS/STAFF REPORTS**

- 16. Report on Activity/Progress on Contracts Over \$25,000**
- 17. Status Report on Spending – Public’s Ownership of Monterey Water System**
- 18. Letters Received**
- 19. Committee Reports**
- 20. Monthly Allocation Report**
- 21. Water Conservation Program Report**

**22. Carmel River Fishery Report for January 2024****23. Monthly Water Supply and California American Water Production Report**

*These items were informational only and no action was taken. Copies of these reports are available at the District office and can be found on the District website.*

**ADJOURNMENT**

Chair Anderson adjourned the meeting at 9:17 PM.

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Sara Reyes, Deputy District Secretary

Minutes approved by the MPWMD Board of Directors on August 19, 2024

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**MONTEREY PENINSULA WATER MANAGEMENT DISTRICT  
TREASURER'S REPORT FOR JULY 2024**

<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>
<b>Beginning Balance</b>	<b>\$1,766,297.48</b>	<b>\$7,527,431.98</b>	<b>\$12,466,490.61</b>	<b>9,073,432.73</b>	<b>\$30,807,487.94</b>	<b>\$188,166.72</b>
Fees/Deposits		2,534,256.46			2,534,256.46	698,152.54
MoCo Tax & WS Chg Installment Pymt					0.00	
Interest Received			140,679.06	23,819.23	164,498.29	
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					0.00	
Transfer to CAWD					0.00	(568,000.00)
Voided Checks					0.00	
Bank Corrections/Reversals/Errors					0.00	
Bank Charges/Other	(935.05)				(935.05)	
Credit Card Fees					0.00	
Returned Deposits	-				0.00	
Payroll Tax/Benefit Deposits**	(778,144.87)				(778,144.87)	
Payroll Checks/Direct Deposits	(147,187.95)				(147,187.95)	
General Checks	(102,971.75)				(102,971.75)	
Rebate Payments	(17,508.99)				(17,508.99)	
Bank Draft Payments	(26,248.77)				(26,248.77)	
AP Automation Payments	(3,570,693.99)				(3,570,693.99)	
<b>Ending Balance</b>	<b>\$122,606.11</b>	<b>\$7,061,688.44</b>	<b>\$12,607,169.67</b>	<b>\$9,097,251.96</b>	<b>\$28,888,716.18</b>	<b>\$318,319.26</b>

\* Fixed Income investments are reported at face value

\*\* Includes CalPERS payment for annual Unfunded Accrued Liability



**EXHIBIT 2-B**

13

**Check Report**

By Check Number

Date Range: 07/01/2024 - 07/31/2024



Monterey Peninsula Water Management Di

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
<b>Bank Code: APBNK -Bank of America Checking</b>						
<b>Payment Type: Regular</b>						
04040	City of Seaside	07/01/2024	Regular	0.00	881.24	40851
00988	SDRMA - Workers Comp. Insurance	07/01/2024	Regular	0.00	74,206.32	40852
00269	U.S. Bank	07/01/2024	Regular	0.00	9,132.38	40853
	**Void**	07/01/2024	Regular	0.00	0.00	40854
	**Void**	07/01/2024	Regular	0.00	0.00	40855
01020	Sandra Alonso - Petty Cash Custodian	07/12/2024	Regular	0.00	379.38	40857
03979	Special Districts Association of Monterey Count	07/22/2024	Regular	0.00	80.00	40858
00266	I.R.S.	07/29/2024	Regular	0.00	382.43	40859
01002	Monterey County Clerk	07/29/2024	Regular	0.00	50.00	40860
01197	USGS	07/29/2024	Regular	0.00	17,860.00	40861
<b>Total Regular:</b>				<b>0.00</b>	<b>102,971.75</b>	

## Check Report

Date Range: 07/01/2024 - 07/31/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payment Type: Virtual Payment						
00010	Access Monterey Peninsula	07/01/2024	Virtual Payment	0.00	1,750.00	APA004942
00763	ACWA-JPIA	07/01/2024	Virtual Payment	0.00	348.04	APA004943
00760	Andy Bell	07/01/2024	Virtual Payment	0.00	622.00	APA004944
00263	Arlene Tavani	07/01/2024	Virtual Payment	0.00	1,088.93	APA004945
25756	Craig S Newman	07/01/2024	Virtual Payment	0.00	775.00	APA004946
00192	Extra Space Storage	07/01/2024	Virtual Payment	0.00	491.00	APA004947
12655	Graphicsmiths	07/01/2024	Virtual Payment	0.00	99.00	APA004948
00986	Henrietta Stern	07/01/2024	Virtual Payment	0.00	1,455.51	APA004949
03857	Joe Oliver	07/01/2024	Virtual Payment	0.00	733.00	APA004950
27139	Linda Conway	07/01/2024	Virtual Payment	0.00	2,559.47	APA004951
00222	M.J. Murphy	07/01/2024	Virtual Payment	0.00	20.47	APA004952
05829	Mark Bekker	07/01/2024	Virtual Payment	0.00	300.18	APA004953
01012	Mark Dudley	07/01/2024	Virtual Payment	0.00	540.00	APA004954
00242	MBAS	07/01/2024	Virtual Payment	0.00	1,203.00	APA004955
00274	Monterey One Water	07/01/2024	Virtual Payment	0.00	1,191,637.02	APA004956
22201	Montgomery & Associates	07/01/2024	Virtual Payment	0.00	5,559.00	APA004957
13396	Navia Benefit Solutions, Inc.	07/01/2024	Virtual Payment	0.00	2,204.14	APA004958
27140	Onpoint Generators, Inc	07/01/2024	Virtual Payment	0.00	5,890.00	APA004959
24869	Raftelis Financial Consultants, Inc.	07/01/2024	Virtual Payment	0.00	3,242.50	APA004960
13394	Regional Government Services	07/01/2024	Virtual Payment	0.00	88.00	APA004961
17968	Rutan & Tucker, LLP	07/01/2024	Virtual Payment	0.00	19,920.40	APA004962
00176	Sentry Alarm Systems	07/01/2024	Virtual Payment	0.00	185.50	APA004963
04709	Sherron Forsgren	07/01/2024	Virtual Payment	0.00	482.22	APA004964
09989	Star Sanitation Services	07/01/2024	Virtual Payment	0.00	94.31	APA004965
00225	Trowbridge Enterprises Inc.	07/01/2024	Virtual Payment	0.00	142.00	APA004966
22792	Uline	07/01/2024	Virtual Payment	0.00	1,298.83	APA004967
23550	WellmanAD	07/01/2024	Virtual Payment	0.00	7,875.00	APA004968
08105	Yolanda Munoz	07/01/2024	Virtual Payment	0.00	540.00	APA004969
00763	ACWA-JPIA	07/12/2024	Virtual Payment	0.00	345.96	APA004970
01188	Alhambra	07/12/2024	Virtual Payment	0.00	209.77	APA004971
00983	Beverly Chaney	07/12/2024	Virtual Payment	0.00	1,455.51	APA004972
18321	CalDesal	07/12/2024	Virtual Payment	0.00	1,000.00	APA004973
12601	Carmel Valley Ace Hardware	07/12/2024	Virtual Payment	0.00	146.62	APA004974
00224	City of Monterey	07/12/2024	Virtual Payment	0.00	705.93	APA004975
00028	Colantuono, Highsmith, & Whatley, PC	07/12/2024	Virtual Payment	0.00	861.00	APA004976
00281	CoreLogic Information Solutions, Inc.	07/12/2024	Virtual Payment	0.00	1,253.89	APA004977
00046	De Lay & Laredo	07/12/2024	Virtual Payment	0.00	36,728.00	APA004978
18734	DeVeera Inc.	07/12/2024	Virtual Payment	0.00	6,651.19	APA004979
18225	DUDEK	07/12/2024	Virtual Payment	0.00	2,906.25	APA004980
27138	ERI Economic Research Institute, INC	07/12/2024	Virtual Payment	0.00	2,789.00	APA004981
00993	Harris Court Business Park	07/12/2024	Virtual Payment	0.00	396.54	APA004982
00993	Harris Court Business Park	07/12/2024	Virtual Payment	0.00	396.85	APA004983
04717	Inder Osahan	07/12/2024	Virtual Payment	0.00	1,417.20	APA004984
00094	John Arriaga	07/12/2024	Virtual Payment	0.00	4,500.00	APA004985
05371	June Silva	07/12/2024	Virtual Payment	0.00	835.40	APA004986
00222	M.J. Murphy	07/12/2024	Virtual Payment	0.00	131.58	APA004987
27141	Manuel Villalobos	07/12/2024	Virtual Payment	0.00	7,503.49	APA004988
00259	Marina Coast Water District	07/12/2024	Virtual Payment	0.00	3,687.00	APA004989
00118	MB Carpet & Janitorial Inc.	07/12/2024	Virtual Payment	0.00	1,260.00	APA004990
00242	MBAS	07/12/2024	Virtual Payment	0.00	646.00	APA004991
07418	McMaster-Carr	07/12/2024	Virtual Payment	0.00	429.43	APA004992
26785	Monterey Bay Pest Control, Inc.	07/12/2024	Virtual Payment	0.00	675.00	APA004993
16182	Monterey County Weekly	07/12/2024	Virtual Payment	0.00	1,368.00	APA004994
00274	Monterey One Water	07/12/2024	Virtual Payment	0.00	819,674.25	APA004995
00274	Monterey One Water	07/12/2024	Virtual Payment	0.00	1,011,897.18	APA004996
13396	Navia Benefit Solutions, Inc.	07/12/2024	Virtual Payment	0.00	1,239.57	APA004997
00154	Peninsula Messenger Service	07/12/2024	Virtual Payment	0.00	1,238.00	APA004998
00262	Pure H2O	07/12/2024	Virtual Payment	0.00	65.54	APA004999
04709	Sherron Forsgren	07/12/2024	Virtual Payment	0.00	482.22	APA005000
19700	Shute, Mihaly & Weinberger LLP	07/12/2024	Virtual Payment	0.00	7,803.25	APA005001

## Check Report

Date Range: 07/01/2024 - 07/31/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
00024	Three Amigos Pest Control DBA Central Coast E	07/12/2024	Virtual Payment	0.00	104.00	APA005002
21876	Timothy G. Scarpa	07/12/2024	Virtual Payment	0.00	210.00	APA005003
04366	Tom Lindberg	07/12/2024	Virtual Payment	0.00	1,151.30	APA005004
23550	WellmanAD	07/12/2024	Virtual Payment	0.00	7,975.00	APA005005
06009	yourservicesolution.com	07/12/2024	Virtual Payment	0.00	6,253.00	APA005006
00010	Access Monterey Peninsula	07/19/2024	Virtual Payment	0.00	3,500.00	APA005007
00767	AFLAC	07/19/2024	Virtual Payment	0.00	612.90	APA005008
00760	Andy Bell	07/19/2024	Virtual Payment	0.00	622.00	APA005009
00263	Arlene Tavani	07/19/2024	Virtual Payment	0.00	1,088.93	APA005010
00224	City of Monterey	07/19/2024	Virtual Payment	0.00	697.75	APA005011
11822	CSC	07/19/2024	Virtual Payment	0.00	10,000.00	APA005012
04041	Cynthia Schmidlin	07/19/2024	Virtual Payment	0.00	2,158.44	APA005013
08109	David Olson, Inc.	07/19/2024	Virtual Payment	0.00	812.21	APA005014
00046	De Lay & Laredo	07/19/2024	Virtual Payment	0.00	25,901.50	APA005015
18734	DeVeera Inc.	07/19/2024	Virtual Payment	0.00	189.98	APA005016
18225	DUDEK	07/19/2024	Virtual Payment	0.00	1,356.25	APA005017
02833	Greg James	07/19/2024	Virtual Payment	0.00	1,455.51	APA005018
05830	Larry Hampson	07/19/2024	Virtual Payment	0.00	1,413.12	APA005019
13431	Lynx Technologies, Inc	07/19/2024	Virtual Payment	0.00	2,975.00	APA005020
00117	Marina Backflow Company	07/19/2024	Virtual Payment	0.00	135.00	APA005021
05829	Mark Bekker	07/19/2024	Virtual Payment	0.00	300.18	APA005022
00223	Martins Irrigation Supply	07/19/2024	Virtual Payment	0.00	92.06	APA005023
04715	Matthew Lyons	07/19/2024	Virtual Payment	0.00	347.71	APA005024
00242	MBAS	07/19/2024	Virtual Payment	0.00	3,202.00	APA005025
16182	Monterey County Weekly	07/19/2024	Virtual Payment	0.00	1,368.00	APA005026
23759	Ozark Underground Lab, Inc	07/19/2024	Virtual Payment	0.00	317.86	APA005027
00755	Peninsula Welding Supply, Inc.	07/19/2024	Virtual Payment	0.00	196.30	APA005028
24163	Quality Print & Copy LLC	07/19/2024	Virtual Payment	0.00	398.36	APA005029
24871	Radiant Landscaping Inc.	07/19/2024	Virtual Payment	0.00	2,470.00	APA005030
00987	SDRMA - Prop & Liability Pkg	07/19/2024	Virtual Payment	0.00	285,414.89	APA005031
00990	Smith-Root, Inc.	07/19/2024	Virtual Payment	0.00	2,414.86	APA005032
09989	Star Sanitation Services	07/19/2024	Virtual Payment	0.00	117.61	APA005033
17965	The Maynard Group	07/19/2024	Virtual Payment	0.00	1,811.36	APA005034
04366	Tom Lindberg	07/19/2024	Virtual Payment	0.00	1,151.30	APA005035
00269	U.S. Bank	07/19/2024	Virtual Payment	0.00	6,390.88	APA005036
00271	UPEC, Local 792	07/19/2024	Virtual Payment	0.00	1,212.00	APA005037
23550	WellmanAD	07/19/2024	Virtual Payment	0.00	1,450.00	APA005038
23760	William Banker-Hix	07/19/2024	Virtual Payment	0.00	288.07	APA005039
08105	Yolanda Munoz	07/19/2024	Virtual Payment	0.00	540.00	APA005040
20230	Zoom Video Communications Inc	07/19/2024	Virtual Payment	0.00	470.32	APA005041
00983	Beverly Chaney	07/29/2024	Virtual Payment	0.00	1,455.51	APA005113
12601	Carmel Valley Ace Hardware	07/29/2024	Virtual Payment	0.00	48.89	APA005114
00281	CoreLogic Information Solutions, Inc.	07/29/2024	Virtual Payment	0.00	1,653.91	APA005115
06001	Cypress Coast Ford	07/29/2024	Virtual Payment	0.00	467.31	APA005116
18734	DeVeera Inc.	07/29/2024	Virtual Payment	0.00	660.00	APA005117
00192	Extra Space Storage	07/29/2024	Virtual Payment	0.00	491.00	APA005118
00993	Harris Court Business Park	07/29/2024	Virtual Payment	0.00	396.54	APA005119
00993	Harris Court Business Park	07/29/2024	Virtual Payment	0.00	396.85	APA005120
00986	Henrietta Stern	07/29/2024	Virtual Payment	0.00	1,455.51	APA005121
04717	Inder Osahan	07/29/2024	Virtual Payment	0.00	1,417.20	APA005122
03857	Joe Oliver	07/29/2024	Virtual Payment	0.00	733.00	APA005123
01012	Mark Dudley	07/29/2024	Virtual Payment	0.00	540.00	APA005124
16182	Monterey County Weekly	07/29/2024	Virtual Payment	0.00	2,338.00	APA005125
00278	Monterey Tire Service	07/29/2024	Virtual Payment	0.00	65.83	APA005126
13396	Navia Benefit Solutions, Inc.	07/29/2024	Virtual Payment	0.00	1,164.57	APA005127
00036	Parham Living Trust	07/29/2024	Virtual Payment	0.00	850.00	APA005128
04736	Pitney Bowes Global Financial Svc, LLC	07/29/2024	Virtual Payment	0.00	34.22	APA005129
00159	Pueblo Water Resources, Inc.	07/29/2024	Virtual Payment	0.00	587.50	APA005130
24871	Radiant Landscaping Inc.	07/29/2024	Virtual Payment	0.00	1,190.00	APA005131
00251	Rick Dickhaut	07/29/2024	Virtual Payment	0.00	1,112.00	APA005132
27143	Salinas Valley Chamber of Commerce	07/29/2024	Virtual Payment	0.00	450.00	APA005133

## Check Report

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
00176	Sentry Alarm Systems	07/29/2024	Virtual Payment	0.00	309.25	APA005134
04359	The Carmel Pine Cone	07/29/2024	Virtual Payment	0.00	1,955.00	APA005135
00024	Three Amigos Pest Control DBA Central Coast E:	07/29/2024	Virtual Payment	0.00	104.00	APA005136
00225	Trowbridge Enterprises Inc.	07/29/2024	Virtual Payment	0.00	364.69	APA005137
<b>Total Virtual Payment:</b>				<b>0.00</b>	<b>3,570,650.57</b>	

