

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.



AGENDA

Special and Regular Meeting

Board of Directors

Monterey Peninsula Water Management District

Monday, September 20, 2021 at 5:00 PM, Virtual Meeting

Pursuant to Governor Newsom's Executive Orders N-29-20 and N-33-20, and to do all we can to help slow the spread of COVID-19 (coronavirus), meetings of the Monterey Peninsula Water Management District Board of Directors and committees will be conducted with virtual (electronic) participation only using Zoom.

Join the meeting at this link:

<https://us06web.zoom.us/j/86240381224?pwd=TGJTVUI5U1gvQzd0dW9uZXpwVXZvZz09>

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

Webinar ID: 862 4038 1224

Passcode: 09202021

Participate by phone: (669) 900-9128

For detailed instructions on how to connect to the meeting, please see page 4 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 the Peninsula Channel

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 PM on Friday, September 17, 2021

CLOSED SESSION AGENDA | 5:00 PM

CALL TO ORDER / ROLL CALL

ADDITIONS AND CORRECTIONS TO THE CLOSED SESSION AGENDA BY DISTRICT

COUNSEL– *District Counsel 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.*

Board of Directors

Alvin Edwards, Chair – Division 1
Karen Paull, Vice Chair – Division 4
George Riley – Division 2
Safwat Malek – Division 3
Amy Anderson – Division 5
Mary L. Adams, Monterey County
Board of Supervisors Representative
Clyde Roberson – Mayoral Representative

General Manager

David J. Stoldt

This agenda was posted at the District office at 5 Harris Court, Bldg. G Monterey, California on Thursday, September 16, 2021. After staff reports have been posted and distributed, if additional documents are produced by the District and provided to a majority of the Board regarding any item on the agenda, they will be posted on the District website. Documents distributed on the afternoon of the meeting will be available upon request, and posted to the web within five days of adjournment of the meeting. The next regularly scheduled meeting of the MPWMD Board of Directors will be on Monday, October 18, 2021 at 6:00 PM.

CONVENE TO CLOSED SESSION -- *As permitted by Government Code Section 54956.9 et seq., the Board may recess to closed session to consider specific matters dealing with pending or threatened litigation, certain personnel matters, or certain property acquisition matters*

CS 1 Conference with Legal Counsel – the board will confer with district counsel to review pending litigation pursuant to Government Code §54956.9.:

- a. Public Employee Performance Evaluation (CA Gov Code Sec. 54957) - General Manager
- b. Conference with Legal Counsel – Existing Litigation (§ 54956.9) MPWMD v. Cal-Am – CPUC Case No. 21-05-005
- c. Conference with Legal Counsel – Liability Claim (§ 54961) & Significant Exposure to Threatened Litigation (§ 54956.9 (b)) MPTA v. MPWMD – Case No. Not Yet Assigned

RECONVENE TO OPEN SESSION - REGULAR SESSION | 6:00 PM

CALL TO ORDER / ROLL CALL

PLEDGE OF ALLEGIANCE

ADDITIONS AND CORRECTIONS TO 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 from the August 16, 2021 Regular Board Meeting, August 26, 2021 Special Board Meeting and September 2, 2021 Special Board Meeting
2. Consider Extension of Cooperative Agreement with the United States Geological Survey for Streamflow Gaging in Water Year 2022
3. Consider Expenditure for Network Security Assessment
4. Consider Adoption of Treasurer’s Report for June, 2021
5. Consider Approval of Fourth Quarter Fiscal Year 2020-2021 Investment Report

GENERAL MANAGER’S REPORT

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

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

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

PUBLIC HEARINGS- *Public Comment will be received. Please limit your comments to three (3) minutes per item.*

8. Consider Adoption of October through December 2021 Quarterly Water Supply Strategy and Budget

Recommended Action: *The Board will consider approval of a proposed production strategy for the California American Water Distribution Systems for the three-month period of October through December 2021. The strategy sets monthly goals for surface and groundwater production from various sources within the California American Water systems.*

9. Consider Adoption of Resolution No. 2021-12 Modifying Rule 160 – Regulatory Water Production Targets for California American Water System. (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. 2021-12 modifying Rule 160.*

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

10. Consider recommending to the Board to contract with Maggiora Brothers Drilling for the amount of \$25,000 to destroy Monitor Well Fort Ord 9 Shallow

Recommended Action: *The Board will consider authorizing the General Manager to contract with Maggiora Brothers in the amount not to exceed \$25,000 to destroy FO-09 Shallow.*

11. Consider Authorization of Expenditure of Funds for Services Related to the Acquisition of the Monterey Water System (Measure J) as follows:

- a. Not to Exceed \$120,000 for Additional Legal Services by Rutan + Tucker
- b. Not to Exceed \$230,000 for Additional Appraisal and Cost of Service Analysis by Raftelis
- c. Not to Exceed \$50,000 for Additional Real Estate Appraisal Services by Chris Carneghi MAI
- d. Not to Exceed \$28,000 for Survey Services by Psomas

Recommended Action: *The Board will consider authorization of expenditure of funds for Rutan + Tucker (not to exceed \$120,000), Raftelis (not to exceed \$230,000), Chris Carneghi (not to exceed \$50,000) and Psomas (not to exceed \$28,000) Related to the Acquisition of the Monterey Water System. (Measure J).*

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

- 12. Report on Activity/Progress on Contracts Over \$25,000
- 13. Status Report on Measure J/Rule 19.8 Phase II Spending
- 14. Letters Received Supplemental Packet
- 15. Committee Reports
- 16. Monthly Allocation Report
- 17. Water Conservation Program Report
- 18. Carmel River Fishery Report for August, 2021
- 19. Monthly Water Supply and California American Water Production Report

ADJOURNMENT

Board Meeting Schedule			
Monday, October 18, 2021	Regular Meeting	6:00 pm	Virtual - Zoom
Thursday, October 28, 2021	Special Meeting	6:00 pm	Virtual – Zoom
Monday, November 15, 2021	Regular Meeting	6:00 pm	Virtual -- Zoom

Board Meeting Television and On-Line Broadcast Schedule View Live Webcast at https://accessmediaproductions.org/ scroll to the bottom of the page and select the Peninsula Channel	
Television Broadcast	Viewing Area
Comcast Ch. 25 (Monterey Channel), Mondays view live broadcast on meeting dates, and replays on Mondays, 7 pm through midnight	City of Monterey
Comcast Ch. 28, Mondays, replays only 7 pm	Throughout the Monterey County Government Television viewing area.
For Xfinity subscribers, go to https://www.xfinity.com/support/local-channel-lineup/ or https://www.xfinity.com/stream/listings - enter your address for the listings and channels specific to your city.	Pacific Grove, Pebble Beach, Sand City, Seaside, Monterey
Internet Broadcast	
Replays – Mondays, 4 pm to midnight at https://accessmediaproductions.org/ scroll to Peninsula Channel	
Replays – Mondays, 7 pm and Saturdays, 9 am www.mgtvonline.com	
YouTube – available five days following meeting date - https://www.youtube.com/channel/UCg-2VgzLBmgV8AaSK67BBRg	

Upon request, MPWMD will make a reasonable effort to provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. MPWMD will also make a reasonable effort to provide translation services upon request. Submit requests by noon on Friday, September 17, 2021 to joel@mpwmd.net, or at (831) 658-5652. Alternatively, you may reach Sara Reyes, Admin Services Division at (831) 658-5610.

Instructions for Connecting to the Zoom Meeting

Note: If you have not used Zoom previously, when you begin connecting to the meeting you may be asked to download the app. If you do not have a computer, you can participate by phone.

Begin: Within 10 minutes of the meeting start time from your computer click on this link: <https://us06web.zoom.us/j/86240381224?pwd=TGJTVUI5U1gvQzd0dW9uZXpwVXZvZz09> or paste the link into your browser.

DETERMINE WHICH DEVICE YOU WILL BE USING (PROCEED WITH ONE OF THE FOLLOWING INSTRUCTIONS)

USING A DESKTOP COMPUTER OR LAPTOP

1. In a web browser, type: <https://www.zoom.us>
2. Hit the enter key
3. At the top right-hand corner, click on “Join a Meeting”
4. Where it says “Meeting ID”, type in the Meeting ID# above and click “Join Meeting”
5. Your computer will begin downloading the Zoom application. Once downloaded, click “Run” and the application should automatically pop up on your computer. (If you are having trouble downloading, alternatively

you can connect through a web browser – the same steps below will apply).

6. You will then be asked to input your name. It is imperative that you put in your first and last name, as participants and attendees should be able to easily identify who is communicating during the meeting.

7. From there, you will be asked to choose either ONE of two audio options: Phone Call or Computer Audio:

COMPUTER AUDIO

1. If you have built in computer audio settings or external video settings – please click “Test Speaker and Microphone”.

2. The client will first ask “Do you hear a ringtone?” •If no, please select “Join Audio by Phone”.

•If yes, proceed with the next question:

3. The client will then ask “Speak and pause, do you hear a replay?” •If no, please select “Join Audio by Phone”

•If yes, please proceed by clicking “Join with Computer Audio”

PHONE CALL

1. If you do not have built in computer audio settings or external video settings – please click “Phone Call”

2. Select a phone number based on your current location for better overall call quality.

+1 669-900-9128 (San Jose, CA)

+1 253-215-8782 (Houston, TX)

+1 346-248-7799 (Chicago, IL)

+1 301-715-8592 (New York, NY)

+1 312-626-6799 (Seattle, WA)

+1 646-558-8656 (Maryland)

3. Once connected, it will ask you to enter the Webinar ID No. and press the pound key

4. It will then ask you to enter your participant ID number and press the pound key.

5. You are now connected to the meeting.

USING AN APPLE/ANDROID MOBILE DEVICE OR SMART PHONE

1. Download the Zoom application through the Apple Store or Google Play Store (the application is free).

2. Once download is complete, open the Zoom app.

3. Tap “Join a Meeting”

4. Enter the Meeting ID number

5. Enter your name. It is imperative that you put in your first and last name, as participants and attendees should be able to easily identify who is communicating during the meeting.

6. Tap “Join Meeting”

7. Tap “Join Audio” on the bottom left hand corner of your device

8. You may select either ONE of two options: “Call via Device Audio” or “Dial in”

DIAL IN

1. If you select “Dial in”, you will be prompted to select a toll-free number to call into.

2. Select a phone number based on your current location for better overall call quality.

+1 669-900-9128 (San Jose, CA)

+1 253-215-8782 (Houston, TX)

+1 346-248-7799 (Chicago, IL)

+1 301-715-8592 (New York, NY)

+1 312-626-6799 (Seattle, WA)

+1 646-558-8656 (Maryland)

3. The phone will automatically dial the number, and input the Webinar Meeting ID No. and your Password.

4. Do not hang up the call, and return to the Zoom app

5. You are now connected to the meeting.

Presenting Public Comment

Receipt of Public Comment – the Chair will ask for comments from the public on all items. Limit your comment to 3 minutes but the Chair could decide to set the time for 2 minutes.