Check Report

Date Range: 07/01/2024 - 07/31/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
<b>Payment Type: Bank Draft</b>						
00252	Cal-Am Water	07/01/2024	Bank Draft	0.00	205.28	DFT0003343
00252	Cal-Am Water	07/01/2024	Bank Draft	0.00	95.01	DFT0003344
00758	FedEx	07/01/2024	Bank Draft	0.00	14.11	DFT0003345
00277	Home Depot Credit Services	07/01/2024	Bank Draft	0.00	22.83	DFT0003346
00282	PG&E	07/01/2024	Bank Draft	0.00	12,538.61	DFT0003347
00282	PG&E	07/01/2024	Bank Draft	0.00	23.78	DFT0003348
00282	PG&E	07/01/2024	Bank Draft	0.00	141.82	DFT0003349
00282	PG&E	07/01/2024	Bank Draft	0.00	2,943.44	DFT0003350
18163	Wex Bank	07/01/2024	Bank Draft	0.00	346.07	DFT0003351
00266	I.R.S.	07/12/2024	Bank Draft	0.00	12,641.88	DFT0003352
00266	I.R.S.	07/12/2024	Bank Draft	0.00	3,083.46	DFT0003353
00267	Employment Development Dept.	07/12/2024	Bank Draft	0.00	5,220.92	DFT0003354
00266	I.R.S.	07/12/2024	Bank Draft	0.00	50.64	DFT0003355
00266	I.R.S.	07/12/2024	Bank Draft	0.00	58.74	DFT0003356
00266	I.R.S.	07/12/2024	Bank Draft	0.00	251.10	DFT0003357
00766	Standard Insurance Company	07/03/2024	Bank Draft	0.00	1,504.29	DFT0003359
00769	Laborers Trust Fund of Northern CA	07/10/2024	Bank Draft	0.00	38,525.00	DFT0003360
00277	Home Depot Credit Services	07/12/2024	Bank Draft	0.00	352.82	DFT0003361
18737	U.S. Bank Equipment Finance	07/12/2024	Bank Draft	0.00	871.81	DFT0003362
00256	PERS Retirement	07/02/2024	Bank Draft	0.00	19,111.63	DFT0003368
00252	Cal-Am Water	07/19/2024	Bank Draft	0.00	196.35	DFT0003369
00277	Home Depot Credit Services	07/19/2024	Bank Draft	0.00	30.84	DFT0003370
18163	Wex Bank	07/19/2024	Bank Draft	0.00	1,222.53	DFT0003371
00256	PERS Retirement	07/19/2024	Bank Draft	0.00	603,675.00	DFT0003373
00256	PERS Retirement	07/15/2024	Bank Draft	0.00	19,205.05	DFT0003376
00266	I.R.S.	07/26/2024	Bank Draft	0.00	12,640.45	DFT0003377
00266	I.R.S.	07/26/2024	Bank Draft	0.00	3,085.16	DFT0003378
00267	Employment Development Dept.	07/26/2024	Bank Draft	0.00	5,224.91	DFT0003379
00266	I.R.S.	07/26/2024	Bank Draft	0.00	27.18	DFT0003380
00256	PERS Retirement	07/22/2024	Bank Draft	0.00	19,296.68	DFT0003382
00282	PG&E	07/29/2024	Bank Draft	0.00	1,841.88	DFT0003383
00282	PG&E	07/29/2024	Bank Draft	0.00	26.76	DFT0003384
00282	PG&E	07/29/2024	Bank Draft	0.00	211.17	DFT0003385
00282	PG&E	07/29/2024	Bank Draft	0.00	3,035.19	DFT0003386
18737	U.S. Bank Equipment Finance	07/29/2024	Bank Draft	0.00	871.81	DFT0003387
00221	Verizon Wireless	07/29/2024	Bank Draft	0.00	1,256.66	DFT0003388
00768	MissionSquare Retirement- 302617	07/24/2024	Bank Draft	0.00	5,068.64	DFT0003405
00768	MissionSquare Retirement- 302617	07/26/2024	Bank Draft	0.00	5,068.64	DFT0003406
00256	PERS Retirement	07/26/2024	Bank Draft	0.00	19,336.86	DFT0003409
<b>Total Bank Draft:</b>				<b>0.00</b>	<b>799,325.00</b>	

Payment Type	Bank Code APBNK		Summary		
	Payable Count	Payment Count	Discount	Payment	
Regular Checks	50	8	0.00	102,971.75	
Manual Checks	0	0	0.00	0.00	
Voided Checks	0	2	0.00	0.00	
Bank Drafts	63	39	0.00	799,325.00	
EFT's	0	0	0.00	0.00	
Virtual Payments	189	125	0.00	3,570,650.57	
	<b>302</b>	<b>174</b>	<b>0.00</b>	<b>4,472,947.32</b>	

## Check Report

Date Range: 07/01/2024 - 07/31/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
<b>Bank Code: REBATES-02-Rebates: Use Only For Rebates</b>						
<b>Payment Type: Virtual Payment</b>						
27267	Aesuk Min	07/19/2024	Virtual Payment	0.00	500.00	APA005042
27264	ALHEL LLC	07/19/2024	Virtual Payment	0.00	500.00	APA005043
27295	Andrew Sheppard	07/19/2024	Virtual Payment	0.00	200.00	APA005044
27288	Asher Taylor	07/19/2024	Virtual Payment	0.00	125.00	APA005045
27277	Ashika Sundar	07/19/2024	Virtual Payment	0.00	500.00	APA005046
23509	Carolyn Garrison	07/19/2024	Virtual Payment	0.00	125.00	APA005047
27290	Christina Schmidt	07/19/2024	Virtual Payment	0.00	200.00	APA005048
27287	Courtney Bonovich	07/19/2024	Virtual Payment	0.00	125.00	APA005049
27284	Danut Postolica	07/19/2024	Virtual Payment	0.00	500.00	APA005050
27146	Diane Aiello	07/19/2024	Virtual Payment	0.00	125.00	APA005051
27289	Dominador DeVilla III	07/19/2024	Virtual Payment	0.00	125.00	APA005052
27301	Douglas J Fouts	07/19/2024	Virtual Payment	0.00	125.00	APA005053
27270	Francis Coen	07/19/2024	Virtual Payment	0.00	500.00	APA005054
27285	James Bryant	07/19/2024	Virtual Payment	0.00	500.00	APA005055
27112	Jennifer Leaper	07/19/2024	Virtual Payment	0.00	750.00	APA005056
27265	Jill Houlette	07/19/2024	Virtual Payment	0.00	500.00	APA005057
27272	Jody Quinteros	07/19/2024	Virtual Payment	0.00	500.00	APA005058
27259	Joseph Goeckner	07/19/2024	Virtual Payment	0.00	500.00	APA005059
27280	Katrina Edwards	07/19/2024	Virtual Payment	0.00	500.00	APA005060
27283	Kelly Drew	07/19/2024	Virtual Payment	0.00	500.00	APA005061
27294	Kim Forrest	07/19/2024	Virtual Payment	0.00	200.00	APA005062
27268	Leron A Paterson	07/19/2024	Virtual Payment	0.00	500.00	APA005063
27278	Linda Donaldson-Davie	07/19/2024	Virtual Payment	0.00	500.00	APA005064
27275	Lisa Porch	07/19/2024	Virtual Payment	0.00	500.00	APA005065
27293	Lonni Trykowski	07/19/2024	Virtual Payment	0.00	200.00	APA005066
27282	Lynn Bohnen	07/19/2024	Virtual Payment	0.00	500.00	APA005067
27291	Lynn Swanson	07/19/2024	Virtual Payment	0.00	180.00	APA005068
27286	Martin Medina	07/19/2024	Virtual Payment	0.00	625.00	APA005069
19697	Mast Realty	07/19/2024	Virtual Payment	0.00	75.00	APA005070
19432	Nancy Selfridge	07/19/2024	Virtual Payment	0.00	479.99	APA005071
25431	Ni Sun-Suslow	07/19/2024	Virtual Payment	0.00	125.00	APA005072
27276	Nicole Sanks	07/19/2024	Virtual Payment	0.00	500.00	APA005073
27279	Patty Nelson	07/19/2024	Virtual Payment	0.00	500.00	APA005074
27263	Reveriano Ramos	07/19/2024	Virtual Payment	0.00	500.00	APA005075
25853	Sandra Robeson	07/19/2024	Virtual Payment	0.00	125.00	APA005076
27271	Stephen Dyer	07/19/2024	Virtual Payment	0.00	500.00	APA005077
27260	Susan Pierszalowski	07/19/2024	Virtual Payment	0.00	500.00	APA005078
27261	Thomas Hugo	07/19/2024	Virtual Payment	0.00	500.00	APA005079
27269	Trent Parker	07/19/2024	Virtual Payment	0.00	500.00	APA005080
27273	Vicki Mason	07/19/2024	Virtual Payment	0.00	500.00	APA005081
27266	Victoria Peach	07/19/2024	Virtual Payment	0.00	500.00	APA005082
27292	Wendy Tyler	07/19/2024	Virtual Payment	0.00	99.00	APA005083
27300	William Boris Uretsky	07/19/2024	Virtual Payment	0.00	500.00	APA005084
27262	William Gorman	07/19/2024	Virtual Payment	0.00	500.00	APA005085

Check Report

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
27274	Yoko Hoffman	07/19/2024	Virtual Payment	0.00	500.00	APA005086
<b>Total Virtual Payment:</b>				<b>0.00</b>	<b>17,508.99</b>	

Bank Code REBATES-02 Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	0	0	0.00	0.00
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
Virtual Payments	45	45	0.00	17,508.99
	<b>45</b>	<b>45</b>	<b>0.00</b>	<b>17,508.99</b>

### All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	50	8	0.00	102,971.75
Manual Checks	0	0	0.00	0.00
Voided Checks	0	2	0.00	0.00
Bank Drafts	63	39	0.00	799,325.00
EFT's	0	0	0.00	0.00
Virtual Payments	234	170	0.00	3,588,159.56
	<b>347</b>	<b>219</b>	<b>0.00</b>	<b>4,490,456.31</b>

### Fund Summary

Fund	Name	Period	Amount
99	POOL CASH FUND	7/2024	4,490,456.31
			<b>4,490,456.31</b>



**MONTEREY PENINSULA WATER MANAGEMENT DISTRICT**  
 STATEMENT OF REVENUES AND EXPENDITURES  
 FOR THE MONTH JULY 31, 2024

	<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>
<b>REVENUES</b>							
Property taxes	-	-	-	-	-	\$ 2,700,000	\$ -
Water supply charge	-	-	-	-	-	3,400,000	-
User fees	431,874	164,854	99,158	695,887	695,887	6,600,000	-
PWM Water Sales*	-	-	686,001	686,001	686,001	14,619,500	1,241,206
Capacity fees	-	-	76,017	76,017	76,017	300,000	8,193
Permit fees	-	11,896	-	11,896	11,896	198,000	15,386
Investment income	-	-	-	-	-	390,000	19,766
Miscellaneous	-	-	-	-	-	15,000	-
<b>Sub-total district revenues</b>	<b>431,874</b>	<b>176,750</b>	<b>861,176</b>	<b>1,469,800</b>	<b>1,469,800</b>	<b>28,222,500</b>	<b>1,284,550</b>
Project reimbursements	-	26,144	-	26,144	26,144	11,455,050	47,461
Legal fee reimbursements	-	450	-	450	450	15,000	300
Grants	-	-	-	-	-	2,552,168	62,886
Recording fees	-	3,300	-	3,300	3,300	60,000	3,630
<b>Sub-total reimbursements</b>	<b>-</b>	<b>29,894</b>	<b>-</b>	<b>29,894</b>	<b>29,894</b>	<b>14,082,218</b>	<b>114,277</b>
From Reserves	-	-	-	-	-	555,000	-
<b>Total revenues</b>	<b>431,874</b>	<b>206,644</b>	<b>861,176</b>	<b>1,499,694</b>	<b>1,499,694</b>	<b>42,859,718</b>	<b>1,398,828</b>
<b>EXPENDITURES</b>							
Personnel:							
Salaries	55,837	36,191	69,961	161,990	161,990	3,301,000	165,649
Retirement	144,858	230,817	242,771	618,446	618,446	864,902	518,578
Unemployment Compensation	-	-	-	-	-	10,100	-
Auto Allowance	69	69	208	346	346	11,000	346
Deferred Compensation	124	124	371	619	619	18,812	814
Temporary Personnel	-	-	-	-	-	10,000	-
Workers Comp. Ins.	2,294	200	1,541	4,036	4,036	74,543	4,411
Employee Insurance	15,158	11,223	16,204	42,585	42,585	688,319	37,354
Medicare & FICA Taxes	865	585	1,075	2,526	2,526	72,785	2,552
Personnel Recruitment	50	50	50	150	150	8,000	-
Other benefits	66	64	70	200	200	8,500	100
Staff Development	419	406	444	1,270	1,270	29,500	-
<b>Sub-total personnel costs</b>	<b>219,741</b>	<b>279,730</b>	<b>332,697</b>	<b>832,167</b>	<b>832,167</b>	<b>5,097,461</b>	<b>729,803</b>
Services & Supplies:							
Board Member Comp	802	802	826	2,430	2,430	37,000	2,025
Board Expenses	114	111	121	346	346	10,000	306
Rent	162	157	172	491	491	29,200	2,101
Utilities	1,311	1,272	1,391	3,974	3,974	41,200	2,983
Telephone	1,296	973	806	3,075	3,075	51,000	4,316
Facility Maintenance	1,726	1,674	1,831	5,231	5,231	54,000	2,271
Bank Charges	309	300	328	937	937	25,100	974
Office Supplies	308	697	327	1,333	1,333	24,700	23
Courier Expense	131	127	139	396	396	7,600	647
Postage & Shipping	42	-	42	83	83	7,500	-
Equipment Lease	371	236	299	906	906	13,200	872
Equip. Repairs & Maintenance	-	-	-	-	-	5,100	-
Photocopy Expense	-	-	-	-	-	600	-
Printing/Duplicating/Binding	-	-	-	-	-	1,500	-
IT Supplies/Services	-	-	-	-	-	310,600	18,285
Operating Supplies	1,493	2,548	1,031	5,071	5,071	6,600	1,671
Legal Services	-	-	-	-	-	400,000	14,412
Professional Fees	3,564	11,331	3,780	18,675	18,675	458,000	21,777



**MONTEREY PENINSULA WATER MANAGEMENT DISTRICT**  
 STATEMENT OF REVENUES AND EXPENDITURES  
 FOR THE MONTH JULY 31, 2024

	<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>
Transportation	1,434	222	2,941	4,597	4,597	41,000	4,313
Travel	-	-	-	-	-	21,000	(976)
Meeting Expenses	467	453	495	1,414	1,414	21,200	190
Insurance	7,849	7,611	8,325	23,785	23,785	300,000	22,750
Legal Notices	-	-	-	-	-	2,600	-
Membership Dues	663	581	656	1,900	1,900	47,900	893
Public Outreach	-	-	-	-	-	3,500	-
Assessors Administration Fee	-	-	-	-	-	34,000	-
Miscellaneous	-	-	-	-	-	3,000	-
<b>Sub-total services &amp; supplies costs</b>	<b>22,042</b>	<b>29,093</b>	<b>23,508</b>	<b>74,644</b>	<b>74,644</b>	<b>1,957,100</b>	<b>99,832</b>
Project expenditures*	12,642	50,802	712,818	776,262	776,262	34,270,646	1,348,486
Fixed assets	-	-	-	-	-	85,000	-
Contingencies	-	-	-	-	-	70,000	-
Election costs	-	-	-	-	-	250,000	-
Debt service: Principal	-	-	-	-	-	-	-
Debt service: Interest	-	-	-	-	-	-	-
Flood drought reserve	-	-	-	-	-	-	-
Capital equipment reserve	-	-	-	-	-	313,000	-
General fund balance	-	-	-	-	-	616,511	-
Debt Reserve	-	-	-	-	-	-	-
Pension reserve	-	-	-	-	-	100,000	-
OPEB reserve	-	-	-	-	-	100,000	-
<b>Sub-total other</b>	<b>12,642</b>	<b>50,802</b>	<b>712,818</b>	<b>776,262</b>	<b>776,262</b>	<b>35,805,157</b>	<b>1,348,486</b>
<b>Total expenditures</b>	<b>254,425</b>	<b>359,625</b>	<b>1,069,023</b>	<b>1,683,074</b>	<b>1,683,074</b>	<b>42,859,719</b>	<b>2,178,120</b>
<b>Excess (Deficiency) of revenues over expenditures</b>	<b>\$ 177,449</b>	<b>\$ (152,981)</b>	<b>\$ (207,847)</b>	<b>\$ (183,379)</b>	<b>\$ (183,379)</b>	<b>\$ (0)</b>	<b>\$ (779,293)</b>

\* Expected for 164.23288 AF of water purchased and billed

**ITEM: CONSENT CALENDAR****3. CONSIDER APPROVAL OF THE FOURTH QUARTER FISCAL YEAR 2023-2024 INVESTMENT REPORT****Meeting Date:** September 16, 2024      **Budgeted:** N/A**From:** David J. Stoldt,  
General Manager      **Program/  
Line Item No.:** N/A**Prepared By:** Nishil Bali      **Cost Estimate:** N/A**General Counsel Review:** N/A**Committee Recommendation:** The Finance and Administration Committee considered this item on September 9, 2024 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 3-A** is the report for the quarter ending June 30, 2024. District staff has determined that these investments do include sufficient liquid funds to meet anticipated expenditures for the next six months and that 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 Fourth Quarter Fiscal Year 2023-2024 Investment Report.

**EXHIBIT****3-A** Investment Report as of June 30, 2024



**MONTEREY PENINSULA WATER MANAGEMENT DISTRICT  
INVESTMENT REPORT AS OF JUNE 30, 2024**

**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[1]			\$12,466,491	\$12,466,491	\$12,466,491	4.36%	40.47%
Bank of America:							
Money Market			\$1,766,297	\$1,766,297	\$1,766,297	0.00%	
Checking			\$7,527,432	\$7,527,432	\$7,527,432	0.00%	
			<u>\$9,293,729</u>	<u>\$9,293,729</u>	<u>\$9,293,729</u>	0.00%	30.17%
Multi-Bank Securities (MBS) Cash Account			\$177,268	\$177,268	\$177,268	0.00%	
Multi-Securities Bank Securities:							
Interest Bearing Certificate of Deposit	3/31/2023	9/30/2024	\$250,000	\$250,000	\$250,028	5.50%	
Interest Bearing Certificate of Deposit	10/27/2023	10/27/2026	\$250,000	\$250,000	\$257,910	5.50%	
Interest Bearing Certificate of Deposit	3/27/2023	3/27/2025	\$250,000	\$250,000	\$251,223	5.45%	
Interest Bearing Certificate of Deposit	4/4/2023	4/4/2025	\$250,000	\$250,000	\$250,558	5.35%	
Interest Bearing Certificate of Deposit	11/29/2023	5/29/2026	\$250,000	\$250,000	\$254,078	5.05%	
Interest Bearing Certificate of Deposit	5/30/2023	5/29/2026	\$250,000	\$250,000	\$254,035	5.05%	
Interest Bearing Certificate of Deposit	12/8/2023	12/8/2027	\$250,000	\$250,000	\$258,325	5.00%	
Interest Bearing Certificate of Deposit	7/26/2023	7/26/2028	\$250,000	\$250,000	\$260,165	5.00%	
Interest Bearing Certificate of Deposit	7/26/2023	7/26/2028	\$250,000	\$250,000	\$260,165	5.00%	
Interest Bearing Certificate of Deposit	12/7/2022	12/9/2024	\$250,000	\$250,000	\$249,915	5.00%	
Interest Bearing Certificate of Deposit	3/23/2023	3/23/2028	\$250,000	\$250,000	\$258,188	4.90%	
Interest Bearing Certificate of Deposit	8/22/2023	8/22/2028	\$250,000	\$250,000	\$259,433	4.90%	
Interest Bearing Certificate of Deposit	3/28/2024	3/29/2027	\$249,000	\$249,000	\$253,900	4.90%	
Interest Bearing Certificate of Deposit	4/29/2024	4/30/2029	\$244,000	\$244,000	\$250,288	4.75%	
Interest Bearing Certificate of Deposit	4/12/2024	4/12/2028	\$249,000	\$249,000	\$253,233	4.25%	
Interest Bearing Certificate of Deposit	2/10/2023	2/10/2028	\$250,000	\$250,000	\$252,785	4.10%	
Interest Bearing Certificate of Deposit	1/29/2024	1/29/2029	\$249,000	\$249,000	\$251,139	4.00%	
Interest Bearing Certificate of Deposit	9/30/2022	9/30/2027	\$250,000	\$250,000	\$250,530	3.60%	
Interest Bearing Certificate of Deposit	9/15/2022	9/15/2027	\$250,000	\$250,000	\$247,550	3.35%	
Interest Bearing Certificate of Deposit	7/12/2022	7/12/2027	\$245,000	\$245,000	\$240,982	3.20%	
Interest Bearing Certificate of Deposit	5/12/2022	5/12/2027	\$250,000	\$250,000	\$245,080	3.05%	
Interest Bearing Certificate of Deposit	5/11/2022	5/11/2027	\$250,000	\$250,000	\$244,123	1.75%	
Interest Bearing Certificate of Deposit	3/4/2022	9/4/2025	\$250,000	\$250,000	\$243,525	1.60%	
Interest Bearing Certificate of Deposit	3/30/2020	3/31/2025	\$248,000	\$248,000	\$243,375	1.50%	
Interest Bearing Certificate of Deposit	1/11/2022	1/7/2027	\$250,000	\$250,000	\$235,938	1.25%	
Interest Bearing Certificate of Deposit	3/13/2020	3/13/2025	\$249,000	\$249,000	\$244,149	1.05%	
Interest Bearing Certificate of Deposit	10/27/2021	10/27/2026	\$250,000	\$250,000	\$234,575	1.00%	
Interest Bearing Certificate of Deposit	7/15/2021	7/14/2026	\$250,000	\$250,000	\$236,133	0.95%	
Interest Bearing Certificate of Deposit	7/22/2021	7/22/2026	\$250,000	\$250,000	\$235,778	0.90%	
Interest Bearing Certificate of Deposit	6/16/2021	6/16/2026	\$249,000	\$249,000	\$235,151	0.85%	
Interest Bearing Certificate of Deposit	11/30/2021	11/29/2024	\$250,000	\$250,000	\$247,030	0.60%	
Interest Bearing Certificate of Deposit	9/22/2020	9/22/2025	\$249,000	\$249,000	\$239,155	0.55%	
Interest Bearing Certificate of Deposit	9/30/2020	9/30/2024	\$249,000	\$249,000	\$247,583	0.40%	
			<u>\$8,230,000</u>	<u>\$8,230,000</u>	<u>\$8,196,020</u>	3.263%	26.71%
Multi-Securities Bank Securities:							
U.S. Government Bonds	2/25/2021	2/25/2026	\$390,000	\$390,000	\$369,346	0.70%	
U.S. Government Bonds	3/10/2022	3/10/2027	\$250,000	\$250,000	\$240,203	2.50%	
			<u>\$640,000</u>	<u>\$640,000</u>	<u>\$609,548</u>	1.40%	2.08%
<b>TOTAL MPWMD</b>			<u><b>\$30,807,488</b></u>	<u><b>\$30,807,488</b></u>	<u><b>\$30,743,056</b></u>	<b>2.67%</b>	

**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			\$188,167	188,167	\$188,167	0.000%	100.00%
<b>TOTAL WASTEWATER RECLAMATION PROJECT</b>			<u><b>\$188,167</b></u>	<u><b>\$188,167</b></u>	<u><b>\$188,167</b></u>	<b>0.000%</b>	

These investments do include sufficient liquid funds to meet anticipated expenditures for the next six months as reflected in the FY 2024-2025 annual budget.

[1] Includes Pooled Money Investment Account Average Monthly Effective Yield

Investment report for unaudited FY2023-24 financials. MBS balances to be reconciled before close of fiscal year.



**De LAY & LAREDO**  
ATTORNEYS AT LAW

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**David C. Laredo**  
**Frances M. Farina**  
**Michael D. Laredo**

**Paul R. De Lay**  
(1919 – 2018)

**Pacific Grove Office:**  
606 Forest Avenue  
Pacific Grove, CA 93950  
Telephone: (831) 646-1502  
Facsimile: (831) 646-0377

September 11, 2024

TO: Chair Anderson, Members of the Board and General Manager Stoldt

FROM: David C. Laredo, Counsel

RE: General Report of Pending Litigation effective September 11, 2024

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This memo presents a public summary of litigations matters that are deemed to be open and active. This is a recurring memo; data that is newly updated since last month's report are shown in **highlighted text**.

**1 – Monterey Peninsula Taxpayers Association (MPTA) cases:**

Cases brought by MPTA are part of a series of **six (6)** separate lawsuits. These **six cases** collectively challenge various aspects of the District's collection of the Water Supply Charge; only the last **five** of the cases referenced below are actively pending. **The most recent of these lawsuits was filed at the end of August, 2024.**

**1.a MPTA I – MPTA v. MPWMD; M123512**

MPTA brought an initial challenge against District collection of the Water Supply Charge on the owners served by the District. Judge Thomas Wills ruled in favor of the District, and against the challenge brought by MPTA. This matter is no longer pending and is deemed final.

**1.b MPTA II – MPTA v. MPWMD; Monterey County Superior Court 21CV003066  
6th Dist. Court of Appeal H0-51128**

MPTA brought a second challenge against the District collection of the Water Supply Charge on the owners served by the District, raising different grounds as compared to the allegations in MPTA I. Judge Panetta ruled against District collection of the charge, in favor of MPTA. The matter is now on appeal before the Sixth District Court of Appeal.

The District seeks reversal of the trial court's writ compelling suspension of its annual charge contending MPTA failed to timely file a validation claim, and also that District Ordinance No. 152 properly authorizes support collection of that charge.

The appellate case has been fully briefed by all parties. **Oral arguments were held on Thursday, September 5 before the 6<sup>th</sup> District Appellate Court at 333 W. Santa Clara Street, Suite 1060, San Jose. The Court took the matter under submission and will issue a written opinion within 90 days.**

**1.c MPTA III – MPTA v. MPWMD; Monterey County Superior Court 22CV002113**

MPTA brought this third challenge against District collection of the Water Supply Charge on the owners served by the District, raising different grounds as compared to the allegations in both MPTA I and MPTA II.

The parties have agreed to postpone active litigation of this matter pending a ruling from the Sixth District Court of Appeal in connection with MPTA II.

**1.d MPTA IV - MPTA v. MPWMD; Monterey County Superior Court 23CV002453**

MPTA brought this fourth challenge against District collection of the Water Supply Charge on the owners served by the District, raising grounds similar to MPTA III but extending the term for the following applicable tax year.

As with the agreement to postpone of litigation of MPTA III, further action on this matter will pend until a ruling is issued from the Sixth District Court of Appeal in connection with MPTA II.

**1.e MPTA V - MPTA v. MPWMD; Monterey County Superior Court 24CV002642**

MPTA has filed this fifth challenge against District collection of the Water Supply Charge, raising grounds similar to MPTA III and IV with respect to this current tax year, but this action also includes class claims and frames a class action on behalf of property owners. The action has been served upon the District, but the trial court signed an order to stay this class action pending resolution of the appeal by the Sixth District Court of Appeal in connection with MPTA II.

**1.f MPTA VI - MPTA v. MPWMD; Monterey County Superior Court 24CV003408**

This lawsuit represents the sixth challenge MPTA against District collection of the Water Supply Charge which was filed at the end of August, 2024. This action is similar to complaints filed in MPTA III, IV and V, and is a new reverse-validation case. As with the previous reverse-validation cases, its an attempt to maintain court jurisdiction in response to the District’s argument that the Water Supply Charge is an assessment subject to the validation statutes. This action does not contain any new allegations other than extending their series of challenges for an extra year. As with the other pending actions, no active litigation is expected to occur until resolution of the appeal by the Sixth District Court of Appeal in connection with MPTA II.

**2 – MPWMD v. Cal-Am; 23CV004102**

This pending lawsuit embodies the District’s effort to fulfill the electoral mandate of Measure J to acquire ownership and operation of Cal-Am’s Monterey Division water supply facilities.

Judge Vanessa Vallarta is the presiding judge for this case. It remains at an early stage.

Cal-Am challenged aspects of the lawsuit (by demurrer). Judge Vallarta held a second hearing on the demurrer for Friday, August 23, 2024, and issued a tentative ruling indicated her intention to resolve the

matter in favor of the District and against Cal-Am. Following oral argument Judge Vallarta took the matter under submission, stating her intent to provide a revised final order that is likely to align with her tentative ruling. A final ruling on the demurrer is expected in a week or two.

**3 – MPWMD v. Local Agency Formation Commission (LAFCO); Cal-Am; 22CV000925  
6th Dist. Court of Appeal H0-51849**

The District brought this lawsuit to challenge LAFCO’s conduct and administrative decisions regarding exercise of District powers to acquire Cal-Am water system facilities in accord with the voter mandate in Measure J. On December 7, 2023 Judge Thomas Wills ruled in favor of the District, and against LAFCO. The matter is now on appeal before the Sixth District Court of Appeal. Briefing schedules and any dates for oral argument have not yet been set.

**4 – City of Marina; MPWMD, et al, v. California Coastal Commission (CCC); Cal-Am; 22CV004063**

This pending lawsuit incorporates multiple actions by Petitioners City of Marina, the Marina Coast Water District (MCWD), the MCWD Groundwater Sustainability Agency and MPWMD that collectively challenge CCC issuance of a Coastal Development Permit to Cal-Am to grant conditioned approval of Cal-Am’s proposed Desalination Project. Cal-Am is a direct party as a real party in interest to this proceeding.

The CCC prepared and lodged the administrative record with the Superior Court. Petitioners filed Opening Briefs on July 17<sup>th</sup>, Opposition Briefs were filed in early September; Reply Briefs will be filed 30 days thereafter. A hearing on the merits is anticipated to be held on November 13, 2024 before Judge Wills in Department 15 of the Superior Court.

**5 – Matters Pending before the California Public Utilities Commission (CPUC) Actions pertaining to the Cal-Am Water System**

The following actions are separate pending proceedings in which MPWMD is involved due to their impact on the Monterey area or upon the Cal-Am water system.

**5.a A.21-11-024 Cal-Am Amended Water Purchase Agreement**

This action deals with Cal-Am’s request to purchase water from the Pure Water Replenishment Project and its expansion.

Earlier phases of this case dealt primarily with Cal-Am’s request that the CPUC authorize the Company to enter into the Amended and Restated Water Purchase Agreement for Pure Water Expansion. The most recent phase has addressed the need to update water supply and water demand calculations related to the Cal-Am system.

Phase 2 briefs have been filed by all parties. It is not clear when a Proposed Decision will be issued by the assigned ALJ or when the matter may be submitted for action by the full Commission. An Order Extending Statutory Deadline to 12/31/2024 was published 7/16/2024.

District staff and counsel have set several ex parte meetings with staff of CPUC Commissioners to ensure they have an up-to-date understanding of issues pertaining to the proposed decision.

### 5.b A.22-07-001 Cal-Am 2022 General Rate Case (GRC)

This action deals with Cal-Am triennial request that the CPUC approve both rates and charges, and changes to the Cal-Am operating system for a three-year rate cycle. The evidentiary phase of the case has been concluded. ALJ Rambo conducted the evidentiary hearing. The case has been reassigned effective 4/22/2024 from Commissioner Genevieve Shiroma to Commissioner Karen Douglas because the former Commissioner left the Commission.

A proposed decision was issued by the ALJ that partially accepts and partially rejects the partial proposed settlement submitted by Cal-Am and the Public Advocates Office. Counsel is reviewing the ALJ's proposal and will provide a separate report on it under separate confidential memo to the Board.

Further action on the Proposed Decision is expected later this calendar year. An Order Extending Statutory Deadline to March 30, 2025, was received 8/30/2024.

### 5.c R.22-04-003 CPUC Acquisition Rulemaking

This action deals with CPUC Rulemaking. It impacts statewide public utility systems and has particular impact on the Cal-Am system. The scope of the proceeding is to propose rules to provide a framework for Public Water System Investment and Consolidation. The effect of these rules may promote or discourage transfer of local costs which would impose subsidies of local costs to non-local systems. The scope of these regulations may affect purchase prices for distressed assets and impose subsidies on local ratepayers.

It is not clear when a Proposed Decision will be issued by the assigned ALJ or when the matter may be submitted for consideration by the full Commission. An Order Extending Statutory Deadline to 12/31/2024 was received 7/1/2024.

In addition to pending matters of active litigation referenced above, two matters of threatened litigation exist, as referenced below.

### 6 – *Cal-Am v. MPWMD and Monterey One Water (action threatened by not yet filed)*

By letter, Cal-Am threatened to file a breach of contract action relating to the Aquifer Storage & Recovery (ASR) Agreement among the parties. The dispute relates to the status of ASR Well.

The parties continue to cooperatively resolve their concerns and have entered into seven consecutive agreements to toll (extend) filing deadlines and facilitate their ability to reach a mutually acceptable settlement.

Cal-Am's most recent comment states it "has been working diligently to address both extraction and injection concerns relating to ASR-04. Due to a variety of technical and several DDW-related procedural issues we now believe that this will not be fully resolved for several months and perhaps up to a year."

**7 – *Sierra Club v. Monterey Peninsula Water Management District, et al., Case No. M108149/M66343 (consolidated for trial); Sixth District Court of Appeal, Case No. H037286.***

On July 24, 2024, an attorney for the Sierra Club, Larry Silver, sent an email advising they will be retaining counsel to reactivate a claim for attorney’s fees related to an earlier lawsuit referenced above.

The underlying dispute related to this threat relates to the Sierra Club challenge to a water distribution system permit issued by the District for the Monterey Bay Shores Ecoresort project. Both the trial court and appellate court validated all actions taken by the District in that matter. The Court of Appeal rejected the central Sierra Club argument – that the District failed to consider environmental impacts “associated with” issuance of the permit, specifically impacts on the Carmel River. Moreover, the 6th District noted the Sierra Club did not point to any evidence that indicated the conditions of approval were insufficient to insure no Carmel River Water would be used to serve the Ecoresort. The Court noted that “unsubstantiated fears and desires of project opponents do not constitute substantial evidence.”

As a notable condition of their permit, both Cal-Am and SNG agreed to reimburse costs incurred by the District for its attorney efforts, both at the trial and appellate levels. To record this obligation, MPWMD, Cal-Am and SNG entered into a Joint Defense Agreement relating to legal proceedings associated with the WDS permit. The Joint Defense was later amended by the parties to include proceedings associated with the Appeal, H037286.

District Counsel is coordinating review and response occasioned by the July 24, 2024 Sierra Club demand. Action is needed at this time with respect to the email advising the Sierra Club intends to reactivate a claim for attorney’s fees referenced above.



**ITEM: PUBLIC HEARING****6. CONSIDER SECOND READING AND ADOPTION OF ORDINANCE NO. 195 -- ADDING RULE 19.9 TO PROVIDE INFORMAL BIDDING PROCEDURES UNDER THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT****Meeting Date: September 16, 2024 Budgeted: N/A****From: David J. Stoldt, General Manager Program/ Line Item No.: N/A****Prepared By: Maureen Hamilton Cost Estimate: N/A****General Counsel Review: Yes****Committee Recommendation: N/A****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

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**SUMMARY:** On April 15, 2024 the Board of Directors of the Monterey Peninsula Water Management District, by Resolution 2024-04, elected to become subject to the California Uniform Public Construction Cost Accounting Act (CUPCCAA) procedures under California Public Contract Code (PCC).

The CUPCCAA in PCC §22034 requires participating public agencies to enact an informal bidding ordinance (Ordinance) to govern the selection of contractors by informal procedures. The CUPCCAA allows informal bidding procedures to be used for projects up to the cost limit set forth in PCC §22032 (b), two hundred thousand dollars (\$200,000). An excerpt of the CUPCCAA PCC pertaining to informal bidding ordinances is provided in **Exhibit 6-A** and the Ordinance is provided in **Exhibit 6-B**.

**RECOMMENDATION:** Staff recommends the Board approve the second reading and adoption of Ordinance No. 195, adding Rule 19.9 to provide Informal Bidding Procedures under the Uniform Public Construction Cost Accounting Act.

**BACKGROUND:** PCC §22034 requires the Ordinance state that informal bidding notification be provided to contractors via one or both of the following methods:

- a) A list of qualified contractors (List) created and maintained by MPWMD.
- b) Trade journals specified by the CUPCCAA Commission.

The List is created by providing written notice to all construction trade journals designated by the CUPCCAA Commission. The trade journals currently specified for Monterey County are:

- Central coast Builders Association
- San Luis Obispo County Builders Exchange
- Builders' Exchange of Santa Clara County
- Placer County Contractors Associations and Builders Exchange

The notice shall invite all licensed contractors to submit information so the contractor can be included on the List. The required information is as follows:

- contact information,
- contractors license information, and
- the type of work in which the contractor is interested.

The List shall include all qualified contractors who provide the required information, including contractors who provide the required information at any time thereafter. Qualified contractors are contractors licensed by the State to perform the subject work. The Commission has determined that nothing in the CUPCCAA prohibits a participating agency from using additional objective pre-qualification standards in the formation and maintenance of their Qualified Contractors Lists.

The List must be updated at least annually by providing a notice in the trade journals. There is no cost for providing notices via trade journals.

The CUPCCAA in PCC §22035 directs agencies to PCC §22050 for emergency contracting procedures, the same emergency contracting procedure code to which MPWMD is directed in PCC §21624.