- (a) Computer Audio Connection: Select the “raised hand” icon. When you are called on to speak, please identify yourself.
- (b) Phone audio connection **with** computer to view meeting: Select the “raised hand” icon. When you are called on to speak, dial *6 to unmute and please identify yourself.
- (c) Phone audio connection only: Press *9. Wait for the clerk to unmute your phone and then identify yourself and provide your comment. Press *9 to end the call.

Submit Written Comments

If you are unable to participate via telephone or computer to present oral comments, you may also submit your comments by e-mailing them to 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". Comments must be received by 12:00 p.m. on September 20, 2021. Comments submitted by noon will be provided to the Board of Directors and compiled as part of the record of the meeting.

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ITEM: CONSENT CALENDAR

1. CONSIDER ADOPTION OF MINUTES FROM THE AUGUST 16, 2021 REGULAR BOARD MEETING, AUGUST 26, 2021 SPECIAL BOARD MEETING AND SEPTEMBER 2, 2021 SPECIAL BOARD MEETING

Meeting Date: September 20, 2021

Budgeted: N/A

From: David J. Stoldt,
General Manager

Program/ N/A
Line Item No.:

Prepared By: Joel G. Pablo

Cost Estimate: N/A

General Counsel Review: N/A

Committee Recommendation: N/A

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

SUMMARY: Attached as **Exhibits 1-A through 1-C** are draft minutes of the MPWMD Board of Director's for its Regular Board Meeting on August 16, 2021, Special Board Meeting on August 26, 2021 and Special Board Meeting on September 2, 2021.

RECOMMENDATION: The board will consider adopting the draft meeting minutes of the MPWMD Board of Director's for its Regular Board Meeting on August 16, 2021, Special Board Meeting on August 26, 2021 and Special Board Meeting on September 2, 2021.

EXHIBIT

1-A Draft Minutes of the August 16, 2021 Regular Meeting of the Board of Directors

1-B Draft Minutes of the August 26, 2021 Special Meeting of the Board of Directors

1-C Draft Minutes of the September 2, 2021 Special Meeting of the Board of Directors



EXHIBIT 1-A

DRAFT MEETING MINUTES Special and Regular Meeting Board of Directors Monterey Peninsula Water Management District Monday, August 16, 2021

CLOSED SESSION, 5:00 PM

The meeting was called to order at 5:00 pm by Chair Edwards. Pursuant to Governor Newsom's Executive Orders N-29-20 and N-33-20, the meeting was conducted with virtual participation via Zoom.

Directors Present via Zoom:

Alvin Edwards, Chair – Division 1
Karen Paull, Vice Chair – Division 4
George Riley – Division 2
Safwat Malek – Division 3
Amy Anderson – Division 5
Mary L. Adams – Monterey County Board of Supervisors Representative
Clyde Roberson – Mayoral Representative

Directors Absent: None

General Manager present: David J. Stoldt

District Counsel present: Fran Farina, Esq. with De Lay and Laredo

Special District Counsel: Thomas MacBride, Esq. with Goodin, MacBride, Squeri and Day, LLP

None

No comments were directed to the board.

District Counsel Farina read into the record matters on the Closed Session Agenda.

Chair Edwards recessed the board into closed session at 5:04 PM.

CALL TO ORDER / ROLL CALL

ADDITIONS AND CORRECTIONS FOR CLOSED SESSION BY DISTRICT COUNSEL

PUBLIC COMMENT

CLOSED SESSION

CS 1 Conference with Legal Counsel – the board will confer with district counsel to review pending litigation pursuant to Government Code §54956.9.:

a. MPWMD v. California-American; CPUC Case No. C. 21-05-005

RECESS THE BOARD TO MATTERS ON THE CLOSED SESSION AGENDA

REGULAR SESSION, (Reconvened from Closed Session)

The meeting was called to order at 6:12 pm by Chair Edwards. *Pursuant to Governor Newsom's Executive Orders N-29-20 and N-33-20, the meeting was conducted with virtual participation via Zoom.*

Directors Present via Zoom:

Alvin Edwards, Chair – Division 1
Karen Paull, Vice Chair – Division 4
George Riley – Division 2
Safwat Malek – Division 3
Amy Anderson – Division 5
Mary L. Adams – Monterey County Board of Supervisors Representative
Clyde Roberson – Mayoral Representative

Directors Absent: None

General Manager present: David J. Stoldt

District Counsel present: Fran Farina, Esq. with De Lay and Laredo

The assembly recited the Pledge of Allegiance.

General Manager Stoldt noted the following additions and corrections to the Board Agenda:

Staff submitted revised material for Item No. 1, Exhibit 1-B.

No comments were directed to the board.

Chair Edwards acknowledged Director Anderson's request to pull Item No. 1 from the Consent Calendar. No further requests were received by Chair Edwards to pull matters off the Consent Calendar from board members and members of the public.

A motion was made by Director Roberson and second by Director Anderson to approve the Consent Calendar Items No. 2 through 5. The motion passed on a roll-call vote of 7-Ayes (Edwards, Paull, Malek, Anderson, Adams, Roberson, Riley), 0-Noes and 0-Absent.

Director Anderson proposed corrections to Item No. 1, Exhibit 1-B.

A motion was made by Director Riley and second by Director Paull to approve Item No. 1 with suggested corrections to Item No. 1, Exhibit 1-B. The motion passed on a roll-call vote of 7-Ayes (Edwards, Paull, Malek,

CALL TO ORDER / ROLL CALL

PLEDGE OF ALLEGIANCE

ADDITIONS AND CORRECTIONS TO AGENDA

ORAL COMMUNICATIONS

CONSENT CALENDAR

Anderson, Adams, Riley and Roberson), 0-Noes and 0-Absent.

Approved.

Authorized the General Manager to enter into an agreement with Tetra Tech for consultant services in an amount not-to-exceed \$61,338 and approve a 10% contingency (approximately \$6,100) for additional consultant work.

Adopted Resolution 2021-11, a Resolution of the Board of Directors of the Monterey Peninsula Water Management District Amending Rule 60, Fees and Charges Table.

Authorized the General Manager to purchase UV unit replacement parts for the Sleepy Hollow Facility at an approximate cost of \$9,000.

Received and approved the Master Services Agreement between MPWMD and the Watermaster for Hydrologic Monitoring and Database Services.

David J. Stoldt, General Manager (GM) presented via MS PowerPoint entitled Status Report on Cal-Am Compliance with SWRCB Orders and Seaside Decision as of August 1, 2021. *A copy of the presentation is on file at the District office and can be viewed on the district website.*

GM Stoldt provided an overview of the slide-deck, and the following points were made: (1) The Monterey Peninsula Water Resources System (Carmel River & Seaside Groundwater Basin) is below target production by 141 Acre Feet (AF); (2) The total year-to-date for Water Projects and Rights exceeds target production by 60 AF; (3) The Monthly Demands/Deliveries for Customer Service is down by 34 AF compared to WY 2020; (4) The daily rainfall recorded at the San Clemente Rain Gage has remained flat since the end of April, 2021; and (5) provided an update on the Sleepy Hollow WEIR Facility.

District Counsel Farina reported in the matter involving MPWMD v. California- America; CPUC Case No. C. 21-05-005 the Board unanimously directed staff to file an appeal to be filed to challenge CPUCs decision.

Director Riley attended the Monterey County Special District's Association meeting on July 20, 2021 and was

1. **Consider Adoption of Minutes from the July 16, 2021 Special Board Meeting, July 19, 2021 Regular Board Meeting and July 21, 2021 Special Board Meeting**
2. **Consider Expenditure of Funds for Consultant Services for Upgrades at the Sleepy Hollow Steelhead Rearing Facility**
3. **Consider Adoption of Resolution No. 2021-11 – Amending Fees and Charges Table- Rule 60**
4. **Consider Purchase of Spare Replacement Parts for Sleepy Hollow Steelhead Rearing Facility UV Unit**
5. **Consider Approval of the Watermaster Master Service Agreement**

GENERAL MANAGER'S REPORT

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

REPORT FROM DISTRICT COUNSEL

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

7. **Oral Reports on Activities of County, Cities, Other Agencies/**

made aware of and informed the board of an upcoming Statewide Special District Association Conference to be held in Monterey County on August, 2022. Riley attended a Watermaster meeting and voiced his concerns pertaining the replenishment fund.

Director Adams made the board aware of a board referral submitted by Supervisor John M. Phillips to amend Chapter 10.72 of the County Code. She advised the board that she will keep the board apprised on developments made on the matter.

Director Edwards requested for comments to be made by Directors who attended a meeting with Senator John Laird.

Dave Stoldt, Director Roberson and Riley reported that they had a productive meeting with Senator Laird. Roberson mentioned during the meeting Dave Stoldt, General Manager provided an overview and summary on Measure J, the district's application with LAFCo of Monterey County and 75 acre-feet of relief to help alleviate near-term housing needs on the Monterey Peninsula.

David J. Stoldt, General Manager introduced the matter and noted written public comment received by the district. *Written public comments is on file at the District office and can be viewed on the district website.*

The following comments were directed to the board on Item No. 8:

(1) Kathy Biala, Mayor Pro-Temp with the City of Marina: Expressed opposition to and asked for Section 20(e) to be deleted from the agreement.

(2) Melodie Chrislock, Managing Director of Public Water Now concurred with Biala's comment, recommended section 20(e) of the Water Purchase Agreement (WPA) to be stricken out and opposes Cal-Ams desire to recover \$129 million dollars from its ratepayers for its proposed desalination plant.

(3) Wallace Notley: Voiced opposition to Cal-Ams desalination plant and its costs to ratepayers.

(4) Marli Melton: Thanked the Board and staff for their work on an amended and restated WPA and provided recommended language to Section 20(e).

(5) Anna Thompson: Opposes Cal-Ams proposed desalination facility and proposed either a modification to or complete deletion of Section 20(e).