## **EXHIBITS**

**6-A** Public Contract Code §22030 through §22036 Excerpt

**6-B** Ordinance No. 195 Adding Rule 19.9 Informal Bidding Procedures Under the Uniform Public Construction Cost Accounting Act

## Excerpt from Public Contract Code 22030 through 22036

### 22030.

(a) This article applies only to a public agency whose governing board has by resolution elected to become subject to the uniform construction cost accounting procedures set forth in Article 2 (commencing with Section 22010) and which has notified the Controller of that election. In the event of a conflict with any other provision of law relative to bidding procedures, this article shall apply to any public agency which has adopted a resolution and so notified the Controller.

(b) A county, whether general law or charter, containing a population of less than 500,000 may award individual annual contracts as provided in Section 20128.5.

*(Amended by Stats. 2015, Ch. 269, Sec. 28. (SB 184) Effective January 1, 2016.)*

### 22031.

(a) Prior to January 1, 2013, this article shall not prohibit a board of supervisors or a county road commissioner from utilizing, as an alternative to the procedures set forth in this article, the procedures set forth in Article 25 (commencing with Section 20390) of Chapter 1.

(b) On or after January 1, 2013, this article shall not prohibit a board of supervisors or a county road commissioner from utilizing, as an alternative to the procedures set forth in this article, the procedures set forth in Article 25 (commencing with Section 20390) of Chapter 1 for both of the following:

(1) Maintenance and emergency work.

(2) New road construction and road reconstruction as long as the total value of the new road construction and the road reconstruction performed under the procedures set forth in subdivision (c) of Section 20395 during a fiscal year does not exceed 30 percent of the total value of all work performed by force account other than maintenance as reported in the Controller's Streets and Roads Annual Report as of March 1 of each year prior to the fiscal year.

(c) The value of force account work necessary to facilitate capital projects for the purpose of contracting to the private sector, including design, engineering, inspection, testing, and other force account work necessary to administer private contracts, shall be excluded from the 30-percent limit in subdivision (b).

(d) The value of force account work necessary to facilitate projects performed by county employees, including design, engineering, inspection, testing, and other force account work necessary to administer work performed under subdivision (b), shall apply to the 30-percent limit in subdivision (b).

(e) On or after January 1, 2013, for a county with a population of less than 50,000, this article shall not prohibit a board of supervisors or a county road commissioner from utilizing, as an alternative

to the procedures set forth in this article, the procedures set forth in Article 25 (commencing with Section 20390) of Chapter 1.

(f) The requirements set forth in Section 22038 shall apply to any county subject to this section.

(g) Any county board of supervisors or county road commissioner acting pursuant to the authority granted in paragraph (2) of subdivision (b) shall publicly declare its intention to use this authority prior to commencing work. The public declaration may be on a project-by-project basis, via a list of anticipated projects for the fiscal year, or via a list that may be included in the county's annual budget.

*(Amended by Stats. 2014, Ch. 345, Sec. 3. (AB 2752) Effective January 1, 2015.)*

#### **22032.**

(a) Public projects of sixty thousand dollars (\$60,000) or less may be performed by the employees of a public agency by force account, by negotiated contract, or by purchase order.

(b) Public projects of two hundred thousand dollars (\$200,000) or less may be let to contract by informal procedures as set forth in this article.

(c) Public projects of more than two hundred thousand dollars (\$200,000) shall, except as otherwise provided in this article, be let to contract by formal bidding procedure.

*(Amended by Stats. 2018, Ch. 169, Sec. 2. (AB 2249) Effective January 1, 2019.)*

#### **22033.**

It shall be unlawful to split or separate into smaller work orders or projects any project for the purpose of evading the provisions of this article requiring work to be done by contract after competitive bidding.

*(Added by renumbering Section 21203 (as added by Stats. 1983, Ch. 1054) by Stats. 1986, Ch. 1019, Sec. 54.)*

#### **22034.**

Each public agency that elects to become subject to the uniform construction accounting procedures set forth in Article 2 (commencing with Section 22010) shall enact an informal bidding ordinance to govern the selection of contractors to perform public projects pursuant to subdivision (b) of Section 22032. The ordinance shall include all of the following:

(a) Notice to contractors shall be provided in accordance with either paragraph (1) or (2), or both.

(1) The public agency shall maintain a list of qualified contractors, identified according to categories of work. Minimum criteria for development and maintenance of the contractors list shall be determined by the commission. All contractors on the list for the category of work being bid shall be mailed, faxed, or emailed a notice inviting informal bids unless the product or service is proprietary. All mailing of notices to contractors pursuant to this subdivision shall be completed not less than 10 calendar days before bids are due.

(2) The public agency may elect to mail, fax, or email a notice inviting informal bids to all construction trade journals specified in Section 22036.

(b) The notice inviting informal bids shall describe the project in general terms and how to obtain more detailed information about the project, and state the time and place for the submission of bids.

(c) The governing body of the public agency may delegate the authority to award informal contracts to the public works director, general manager, purchasing agent, or other appropriate person.

(d) If all bids received are in excess of two hundred thousand dollars (\$200,000), the governing body of the public agency may, by adoption of a resolution by a four-fifths vote, award the contract, at two hundred twelve thousand five hundred dollars (\$212,500) or less, to the lowest responsible bidder, if it determines the cost estimate of the public agency was reasonable.

*(Amended by Stats. 2018, Ch. 169, Sec. 3. (AB 2249) Effective January 1, 2019.)*

#### **22035.**

(a) In cases of emergency when repair or replacements are necessary, the governing body may proceed at once to replace or repair any public facility without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts. The work may be done by day labor under the direction of the governing body, by contractor, or by a combination of the two.

(b) In case of an emergency, if notice for bids to let contracts will not be given, the public agency shall comply with Chapter 2.5 (commencing with Section 22050).

*(Repealed and added by Stats. 1994, Ch. 803, Sec. 87. Effective January 1, 1995.)*

#### **22035.5.**

In counties that are under court order to relieve justice facility overcrowding, the procedures and restrictions specified in Section 20134 shall apply to all contracts issued under this chapter.

*(Added by Stats. 1991, Ch. 993, Sec. 1.)*

#### **22036.**

The commission shall determine, on a county-by-county basis, the appropriate construction trade journals which shall receive mailed, faxed, or emailed notice of all informal and formal construction contracts being bid for work within the specified county.

*(Amended by Stats. 2015, Ch. 269, Sec. 30. (SB 184) Effective January 1, 2016.)*





## **EXHIBIT 6-B**

### **DRAFT ORDINANCE NO. 195**

#### **AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA WATER MANAGEMENT DISTRICT ADDING RULE 19.9 PROVIDING INFORMAL BIDDING PROCEDURES UNDER THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT**

#### **FINDINGS**

1. On April 15, 2024, the Board of Directors of the Monterey Peninsula Water Management District (District), by Resolution No. 2024-04, elected under Public Contract Code (PCC) Sections 22000-22050 to become subject to the California Uniform Public Construction Cost Accounting (CUPCCA) procedures set forth in the CUPCCA Act (Act) and to the CUPCCA Commission's (Commission) policies and procedures manual and cost accounting review procedures, as they may each from time to time be amended, and directed the CFO/ASD Manager to notify the State Controller forthwith of the election.
2. The District notified the State Controller of adoption of Resolution No. 2024-04. On April 17, 2024, the Commission confirmed the District's enrollment in the Act pursuant to PCC §22030.
3. The PCC §22034 requires a public agency that elects to become subject to the Act to enact an informal bidding ordinance to govern the selection of contractors to perform public projects by informal bidding procedures pursuant to Section 22032. The PCC §22034 provides the language incorporated herein as Rule 19.9.
4. The Board of Directors determined that this Ordinance is limited to the amendment of its internal rules and, as such, lacks any potential to result in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. This Ordinance does not constitute a Project as that term is defined by Section 15378 of the California Environmental Quality Act (CEQA) as it is an organizational or

administrative activity of government that will not result in direct or indirect physical changes in the environment.

**NOW THEREFORE** it be ordained as follows:

## **ORDINANCE**

### **Section One:            Short Title**

This Ordinance shall be known as the Informal Bidding Procedures under the California Uniform Public Construction Cost Accounting Act.

### **Section Two:            Purpose**

The purpose of this Ordinance is to meet the requirements set forth in the Uniform Public Construction Cost Accounting Act pursuant to California Public Contract Code §22030-22045, which the District adopted by Resolution 2024-04.

### **Section Three:            Addition of Rule 19.9, Informal Bidding Procedures under the Uniform Public Construction Cost Accounting Act**

The following text shall be added as Rule 19.9 – Informal Bidding Procedures under the Uniform Public Construction Cost Accounting Act:

#### **RULE 19.9 -- INFORMAL BIDDING PROCEDURES UNDER THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT**

1. Public projects, as defined by the Uniform Public Construction Cost Accounting Act and in accordance with the limits listed in Section 22032 of the California Public Contract Code, may be let to contract by informal procedures.
2. Where a public project is to be performed which is subject to the provisions of this Rule, a notice inviting informal bids shall be circulated using one or both of the following alternatives:
  - a. The District shall maintain a list of qualified contractors, identified according to categories of work. All contractors on the list for the category of work being bid shall be mailed, faxed, or emailed a notice inviting

informal bids unless the product or service is proprietary. All mailing of notices to contractors pursuant to this subdivision shall be completed not less than ten (10) calendar days before bids are due.

- b. Notices inviting informal bids may be mailed to all construction trade journals as specified by the California Uniform Construction Cost Accounting Commission in accordance with Section 22036 of the California Public Contract Code. Additional contractors and/ or construction trade journals may be notified at the discretion of the department soliciting bids.
4. The notice inviting informal bids shall describe the project in general terms and how to obtain more detailed information about the project and state the time and place for the submission of bids.
5. The Board of Directors of the Monterey Peninsula Water Management District may award informally bid contracts or may delegate the authority to award these contracts to the General Manager, Chief Financial Officer, District Engineer or other appropriate person.
6. If all bids received are in excess of the limit set forth in Section 22032 of the California Public Contract Code, the Board of Directors may, by adoption of a resolution by a four-fifths vote, award the contract, up to the limit set forth in Section 22034 of the California Public Contract Code , to the lowest responsible bidder, if it determines the cost estimate was reasonable.

**Section Four: Publication and Application**

The provisions of this Ordinance shall cause the republication and amendment of the permanent Rules and Regulations of the Monterey Peninsula Water Management District.

**Section Five: Effective Date and Sunset**

This Ordinance shall take effect and be in force thirty (30) days from the date of its passage. This Ordinance shall not have a sunset date. Should MPWMD elect to no longer be subject to the California Uniform Public Construction Cost Accounting Act, this Ordinance shall be repealed.

**Section Six:           Severability**

If any subdivision, paragraph, sentence, clause or phrase of this ordinance is, for any reason, held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity shall not affect the validity or enforcement of the remaining portions of this ordinance, or of any other provisions of the Monterey Peninsula Water Management District Rules and Regulations. It is the District's express intent that each remaining portion would have been adopted irrespective of the fact that one or more subdivisions, paragraphs, sentences, clauses, or phrases be declared invalid or unenforceable.

**PASSED AND ADOPTED** on this \_\_\_\_\_ of \_\_\_\_\_, 2024 on a motion by \_\_\_\_\_ with a second by \_\_\_\_\_ by the following vote, to wit:

AYES:

NAYS:

ABSENT:

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify the foregoing ordinance was duly adopted on the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Dated: \_\_\_\_\_

\_\_\_\_\_  
David J. Stoldt  
Secretary to the Board

**ITEM: PUBLIC HEARING****7. CONSIDER ADOPTION OF OCTOBER THROUGH DECEMBER 2024 QUARTERLY WATER SUPPLY STRATEGY AND BUDGET**

<b>Meeting Date:</b>	<b>September 16, 2024</b>	<b>Budgeted:</b>	<b>N/A</b>
<b>From:</b>	<b>David J. Stoldt, General Manager</b>	<b>Program/ Line Item No.:</b>	<b>N/A</b>
<b>Prepared By:</b>	<b>Jonathan Lear</b>	<b>Cost Estimate:</b>	<b>N/A</b>

**General Counsel Review: N/A****Committee Recommendation: N/A****CEQA Compliance: Notice of Exemption, CEQA, Article 19, Section 15301 (Class 1)****ESA Compliance: Consistent with the September 2001 and February 2009 Conservation Agreements between the National Marine Fisheries Service and California American Water to minimize take of listed steelhead in the Carmel River and Consistent with SWRCB WR Order Nos. 95-10, 98-04, 2002-0002, and 2016-0016.**

**SUMMARY:** The Board will accept public comment and take action on the **October through December 2024** Quarterly Water Supply Strategy and Budget for California American Water's (Cal-Am's) Main and Satellite Water Distribution Systems (WDS), which are within the Monterey Peninsula Water Resources System (MPWRS). The proposed budget, which is included as **Exhibit 7-A**, outline monthly production by source of supply that will be required to meet projected customer demand in Cal-Am's Main and Laguna Seca Subarea systems, i.e., Ryan Ranch, Bishop, and Hidden Hills, during the **October through December 2024** period. The proposed strategy and budget is designed to maximize the long-term production potential and protect the environmental quality of the Seaside Groundwater and Carmel River Basins.

**Exhibit 7-A** shows the anticipated production by Cal-Am's Main system for each production source and the actual production values for the water year to date through the end of **August 2024**. Cal-Am's annual Main system production from the Monterey Peninsula Water Resource System (MPWRS) for Water Year (WY) 2025 will not exceed 3,376 acre-feet (AF). Sources available to meet customer demand are 1,474 AF from the Coastal Subareas of the Seaside Groundwater Basin as set by the Seaside Basin Adjudication Decision and 3,376 AF from the Carmel River as set by WRO 2016-16. Additional water projects and water rights available are an estimated 990 AF of Pure Water Monterey Injection over this quarter, an estimated 3,676 AF from ASR Phase 1 and 2 storage remaining from WY 2023 and 2024 injection are available but is being banked for drought reserve and/or summer production, an estimated 75 AF from the Sand City Desalination Plant, and an estimated 0 AF from Cal-Am's Table 13 water rights. Under Table 13 water rights, Cal-Am is allowed to produce water for in-basin uses when bypass flows are in excess of permit conditions. This water budget proposes to inject an estimated 990 AF of Pure Water Monterey and recover about 990 AF. The schedule of production from the Carmel Valley Alluvial Aquifer is consistent with State Water Resources Control Board (SWRCB) Order Nos. 95-10, 98-04, 2002-0002, and 2016-0016.

According to the Seaside Basin Adjudication Decision, CalAm's production has been reduced to 0 AF. The Quarterly Water Budget Group recognizes that CalAm will need to produce water to serve its customers in the Hidden Hills Distribution System and not all of the demand can be served by the intertie with the main system. Therefore, production in Laguna Seca will be tracked as a ministerial component of tracking production against the Adjudication Decision.

**RECOMMENDATION:** The Board should receive public input, close the Public Hearing, and discuss the proposed quarterly water supply budget. District staff recommends adoption of the proposed budget. The budget is described in detail in **Exhibit 7-B**, Quarterly Water Supply Strategy Report: **October to December 2024**.

**BACKGROUND:** The Water Supply Strategy and Budget prescribes production within CalAm's Main and Laguna Seca Subarea systems and is developed on a quarterly schedule. Staff from the District, CalAm, the National Marine Fisheries Services (NMFS), State Water Resources Control Board's Division of Water Rights (SWRCB-DWR), and the California Department of Fish and Wildlife (CDFW) cooperatively develop this strategy to comply with regulatory requirements and maximize the environmental health of the resource system while meeting customer demand. To the greatest extent pumping in the Carmel Valley is minimized in the summer months and the Seaside wells are used to meet demand by recovering native water and banked Carmel River water. Also, it was agreed that CalAm will operate its wells in the Lower Carmel Valley in a downstream to upstream order and the Upper Valley wells will be used to support ASR injection.

If flows exceed 20 cfs at the District's Don Juan Gage, CalAm is allowed to produce from its Upper Carmel Valley Wells, which are used to supply water for injection into the Seaside Groundwater Basin. The permitted diversion season for ASR is between December 1 and May 31. Diversions to storage for ASR will be initiated whenever flows in the river are above permit threshold values. For planning purposes, the QWB group schedules diversions to ASR storage based on operational days that would occur in an average streamflow year. CalAm may also divert under Table 13 Water Rights for in-basin use within Carmel Valley when flows are adequate. This schedule is estimated with average year streamflow conditions and daily demand for Carmel Valley. CalAm will schedule the recovery of Pure Water Monterey water stored in the Seaside Basin with the goal of removing all water injected over the operational reserve for WY 2025. There is also a projected goal of producing 25 AF of treated brackish groundwater from the Sand City Desalination Plant in each of these three months.

Rule 101, Section B of the District Rules and Regulations requires that a Public Hearing be held at the time of determination of the District water supply management strategy. Adoption of the quarterly water supply strategy and budget is categorically exempt from the California Environmental Quality Act (CEQA) requirements as per Article 19, Section 15301 (Class 1). A Notice of Exemption will be filed with the Monterey County Clerk's office, pending Board action on this item.

## **EXHIBITS**

**7-A** Quarterly Water Supply Strategy and Budget for Cal-Am Main System: October to December 2024

**7-B** Quarterly Water Supply Strategy and Budget Report: October to December 2024

**California American Water Main Distribution System**  
**Quarterly Water Supply Strategy and Budget: October - December 2024**  
**Proposed Production Targets by Source and Projected Use in Acre-Feet**

SOURCE/USE	MONTH			YEAR-TO-DATE		
	Oct-24	Nov-24	Dec-24	Oct-23 - Aug-24	% of YTD	% of Annual Budget
<b>Source</b>						
<u>Carmel Valley Aquifer</u>						
Upper Subunits (95-10)	0	0	0	1,211		
Lower Subunits (95-10)	250	230	230	1,770	45.4%	23.0%
Diversions for Injection (ASR)	0	0	0	1,518		
Upper and Lower (Table 13)	0	0	0	410		
<b>Total</b>	<b>250</b>	<b>230</b>	<b>230</b>			
<u>Seaside Groundwater Basin</u>						
Coastal Subareas	253	116	66	1,483	100.0%	81.5%
ASR Recovery	0	0	0	0	0.0%	79.2%
Sand City Desalination	25	25	25	101	36.7%	33.7%
Pure Water Monterey	330	330	330	3,042		
<b>Total</b>	<b>608</b>	<b>471</b>	<b>421</b>			
<b>Total for All Sources</b>	<b>858</b>	<b>701</b>	<b>651</b>			
<b>Use</b>						
Customer Service (95-10 & SGB)	858	701	651			
ASR Injection	0	0	0			
Customer Service (Table 13)	0	0	0			
<b>Total</b>	<b>858</b>	<b>701</b>	<b>651</b>			

## Notes:

- The annual budget period corresponds to the Water Year, which begins on October 1 and ends on September 30 of the following Calendar Year.
- Total monthly production for "Customer Service" in CAW's main system was calculated by multiplying total annual production (4,850 AF) times the average percentage of annual production for October, November, and December 9.1%, 7.5%, and 6.7% , respectively). According to District Rule 160, the annual production total was based on the assumption that production from the Coastal Subareas of the Seaside Groundwater Basin would not exceed 1,474 AF and production from Carmel River sources would not exceed 3,376 AF in WY 2023. The average production percentages were based on monthly data for customer service from WY 2013 to 2018.
- Anticipated production for ASR injection is based on an average diversion rate of approximately 4,500 gallons per minute (gpm) or 19.9 AF per day from CAW's sources in the Carmel River Basin. "Total" monthly CAW "Use" includes water for customer service and water for injection into the Seaside Basin.
- The production targets for CAW's wells in the Upper Subunits of the Carmel Valley Aquifer are set at 0 assuming low flow periods.
- The production target for CAW's wells in the Seaside Coastal Subareas in December is based on the assumption that sufficient flow will occur in the Carmel River at the targeted levels, to support ASR injection. It is planned that Coastal Subarea pumping will not occur, or will be proportionally reduced, if ASR injection does not occur at targeted levels.
- The production targets for CAW's wells in the Seaside Coastal Subareas are based on the need for CAW to produce its full native water allocation during WY 2023 to be in compliance with SWRCB WRO No 2016-0016.
- It should be noted that monthly totals for Carmel Valley Aquifer sources may be different than those shown in MPWMD Rule 160, Table XV-3. These differences result from monthly target adjustments needed to be consistent with SWRCB WRO 98-04, which describes how the Cal-Am Seaside Wellfield is to be used to offset production in Carmel Valley during low-flow periods. Adjustments are also made to the Quarterly Budgets to ensure that compliance is achieved on an annual basis with MPWMD Rule 160 totals.
- Table 13 values reflect source/use estimates based on SWRCB Permit 21330, which allows diversions from the CVA for "in Basin use" (3.25 AFD) when flows in the River exceed threshold values.



## EXHIBIT 7-B

### Quarterly Water Supply Strategy and Budget Report California American Water Main Water Distribution System: October to December 2024

#### 1. Management Objectives

The Monterey Peninsula Water Management District (District) desires to maximize the long-term production potential and protect the environmental quality of the Carmel River and Seaside Groundwater Basins. In addition, the District desires to maximize the amount of water that can be diverted from the Carmel River Basin and injected into the Seaside Groundwater Basin while complying with the instream flow requirements recommended by the National Marine Fisheries Service (NMFS) to protect the Carmel River steelhead population. Additionally, the QWB seeks to shift a large component of pumping from the Carmel River to the Seaside Groundwater Basin to recover injected PWM water. To accomplish these goals, a water supply strategy and budget for production within California American Water's (Cal-Am's) Main and Laguna Seca Subarea water distribution systems is reviewed quarterly to determine the optimal strategy for operations, given the current hydrologic and system conditions, and legal constraints on the sources and amounts of water to be produced.

#### 2. Quarterly Water Supply Strategy: October to December 2024

On September 9, 2024 the Quarterly Water Budget Group which includes staff from the District, CalAm, the National Marine Fisheries Services (NMFS), State Water Resources Control Board's Division of Water Rights (SWRCB-DWR), and the California Department of Fish and Wildlife (CDFW) met and discussed the proposed water supply strategy and related topics for upcoming quarter.

**Carmel River Basin** Cal-Am will operate its wells in the Lower Carmel Valley in a downstream to upstream sequence, as needed to meet customer demand. The group planned that WY 2025 would be a normal water year and storms will bring up in stream flows to support ASR injections and Table 13 diversions. ASR injections are limited to 13 Acre Feet per day because ASR 3 and ASR 4 are scheduled to be used to recover PWM water and therefore will not be available to support injection of excess Carmel River water. It was agreed that CalAm would plan to produce water from the wells in the Lower Carmel Valley to support system demand. PWM Recovery will be the primary source to meet system demand. December is the first month permits allow for ASR and Table 13 Diversions. If storms in December bring River conditions within permit conditions, Cal-Am will use the increase the production from the Carmel Valley wells to provide water for injection into the Seaside Basin.

**Seaside Groundwater Basin** Cal-Am has shut off the Upper Carmel Valley wells and turned on the Seaside wellfield. The Seaside wells are currently being used to recover PWM injected water and Native Seaside Groundwater. PWM water will be recovered at

the same rate injected this quarter with the goal maximizing PWM as a source to meet system demand and shift pumping away from the Carmel River Basin. There is also a goal to produce 25 AF of treated brackish groundwater from the Sand City Desalination Plant in each of these three months.

It is recognized that, based on recent historical use, Cal-Am's production from the Laguna Seca Subarea during this period may not be reduced to zero, as is set by Cal-Am's allocation specified in the Seaside Basin Adjudication Decision. In this context, the production targets represent the maximum monthly production that should occur so that Cal-Am remains within its adjudicated allocation for the Laguna Seca Subarea. Under the amended Seaside Basin Decision, Cal-Am is allowed to use production savings in the Coastal Subareas to offset over-production in the Laguna Seca Subarea. However, the quarterly budget was developed so that Cal-Am would produce all native groundwater in the Coastal Subareas and Laguna Seca production would be over the Adjudication allotment. On February 5, 2020 the Seaside Groundwater Basin Watermaster Board voted to allow Cal-Am to claim carryover credits to cover the pumping over the Laguna Seca allotment in the interim prior to establishing a physical solution. Because of this decision, the Quarterly Water Budget Group decided that the table presenting the Laguna Seca allotment of zero would no longer be necessary as the Watermaster is now planning to handle the pumping over allotment with a different mechanism.

**ITEM: PUBLIC HEARING****8. CONSIDER ADOPTION OF RESOLUTION NO. 2024-11 MODIFYING RULE 160 – REGULATORY WATER PRODUCTION TARGETS FOR CALIFORNIA AMERICAN WATER SYSTEMS****Meeting Date:** September 16, 2024      **Budgeted:** N/A**From:** David J. Stoldt,  
General Manager      **Program/** N/A  
**Line Item No.:****Prepared By:** Jonathan Lear      **Cost Estimate:** N/A**General Counsel Review:** N/A**Committee Recommendation:** N/A**CEQA Compliance:** Exempt from environmental review per SWRCB Order Nos. 95-10 and 2016-0016, and the Seaside Basin Groundwater Basin adjudication decision, as amended and Section 15268 of the California Environmental Quality Act (CEQA) Guidelines, as a ministerial project; Exempt from Section 15307, Actions by Regulatory Agencies for Protection of Natural Resources.

**SUMMARY:** District Rule 160 specifies the regulatory water production targets that are used in the District’s *Expanded Water Conservation and Standby Rationing Plan* to trigger higher stages of water conservation to facilitate California American Water (Cal-Am) compliance with the production limits set by State Water Resources Control Board (SWRCB) Orders 95-10 and 2016-0016 and the Seaside Groundwater Basin adjudication decision, as amended. Specifically, Table XV-1 in **Exhibit 8-A** shows monthly and year-to-date at month-end targets for all Cal-Am systems that derive their source of supply or rely on production offsets from the Monterey Peninsula Water Resource System (MPWRS). Similarly, Table XV-2 in **Exhibit 8-A** breaks out monthly and year-to-date at month-end targets for Cal-Am satellite systems that derive their source of supply from the Laguna Seca Subarea of the Seaside Groundwater Basin, which is part of the MPWRS. It should be noted that in WY 2022, the Seaside Adjudication decision lowers the limit in the satellite systems to 0 Acre Feet, however, the compliance of Cal-Am with the Adjudication decision limits is calculated using production limits set for the entire Basin. In addition, Table XV-3 in **Exhibit 8-A** breaks out monthly and year-to-date at month-end targets for Cal-Am Carmel River system sources and is included to provide additional clarification as to the production target maximums for this component of the MPWRS.

It is understood that water allocated by Rule 160 constitutes the legal sources of water from the MPWRS and does not represent all of the water that will be needed to meet system demand in WY 2025. The remainder of system demand will be met through augmentation of water projects. Pure Water Monterey recovery, recovery of banked Carmel River water, and Sand City Desalination will be allocated at the Quarterly Water Budget Meetings to meet forecasted demands. The tables adopted for the production of the MPWRS are to be used to track the production of legal sources of water so that they are not overproduced in WY 2025.

Rule 160 authorizes modifications to Tables XV-1, XV-2 and XV-3 to account for changes in the amount of water that Cal-Am is allowed to divert from the Carmel River System under the pertinent SWRCB Orders and the amount of water that Cal-Am is allowed to produce from the Seaside Groundwater Basin under the Seaside Basin Decision, as administered by the Seaside Basin Watermaster. Any modifications to these tables must be made by Board resolution.

Resolution No. 2024-11 (**Exhibit 8-A**) modifies Tables XV-1, XV-2 and XV-3 of Rule 160 to account for the projected change in allowable diversions by Cal-Am from the Carmel River and Seaside Groundwater Basins for Water Year 2025.

**RECOMMENDATION:** District staff recommends adoption of Resolution No. 2024-11 (**Exhibit 8-A**) modifying Rule 160.

#### **EXHIBIT**

**8-A** Resolution No. 2024-11 Modifying Rule 160 – Regulatory Water Production Targets for California American Water Systems

**Table XV-1**  
**Regulatory Water Production Targets**  
**for All California American Water Systems from Sources**  
**Within the Monterey Peninsula Water Resource System**

(All Values in Acre-Feet)

Month	Monthly Target	Year-to-Date at Month-End Target
October	443	443
November	363	806
December	335	1,141
January	366	1,507
February	328	1,835
March	383	2,218
April	385	2,603
May	438	3,041
June	437	3,478
July	468	3,946
August	470	4,416
September	434	4,850
TOTAL	4,850	---

Notes:

Monthly and year-to-date at month-end production targets are based on the annual production limit specified for the California American Water (Cal-Am) systems for Water Year (WY) 2024 from Carmel River sources per State Water Resources Control Board Order WR 2016-0016 (3,376 acre-feet) and adjusted annual production limits specified for the Cal-Am satellite systems from its Coastal Subarea sources (1,474 acre-feet) and Laguna Seca Subarea sources (0 acre-feet) of the Seaside Groundwater Basin per the Seaside Basin adjudication decision. These values do not include consideration of any carryover credit in the Seaside Basin for WY 2025. This combined total (4,850 acre-feet) was distributed monthly based on Cal-Am's reported monthly average production for its main and satellite systems during the 2013 through 2018 period.

**Table XV-2**  
**Regulatory Water Production Targets**  
**for California American Water Satellite Systems from Sources**  
**Within the Monterey Peninsula Water Resource System**

(All Values in Acre-Feet)

Month	Monthly Target	Year-to-Date at Month-End Target
October	0	0
November	0	0
December	0	0
January	0	0
February	0	0
March	0	0
April	0	0
May	0	0
June	0	0
July	0	0
August	0	0
September	0	0
TOTAL	0	---

**Notes:**

Monthly and year-to-date at month-end production targets are based on the adjusted annual production limit specified for the California American Water (Cal-Am) satellite systems for Water Year 2025 from its sources in the Laguna Seca Subarea of the Seaside Groundwater Basin per the Seaside Basin adjudication decision. This Laguna Seca Subarea total (0 acre-feet) was distributed monthly based on Cal-Am's reported monthly average production for its satellite systems during the 2013 through 2018 period.

**Table XV-3**  
**Regulatory Water Production Targets**  
**for California American Water Systems from Carmel River Sources**  
**Within the Monterey Peninsula Water Resource System**

(All Values in Acre-Feet)

Month	Monthly Target	Year-to-Date at Month-End Target
October	308	308
November	252	560
December	234	794
January	256	1,049
February	228	1,277
March	266	1,544
April	268	1,812
May	305	2,116
June	304	2,421
July	326	2,747
August	327	3,074
September	302	3,376
TOTAL	3,376	---

**Notes:**

Monthly and year-to-date at month-end production targets are based on the annual production limit specified for California American Water (Cal-Am) for Water Year (WY) 2025 from its Carmel River system sources per State Water Resources Control Board Order WR 2016-0016 (3,376 acre-feet). This amount was distributed monthly based on Cal-Am's reported monthly average production for its Main system sources during the 2013 through 2018 period. These values incorporate consideration of thetriennial reductions specified for the Cal-Am systems in the Seaside Basin adjudication decision, in setting the monthly maximum production targets from each source as part of the MPWMD Quarterly Water Supply Budget Strategy.



**ITEM: INFORMATIONAL ITEM/STAFF REPORT****9. REPORT ON ACTIVITY/PROGRESS ON CONTRACTS OVER \$25,000****Meeting Date: September 16, 2024 Budgeted: N/A****From: David J. Stoldt, General Manager Program/ Line Item No.: N/A****Prepared By: Nishil Bali Cost Estimate: N/A****General Counsel Review: N/A****Committee Recommendation: The Finance and Administration Committee reviewed this item on September 9, 2024.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

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**SUMMARY:** Attached for review as **Exhibit 9-A** is a monthly status report on contracts over \$25,000 for the period July 2024. This status report is provided for information only, no action is required.**EXHIBIT****9-A Status on District Open Contracts (over \$25k)**



**EXHIBIT 9-A**

**Monterey Peninsula Water Management District  
Status on District Open Contracts (over \$25K)  
For The Period July 2024**

Contract	Description	Date Authorized	Contract Amount	Prior Period Expended To Date	Current Period Spending	Total Expended To Date	Current Period Activity	P.O. Number	
1	Monterey One Water	PWM Expansion State Water Control Board Grant	9/22/2022	\$ 4,800,000.00	\$ 819,674.25	\$ -	\$ 819,674.25		PO03753
2	Monterey One Water	Urban Community Drought Grant	9/22/2022	\$ 11,935,206.00	\$ 446,274.00	\$ -	\$ 446,274.00		PO03726
3	DUDEK	IRWM IR2 Grant Administration	10/1/2022	\$ 90,510.00	\$ 577.50	\$ -	\$ 577.50		PO03718
4	Colantuono, Highsmith, & Whatley, PC	MTA Legal services for appeal to Water Supply Charge	9/15/2021	\$ 50,000.00	\$ 29,195.08	\$ -	\$ 29,195.08		PO03715
5	John K. Cohan dba Telemetrix	Consultant Services for Sleepy Hollow Facility	6/30/2023	\$ 29,600.00	\$ 12,015.49	\$ -	\$ 12,015.49		PO03693
6	Rutan & Tucker, LLP	Measure J/Rule 19.8 Eminent Domain Phase IV	2/24/2023	\$ 200,000.00	\$ 107,892.86	\$ -	\$ 107,892.86		PO03639
7	Telemetrix	Flood Repair Services for Sleepy Hollow Facility	1/23/2023	\$ 85,000.00	\$ 41,124.09	\$ -	\$ 41,124.09		PO03556
8	Rincon Consultants, Inc.	Environmental Consulting Services for Water Allocation	5/25/2023	\$ 29,000.00	\$ 21,944.25	\$ -	\$ 21,944.25		PO03525
9	Tyler Technologies	Incode Software Maintenance 09/2023-08/2024	6/20/2023	\$ 33,266.25	\$ 32,673.11	\$ -	\$ 32,673.11		PO03476
10	Schaaf & Wheeler	Drawing Support Services	4/23/2023	\$ 30,000.00	\$ 6,752.50	\$ -	\$ 6,752.50		PO03474
11	Lynx Technologies, Inc	GIS Consultant Contract for 2024-2025	5/20/2024	\$ 35,000.00	\$ -	\$ -	\$ -		PO03795
12	DeVeera Inc.	IT Managed Services Contract and subscriptions FY 2024-2025	5/20/2024	\$ 95,500.00	\$ -	\$ -	\$ -		PO03815
13	JEA & Associates	Legislative and Administrative Services	7/1/2024	\$ 54,000.00	\$ -	\$ 4,500.00	\$ 4,500.00	Current period retainer billing	PO03761
14	The Ferguson Group LLC	Contract for Legislative Services for FY 2024-2025	7/1/2024	\$ 79,100.00	\$ -	\$ 6,300.00	\$ 6,300.00	Current period retainer billing	PO03760
15	Montgomery & Associates	Annual Groundwater Modeling Support	6/20/2023	\$ 55,000.00	\$ -	\$ -	\$ -		PO03408
16	Maggiora Bros. Drilling, Inc	ASR Support from Maggiora Bros for Well Work	6/20/2023	\$ 50,000.00	\$ -	\$ -	\$ -		PO03407
17	Montgomery & Associates	Groundwater Modeling Montgomery Contract	6/27/2024	\$ 55,000.00	\$ -	\$ -			PO03750
18	Pueblo Water Resources, Inc.	ASR Operations Support	6/20/2023	\$ 25,000.00	\$ 587.50	\$ -	\$ 587.50		PO03406
19	CSC	Recording Fees	7/1/2024	\$ 60,000.00	\$ -	\$ 10,000.00	\$ 10,000.00	Current period payment for e-recording services	PO03754
20	WellmanAD	Public Outreach Consultant	7/17/2024	\$ 94,500.00	\$ -	\$ 7,875.00	\$ 7,875.00	Current period payment for public outreach retainer	PO03735
21	Montgomery & Associates	Tularcitos ASR Feasibility Study	3/20/2023	\$ 119,200.00	\$ 14,642.00	\$ -	\$ 14,642.00		PO03368
22	Kevin Robert Knapp/ Tierra Plan LLC	Surface Water Data Portal	11/14/2022	\$ 27,730.00	\$ 24,025.81	\$ -	\$ 24,025.81		PO03302
23	City of Monterey	MPWMD Local Water Project Development Grant	10/17/2022	\$ 25,000.00	\$ 14,955.50	\$ -	\$ 14,955.50		PO03242
24	DeVeera Inc.	HP Smart Array 2062 SAN Server	12/12/2022	\$ 160,000.00	\$ 157,273.63	\$ -	\$ 157,273.63		PO03222
25	Montgomery & Associates	Annual Groundwater Modeling Support	6/20/2022	\$ 50,000.00	\$ 11,881.00	\$ -	\$ 11,881.00		PO03193
26	Telemetrix	Consultant Services for Sleepy Hollow Facility	6/20/2022	\$ 27,060.00	\$ 24,554.64	\$ -	\$ 24,554.64		PO03121
27	De Lay & Laredo	Measure J/Rule 19.8 Appraisal/Water Rights	8/15/2022	\$ 75,000.00	\$ 45,490.46	\$ -	\$ 45,490.46		PO03113
28	Monterey One Water	PWM Expansion Project Amd #6	11/15/2021	\$ 1,200,000.00	\$ 909,545.39	\$ -	\$ 909,545.39		PO03042