(6) Susan Schiavone: Acknowledged and thanked M1W, MPWMD and Cal-Ams efforts on working on an Amended and Restated WPA. Schiavone directed attention to Marina Coast Water District's letter and asked for those issues to be addressed and objected to language used in Section 20(e) as it subjects and limits the discretion of decision abilities by current and future boards on current and future

Committees/Associations

ACTION ITEMS

8. **Consider Approving and Authorizing the District to Enter into an Amended and Restated Water Purchasing Agreement for the Pure Water Monterey Project Expansion.**

proposed water supply projects.

(7) Margaret-Anne Coppernoll: Stated her opposition to and recommended language used in Section 20e not be used in finalizing the agreement.

(8) Howard Wilkins, Esq. representing Marina Coast Water District (MCWD): Directed attention to his letter addressed to the Board and district staff on various concerns made by MCWD as it relates to the Amended and Restated WPA. Wilkins seeks to work with district counsel on Section 19, Sr. Contractual Rights to Recycled Water between M1W to MCWD and recommended removal of sections 20.C.1 and 20.C.2. Wilkins closed by stating MCWD continues to support and work with M1W and MPWMD in advancing Pure Water Monterey and PWM Expansion.

(9) Liesbeth Visscher, Chair for Citizens of Just Water: Shared her concerns and opposition to Section 20(e).

(10) John Tilley, Monterey Commercial Property Owners Association: Tilley is in support of PWM Expansion and asked the community to consider desalination as an option to meet the water demands of the peninsula.

(11) Michael Baer: Recommends removal of Section 20(e).

(12) Alexander Henson, Pure Water Now: Expressed concerns over Section 20(e) and asked for it to be removed from the WPA.

(13) Saoirse Folsom: Voiced opposition and asked district staff to modify Section 20(e).

(14) Karen Anderson: Stated that housing developments in Marina are being supplied by current existing water aquifers.

(15) Tom Rowley: In response to Karen Anderson, Rowley voiced concerns and is against pumping from a 900 foot aquifer for housing projects as mentioned by the previous speaker.

A motion was made by Director Riley and second by Director Edwards to continue the matter and directed staff to return by October 18, 2021. The motion passed on a roll call vote of 7-Ayes (Edwards, Paull, Malek, Anderson, Adams, Riley and Roberson), 0-Noes and 0-Absent.

General Manager Stoldt provided a summary of his staff note.

Public Comment: None

A motion was made by Director Riley and second by Director Adams to authorize staff and enter into a contract with RJA Management Services to facilitate the annual performance appraisal of the General Manager at a cost not to exceed \$18,000 to include contingencies. The motion passed on a roll call vote of 7-Ayes (Edwards, Paull, Malek, Anderson, Adams, Riley and Roberson), 0-Noes and 0-Absent.

Dave Stoldt, General Manager provided a summary of his staff note.

9. Consider Expenditure of Funds for Consultant Services Related to Annual Performance Evaluation of General Manager.

10. Consider Expenditure of Funds for Prepayment of a Portion of

Mechanics Bank Loan.

The following comments were directed to the board on Item No. 10:

- a. John Tilley, President of the Monterey Peninsula Commercial Property Owners Association: Stated he is pleased that the board is considering paying off a portion of the Mechanics Bank Loan and asked the district/board to retire the Water Supply Charge.
- b. Susan Schiavone: Stated as a member of the Ordinance No. 152 Oversight Committee has worked on and is happy to see the matter being brought before the board.

A motion was made by Director Roberson and second by Director Anderson to authorize the CFO to prepay the Mechanics Bank loan in the amount of \$500,000. The motion passed on a roll call vote of 7-Ayes (Edwards, Paull, Malek, Anderson, Adams, Riley and Roberson), 0-Noes and 0-Absent.

There was no discussion of the Informational Items/Staff Reports.

Chair Edwards adjourned the open session of the board meeting at 8:12 PM and the board convened back into closed session.

Chair Edwards adjourned the closed session agenda at 8:23 PM

INFORMATIONAL ITEMS/STAFF REPORTS

- 11. Letters Received
- 12. Committee Reports
- 13. Monthly Allocation Report
- 14. Water Conservation Program Report
- 15. Carmel River Fishery Report for June, 2021
- 16. Monthly Water Supply and California American Water Production Report

ADJOURNMENT

Joel G. Pablo, Deputy District Secretary



EXHIBIT 1-B

DRAFT MINUTES MPWMD Board of Directors Special Board Meeting (Board and Staff District Retreat) Thursday, August 26, 2021

Sleepy Hollow Steelhead Rearing Facility Tour- Retreat

Location: 45 San Clemente Drive, Carmel Valley, CA 93924
(4 miles from the Historical Society) Actual Entrance is off of E. Carmel Valley Road

1. Call to Order / Roll Call

The meeting was called to order at 2:30 PM by Chair Edwards

Directors Present via Zoom:

Alvin Edwards, - Chair, Division 1

Karen Paull, - Vice- Chair, Division 4

George Riley, Division 2

Safwat Malek, Division 3

Amy Anderson, Division 5

Mary L. Adams- Monterey County Board of Supervisors Representative

Directors Absent: Clyde Roberson- Mayoral Representative

General Manager present: David J. Stoldt

District Counsel present: David Laredo and Michael Laredo with De Lay and Laredo

2. Welcome and Introductions

David J. Stoldt provided introductory remarks.

3. Sleepy Hollow Steelhead Rearing Facility Tour

Board Members and Staff toured the Sleepy Hollow Steelhead Rearing Facility.

4. Closing

Beverly Chaney provided closing remarks.

4. Adjournment

Chair Edwards adjourned the meeting at 4:35 PM.

Joel G. Pablo, Deputy District Secretary

Minutes approved by the MPWMD Board of Directors on Monday, September ___, 2021

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EXHIBIT 1-C

DRAFT MINUTES

Special Meeting

Board of Directors

Monterey Peninsula Water Management District

Thursday, September 2, 2021

*Pursuant to Governor Newsom's Executive Orders N-29-20 and N-33-20,
the meeting was conducted with virtual participation via Zoom.*

The meeting was called to order at 9:15 AM by Chair Edwards.

CALL TO ORDER

Directors Present via Zoom:

Alvin Edwards, - Chair, Division 1
Karen Paull, - Vice-Chair, Division 4
George Riley, Division 2
Safwat Malek, Division 3
Amy Anderson, Division 5
Clyde Roberson – Mayoral Representative

ROLL CALL

Directors Absent: Mary Adams – Monterey County Board of Supervisors Rep.

General Manager present: David J. Stoldt

District Counsel present: David Laredo, Esq. with De Lay and Laredo

The Assembly recited the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

No Changes

ADDITIONS AND CORRECTIONS TO AGENDA FOR CLOSED SESSION BY DISTRICT COUNSEL

None

PUBLIC COMMENT

District Counsel Laredo read into the record matters to be discussed during closed session and as listed on the agenda.

CONVENE TO CLOSED SESSION

1. Conference with Legal Counsel - the board will confer with district counsel to review two matters of potential/anticipated litigation. Government Code §54956.9.
 - a. MPWMD v. California-American; CPUC Case No. C. 21-05-005
 - b. California American Water Co. v. MPWMD; Monterey County Superior Court Case No. 20CV003201
 - c. One matter of threatened litigation: Monterey Peninsula Taxpayers' Association, Inc. and Richard J. Heuer III v. the Monterey Peninsula Water Management District, et al.

Monterey County Superior Court Case Number
not assigned (Added via Addendum)

Chair Alvin Edwards adjourned the MPWMD Board of
Director's Special Meeting at 10:51 AM.

ADJOURNMENT

Joel G. Pablo, Deputy District Secretary

Approved by the MPWMD Board of Director's on
Monday, September XX, 2021.

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ITEM: CONSENT CALENDAR**2. CONSIDER EXTENSION OF COOPERATIVE AGREEMENT WITH THE UNITED STATES GEOLOGICAL SURVEY FOR STREAMFLOW GAGING IN WATER YEAR 2022**

Meeting Date:	September 20, 2021	Budgeted:	Yes
From:	Dave Stoldt General Manager	Program/ Line Item No.:	2-5-1 A
Prepared By:	Greg James	Cost Estimate:	\$16,890

General Counsel Approval: N/A**Committee Recommendation:** The Administrative Committee reviewed this item on September 13, 2021 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 United States Geological Survey (USGS) operates two streamflow gaging stations on the Carmel River:

- (1) Carmel River at Robles del Rio (No. 11143200) and
- (2) Carmel River near Carmel (No. 11143250).

The upper or "Robles" gage is immediately downstream of Esquiline Bridge (River Mile 14.4) and the lower or "Carmel" gage is immediately downstream of Via Mallorca Bridge (River Mile 3.6). The Monterey Peninsula Water Management District (District) relies on the flow data from these two stations to support ASR operations and both gages are named in the water rights associated with ASR diversions. It should be noted that the Robles del Rio station is funded by the Monterey County Water Resources Agency.

RECOMMENDATION: The Administrative Committee recommends that the Board authorize the General Manager to execute the agreement with the USGS providing cooperative investigation of the water resources within the District for Water Year (WY) 2022 for an amount not-to-exceed \$16,890.

BACKGROUND: The District has funded a cooperative water resources program with the USGS to monitor Carmel River streamflow since the late 1980s. Other than the District, the USGS is the only other independent agency that monitors continuous Carmel River streamflow. The Carmel station provides a long-term streamflow record that began in 1962. The USGS streamflow data provide a valuable cross check for the District's streamflow data when verifying the daily, annual, and peak flows that occur on the Carmel River. The USGS Carmel River streamflow data also support the District's implementation of Aquifer Storage and Recovery (ASR) operations in the Seaside Groundwater Basin in that the data are utilized in real-time to assist in scheduling when to commence or cease injection, given current trends in streamflow conditions. In addition, as a

cooperator with the USGS, the District has access to purchase equipment from the USGS Hydrologic Instrumentation Facility and keep informed of advancements in instrumentation.

IMPACT TO STAFF/RESOURCES: The District's share for continuation of streamflow monitoring at the Carmel River near Carmel station for WY 2022 (October 1, 2021 - September 30, 2022) is \$16,890, as indicated on **Exhibit 2-A**.

EXHIBIT

2-A Joint Funding Agreement for Water Year 2022

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United States Department of the Interior

U.S. GEOLOGICAL SURVEY
California Water Science Center
6000 J Street, Placer Hall
Sacramento, CA 95819

August 31, 2021

Mr. David Stoldt, General Manager
Monterey Peninsula Water Management District
Post Office Box 85
Monterey, California 93942-0085

Subject: Carmel River near Carmel Gage, Joint Funding Agreement, Water Year 2022

Dear Mr. Stoldt:

This letter confirms discussions between our respective staffs, concerning the continuation of the cooperative water resources program between the Monterey Peninsula Water Management District (District) and the U.S. Geological Survey (USGS) for the period October 1, 2021 to September 30, 2022.

The proposed program and associated costs are as follows:

<u>Station number and name</u>	<u>District Funds</u>	<u>USGS Funds</u>	<u>Total Funds</u>
11143250 Carmel River near Carmel	\$16,890	\$7,340	\$24,230
TOTAL	\$16,890	\$7,340	\$24,230

Total cost of the proposed program is \$24,230. Cost to the District is \$16,890, and subject to the availability of Federal matching funds, the USGS will provide \$7,340.

Attached is Joint Funding Agreement (JFA) 22ZGJFA14300, e-signed by our agency, for your approval. If you are in agreement with this proposed program, please return the fully executed electronically signed copy to CAgageADMIN@usgs.gov (preferred) or send one fully executed paper copy to the address in the letter head. Work performed with funds from this agreement will be conducted on a fixed-price basis. Billing for this agreement will be rendered annually.

The USGS is required to have an agreement in place prior to any work being performed on a project. We request that a fully executed JFA be returned prior to October 1, 2021. If it is not received by October 1, we will be required to suspend operations until an agreement is received.

If you have any questions concerning this program, please contact Anthony Guerriero, in our Santa Cruz Field Office, at (831) 460-7494. If you have any administrative questions, please contact Helen Houston, at hhouston@usgs.gov.

Sincerely,

ERIC REICHARD Digitally signed by ERIC
REICHARD
Date: 2021.08.31 13:24:47
-07'00'

Eric Reichard
Director, USGS California Water Science Center

Enclosure
22ZGJFA14300

**Form 9-1366
(May 2018)**

**U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement
FOR
Water Resource Investigations**

**Customer #: 6000000949
Agreement #: 22ZGJFA14300
Project #: ZG00GZV
TIN #: 94-2535586**

Fixed Cost Agreement YES[X] NO[]

THIS AGREEMENT is entered into as of the October 1, 2021, by the U.S. GEOLOGICAL SURVEY, California Water Science Center, UNITED STATES DEPARTMENT OF THE INTERIOR, party of the first part, and the Monterey Peninsula Water Mgmt. Dist. party of the second part.

1. The parties hereto agree that subject to the availability of appropriations and in accordance with their respective authorities there shall be maintained in cooperation Water Resource Investigations (per attachment), herein called the program. The USGS legal authority is 43 USC 36C; 43 USC 50, and 43 USC 50b.

2. The following amounts shall be contributed to cover all of the cost of the necessary field and analytical work directly related to this program. 2(b) include In-Kind-Services in the amount of \$0.00

- (a) \$7,340 by the party of the first part during the period
October 1, 2021 to September 30, 2022
- (b) \$16,890 by the party of the second part during the period
October 1, 2021 to September 30, 2022
- (c) Contributions are provided by the party of the first part through other USGS regional or national programs, in the amount of: \$0

Description of the USGS regional/national program:

- (d) Additional or reduced amounts by each party during the above period or succeeding periods as may be determined by mutual agreement and set forth in an exchange of letters between the parties.
- (e) The performance period may be changed by mutual agreement and set forth in an exchange of letters between the parties.

3. The costs of this program may be paid by either party in conformity with the laws and regulations respectively governing each party.

4. The field and analytical work pertaining to this program shall be under the direction of or subject to periodic review by an authorized representative of the party of the first part.

5. The areas to be included in the program shall be determined by mutual agreement between the parties hereto or their authorized representatives. The methods employed in the field and office shall be those adopted by the party of the first part to insure the required standards of accuracy subject to modification by mutual agreement.

6. During the course of this program, all field and analytical work of either party pertaining to this program shall be open to the inspection of the other party, and if the work is not being carried on in a mutually satisfactory manner, either party may terminate this agreement upon 60 days written notice to the other party.

7. The original records resulting from this program will be deposited in the office of origin of those records. Upon request, copies of the original records will be provided to the office of the other party.

8. The maps, records or reports resulting from this program shall be made available to the public as promptly as possible. The maps, records or reports normally will be published by the party of the first part. However, the party of the second part reserves the right to publish the results of this program, and if already published by the party of the first part shall, upon request, be furnished by the party of the first part, at cost, impressions suitable for purposes of reproduction similar to that for which the original copy was prepared. The maps, records or reports published by either party shall contain a statement of the cooperative relations between the parties. The Parties acknowledge that scientific information and data developed as a result of the Scope of Work (SOW) are subject to applicable USGS review, approval, and release requirements, which are available on the USGS Fundamental Science Practices website (<https://www.usgs.gov/about/organization/science-support/science-quality-and-integrity/fundamental-science-practices>).

U.S. Department of the Interior
U.S. Geological Survey
Joint Funding Agreement
FOR

Customer #: 6000000949
Agreement #: 22ZGJFA14300
Project #: ZG00GZV
TIN #: 94-2535586

Water Resource Investigations

9. Billing for this agreement will be rendered annually. Invoices not paid within 60 days from the billing date will bear Interest, Penalties, and Administrative cost at the annual rate pursuant the Debt Collection Act of 1982, (codified at 31 U.S.C. § 3717) established by the U.S. Treasury.

USGS Technical Point of Contact

Name: Anthony Guerriero
Supervisory Hydrologic Technician
Address: 2885 Mission Street
Santa Cruz, CA 95060
Telephone: (831) 460-7494
Fax: (831) 427-4475
Email: aguerrie@usgs.gov

Customer Technical Point of Contact

Name: David Stoldt
General Manager
Address: Post Office Box 85
Monterey, CA 93942-0085
Telephone: (831) 658-5600
Fax:
Email:

USGS Billing Point of Contact

Name: Helen Houston
Budget Analyst
Address: 2730 N. Deer Run Road
Carson City, NV 89701
Telephone: (775) 887-7605
Fax: (775) 887-7629
Email: hhouston@usgs.gov

Customer Billing Point of Contact

Name: Greg James
Associate Hydrologist
Address: Post Office Box 85
Monterey, CA 93942
Telephone: (831) 659-2543
Fax:
Email: james@mpwmd.net

U.S. Geological Survey
United States
Department of Interior

Monterey Peninsula Water Mgmt. Dist.

ERIC
REICHARD

Digitally signed by ERIC
REICHARD

Date: 2021.08.31
13:25:26 -07'00'

Signature

By _____ Date: 08/31/2021

Name: Eric Reichard

Title: Director, USGS California Water Science Center

Signatures

By _____ Date: _____

Name:

Title:

By _____ Date: _____

Name:

Title:

By _____ Date: _____

Name:

Title:

ITEM: CONSENT CALENDAR**3. CONSIDER EXPENDITURE FOR NETWORK SECURITY ASSESSMENT**

Meeting Date:	September 20, 2021	Budgeted:	Yes
From:	David J. Stoldt, General Manager	Program/ Line Item No.	Information Technology
Prepared By:	Suresh Prasad	Cost Estimate:	\$15,000

Committee Recommendation: The Administrative Committee reviewed this item on September 13, 2021 and recommended approval.

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

SUMMARY: Due to recent surge in ransomware activities around the world, staff seeks authorization to complete a Network Security Assessment (NSA) study that could potentially identify security gaps in the District's Information Technology (IT) network infrastructure. The study will be conducted by DeVeera Inc., the District current IT consultant. Quote from DeVeera and a detailed Scope of Work for NSA is attached.

Upon completion, result of the findings and recommendations will be shared with the Board.

RECOMMENDATION: The Administrative Committee recommends approval of expenditures not-to-exceed \$15,000 to complete the Network Security Assessment. This authorization includes \$3,000 in contingency amount.

IMPACT TO STAFF/RESOURCES: The Fiscal Year 2021-2022 Information Technology budget includes funds for this study.

BACKGROUND: The District's IT Infrastructure supports all facets of District's computing needs including e-mail, Data Storage, Network and Data Security, Water Demand Database Application, GIS Application and Storage, Web Hosting, Financial Applications, SQL server databases and numerous other needs.

It is extremely important for the District to maintain its IT systems and address any security vulnerability that may exist within the system. DeVeera Inc. has been the District's IT consultant for past 2 years and fully understands the District IT network infrastructure. The NSA consultant utilized by DeVeera has been in this business for two decades and his credentials are attached to the detailed Scope of Work.

EXHIBIT**3-A DeVeera Quote & Scope of Work**



From: Mike Onorato
DeVeera Inc.
5 Mandeville Ct.
Suite 100
Monterey, CA 93940

(831) 240-4703
mike@deveera.com

Prepared for: Suresh Prasad
Monterey Peninsula Water Management District
5 Harris CT
Building G
Monterey, CA 93940
United States
(831) 658-5600
suresh@mpwmd.net

Quantity Description		Unit Price	Ext. Price
1.00	Network Security Assessment using CIS Protocol: Refer to Scope of Work Attachment	\$12,000.00	\$12,000.00
		Subtotal:	\$12,000.00
		Tax:	\$0.00
		Total:	\$12,000.00

Signature: _____

Date: _____

1 Introduction

1.1 Background

An information security assessment is a measurement of the security posture of a system or organization. The security posture is the way information security is implemented. Security assessments are risk-based assessments, due to their focus on vulnerabilities and impact. Security assessments rely on three main assessment methods that are inter-related. Combined, the three methods can accurately assess the Technology, People, and Process elements of security.

In the light of the recent ransomware attacks, Monterey Peninsula Water Management District has requested an evaluation of the security posture of the data and systems and processes that are currently being used by the organization in order to become more resilient to such attacks and prepare a better response such an event should occur.

1.2 Objectives

A security assessment is performed to identify the current security posture of an information system or organization. The assessment provides recommendations for improvement, which allows the organization to reach a security goal that mitigates risk, and also enables the organization.

The security assessment should enable one to answer the following questions:

- What is the critical information?
- What controls are in place for information systems?
- What is the current security posture of information systems?
- Should more or less stringent countermeasures be instituted?
- What is the prioritized security roadmap to follow that addresses high-priority issues first?

1.3 Scope of Work

Scope management is the process of defining what work is required, and then making sure that all of that work, and only that work, is done. The following processes will be covered in this project management knowledge area:

I. Collect Requirements

The Collect Requirements Process is critical. Unless requirements are understood & defined, it will be very difficult for the assessment to meet these requirements, and therefore the assessment will be far from a quality assessment.