**Monterey Peninsula Water Management District**  
**Status on District Open Contracts (over \$25K)**  
**For The Period July 2024**

Contract	Description	Date Authorized	Contract Amount	Prior Period Expended To Date	Current Period Spending	Total Expended To Date	Current Period Activity	P.O. Number	
29	Monterey One Water	PWM Deep Injection Well #4 Design/Construction	9/21/2020	\$ 4,070,000.00	\$ 1,935,602.04	\$ -	\$ 1,935,602.04		PO02604
30	City of Sand City	IRWM Grant Reimbursement	3/28/2022	\$ 1,084,322.50	\$ 33,435.30	\$ -	\$ 33,435.30		PO03093
31	Montgomery & Associates	Annual Groundwater Modeling support	11/15/2021	\$ 50,000.00	\$ 48,664.50	\$ -	\$ 48,664.50		PO02849
32	DUDEK	Grant administration services for the Proposition 1 IRWM Implementation	12/14/2020	\$ 114,960.00	\$ 53,325.00	\$ -	\$ 53,325.00		PO02847
33	Shute, Mihaly & Weinberger LLP	Measure J LAFCO Litigation Legal Services	1/1/2022	\$ 484,000.00	\$ 439,445.16	\$ 11,110.45	\$ 450,555.61	Current period billing for LAFCO Measure J litigation services	PO02843
34	Reiff Manufacturing	Quarantine tanks for the Sleepy Hollow steelhead facility	10/18/2022	\$ 48,000.00	\$ 40,350.00	\$ -	\$ 40,350.00		PO02824
35	Tetra Tech, Inc.	Engineering services Sleepy Hollow Facility Upgrade	6/21/2021	\$ 67,500.00	\$ 46,108.64	\$ -	\$ 46,108.64		PO02693
36	Weston Solutions, Inc.	UXO Support Services	6/15/2020	\$ 26,378.70	\$ 6,521.66	\$ -	\$ 6,521.66		PO02371
37	U.S. Bank Equipment Finance	Copier machine leasing - 60 months	7/15/2019	\$ 52,300.00	\$ 50,682.61	\$ 871.81	\$ 51,554.42	Current period billing for photocopy machine lease	PO02108
38	Tetra Tech, Inc.	Engineering services Sleepy Hollow Facility Upgrade	7/16/2018	\$ 30,000.00	\$ 26,878.87	\$ -	\$ 26,878.87		PO01880
39	Colantuono, Highsmith, & Whatley, PC	MPTA Legal Matter	7/1/2018	\$ 250,000.00	\$ 249,425.78	\$ -	\$ 249,425.78		PO01707
40	Pueblo Water Resources, Inc.	SSAP Water Quality Study	8/21/2017	\$ 94,437.70	\$ 44,318.11	\$ -	\$ 44,318.11		PO01510
41	Pueblo Water Resources, Inc.	Seaside Groundwater Basin Geochemical Study	1/24/2018	\$ 68,679.00	\$ 57,168.85	\$ -	\$ 57,168.85		PO01628
42	Maggiora Bros. Drilling, Inc	ASR1 and ASR2 Well Rehabilitation	5/20/2024	\$ 509,534.00	\$ -	\$ 141,075.00	\$ 141,075.00	ASR Well Rehab invoice	PO03762
43	FishBio	Weir Repairs	1/23/2023	\$ 32,512.00	\$ -	\$ 29,912.00	\$ 29,912.00	Weir repair invoice	PO03796
44	Clifton Larson Allen LLP	Audit & Related Services for FY 24-25	8/21/2023	\$ 84,525.00	\$ -	\$ -	\$ -		PO03771





**Monterey Peninsula Water Management District  
 Status on Public's Ownership of Monterey Water System - Phase IV  
 Eminent Domain Proceedings through Bench Trial  
 Through July 2024**

	<b>Contract</b>	<b>Date Authorized</b>	<b>Authorized Amount</b>	<b>Prior Period Spending</b>	<b>Current Period Spending</b>	<b>Total Expended To Date</b>	<b>Spending Remaining</b>	<b>Project No.</b>
1	Phase IV - Authorization (unallocated)	11/13/2023	\$ 50,000.00	\$ -		\$ -	\$ 50,000.00	
2	Eminent Domain Legal Counsel (Rutan)	12/16/2019	\$ 200,000.00	\$ 108,836.86		\$ 108,836.86	\$ 91,163.14	PA00009-01
3	Eminent Domain Legal Counsel (SMW)	12/16/2019	\$ 100,000.00	\$ 88,095.10	\$ 11,110.45	\$ 99,205.55	\$ 794.45	PA00009-02
4	Financial Services (Raftelis)	8/21/2023	\$ 200,000.00	\$ 16,292.50		\$ 16,292.50	\$ 183,707.50	PA00009-03
5	District Legal Counsel		\$ 70,000.00	\$ 77,968.50	\$ 1,201.49	\$ 79,169.99	\$ (9,169.99)	PA00009-05
	<b>Total</b>		<b>\$ 620,000.00</b>	<b>\$ 291,192.96</b>	<b>\$ 12,311.94</b>	<b>\$ 303,504.90</b>	<b>\$ 316,495.10</b>	

**Status on Public's Ownership of Monterey Water System - Phase III  
 Appraisal through Resolution of Necessity  
 Through October 2023**

	<b>Contract</b>	<b>Date Authorized</b>	<b>Authorized Amount</b>	<b>Prior Period Spending</b>	<b>Current Period Spending</b>	<b>Total Expended To Date</b>	<b>Spending Remaining</b>	<b>Project No.</b>
1	Eminent Domain Legal Counsel	12/16/2019	\$ 200,000.00	\$ 98,283.28		\$ 98,283.28	\$ 101,716.72	PA00007-01
2	Appraisal Services	4/17/2023	\$ 220,000.00	\$ 220,000.75		\$ 220,000.75	\$ (0.75)	PA00007-03
3	District Legal Counsel	12/16/2019	\$ 100,000.00	\$ 46,361.50		\$ 46,361.50	\$ 53,638.50	PA00007-05
4	Real Estate Appraiser	8/15/2022	\$ 80,000.00	\$ 53,309.64		\$ 53,309.64	\$ 26,690.36	PA00007-06
5	Water Rights Appraisal	8/15/2022	\$ 75,000.00	\$ 45,490.46		\$ 45,490.46	\$ 29,509.54	PA00007-10
6	Contingency/Miscellaneous	12/16/2019	\$ -	\$ -		\$ -	\$ -	PA00007-20
	<b>Total</b>		<b>\$ 675,000.00</b>	<b>\$ 463,445.63</b>	<b>\$ -</b>	<b>\$ 463,445.63</b>	<b>\$ 211,554.37</b>	

**Status on Public's Ownership of Monterey Water System - Phase II**  
**EIR & LAFCO Application**  
**Through September 2022**

<b>Contract</b>	<b>Date Authorized</b>	<b>Authorized Amount</b>	<b>Prior Period Spending</b>	<b>Current Period Spending</b>	<b>Total Expended To Date</b>	<b>Spending Remaining</b>	<b>Project No.</b>
1 Eminent Domain Legal Counsel	9/20/2021	\$ 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	9/20/2021	\$ 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	6/15/2020	\$ 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	11/15/2021	\$ 240,000.00	\$ 217,784.62		\$ 217,784.62	\$ 22,215.38	PA00005-08
9 PSOMAS	9/20/2021	\$ 28,000.00	\$ 25,900.00		\$ 25,900.00	\$ 2,100.00	PA00005-09
10 Contingency/Miscellaneous/Uncommitted	12/16/2019	\$ 289,072.00	\$ 38,707.08		\$ 38,707.08	\$ 250,364.92	PA00005-20
<b>Total</b>		<b>\$ 1,909,000.00</b>	<b>\$ 1,194,244.45</b>	<b>\$ -</b>	<b>\$ 1,194,244.45</b>	<b>\$ 714,755.55</b>	
1 Measure J CEQA Litigation Legal Services	12/23/2020	\$ 200,000.00	\$ 141,280.62		\$ 141,280.62	\$ 58,719.38	PA00005-15
1 Measure J LAFCO Litigation Legal Services	1/1/2022	\$ 400,000.00	\$ 389,365.52		\$ 389,365.52	\$ 10,634.48	PA00005-16

**Status on Public's Ownership of Monterey Water System - Phase I**  
**Financial Feasibility**  
**Through November 2019**

	<b>Contract</b>	<b>Date Authorized</b>	<b>Authorized Amount</b>	<b>Prior Period Spending</b>	<b>Current Period Spending</b>	<b>Total Expended To Date</b>	<b>Spending Remaining</b>	<b>Project No.</b>
1	Eminent Domain Legal Counsel	12/17/2018	\$ 100,000.00	\$ 160,998.16		\$ 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 Consultant	2/21/2019	\$ 355,000.00	\$ 286,965.17		\$ 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	\$ 41,897.59		\$ 41,897.59	\$ (6,897.59)	PA00002-05
6	Contingency/Miscellaneous		\$ 30,000.00	\$ 45,495.95		\$ 45,495.95	\$ (15,495.95)	PA00002-10
	<b>Total</b>		<b>\$ 650,000.00</b>	<b>\$ 646,578.56</b>	<b>\$ -</b>	<b>\$ 646,578.56</b>	<b>\$ 3,421.44</b>	



**ITEM: INFORMATIONAL ITEM/STAFF REPORT****11. LETTERS RECEIVED AND SENT****Meeting Date:** September 16, 2024 **Budgeted:** N/A**From:** David J. Stoldt,  
General Manager **Program/** N/A  
**Line Item No.:****Prepared By:** Sara Reyes **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 August 15, 2024, and September 11, 2024, 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](http://www.mpwmd.net).

Author	Addressee	Date	Topic
David Stoldt	Senator John Laird	8/15/2024	Thank you for facilitating the July 26, 2024 community water forum on the Monterey Peninsula
Brenley McKenna	Dave Stoldt	8/19/2024	2024 WateReuse California Awards for Excellence in the category of Recycled Water Customer of the Year Award
Dakotah Bertsch	MPWMD Board	8/20/2024	Water Credits for Rainwater & Greywater

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## EXHIBIT 12-A

### Final Minutes Monterey Peninsula Water Management District Public Outreach Committee Monday, June 24, 2024

#### Call to Order | Roll Call

General Manager David Stoldt called the meeting to order at 3:08 p.m.

Committee members present: Amy Anderson (arrived at 3:10 p.m.)  
George Riley  
Alvin Edwards (Alternate)

Committee members absent: Marc Eisenhart – Chair

District staff members present: David J. Stoldt, General Manager  
Stephanie Locke, Water Demand Manager  
Phil Wellman, Public Outreach Consultant with WellmanAd  
Sara Reyes, Executive Assistant/Board Clerk

District Counsel Present: Michael Laredo with De Lay and Laredo

Comments from the Public: General Manager Stoldt opened public comment; *no comments were directed to the committee.*

#### Action Item

##### 1. Consider Adoption of April 29, 2024 Committee Meeting Minutes

General Manager Stoldt introduced the matter and opened public comment; no comments were directed to the committee.

A motion was made by Director Riley with a second by Director Edwards to approve the April 29, 2024, Committee meeting minutes. The motion passed on a roll-call vote of 2-Ayes (Riley and Edwards), 0-Noes and 1-Absent (Anderson).

#### Discussion Items

##### 2. Status of Public Outreach Projects / WellmanAd

Phil Wellman, Public Outreach Consultant with WellmanAd presented via slide-deck entitled, MPWMD Public Outreach Report / June 24, 2024. A copy of the presentation is

available on the District website and available upon request at the District office. Mr. Wellman covered projects completed to include:

- May Newsletter in print and social media posts highlighting Pure Water Monterey (PWM) Expansion
- May Branding Ads highlighting PWM
- May Press Release titled “Pure Water Monterey Expansion Project Reaches Final Milestone on the Road to a Sustainable Peninsula Water Supply”
- June Newsletter, Branding Ads, and social media posts highlighting Rainwater from the Carmel River injected into the Seaside Groundwater Basin
- Summer Splash Campaign in print and social media posts
- Website Redesign

Committee discussion ensued.

**3. Board Participation with District Staff at Community Events**

General Manager Stoldt reported this was an item requested by Director Eisenhart. As a response to his request, staff will identify the events District staff participates in and provide this information to the committee.

**4. Suggest Items to be Placed on a Future Agenda**

- Filing a petition for modification of the Cease and Desist Order

**Adjournment**

There being no further business, General Manager Stoldt adjourned the meeting at 3:58 p.m.

/s/ Sara Reyes

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Sara Reyes, Committee Clerk  
to the Public Outreach Committee

Approved by the MPWMD Public Outreach Committee on August 26, 2024

Received by the MPWMD Board of Directors on September 16, 2024

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**EXHIBIT 12-B**

**Final Minutes  
Water Supply Planning Committee of the  
Monterey Peninsula Water Management District  
Monday, July 1, 2024**

- Call to Order:** Chair Paull called the meeting to order at 3:02 p.m.
- Committee Members Present:** Karen Paull, Chair  
Ian Oglesby  
Amy Anderson (Alternate)
- Staff Members Present:** David J. Stoldt, General Manager  
Sara Reyes, Executive Assistant/Board Clerk  
Maureen Hamilton, District Engineer
- District Counsel Present:** Michael Laredo with De Lay & Laredo  
Fran Farina with De Lay & Laredo
- Comments from the Public:** Chair Paull opened public comment; no comments were directed to the Committee.
- Corrections / Additions to the Agenda** None

**Action Items**

**1. Consider Adoption of the May 6, 2024 Committee Meeting Minutes**

Chair Paull introduced Item No. 1 and opened public comment; no comments were directed to the Committee.

A motion was offered by Director Oglesby with a second by Director Paull to accept the May 6, 2024 Committee Meeting minutes. The motion passed with 2-Ayes (Paull and Oglesby), and 1-Abstension (Anderson).

**Discussion Items**

**2. Status of ASR Well Rehabilitation**

Maureen Hamilton, District Engineer, provided a brief update and addressed questions from the committee. She emphasized that additional funds would be necessary for the contractor to carry out essential pump repair work. The staff plans to submit this funding request to the Board in July.

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

**3. Proposal to Implement a Low-Income Assistance Program for Well Meters**

General Manager Stoldt provided an overview of this item and answered questions from the committee. Mr. Stoldt reported that staff will be presenting an Administrative Policy to the Board to assist low-income well owners so that a meter could be installed on their well.

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

**4. Status Transfer of Fort Ord 10 Monitoring Wells**

General Manager Stoldt provided a brief overview of this item and stated staff is working on drafting a transfer agreement to send to the U.S. Army District Engineer to transfer Fort Ord 10 Monitoring Well.

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

**Suggest Items to be Placed on Future Agendas**

None

**Adjournment**

There being no further business, Chair Paull adjourned the meeting at 3:30 PM.

/s/ Sara Reyes

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Sara Reyes, Committee Clerk to the  
*MPWMD Water Supply Planning Committee*

Reviewed and Approved by the MPWMD Water Supply Planning Committee on September 4, 2024.  
Received by the MPWMD Board of Directors on September 16, 2024.

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**EXHIBIT 12-C**

**FINAL MINUTES**  
**Monterey Peninsula Water Management District**  
**Finance and Administration Committee**  
*August 12, 2024*

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 Riley called the meeting to order at 2:00 PM.

Committee members present: George Riley, Chair  
 Alvin Edwards  
 Karen Paull

District staff members present: Nishil Bali, Chief Financial Officer /Administrative Services Manager  
 Maureen Hamilton, District Engineer  
 Sara Reyes, Executive Assistant/Board Clerk  
 Simona Mossbacher, HR Coordinator/Contract Specialist

District Counsel present: Michael Laredo, DeLay & Laredo

**Additions / Corrections to Agenda:**

None.

**Comments from the Public:**

None

**Action Items:**

**1. Consider Adoption of June 10, 2024 Committee Meeting Minutes**

On a motion by Riley and second by Edwards, the minutes of the June 10, 2024 meeting were approved 2-0 (Edwards, and Riley), 0-Noes, and 1-Abstention (Paull).

**2. Consider Recommendation to Authorize a Contract with TM Process & Controls Inc. to Provide ASR Well Turbidity Control**

Maureen Hamilton, District Engineer presented this item and answered questions from the Committee. Ms. Hamilton provided background information on the staff recommendation for installing an ASR turbidity analyzer.

On a motion by Paull and second by Edwards the Finance and Administration Committee

recommended that the Board authorize the General Manager or his designee to enter into a contract with TM Process & Controls, Inc. in the amount of \$52,498.69 with a 10% contingency for a total not-to-exceed amount of \$57,748.56 to provide ASR well turbidity control. The motion was unanimously approved 3 – 0.

**3. Consider Recommendation to Authorize a Lease for Three Photocopy Machines**

On a motion by Edwards and second by Paull, the Finance and Administration Committee recommended that the Board authorize leasing three photocopy machines using NASPO Value Point Master Agreement 140599 through Kyocera Document Solutions America, Inc. at \$29,424 plus applicable taxes. The motion was approved unanimously on a 3 – 0 vote.