- Requirements Related to The End Result of the Security Assessment
 - Requirements derived from customer expectations about assessment results, timeline, and cost.
 - Requirements to determine how well sensitive information is protected from disclosure, or to determine how well policy is achieving its purpose
 - Requirements to use one assessment method (reviewing, examination, or testing)
- Requirements Related to How the Work is Managed
 - Adherence to an established assessment methodology used by the organization.
 - Organization requirements with which assessments must comply.
 - Roles & responsibilities for both assessment team & target organization.
 - Assessment logistics, and assessors' skills & experience.
 - Data handling requirements (data storage, transmission, removal).

II. Define Scope

The Define Scope Process is primarily concerned with what is and is not included in the security assessment and its deliverables.

- Determine the assessment sites
- Define the size and number of systems and components to be assessed
- Details about the assessment method(s) to be used are defined

Using the CIS framework, a maximum number of 20 CSC controls can be evaluated depending on the Implementation Group agreed upon. The initial assessment will cover the first 6 CSC controls (e.g. Implementation Group 1 of the CIS framework):

1. Inventory and Control of Hardware Assets
2. Inventory and Control of Software Assets
3. Continuous Vulnerability Management
4. Controlled Use of Administrative Privileges
5. Secure Configuration for Hardware and Software on Mobile Devices, Laptops, Workstations and Servers
6. Maintenance, Monitoring and Analysis of Audit Logs

The following aspects of every sub-controls will be evaluated as follows

1. whether or not the organization currently has a policy defined that indicates that they should be implementing the defined sub control
 2. whether or not the organization currently has implemented this sub control and to what degree the control has been implemented
 3. whether or not the organization currently has automated the implementation of this sub control and to what degree the control has been automated
 4. whether or not the organization is reporting this sub control to business representatives and to what degree the control has been reported
- Detailed rules of engagement are defined.
 - o specifying project progress reporting details
 - o how emergency communications will take place
 - o acceptable penetration testing times and whether they are announced or not
 - o details regarding the target organization observation of examination/testing activities performed
 - Deliverables
 - Level of Implementation for each CSC Control
 - Aggregate Scores representing the maturity levels for Policies, Controls
 - Levels of completion for each Implementation Group
 - The following ATT&CK activities will be assigned an overall score of *Low*, *Moderate*, or *High* for both *Preventive Capabilities* as well as *Detection Capabilities*
 - Initial Access
 - Execution
 - Persistence

- Privilege Escalation
- Defense Evasion
- Credential Access
- Discovery
- Lateral Movement
- Collection
- Command and Control
- Exfiltration
- Project exclusions – to reduce likelihood of scope creep
- Constraints & assumptions

III. Create Work-Breakdown-Structure (WBS) Process

A work breakdown structure is a very important tool. It increases project understanding, is deliverable-oriented, and divides the project into smaller manageable pieces. A WBS can also be used as a project communication tool. In the process of creating a WBS for a security assessment, we walk through the assessment and decompose deliverables into their smaller constituents, level by level. This is done until we reach a point where it is easy to estimate the cost, time, and resources to complete the lowest level of the structure. By completing a WBS for the security assessment, we help ensure that nothing in scope slips through the cracks, and nothing out of scope slips into the project.

IV. Verify Scope Process

The Verify Scope Process is the process of formalizing acceptance of the completed project deliverables. The deliverables are being reviewed and accepted by the customer, and not by the assessment team. The assessment team needs to first review and accept the completed deliverables before the customer reviews the deliverables for acceptance; however, the assessment team review activity is part of quality management and not scope management.

2 Tasks / Activities

The contractor shall provide proactive Risk and Vulnerability Assessment (RVA) capabilities which consists of several services available to test external and internal accessible systems, hosts, and applications in a stakeholder environment. There may be an overlap in requirements in some RVA services, however it is the specific methodology used to carry out the services in a RVA which make the services unique. The following tasks should be applied to each service:

TASK 1 – PRE ASSESSMENT PLANNING PHASE

During the pre-assessment phase, the assessment team and the organization being assessed must set expectations for each assessment and/or engagement.

SUBTASK 1.0 – Perform Initial Communication

The contractor shall work to schedule stakeholders according to their operating needs. The stakeholder organization should anticipate a two-week engagement period,

- one week being reserved for conducting interviews and evaluate systems, applications, networks, policies, and procedures to discover vulnerabilities as well as review of documentation, architecture, rule-sets, and system configurations
- Another week required for hands-on technical process that looks specifically at the organization from a system/network level to identify security vulnerabilities that exist in those systems including technical analysis of the firewalls, intrusion detection systems, and routers. As well as vulnerability scans of the customer's networks

SUBTASK 1.1 - Deliver Rules of Engagement (ROE)

The purpose of the ROE is to establish the timeframe, scope and the activity that is allowed during an engagement and establish a binding agreement between the stakeholder and the contractor.

SUBTASK 1.2 - RVA Team/Stakeholder complete ROE

When the contractor receives a signed ROE from a stakeholder, it is countersigned and returned to the stakeholders to retain for their records.

SUBTASK 1.3 - Schedule RVA

Once the ROE is signed, returned, and verified, the RVA shall be scheduled and assigned a RVA Program Lead (contractor) who contacts the stakeholder with the testing dates, and communicates the default engagement timeline.

Week 1 – passive review techniques and interviews.

Week 2 – technical analysis of the active network devices: firewalls, intrusion detection systems, and routers. Vulnerability scans of the customer's networks.

The engagement timeline will be defined by organization for each assessment as the engagement may vary based on the scope of the engagement.

SUBTASK 1.4 – Conduct RVA Pre-Assessment Meeting

The RVA Program Lead (contractor) shall reach out to the designated stakeholder POC to schedule a Pre-Assessment Meeting to cover services, scoping, targets, expectations, and other logistics.

TASK 2 - TESTING/ASSESSMENT PHASE

During the assessment phase, the contractor is actively engaged in providing the selected service offerings to the stakeholder organization. The contractor Team Lead shall work closely to communicate current status with the designated stakeholder POC to ensure the engagement activity does not impact stakeholder business operations. Any major issues discovered during the assessment, including critical external vulnerabilities, shall be immediately communicated to the stakeholder organization. Stakeholder POC shall immediately be notified if suspected

classified information is found. If inappropriately stored PII is suspected, the team shall immediately seek clarification and next actions from the POC.

SUBTASK 2.0 - Commence RVA Engagement

At the beginning of the RVA Engagement, the contractor Team Lead shall provide the stakeholder with an in-brief that describes the action plan to deliver the RVA services. The Team Members shall provide support during the in-brief, answering specific technical questions and subject matter expertise as required.

Throughout the engagement, the contractor Team Lead shall provide written, and when requested, verbal, daily status updates with the designated POC.

SUBTASK 2.1 - Complete RVA Engagement

Once the selected services are completed and the systems are effectively assessed, the contractor Team Lead shall notify the designated stakeholder POC and schedule an out-brief presentation. The contractor Team Lead shall ensure all engagement data is provided to the POC, and a working copy is securely stored and retained for developing the final report as appropriate. All test systems shall be cleansed of stakeholder data prior to completion of the testing phase, except for a consolidated primary and backup working copy of the data for reporting purposes.

TASK 4 – POST ASSESSMENT PHASE

SUBTASK 3.0 - Reporting

The contractor RVA teams shall provide reports consistent with the organization requirements. Customization of the output is applied as needed. The report delivery process is as follows:

- The contractor Team Lead shall draft a report to the stakeholder two weeks after the completion of the RVA engagement.
- The Stakeholder shall review the draft report over the next one to two weeks.
- The contractor Team Lead shall deliver the final report after any modifications required based on the review of the draft report.

SUBTASK 3.1 - Mitigation Check

Six months after the final report is delivered the contractor RVA Program Lead or Team Lead shall send a notification to the stakeholder to review the status of any recommended mitigation action from the final report.

3 Business Terms / Conditions

3.1 Change Control/Change Order

Any changes in this statement of work will be documented in writing by (company name) Project Manager and submitted for written approval. Additional hardware, software, or services can be added to this project via Change Order and related Quote, which is to be approved prior to commencement of the additional project work.

EUGEN MATEI

5 MANDEVILLE CT #100 • MONTEREY, CA 93940
831 272 4340 • EUGEN@LEYLINECONSULTING.COM

SUMMARY OF QUALIFICATIONS

Senior level IT professional with in-depth knowledge and vast hands-on engineering experience in the areas of virtualization infrastructure, systems security, networking, storage, endpoint management in fast-paced customer oriented environments. Established reputation for exceptional people skills and ability to communicate at all levels of management, employees and vendors. Demonstrated leadership and reliability in critical situations. Summary of competencies includes:

- VMware infrastructure
- Microsoft Active Directory
- McAfee Endpoint Protection
- Network switching & routing
- Microsoft SCCM
- Systems security
- Storage
- Project management
- Protecting assets

PROFESSIONAL EXPERIENCE

LEILINE CONSULTING MONTEREY, CA
Cybersecurity Consulting

2019 – PRESENT

LEAD CYBER AND INFORMATION SECURITY ARCHITECT

Executed Security Risk Assessments and consulting services as they relate to CIS and NIST compliance and risk management, Data Security Architecture, and program development/maturity.

- ❑ Proficient with risk and security frameworks, standards, and best practices (e.g. HIPAA, COBIT, NIST, CSC, and ISO 27001/2)
- ❑ Assessed projects, changes, and new designs for appropriate audit points and intelligence gathering functionality.
- ❑ Performed Information Security Risk Assessments/Analyses.
- ❑ Performed Incident Monitoring and Analyses activities.
- ❑ Reviewed new and existing systems design projects and procurement plans for compliance with standards and architectural plans.
- ❑ Ability to think holistically and identify areas of technical and non-technical risk as well as mitigation or remediation options.
- ❑ Demonstrated experience with the NIST Cybersecurity Framework and auditing security controls identified in NIST SP800-171 and NIST SP800-53A;
- ❑ Strong knowledge of security standards and fundamentals such as OWASP Top 10, CVSS, CVE
- ❑ Security knowledge on current threats, trends, and mitigations
- ❑ Experience writing technical reports/presentations and presenting to non-technical audiences.

MONTAGE HEALTH MONTEREY, CA
Acute care regional hospital

2019 – PRESENT

VIRTUALIZATION ENGINEER

Responsible for supporting complex end-to-end network and VMware solutions in a Mission Critical environment. Hands on experience with communication protocols, Cisco UCS server architectures, networking technologies, network security solutions, and VMware Horizon View solution integration. Thorough understanding and analysis of systems and systems architecture of VMware VDI hardware and solution designs in order to provide guidance and support for optimization of VDI desktops.

- ❑ Monitoring virtualized systems on a regular basis to detect abnormal conditions.
- ❑ Escalating the problems to appropriate levels of IT management and/or vendor management when not resolved in a timely manner.
- ❑ Determining business needs by evaluating existing network infrastructure and systems.
- ❑ Ensuring that all assigned systems remain at vendor supported levels.

- ❑ Developing and documenting implementation plans for the installation/maintenance/upgrade of assigned systems.
- ❑ Developing and documenting test plans and thoroughly test system changes before and after implementation.
- ❑ Coordinating installation and maintenance of related software with other technical support personnel to assure maximum systems performance and minimum downtime.
- ❑ Installing security patches to assigned systems in a timely manner.
- ❑ Documenting all processes and procedures for any tasks performed on assigned systems.
- ❑ Owning issues and exceptions and work them through to resolution.
- ❑ Producing transparent written and verbal communications.
- ❑ Prioritizing time and financial spend to maximize spend / risk reduction return.
- ❑ Ensuring expectations for delivery or resolution are met and communicated transparently to all parties, both internal and external.

SALINAS VALLEY MEMORIAL HEALTHCARE SYSTEM SALINAS, CA

2004 – 2019

Acute care regional hospital

SYSTEMS SECURITY ARCHITECT

2017 – 2019

Responsible for the majority of IT security functions, ranging from preventive security controls to activity monitoring and threat/behavior detection mechanisms. Ensuring the privacy, integrity and availability of sensitive data both at rest and in motion. Understanding business mission and aligning the security program with the strategic, operational and tactical goals of the business, in order to facilitate future growth and adoption of new technology.

- ❑ Implement, maintain, and monitor Imprivata OneSign single sign-on solution, and integrating it with VMware Horizon View VDI instant clone technology on Windows 10 Enterprise platform
- ❑ Manage and maintain VMware Horizon View VDI infrastructure to facilitate medical personnel access to critical EMR applications internally as well as externally
- ❑ Build and maintain multiple virtual desktop environments using VMware Horizon View instant clone technology, RDSH, linked clones and persistent disks
- ❑ Manage on premise enterprise virtualization environment using vSphere and vRealize
- ❑ Build and configure layer 2 and layer 3 networks, integrating Cisco networking equipment and VMware virtual distributed switch technology
- ❑ Build, configure and operate on premise Microsoft's System Center Configuration Manager, facilitating the management of Active Directory Windows endpoint systems including patch management, software deployment, hardware and software inventory, zero touch operating system deployment, and security baselining
- ❑ Manage and maintain enterprise antivirus endpoint systems using McAfee ePolicy Orchestrator
- ❑ Manage and maintain on premise enterprise email filtering cluster system provided by Proofpoint, including secure messaging
- ❑ Manage and maintain enterprise internal and external PKI certificate authorities
- ❑ Maintain, monitor, and upgrade enterprise Active Directory domain controllers and DNS service
- ❑ Conduct day-to-day operation, monitoring and maintenance of enterprise internal, perimeter and branch offices Checkpoint firewall clusters and standalone appliances.
- ❑ Install, operate and monitor JunosPulse Connect Secure appliance cluster
- ❑ Implement and enforce information systems security policies
- ❑ Maintain System Security Plans and all other system security documentation, reviewing and updating them at least annually, for all assigned systems.
- ❑ Ensure the implementation and maintenance of security controls in line with the Security Program
- ❑ Manage and control changes to the security systems, and conduct assessments on potential security implications/outcomes
- ❑ Ensure that system security requirements are addressed during all phases of the IS lifecycle
- ❑ Configure, maintain, and monitor two-factor authentication solution (Duo)
- ❑ Implement a strategy for continuous monitoring of assigned systems including: establishing system audit trails and ensuring their review; reporting all identified security findings; and initiating the periodic review of security controls

- ❑ Ensure security awareness and precautionary measures are exercised to prevent introduction and/or proliferation of malicious code or other adverse IS conditions
- ❑ Advise the System Owners regarding security considerations on various applications
- ❑ Serve as a resource for users concerning all security questions regarding assigned systems and applications
- ❑ Conduct technical evaluation of information system design, focusing on information security aspects and accreditation
- ❑ Use various information system inspection tools, to audit systems, analyze potential vulnerabilities, and identify mitigation approaches
- ❑ Perform vulnerability/risk assessment analysis to support accreditation and other program protection activities
- ❑ Coordinate with third-party vendors to find vulnerabilities and improve the overall security posture
- ❑ Review requests for software installation and conduct technical risk assessment on software implementation
- ❑ Conduct validating and deploying tasks associated with Windows OS patches and various applications patches on a regular basis
- ❑ Coordinate and track security action requests and status
- ❑ Conduct periodic assessments of systems, to ensure compliance with security requirements using NIST 800-53 framework in accordance with HIPAA rule

IT SECURITY ANALYST

2008 – 2017

- ❑ Installed, configured and centrally managed multiple branch office firewall systems facilitating access to locally hosted web ambulatory EMR system
- ❑ Responsible for installing, configuring, and maintaining extranet access systems
- ❑ Monitored uptime and resource availability of critical infrastructure equipment
- ❑ Maintained data and monitored security access
- ❑ Analyzed IT requirements and provided objective advice on the use of IT security systems
- ❑ Tested and evaluated new technologies
- ❑ Designed, analyzed and implemented efficient IT security systems
- ❑ Planned, implemented and upgraded security measures and controls
- ❑ Established plans and protocols to protect digital files and information systems against unauthorized access, modification and destruction
- ❑ Anticipated and alerted hardware and software failures based on logging analysis
- ❑ Managed and maintained network intrusion detection and prevention systems
- ❑ Recommended and installed appropriate tools and countermeasures to improve overall security posture
- ❑ Coordinated and facilitated the transmission of PII data in a secure manner to and from outside vendors and other entities.
- ❑ Created procedures to audit and alert on data changes such as updates, deletion or moving
- ❑ Reviewed organization's firewall policy periodically to ensure compliance with the security program as well as to improve system reliability, availability, serviceability, and performance.

NETWORK ENGINEER

2007 – 2008

- ❑ Provided technical support for Network Servers and software configuration for all medical and business related systems.
- ❑ Responsible for the implementation and maintenance of the vertical (single and multi-mode fiber) and horizontal (Cat 3 to Cat 6) infrastructure for both voice and data communications.
- ❑ Implemented, monitored and supported LAN and WAN with an emphasis on layers one through four of the OSI protocol stack.
- ❑ Managed change control process, documentation, TCP/IP addresses, developed and maintained topology maps and network diagrams, used in debugging and quick identification of issues.
- ❑ Developed, configured and implemented equipment of the converged technology infrastructure (voice/data).

IT SYSTEMS ADMINISTRATOR

2006 – 2007

- ❑ Monitored & maintained Microsoft SMS platform health and mitigate identified problems

- ❑ Implemented Systems Management Server to assist with mass deployment mechanisms of software patches and upgrades in Windows environment.
- ❑ Created automated software deployments and operating system zero-touch in-place installation
- ❑ Planned, tested, managed and implemented upgrades to new versions of software & hardware on endpoint desktop systems
- ❑ Performed root cause analysis & troubleshooting support of installation and deployment issues with various IT and business groups.
- ❑ Responsible for yearly true up of organization's Microsoft Volume Licensing program

IT SYSTEMS TECHNICIAN

2004 – 2006

- ❑ Responsible for the maintenance, configuration, and reliable operation of desktop computer systems throughout the organization
- ❑ Researched and diagnosed hardware and software errors by running diagnostics, documenting problems and resolutions, prioritizing, and assessing impact of issues
- ❑ Followed standard procedures for proper escalation of unresolved issues to the appropriate internal teams
- ❑ Installed and upgraded computer components and software
- ❑ Interacted with vendors, outsourcers, and contractors
- ❑ Created and revised technical documentation
- ❑ Participated in standard Windows image development, management, QA testing, and deployment

MONTEREY PENINSULA COLLEGE MONTEREY, CA

2003 – 2008

Education

IT TECHNOLOGIST

Responsible for the operational aspect of two computer labs (Windows and Apple OS) including application deployments, performance improvements, operating system upgrades and patches.

- ❑ Developed and implemented the use of Microsoft RIS service to assist with systems recovery from failure as well as deployment of new systems
- ❑ Built and deployed windows images using RIS server and PXE network boot
- ❑ Troubleshoot installed applications and helped when needed during classes
- ❑ Managed student accounts and respective file shares

E D U C A T I O N

BS, Physics • *University of Bucharest* • Romania

T E C H N I C A L C E R T I F I C A T I O N S

MCSE • CISSP • VCAP-DTM • VCP-DCVNV • VCP-DTMNV

International Information System Security Certification Consortium

The (ISC)² Board of Directors hereby awards

Eugen Matei

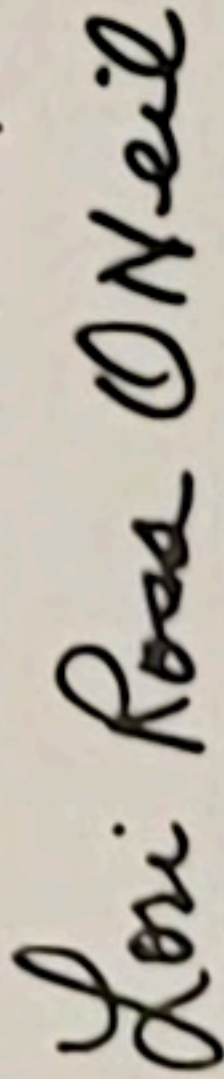
the credential of

Certified Information Systems Security Professional[®]

having met all of the certification requirements, which include the professional experience prerequisite, adoption of the (ISC)² Code of Ethics, and successful performance on the required competency examination, subject to recertification every three years, this individual is entitled to all of the rights and privileges associated with this designation, as defined in the (ISC)² Bylaws.



Dr. Kevin Charest - Chairperson



Lori Ross O'Neil - Secretary



ID# 813271

Certification Number

Aug 1, 2020 - Jul 31, 2023

Certification Cycle

Certified Since 2020

ITEM: CONSENT CALENDAR**4. CONSIDER ADOPTION OF TREASURER'S REPORT FOR JUNE 2021**

Meeting Date:	September 20, 2021	Budgeted:	N/A
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From:	David J. Stoldt, General Manager	Program/ Line Item No.:	N/A
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Prepared By:	Suresh Prasad	Cost Estimate:	N/A
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General Counsel Review: N/A**Committee Recommendation: The Administrative Committee considered this item on September 13, 2021 and recommended approval.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY: Exhibit 4-A comprises the Treasurer's Report for June 2021. Exhibit 4-B and Exhibit 4-C are listings of check disbursements for the period June 1-30, 2021. Check Nos. 39380 through 39532, the direct deposits of employee's paychecks, payroll tax deposits, and bank charges resulted in total disbursements for the period in the amount of \$2,107,333.41. This amount included \$24,880.10 for conservation rebates paid out during the current period. Exhibit 4-D reflects the unaudited version of the financial statements for the month ending June 30, 2021.