**4. Consider Adoption of Treasurer’s Report for June 2024**

On a motion by Paull and second by Edwards, the Finance and Administration Committee recommended that the Board adopt the June 2024 Treasurer’s Report and Statement of Revenues and Expenditures and ratify the disbursements made during the month. The motion passed unanimously on a 3 – 0 vote.

**5. Consider Inclusion of California Liquid Assets Securities System (CLASS) and California Assets Management Program (CAMP) in District’s Investment Portfolio**

On a motion by Riley and second by Paull, the Finance and Administration Committee recommended that the Board include the CLASS and CAMP programs in the District’s investment portfolio. The motion passed unanimously on a 3 – 0 vote.

**Informational Items:**

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

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

**7. Status Report on Spending – Public’s Ownership of Monterey Water System**

This item was presented as information to the committee.

**Discussion Item:**

**8. Review Draft August 19, 2024 Regular Board Meeting Agenda**

Sara Reyes, Board Clerk, distributed a revised agenda for the committee to review. The committee examined and discussed the agenda and made no changes.

**Adjournment**

There being no further business, Chair Riley adjourned the meeting at 3:06 PM.

/s/ Sara Reyes

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Sara Reyes, Committee Clerk to the  
*MPWMD Finance and Administration Committee*

Reviewed and Approved by the MPWMD Finance and Administration Committee on September 9, 2024.  
Received by the MPWMD Board of Directors on September 16, 2024.

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**ITEM: INFORMATIONAL ITEM/STAFF REPORT****13. MONTHLY ALLOCATION REPORT****Meeting Date: September 16, 2024 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.**

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**SUMMARY:** As of August 31, 2024, a total of **26.821** acre-feet (**7.9%**) of the Paralta Well Allocation remained available for use by the Jurisdictions. Pre-Paralta water in the amount of **30.433** acre-feet is available to the Jurisdictions, and **28.123** acre-feet is available as public water credits.

**Exhibit 13-A** shows the amount of water allocated to each Jurisdiction from the Paralta Well Allocation, the quantities permitted in August 2024 (“changes”), and the quantities remaining. The Paralta Allocation had no debits in August 2024.

**Exhibit 13-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 13-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 Malpas 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 13-C**.

**EXHIBITS****13-A** Monthly Allocation Report**13-B** Monthly Entitlement Report**13-C** District’s Water Allocation Program Ordinances



**EXHIBIT 13-A**  
**MONTHLY ALLOCATION REPORT**  
 Reported in Acre-Feet  
 For the month of August 2024

Jurisdiction	Paralta Allocation*	Changes	Remaining	PRE-Paralta Water	Changes	Remaining	Public Credits	Changes	Remaining	Total Available
<b>Airport District</b>	8.100	0.000	5.197	0.000	0.000	0.000	0.000	0.000	0.000	5.197
<b>Carmel-by-the-Sea</b>	19.410	0.000	1.398	1.081	0.000	1.081	0.910	0.000	0.182	2.661
<b>Del Rey Oaks</b>	8.100	0.000	0.000	0.440	0.000	0.000	0.000	0.000	0.000	0.000
<b>Monterey</b>	76.320	0.000	0.298	50.659	0.000	0.181	38.121	0.000	2.451	2.920
<b>Monterey County</b>	87.710	0.000	10.578	13.080	0.000	0.352	7.827	0.000	1.181	12.121
<b>Pacific Grove</b>	25.770	0.000	0.000	1.410	0.000	0.014	15.874	0.000	0.002	0.016
<b>Sand City</b>	51.860	0.000	0.000	0.838	0.000	0.000	24.717	0.000	23.163	23.163
<b>Seaside</b>	65.450	0.000	0.743	34.438	0.068	28.805	2.693	0.000	1.144	30.692
<b>District Reserve</b>	9.000	0.000	8.607	N/A			N/A			8.607
<b>TOTALS</b>	<b>342.720</b>	<b>0.000</b>	<b>26.821</b>	<b>101.946</b>	<b>0.068</b>	<b>30.433</b>	<b>90.142</b>	<b>0.000</b>	<b>28.123</b>	<b>85.377</b>

Allocation Holder	Water Available	Changes this Month	Total Demand from Water Permits Issued	Remaining Water Available
<b>Quail Meadows</b>	33.000	0.000	32.320	0.680
<b>Water West</b>	12.760	0.000	10.092	2.668

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



**EXHIBIT 13-B**  
**MONTHLY ALLOCATION REPORT**  
**ENTITLEMENTS**  
**Reported in Acre-Feet**  
**For the month of August 2024**  
**Recycled Water Project Entitlements**

Entitlement Holder	Entitlement	Changes this Month	Total Demand from Water Permits Issued	Remaining Entitlement/and Water Use Permits Available
<b>Pebble Beach Co. *</b>	191.470	0.000	32.282	159.188
<b>Del Monte Forest Benefited Properties (Pursuant to Ord No. 109)</b>	173.530	0.558	79.742	93.788
<b>Macomber Estates</b>	10.000	0.000	10.000	0.000
<b>Griffin Trust</b>	5.000	0.000	4.829	0.171
<b>CAWD/PBCSD Project Totals</b>	<b>380.000</b>	<b>0.558</b>	<b>126.853</b>	<b>253.147</b>
Entitlement Holder	Entitlement	Changes this Month	Total Demand from Water Permits Issued	Remaining Entitlement/and Water Use Permits Available
<b>City of Sand City</b>	206.000	0.000	23.234	182.766
<b>Malpas Water Company</b>	80.000	0.574	23.904	56.096
<b>D.B.O. Development No. 30</b>	13.950	0.000	3.913	10.037
<b>City of Pacific Grove</b>	38.390	0.234	17.883	20.507
<b>Cypress Pacific</b>	3.170	0.000	3.170	0.000
<b>City of Seaside</b>	10.817	0.000	10.817	0.000

\* Increases in the Del Monte Forest Benefited Properties Entitlement will result in reductions in the Pebble Beach Co. Entitlement.



## EXHIBIT 13-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.



By January 1, 2014, all Non-Residential properties were required to meet Rule 143, Water Efficiency Standards for Existing Non-Residential Uses. District inspectors performed **three** verification inspections.

As part of the Non-Residential compliance effort, MPWMD notifies California American Water (Cal-Am) of properties with landscaping. Cal-Am staff then schedules an outdoor audit to verify compliance with the Rate Best Management Practices (BMPs). (Compliance with MPWMD's Rule 143 achieves Rate BMP compliance for indoor water uses.) Properties with landscaping must comply with Cal-Am's outdoor Rate BMPs to avoid rates in Division 4 (customers that are not in compliance with Rate BMPs). Rate BMPs are used to determine the appropriate Non-Residential rate division for each customer (there are four different rates based on the amount of irrigated area and compliance/noncompliance with the Rate BMPs).

MPWMD referred **no** property 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](http://www.mpwmd.net) or [www.montereywaterinfo.org](http://www.montereywaterinfo.org). There were **four** Water Waste responses during the past month. There were **no** repeated incidents that resulted in a fine.

## II. WATER DEMAND MANAGEMENT

A. Permit Processing

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 **63** Water Permits. **Nineteen** permits were issued using Water Entitlements (Pebble Beach Company, Malpas Water, Sand City, etc.). **No** permits involved a debit to a Public Water Credit account. **Thirteen** Meter Split Permits and **four** Hydrant Meter Permits were issued.

District Rule 24-3-A allows the addition of a second Bathroom in an existing Dwelling Unit that has only one Bathroom. Of the **63** Water Permits issued, **two** were issued under this provision.

B. Permit Compliance

Staff completed **42** site inspections during August. **30** properties passed the interior inspection, and **nine** properties failed due to unpermitted fixtures. **Six** properties were inspected to complete a Landscape Water Permit: **none** failed.

C. Notary Services

District staff provided Notary services for **50** customers.

D. Rebates

The District processes rebate applications to ensure that only voluntary replacement of higher efficiency devices receive rebates. The comprehensive list of available rebates can be found in [Rule 141](#). Monthly statistics are shown on the following page.

During July 2024, the District promoted the Flume Smart Flowmeter rebate with resounding success with 184 Smart Flowmeter rebates! The print ad is provided as part of this staff report.

## **EXHIBITS**

**14-A** Rebate report for August 2024

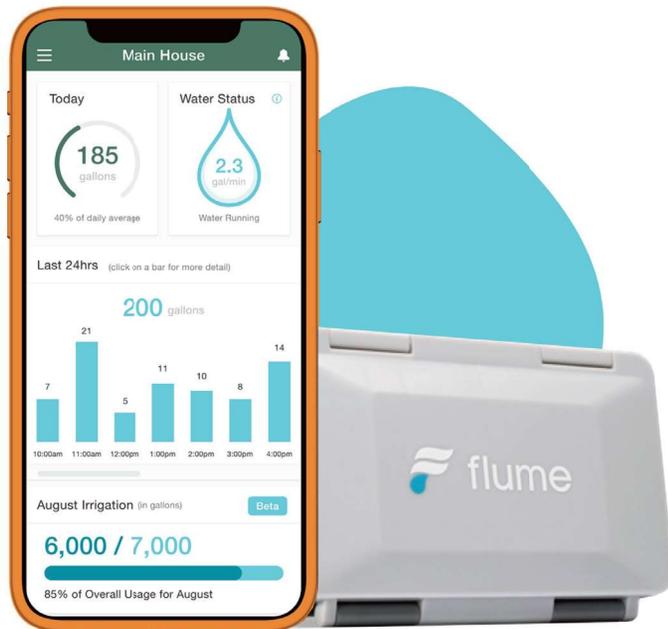
**14-B** Flume Advertisement

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<b>REBATE PROGRAM SUMMARY</b>		August-2024			2024 YTD		1997 - Present	
<b>I. Application Summary</b>								
A.	Applications Received	252			812		31,818	
B.	Applications Approved	241			724		24,986	
C.	Single Family Applications	241			719		27,872	
D.	Multi-Family Applications	0			4		1,628	
E.	Non-Residential Applications	0			1		363	
<b>II. Type of Devices Rebated</b>		Number of Devices	Rebate Paid	Estimated AF	Gallons Saved	Year to Date Number	Year to Date Paid	Year to Date Estimated AF
A.	High Efficiency Toilet (HET)	6	\$450.00	0.030000	9,776	75	\$5,899.00	0.37500
B.	Ultra HET	3	\$375.00	0.030000	9,776	21	\$2,625.00	0.21000
C.	Toilet Flapper	1	\$9.98	0.000000	0	1	\$9.98	0.00000
D.	High Efficiency Dishwasher	10	\$1,250.00	0.030000	9,776	92	\$11,873.00	0.27600
E.	High Efficiency Clothes Washer - Res	37	\$18,500.00	0.595700	194,109	265	\$132,950.99	4.26650
F.	High Efficiency Clothes Washer - Com			0.000000	0	1	\$1,000.00	0.09000
G.	Instant-Access Hot Water System	1	\$200.00	0.005000	1,629	8	\$1,600.00	0.04000
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			0.000000	0	6	\$4,532.20	0.00000
K.	Smart Controllers	3	\$446.25	0.000000	0	13	\$2,095.22	0.00000
L.	Rotating Sprinkler Nozzles			0.000000	0	0	\$0.00	0.00000
M.	Moisture Sensors			0.000000	0	1	\$25.00	0.00000
N.	Lawn Removal & Replacement			0.000000	0	0	\$0.00	0.00000
O.	Graywater			0.000000	0	0	\$0.00	0.00000
P.	Other - Smart Flowmeter	184	\$36,644.00	0.000000	0	269	\$52,867.99	0.00000
Q.	Smart Toilet Leak Detectors			0.000000	0	0	\$0.00	0.00000
III.	<b>TOTALS</b>	245	\$57,875.23	0.690700	225,065	752	\$215,478.38	5.25750
<b>IV. TOTALS Since 1997</b>						Paid Since 1997: \$	6,574,233	597.5 Acre-Feet Per Year Saved Since 1997 (from quantifiable retrofits)





# FREE Flume Water Monitoring and Leak Detection.

- 1) Purchase your Flume System (\$200)  
(regularly \$249)
- 2) Install your Flume System
- 3) Apply for your \$200 Rebate from:  
(Rebate does not include tax and shipping)



**MORE ON OFFER: [flumewater.com/rebate/ca/monterey/](https://flumewater.com/rebate/ca/monterey/)**



**ITEM: INFORMATIONAL ITEMS/STAFF REPORT****15. CARMEL RIVER FISHERY REPORT FOR AUGUST 2024****Meeting Date: September 16, 2024 Budgeted: N/A****From: David J. Stoldt, General Manager Program/ Line Item No.: N/A****Prepared By: Cory Hamilton 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.**

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**AQUATIC HABITAT AND FLOW CONDITIONS:** Above average rainfall this spring kept river flows well above the long-term average for this time of the year. The river is still connected to the lagoon. Steelhead migration conditions were adequate for juvenile fish in the mainstem, but most tributaries have gone intermittent. Low flow MOA conditions were met on July 8<sup>th</sup>, Los Padres reservoir ceased spilling and began utilizing storage on July 12<sup>th</sup>. Stream conditions continue to slowly degrade as we continue through the summer months. At the end of August, Los Padres Reservoir water surface elevation (WSE) was 1,031 ft with 1,283 acre-foot of water storage. Flow release out of the reservoir was 11 cfs, while the incoming flow into the reservoir was 6 cfs.

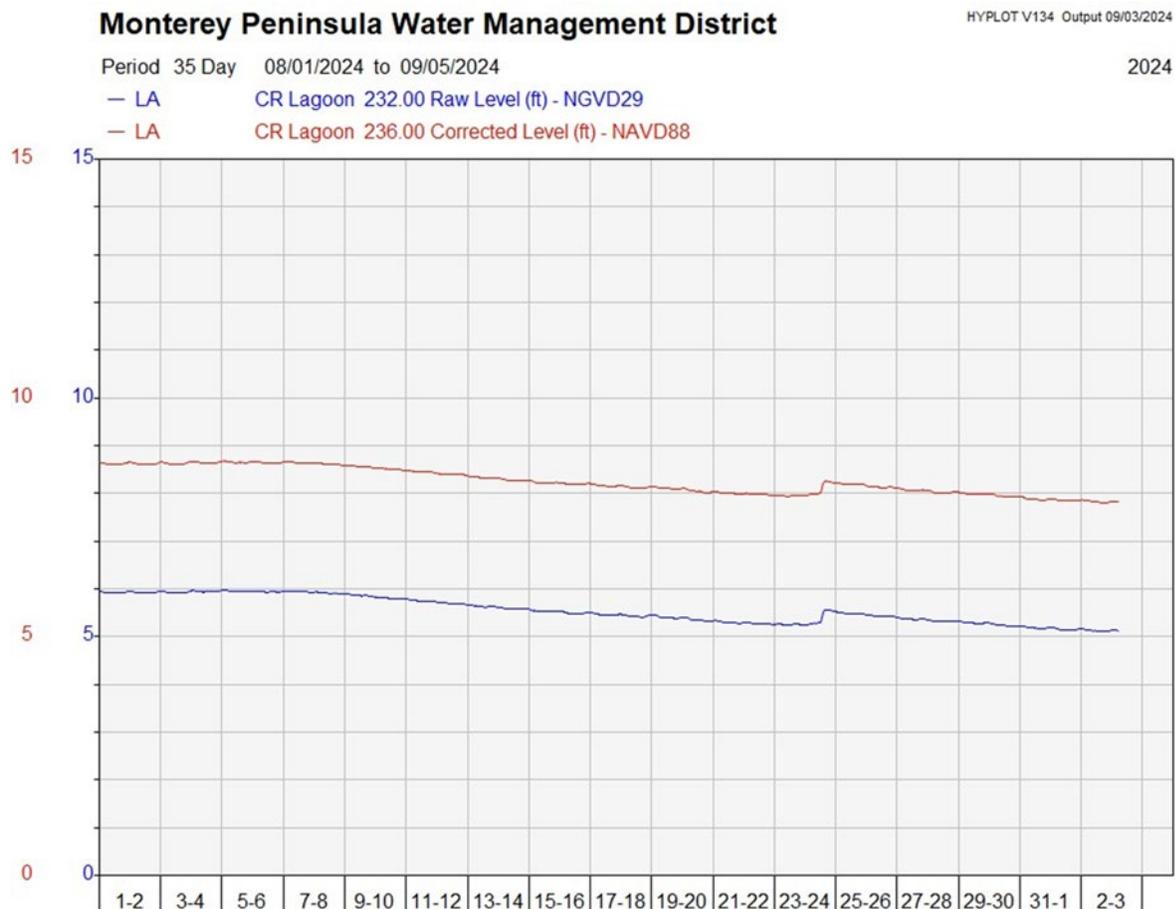
August's streamflow at the Sleepy Hollow Weir gaging station ranged from 11 to 13 cfs (mean 11.3 cfs), while flows at the Highway 1 gage ranged from 2.2 to 6.4 cfs (mean 4.1 cfs).

There was no rainfall in August as recorded at the San Clemente gauge. The total rainfall for Water Year (WY) 2024 (which started October 1, 2023) is 24.17 inches, or 115% of the long-term year-to-date average of 21.08 inches.

**FISH RESCUE:** Staff started conducting rescues on May 13<sup>th</sup> in tributaries as they began to dry back. All fish were released into the Carmel River at the tributary's confluence. As of the end of July, a total of 5,278 fish have been rescued (4,830 YOY, 415 yearlings, and 28 morts) out of the tributaries. Staff continues to monitor degrading conditions in the lower mainstem Carmel River in case rescues need to be initiated there.

**CARMEL RIVER LAGOON:** In August, the lagoon's Water Surface Elevation (WSE) ranged from approximately 8.6-6.8 feet (NGVD 1988) (see graph below). Water quality depth-profiles were conducted at five sites on August 27, 2024, while the lagoon mouth was closed, water surface elevation was 7.1 feet at the time of sampling, and river inflow was approximately 2.9 cfs. The North Arm of the lagoon is dry. Steelhead migration conditions were still adequate with connection to the river but was closed to the ocean. There is a salinity stratification layer at about 1.5 meter depth, below this depth salinity increases sharply. High salinity observations reduce the amount of suitable habitat for juvenile fish. Salinity levels ranged from 1-17 parts per thousand (ppt), water

temperatures ranged from 67-73 degrees Fahrenheit, and dissolved oxygen (DO) levels ranged from 7.2-11.2 mg/l.