RECOMMENDATION: The Administrative Committee recommends that the Board adopt the June 2021 Treasurer's Report and financial statements, and ratification of the disbursements made during the month.

EXHIBITS

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

**MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
TREASURER'S REPORT FOR JUNE 2021**

<u>Description</u>	<u>Checking</u>	<u>MPWMD Money Market</u>	<u>L.A.I.F.</u>	<u>Multi-Bank Securities</u>	<u>MPWME Total</u>	<u>PB Reclamation Money Market</u>
Beginning Balance	(\$1,501.58)	\$3,783,628.11	\$10,618,773.28	\$2,890,743.57	\$17,291,643.38	\$252,449.92
Fee Deposits		2,256,744.60			2,256,744.60	600,359.35
MoCo Tax & WS Chg Installment Pymt					0.00	
Interest Received				1,578.16	1,578.16	
Transfer - Checking/LAIF					0.00	
Transfer - Money Market/LAIF					0.00	
Transfer - Money Market/Checking	1,300,000.00	(1,300,000.00)			0.00	
Transfer - Money Market/Multi-Bank		(249,000.00)		249,000.00	0.00	
Transfer to CAWD					0.00	
Voided Checks					0.00	
Bank Corrections/Reversals/Errors		(450.00)			(450.00)	
Bank Charges/Other	(1,111.21)				(1,111.21)	
Credit Card Fees	(911.60)				(911.60)	
Returned Deposits	-				0.00	
Payroll Tax/Benefit Deposits	(125,602.81)				(125,602.81)	
Payroll Checks/Direct Deposits	(132,431.61)				(132,431.61)	
General Checks	(1,834,949.17)				(1,834,949.17)	
Bank Draft Payments	(12,327.01)				(12,327.01)	
Ending Balance	(\$808,834.99)	\$4,490,922.71	\$10,618,773.28	\$3,141,321.73	\$17,442,182.73	\$852,809.27

Check Report

By Check Number

Date Range: 06/01/2021 - 06/30/2021



Monterey Peninsula Water Management Dist

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: APBNK	-Bank of America Checking					
Payment Type: Regular						
00249	A.G. Davi, LTD	06/11/2021	Regular	0.00	395.00	39380
00767	AFLAC	06/11/2021	Regular	0.00	1,008.58	39381
01347	ARC Document Solutions, LLC	06/11/2021	Regular	0.00	100.24	39382
00253	AT&T	06/11/2021	Regular	0.00	876.64	39383
00252	Cal-Am Water	06/11/2021	Regular	0.00	155.07	39384
05370	California Secretary of State	06/11/2021	Regular	0.00	880.00	39385
00224	City of Monterey	06/11/2021	Regular	0.00	5,029.57	39386
18734	DeVeera Inc.	06/11/2021	Regular	0.00	8,325.00	39387
00072	Goodin, MacBride, Squeri & Day, LLP	06/11/2021	Regular	0.00	10,517.04	39388
08929	HDR Engineering, Inc.	06/11/2021	Regular	0.00	6,333.85	39389
00277	Home Depot Credit Services	06/11/2021	Regular	0.00	365.94	39390
05371	June Silva	06/11/2021	Regular	0.00	594.00	39391
19764	Katrina Herrmann	06/11/2021	Regular	0.00	24.08	39392
06999	KBA Docusys	06/11/2021	Regular	0.00	545.76	39393
05830	Larry Hampson	06/11/2021	Regular	0.00	843.20	39394
00222	M.J. Murphy	06/11/2021	Regular	0.00	101.70	39395
00259	Marina Coast Water District	06/11/2021	Regular	0.00	1,161.04	39396
00242	MBAS	06/11/2021	Regular	0.00	155.00	39397
00118	Monterey Bay Carpet & Janitorial Svc	06/11/2021	Regular	0.00	1,260.00	39398
00274	Monterey One Water	06/11/2021	Regular	0.00	176.41	39399
00274	Monterey One Water	06/11/2021	Regular	0.00	645,085.23	39400
13396	Navia Benefit Solutions, Inc.	06/11/2021	Regular	0.00	715.42	39401
05053	Pacific Smog	06/11/2021	Regular	0.00	39.75	39402
00036	Parham Living Trust	06/11/2021	Regular	0.00	850.00	39403
00154	Peninsula Messenger Service	06/11/2021	Regular	0.00	709.00	39404
00755	Peninsula Welding Supply, Inc.	06/11/2021	Regular	0.00	64.50	39405
18544	Psomas	06/11/2021	Regular	0.00	1,468.75	39406
00262	Pure H2O	06/11/2021	Regular	0.00	65.54	39407
04046	Safeguard Business Systems	06/11/2021	Regular	0.00	483.81	39408
01020	Sara Reyes - Petty Cash Custodian	06/11/2021	Regular	0.00	251.37	39409
04709	Sherron Forsgren	06/11/2021	Regular	0.00	961.19	39410
09351	Tetra Tech, Inc.	06/11/2021	Regular	0.00	564.22	39411
17965	The Maynard Group	06/11/2021	Regular	0.00	1,530.39	39412
00271	UPEC, Local 792	06/11/2021	Regular	0.00	997.50	39413
20230	Zoom Video Communications Inc	06/11/2021	Regular	0.00	448.69	39414
01188	Alhambra	06/18/2021	Regular	0.00	128.61	39416
00041	Denise Duffy & Assoc. Inc.	06/18/2021	Regular	0.00	2,215.70	39417
18734	DeVeera Inc.	06/18/2021	Regular	0.00	240.34	39418
21199	G3LA, LLC	06/18/2021	Regular	0.00	3,400.00	39419
19764	Katrina Herrmann	06/18/2021	Regular	0.00	19.04	39420
13431	Lynx Technologies, Inc	06/18/2021	Regular	0.00	375.00	39421
00222	M.J. Murphy	06/18/2021	Regular	0.00	206.24	39422
00117	Marina Backflow Company	06/18/2021	Regular	0.00	75.00	39423
00242	MBAS	06/18/2021	Regular	0.00	155.00	39424
19448	Monroe Stone Insurance Solutions, Inc.	06/18/2021	Regular	0.00	28.37	39425
00756	Monterey Bay Air Resources District	06/18/2021	Regular	0.00	354.00	39426
01002	Monterey County Clerk	06/18/2021	Regular	0.00	50.00	39427
00274	Monterey One Water	06/18/2021	Regular	0.00	73,793.08	39428
13396	Navia Benefit Solutions, Inc.	06/18/2021	Regular	0.00	715.42	39429
00282	PG&E	06/18/2021	Regular	0.00	4,653.27	39430
04736	Pitney Bowes Global Financial Svc, LLC	06/18/2021	Regular	0.00	392.41	39431
08925	Quinn Company	06/18/2021	Regular	0.00	1,050.00	39432
13394	Regional Government Services	06/18/2021	Regular	0.00	1,848.00	39433

EXHIBIT 4-B

38

Check Report**Date Range: 06/01/2021 - 06/30/2021**

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
09989	Star Sanitation Services	06/18/2021	Regular	0.00	112.11	39434
20185	The Marketing Department, Inc.	06/18/2021	Regular	0.00	8,000.00	39435
00225	Trowbridge Enterprises Inc.	06/18/2021	Regular	0.00	292.84	39436
00269	U.S. Bank	06/18/2021	Regular	0.00	3,690.81	39437
	Void	06/18/2021	Regular	0.00	0.00	39438
00010	Access Monterey Peninsula	06/30/2021	Regular	0.00	875.00	39507
00252	Cal-Am Water	06/30/2021	Regular	0.00	78.51	39508
00252	Cal-Am Water	06/30/2021	Regular	0.00	114.20	39509
12601	Carmel Valley Ace Hardware	06/30/2021	Regular	0.00	24.19	39510
00224	City of Monterey	06/30/2021	Regular	0.00	697.75	39511
14478	Cordrey Construction Inc.	06/30/2021	Regular	0.00	8,250.00	39512
04041	Cynthia Schmidlin	06/30/2021	Regular	0.00	905.43	39513
00046	De Lay & Laredo	06/30/2021	Regular	0.00	27,916.00	39514
18734	DeVeera Inc.	06/30/2021	Regular	0.00	281.08	39515
00192	Extra Space Storage	06/30/2021	Regular	0.00	973.00	39516
00072	Goodin, MacBride, Squeri & Day, LLP	06/30/2021	Regular	0.00	2,200.00	39517
00277	Home Depot Credit Services	06/30/2021	Regular	0.00	2,540.04	39518
18723	Hopkins Technical Products, Inc.	06/30/2021	Regular	0.00	5,139.68	39519
00022	Joseph T. King	06/30/2021	Regular	0.00	5,590.00	39520
00242	MBAS	06/30/2021	Regular	0.00	155.00	39521
01196	McDonald Refrigeration, Inc.	06/30/2021	Regular	0.00	316.25	39522
00759	Mechanics Bank	06/30/2021	Regular	0.00	109,568.00	39523
01002	Monterey County Clerk	06/30/2021	Regular	0.00	50.00	39524
00274	Monterey One Water	06/30/2021	Regular	0.00	782,511.55	39525
13396	Navia Benefit Solutions, Inc.	06/30/2021	Regular	0.00	100.00	39526
13430	Premiere Global Services	06/30/2021	Regular	0.00	36.20	39527
19700	Shute, Mihaly & Weinberger LLP	06/30/2021	Regular	0.00	65,349.00	39528
09425	The Ferguson Group LLC	06/30/2021	Regular	0.00	75.70	39529
00024	Three Amigos Pest Control DBA Central Coast Exte	06/30/2021	Regular	0.00	104.00	39530
12187	Toro Petroleum Cop.	06/30/2021	Regular	0.00	467.96	39531
18737	U.S. Bank Equipment Finance	06/30/2021	Regular	0.00	871.81	39532
Total Regular:				0.00	1,810,069.07	