**EXHIBIT 16-A**

**Monterey Peninsula Water Management District  
Water Supply Status  
August 1, 2024**

<b>Factor</b>	<b>Oct – Aug 2024</b>	<b>Average To Date</b>	<b>Percent of Average</b>	<b>Oct – Aug 2023</b>
<b>Rainfall (Inches)</b>	24.17	21.08	115%	35.19
<b>Runoff (Acre-Feet)</b>	83,238	68,818	121%	208,581
<b>Storage<sup>5</sup> (Acre-Feet)</b>	27,610	28,825	96%	27,800

**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 2024

(All values in Acre-Feet)

Year-to-Date Values	MPWRS					Water Projects and Rights				Water Projects and Rights Total
	Carmel River Basin <sup>2, 6</sup>	Seaside Groundwater Basin		Ajudication Compliance	MPWRS Total	ASR Recovery	PWM Recovery	Table 13 <sup>7</sup>	Sand City <sup>3</sup>	
		Coastal	Laguna Seca							
Target	3,110	1,870	0	1,870	<b>4,980</b>	200	3,095	138	275	<b>3,708</b>
Actual <sup>4</sup>	2,919	1,483	123	1,606	<b>4,525</b>	0	3,042	410	101	<b>3,552</b>
Difference	191	387	-123	264	<b>455</b>	200	53	-272	174	<b>156</b>
WY 2023 Actual	2,160	1,414	115	1,529	<b>3,689</b>	509	3,329	511	173	<b>4,522</b>

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, 1519 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 2024

(All values in Acre-Feet)

	Carmel River Basin	Table 13	Mal Paso	Seaside Basin	ASR Recovery	PWM Recovery	Sand City	Total
Oct-24	220	0	7	347	0	254	0	828
Nov-24	224	0	6	169	0	305	19	724
Dec-24	192	0	5	40	0	393	17	647
Jan-25	278	23	5	38	0	270	0	613
Feb-25	40	94	6	38	0	380	0	558
Mar-25	155	101	6	39	0	324	0	625
Apr-25	158	98	5	38	0	339	0	639
May-25	157	94	4	232	0	300	10	797
Jun-25	559	0	5	192	0	61	16	833
Jul-25	471	0	8	275	0	164	26	944
Aug-25	466	0	8	198	0	250	13	935
Sep-25								
<b>Total</b>	<b>2,919</b>	<b>410</b>	<b>65</b>	<b>1,606</b>	<b>0</b>	<b>3,042</b>	<b>101</b>	<b>8,142</b>
WY 2023	<b>2,160</b>	<b>511</b>	<b>85</b>	<b>1,529</b>	<b>509</b>	<b>3,329</b>	<b>173</b>	<b>8,296</b>

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



## Supplement to September 16, 2024 MPWMD Board Packet

Attached are copies of letters sent and/or received between **August 15, 2024** and **September 11, 2024**. These letters are listed in the Monday, September 16, 2024 Board Packet under Letters Received.

Author	Addressee	Date	Topic
<b>David Stoldt</b>	Senator John Laird	8/15/2024	Thank you for facilitating the July 26, 2024 community water forum on the Monterey Peninsula
<b>Brenley McKenna</b>	Dave Stoldt	8/19/2024	2024 WateReuse California Awards for Excellence in the category of Recycled Water Customer of the Year Award
<b>Dakotah Bertsch</b>	MPWMD Board	8/20/2024	Water Credits for Rainwater & Greywater



August 15, 2024

Senator John Laird  
1021 O Street, Ste. 8720  
Sacramento, CA 95814

Dear Senator,

On behalf of the Monterey Peninsula Water Management District, thank you for your efforts to facilitate the community water forum on the Monterey Peninsula July 26<sup>th</sup> at the Middlebury Institute of International Studies. The meeting was well organized, represented many voices, and provided several insights which may help guide the path forward to lifting the State Water Board's Cease and Desist Order.

We thank you for your leadership and look forward to opportunities to work together going forward.

Sincerely,

A handwritten signature in blue ink that reads "David Stoldt".

David Stoldt  
General Manager  
Monterey Peninsula Water Management District

cc: Kate Daniels  
MPWMD Board



August 19, 2024

Dave Stoldt  
dstoldt@mpwmd.net

Dear Dave,

Congratulations! *Monterey Peninsula Water Management District and California American Water* have been selected as winners of the 2024 WaterReuse California Awards for Excellence in the category of **Recycled Water Customer of the Year**. These awards recognize individuals and/or projects that are making significant contributions in support of greater adoption of water reuse.

The award presentation will take place at our Awards for Excellence Luncheon on Monday, September 16, 2024 at 11:45-1:45 pm during the 2024 WaterReuse California Annual Conference in Garden Grove, CA. You can find more information [HERE](#).

We ask that you submit a one paragraph (no more than 125 words) description of your winning entry no later than **August 30, 2024**. This description will be used in the program at the Awards Luncheon. Please submit the paragraph to Brian Ray at [bray@watereuse.org](mailto:bray@watereuse.org).

We will show the 1-minute video provided in your application during the Luncheon. If you did not submit a video, or would like to submit an updated video, please do so by **September 6, 2024**. Videos must be no longer than 1 minute in length. Please submit your video to Brian Ray at [bray@watereuse.org](mailto:bray@watereuse.org).

We hope you or a representative from the winning organization will join us in person for the award presentation. To prepare for the Awards for Excellence Luncheon and presentation, please provide the name of the person(s) who will accept the award to Brian Ray ([bray@watereuse.org](mailto:bray@watereuse.org)) by **September 6, 2024**.

*Due to the timing of media announcements, anticipation in learning the names of the winners at the conference and other considerations, we respectfully request your cooperation in not publicizing your award until after the September 16<sup>th</sup> ceremony. Thank you!*

If you have any questions, please contact Brian Ray at [bray@watereuse.org](mailto:bray@watereuse.org). Once again, congratulations and thank you for your leadership and efforts on behalf of water recycling!

Regards,

A handwritten signature in black ink, appearing to read "Brenley McKenna", written over a light blue rectangular background.

Brenley McKenna  
Managing Director



DAKOTAH BERTSCH LANDSCAPE ARCHITECTURE  
 PLACE-BASED LANDSCAPES & WATER HARVESTING SYSTEMS  
 www.dbladesign.com | CA LA-6218

## ➤ WATER CREDITS FOR RAINWATER & GREYWATER

Letter to the Board of Directors, MPWMD Re: Resolution 2022-08

**Dakotah Bertsch, PLA**  
 212 Brook Ave  
 Santa Cruz, CA 95062  
 dak@dbladesign.com  
 831-291-5253

Aug 20, 2024

**Board of Directors**  
 Monterey Peninsula Water Management District  
 5 Harris Court, Building G  
 Monterey, CA 93940

Dear Members of the Board,

I am writing to you as a licensed Landscape Architect with extensive experience in sustainable water management, specializing in the design of rainwater and graywater systems, with numerous successfully completed projects throughout the Monterey Bay and San Francisco Bay Areas. Notably, I designed the first rainwater harvesting system in your District to receive water credits. My commitment to advancing sustainable practices motivates me to request a reconsideration of Resolution 2022-08, which currently restricts additional rainwater and graywater projects from achieving water credits in the future.

The project nearing completion at 25965 Junipero Street, Carmel, exemplifies the potential of rainwater harvesting. This system will capture rainwater from both the main house and a newly constructed ADU, storing it in an underground cistern beneath the driveway. The collected water will then be filtered and used indoors for non-potable applications including toilet flushing and clothes washing. To secure the necessary water credits, I provided detailed calculations and projections demonstrating that this system would meet the fixtures' annual demand, even in challenging dry years. This project is intended to be a model of what can be achieved through careful planning and innovative design.

It was disheartening to learn that the Board had decided to discontinue water credits for future rainwater and graywater systems before the Carmel project even commenced, making it potentially the first and last of its kind in your District. Resolution 2022-08, which amended Rule 25.5, Table 4 by removing credits for such systems, appears to have been based on various concerns as recorded in the

minutes of your March 21, 2022 meeting. I would like to address these specific concerns and propose a renewed, more nuanced approach to providing water credits for rainwater and graywater systems.

First, I would like to define rainwater and graywater, and how they are typically used, as many concerns appeared to address them collectively, and perhaps they should be considered individually.

**Rainwater** harvesting systems collect rain runoff only from roofs or other manmade, aboveground, impervious surfaces. Rainwater is a source of relatively clean water suitable for many uses. The California Plumbing Code (CPC) has a chapter dedicated to Non-potable Rainwater Catchment Systems (Chapter 16), which describes allowable uses including toilet flushing and clothes washing, as well as irrigation, fountains, and other uses. I have designed numerous rainwater harvesting systems for indoor non-potable use, such as the one in Carmel, as well as many others for irrigation. Recently, I even encountered a bottled rainwater beverage in the grocery store. Rainwater systems are still most commonly used for irrigation in California, however in many cases, indoor non-potable and even potable rainwater uses make good sense.

**Graywater** systems, on the other hand, reuse wastewater from indoor fixtures such as baths, showers, clothes washing machines, and lavatories. CPC Ch. 15 provides a framework for graywater irrigation use with minimal filtration. However, if graywater is to be used indoors for non-potable uses like toilet flushing, more intensive filtration is needed, and current Code requires the system to achieve certification under NSF 350. While I have designed numerous graywater *irrigation* systems, I have not yet designed a graywater system for indoor use. However, there are a handful of companies that provide pre-certified graywater recycling systems for indoor use.

For any type of non-potable water system, the current California Plumbing Code ensures adherence with building and safety standards that protect the inhabitants, the environment, and the municipal water supply. Rainwater and graywater systems for indoor use are required by Code to be permitted by local jurisdictions, regardless of whether water credits are granted. Now I would like to address each of the concerns from the March 21, 2022 Board Meeting:

**1. System Capacity:** *"There is a requirement that the system "capacity" must be designed to meet 100 percent of the annual demand of the plumbed fixture(s), plus three days. In a small-scale setting such as in an Accessory Dwelling Unit or Single-Family Dwelling, this may not be possible depending on the cleaning habits and number of occupant(s). If the system uses rainwater, dry years such as last year might not provide enough water to meet demand."*

While capacity may sometimes be a design constraint for smaller projects, this problem can often be solved through creative design. The collection area can be expanded by including water from multiple structures, as illustrated in the Carmel project, where *rainwater* caught from both ADU and house roofs supply toilets and laundry, even in drought years. If that approach is unfeasible, a smaller capacity system could provide water to fewer fixtures for fewer credits. Provided it can be demonstrated that the given system will supply the demand of fixtures supplied, design challenges should not preclude the awarding of water credits.

Furthermore, I would encourage a more nuanced wording of this capacity requirement. In the case of *rainwater*, the storage capacity can be smaller than the estimated annual water use of the fixtures supplied, because indoor fixtures use water throughout the year. During the rainy season, the tank can

be filled, then drawn down by use, and refilled again multiple times. Therefore, it is only necessary to size the tank to last through the dry season. For the Carmel project, I projected the cistern's performance based on historical rainfall data and indoor demand to demonstrate that the storage capacity would be sufficient.

In the case of *graywater* systems, much smaller storage tanks are required — only up to 250 gallons for residential projects, per Code. This is because *graywater* becomes anaerobic (smelly) after prolonged storage. Therefore, these systems usually do not store more than the estimated graywater production of 1-2 days, based on the number of occupants. The ability of such systems to meet the demand of the fixtures supplied, in the case of indoor non-potable *graywater* use (which, again, is currently uncommon), should be evaluated based on the balance between production versus demand on a daily basis, not on an annual basis.

Here are some rough numbers for demonstration:

- 1,000 sq. ft. of roof can catch over 7,000 gallons of rainwater with only 12" of rainfall.
- Code estimates that one person produces over 14,000 gallons of graywater per year.
- A low-flow toilet consumes around 3,000 gallons per year, if flushed 5 times per day.

**2. Backup Water Supply:** *"The Monterey County Environmental Health Bureau requires a reliable backup water supply to augment the Graywater system, if needed. The resolutions adopted by the Board specify that this should be done by adding a metered auto-fill Potable water inflow valve to the Graywater storage tank, meaning that there is no Potable water available for use at the fixture. However, if the project involves retrofitting an existing building, the Potable plumbing to the fixtures must be permanently removed and replaced with the Graywater system, requiring a plumbing permit and the potential for cross-connection issues."*

In the Carmel project example, the ADU is new construction, so installing new supply lines to fixtures was not a concern. The house was also remodeled, and replacing bathroom plumbing was no problem. Building permits were obtained, and the building inspector performed a cross-connection test as required by Code. Permitting and testing, and the presence of a backup water system, while adding complexity, should not be grounds for disallowing credits for well-executed projects otherwise approved by local jurisdictions.

**3. Permitting, Testing, and Feasibility:** *"Monterey County Environmental Health Bureau must issue a permit for a Graywater treatment system. As part of their permit process, a backflow survey is required. The Graywater plumbing system must be entirely separate from the Potable system to avoid any potential cross-contamination of the Potable supply within the home(s). It makes sense to install a separate Graywater system during construction of a new building where a building inspector can easily oversee the installation. It does not make sense to replumb an entire existing home to accommodate a Graywater system, especially when it must involve permanent removal of plumbing to toilets and clothes washers to meet the District's definition of "Permanent Abandonment of Use."*

While the permitting process for graywater systems can be rigorous, including backflow prevention and cross-connection testing, per existing Code, these requirements are manageable and necessary for ensuring safety. As with the Carmel project example, projects that involve remodeling or new construction can make re-plumbing more feasible. In other situations, some fixtures may be more accessible than others, and the feasibility should be evaluated by the designer and/or builder on a case-by-case basis. Water credits can be granted on a per-fixture basis, and it is not always necessary to replumb the entire existing home. In any case, while construction projects inevitably involve costs and

challenges, they are voluntary endeavors that should be evaluated on an individual basis rather than face blanket restrictions.

**4. Backflow Preventer Maintenance:** *“Cal-Am is requiring that a backflow preventer be installed on any property that has a Graywater system for flushing toilets or washing laundry. Backflow devices require periodic testing and maintenance and are registered with Cal-Am. Water customers must contract with a licensed professional to perform the required tests and make any necessary repairs.”*

While backflow prevention and maintenance requirements are acknowledged, these measures are standard and manageable. Water customers can be required to agree to take responsibility for these measures, but this should not preclude the awarding of credits.

**5. Metering and Monitoring:** *“If the Board were to allow a credit for a Graywater system, there must be meters on the inflow to the treatment system, outflow to the plumbing system, and a meter on the Cal-Am backup fill. The meters need to measure the amount of inflow into the treatment system, the amount of treated water outflow to the toilets/laundry, and the amount of Cal-Am makeup water that might be needed by the system. This information must be submitted to the District annually for a period of five years, which requires resources to contact the property owner and follow up.”*

Metering and reporting requirements are standard and manageable, and should not preclude the awarding of water credits. It should be noted, however, that metering the inflows of graywater or rainwater to systems would present a technical challenge, as water meters are generally not available for non-pressurized, unfiltered water in large diameter drainage pipes. However, installing meters on the Cal-Am makeup water and the system outflow is standard and will provide all the information needed. By subtracting the makeup water from the outflow, one can calculate the amount of non-potable water that has been used. Regardless, while following up on projects annually may imply a small demand on the District’s time and resources, I would submit that it is worthwhile for the water savings and to advance sustainable systems.

**6. Makeup Water Use:** *“Regular use of Potable makeup water should result in the revocation of a credit and a requirement to permit the water fixtures supplied by the Graywater system at full Capacity.”*

It is reasonable to monitor and potentially revoke credits based on consistent use of potable makeup water. However, a flexible approach that includes a warning system or capacity expansion options could better support property owners in maintaining system efficacy.

**7. Building Inspector Involvement:** *“District staff is reliant on the Jurisdiction’s Building Inspector to verify that the plumbing systems are separate and that there is no Potable plumbing to the fixtures for which credit is being given.”*

The involvement of building inspectors is standard procedure for projects of this type. Building inspectors play a crucial role in verifying system compliance with existing codes governing rainwater and graywater systems. As with all building projects where permitting is required, their involvement should not be a barrier, but rather an integral part of the process to ensure proper installation and function.

**8. Waste Removal:** *“Low flow toilets work best with some flow from showers and sinks to boost the removal of waste from the domestic line into the sewer system. By creating a separate system for supplying the toilets, the flush is not augmented with additional Graywater. This could potentially result in backups.”*

Concerns about low-flow toilets and potential backups relate specifically to *graywater* systems and should not affect *rainwater* systems at all. This potential concern has never been a problem on the dozens of graywater systems I have been involved with, and my experience indicates that this can be managed with proper design.

**9. Maintenance Commitments:** *"Graywater systems require maintenance. There is a long-term property owner commitment associated with installation of a Graywater system. Graywater systems make sense in a Multi-Family Dwelling where management is committed to maintenance and operation of the system, but may be inappropriate for single-family dwellings, especially if the originator of the Graywater system sells and a new owner is less committed to its maintenance."*

While ongoing maintenance is required, detailed operation and maintenance manuals, and owner maintenance agreements, along with deed restrictions where necessary, ensure that property owners remain committed to system upkeep. This should not preclude the granting of credits if the systems are properly maintained.

In light of these considerations, I urge the Board to reconsider the limitations imposed by Resolution 2022-08. By supporting water credits for rainwater and graywater systems, you will foster innovation and sustainability, which are crucial for meeting our long-term water conservation goals. A revised approach can incentivize water conservation while acknowledging the need for permitting where required, compliance with existing codes, and adherence to the District's specific requirements for meeting fixture demand, monitoring makeup water use, and committing to ongoing maintenance.

Additionally, extending credits to irrigation systems could further enhance water savings. As you are probably aware, landscape irrigation systems tend to consume a large percentage of municipal water, and supplying them with non-potable water can have a significant impact. *Greywater* is especially suited for irrigation, even on compact properties, due to being produced daily and requiring minimal storage.

Thank you for your time and consideration. I am available to discuss this further and provide any additional information that may assist in this evaluation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dakotah Bertsch', written in a cursive style.

Dakotah Bertsch, PLA