EXHIBIT 4-B

39

Check Report**Date Range: 06/01/2021 - 06/30/2021**

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payment Type: Bank Draft						
00266	I.R.S.	06/04/2021	Bank Draft	0.00	12,556.07	DFT0001980
00266	I.R.S.	06/04/2021	Bank Draft	0.00	2,647.86	DFT0001981
00267	Employment Development Dept.	06/04/2021	Bank Draft	0.00	5,149.15	DFT0001982
00266	I.R.S.	06/04/2021	Bank Draft	0.00	547.02	DFT0001983
00282	PG&E	06/11/2021	Bank Draft	0.00	14.55	DFT0001984
00282	PG&E	06/11/2021	Bank Draft	0.00	67.92	DFT0001985
00282	PG&E	06/11/2021	Bank Draft	0.00	23.22	DFT0001986
00282	PG&E	06/11/2021	Bank Draft	0.00	27.02	DFT0001987
00766	Standard Insurance Company	06/11/2021	Bank Draft	0.00	1,393.70	DFT0001988
18163	Wex Bank	06/11/2021	Bank Draft	0.00	924.42	DFT0001989
00266	I.R.S.	06/11/2021	Bank Draft	0.00	59.89	DFT0001990
00266	I.R.S.	06/11/2021	Bank Draft	0.00	86.14	DFT0001991
00266	I.R.S.	06/11/2021	Bank Draft	0.00	368.28	DFT0001992
00266	I.R.S.	06/18/2021	Bank Draft	0.00	12,596.69	DFT0001993
00266	I.R.S.	06/18/2021	Bank Draft	0.00	2,651.92	DFT0001994
00267	Employment Development Dept.	06/18/2021	Bank Draft	0.00	5,171.18	DFT0001995
00266	I.R.S.	06/18/2021	Bank Draft	0.00	564.22	DFT0001996
00282	PG&E	06/30/2021	Bank Draft	0.00	1,837.75	DFT0002001
00282	PG&E	06/30/2021	Bank Draft	0.00	6,414.94	DFT0002002
00221	Verizon Wireless	06/30/2021	Bank Draft	0.00	1,360.11	DFT0002003
18163	Wex Bank	06/30/2021	Bank Draft	0.00	263.38	DFT0002004
00256	PERS Retirement	06/01/2021	Bank Draft	0.00	15,909.23	DFT0002009
00769	Laborers Trust Fund of Northern CA	06/11/2021	Bank Draft	0.00	28,138.00	DFT0002010
00256	PERS Retirement	06/04/2021	Bank Draft	0.00	15,978.49	DFT0002011
00768	ICMA	06/04/2021	Bank Draft	0.00	3,650.09	DFT0002012
00768	ICMA	06/18/2021	Bank Draft	0.00	3,550.09	DFT0002013
00256	PERS Retirement	06/23/2021	Bank Draft	0.00	15,978.49	DFT0002017
Total Bank Draft:				0.00	137,929.82	

Payment Type	Bank Code APBNK		Summary	
	Payable Count	Payment Count	Discount	Payment
Regular Checks	121	83	0.00	1,810,069.07
Manual Checks	0	0	0.00	0.00
Voided Checks	0	1	0.00	0.00
Bank Drafts	39	27	0.00	137,929.82
EFT's	0	0	0.00	0.00
	160	111	0.00	1,947,998.89

EXHIBIT 4-B

40

Check Report**Date Range: 06/01/2021 - 06/30/2021**

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: REBATES-02-Rebates: Use Only For Rebates						
Payment Type: Regular						
21303	Alan Smiley	06/30/2021	Regular	0.00	125.00	39439
19885	Alicia Suits	06/30/2021	Regular	0.00	125.00	39440
20696	Allison Morrison	06/30/2021	Regular	0.00	425.00	39441
21315	Angela Corah	06/30/2021	Regular	0.00	75.00	39442
21302	Anita Madison	06/30/2021	Regular	0.00	125.00	39443
21265	Bechtel Group Inc	06/30/2021	Regular	0.00	500.00	39444
19854	Ben Trainer	06/30/2021	Regular	0.00	500.00	39445
21268	Billie Hunter	06/30/2021	Regular	0.00	500.00	39446
21280	Brenda DiPietro	06/30/2021	Regular	0.00	625.00	39447
21309	Bruce Teigen	06/30/2021	Regular	0.00	89.00	39448
21275	Camilla Route	06/30/2021	Regular	0.00	500.00	39449
21288	Carol White	06/30/2021	Regular	0.00	500.00	39450
21301	Carolyn Rianda	06/30/2021	Regular	0.00	125.00	39451
21297	Christopher and Kathleen Grzanowski	06/30/2021	Regular	0.00	500.00	39452
21269	David Tucker	06/30/2021	Regular	0.00	500.00	39453
21289	Donald S Dickson	06/30/2021	Regular	0.00	500.00	39454
21266	Donna Simmons Noonan	06/30/2021	Regular	0.00	500.00	39455
21311	Elizabeth Kane-Carpenter	06/30/2021	Regular	0.00	75.00	39456
21316	Eugene R. Van Hootegem	06/30/2021	Regular	0.00	75.00	39457
21267	Evan Heath	06/30/2021	Regular	0.00	500.00	39458
21273	Farley and Susan Gouner	06/30/2021	Regular	0.00	500.00	39459
21282	Felix Heidrick	06/30/2021	Regular	0.00	500.00	39460
21298	Gail Bartow	06/30/2021	Regular	0.00	500.00	39461
21278	Gary Logan	06/30/2021	Regular	0.00	500.00	39462
21197	George DiGirolamo	06/30/2021	Regular	0.00	75.00	39463
21304	Glenna Wright	06/30/2021	Regular	0.00	125.00	39464
21308	James Graham	06/30/2021	Regular	0.00	125.00	39465
21286	Janet Gilloway	06/30/2021	Regular	0.00	500.00	39466
21271	Jean Rasch	06/30/2021	Regular	0.00	625.00	39467
21291	Jeff Robinson	06/30/2021	Regular	0.00	500.00	39468
21279	Jeffrey Conneau	06/30/2021	Regular	0.00	500.00	39469
21276	Jeffrey Ryan Lehr	06/30/2021	Regular	0.00	500.00	39470
21285	Joe Tarantino	06/30/2021	Regular	0.00	500.00	39471
21270	John Lambros	06/30/2021	Regular	0.00	500.00	39472
19462	John Shella	06/30/2021	Regular	0.00	75.00	39473
21313	Jose Velasquez	06/30/2021	Regular	0.00	75.00	39474
21307	Joyce Moffatt	06/30/2021	Regular	0.00	200.00	39475
21290	Judith Williamson	06/30/2021	Regular	0.00	500.00	39476
21281	Justin Shaw	06/30/2021	Regular	0.00	500.00	39477
19920	Kathryn Prochaska	06/30/2021	Regular	0.00	500.00	39478
21294	Kelley Graham	06/30/2021	Regular	0.00	500.00	39479
21287	Kelly Schwisow	06/30/2021	Regular	0.00	500.00	39480
21284	Kristina Poulter	06/30/2021	Regular	0.00	500.00	39481
20637	Larry Kerkoff	06/30/2021	Regular	0.00	200.00	39482
21296	Lee Warner	06/30/2021	Regular	0.00	500.00	39483
21300	Lisa Jensen	06/30/2021	Regular	0.00	500.00	39484
21277	Mark Rivera	06/30/2021	Regular	0.00	500.00	39485
21317	Mark Talbott	06/30/2021	Regular	0.00	375.00	39486
20996	Michael Seltzer	06/30/2021	Regular	0.00	500.00	39487
21293	Micheal Nicasio	06/30/2021	Regular	0.00	500.00	39488
21272	Paula Tarantino	06/30/2021	Regular	0.00	500.00	39489
21292	Phyllis Hilton	06/30/2021	Regular	0.00	575.00	39490
21299	R. C. Johnstone Jr.	06/30/2021	Regular	0.00	500.00	39491
21318	Rachel Schmidt	06/30/2021	Regular	0.00	125.00	39492
21263	Raman Patel	06/30/2021	Regular	0.00	500.00	39493
21295	Reenah Kang	06/30/2021	Regular	0.00	500.00	39494
21305	Renee Campbell	06/30/2021	Regular	0.00	125.00	39495
21306	Robert Kurtz	06/30/2021	Regular	0.00	125.00	39496
21312	Roseanna Helm	06/30/2021	Regular	0.00	150.00	39497

EXHIBIT 4-B

41

Check Report**Date Range: 06/01/2021 - 06/30/2021**

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
21274	Sally Kirkwood	06/30/2021	Regular	0.00	500.00	39498
21319	Samuel Davis Jr	06/30/2021	Regular	0.00	116.10	39499
21264	Sara Myers	06/30/2021	Regular	0.00	500.00	39500
21016	Sharon Crescente	06/30/2021	Regular	0.00	75.00	39501
21283	Shawn Worsell	06/30/2021	Regular	0.00	500.00	39502
21314	Srividya Shankar	06/30/2021	Regular	0.00	150.00	39503
21320	Sung Cha Searle	06/30/2021	Regular	0.00	125.00	39504
21310	Theodore Kier	06/30/2021	Regular	0.00	75.00	39505
21321	Toke Jayachandran	06/30/2021	Regular	0.00	500.00	39506
Total Regular:				0.00	24,880.10	

Bank Code REBATES-02 Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	69	68	0.00	24,880.10
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
	69	68	0.00	24,880.10

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	190	151	0.00	1,834,949.17
Manual Checks	0	0	0.00	0.00
Voided Checks	0	1	0.00	0.00
Bank Drafts	39	27	0.00	137,929.82
EFT's	0	0	0.00	0.00
	229	179	0.00	1,972,878.99

Fund Summary

Fund	Name	Period	Amount
99	POOL CASH FUND	6/2021	1,972,878.99
			1,972,878.99

EXHIBIT 4-C

Monterey Peninsula Water Management Dist

Payroll Bank Transaction Report

By Payment Number

Date: 6/1/2021 - 6/30/2021

Payroll Set: 01 - Monterey Peninsula Water Management District

Payment Number	Payment Date	Payment Type	Employee Number	Employee Name	Check Amount	Direct Deposit Amount	Total Payment
5820	06/04/2021	Regular	1077	Pablo, Joel G	0.00	1,924.51	1,924.51
5821	06/04/2021	Regular	1024	Stoldt, David J	0.00	6,017.64	6,017.64
5822	06/04/2021	Regular	6075	Tavani, Arlene	0.00	131.14	131.14
5823	06/04/2021	Regular	1044	Bennett, Corryn D	0.00	1,928.85	1,928.85
5824	06/04/2021	Regular	1078	Mossbacher, Simona F	0.00	1,705.14	1,705.14
5825	06/04/2021	Regular	1018	Prasad, Suresh	0.00	4,067.78	4,067.78
5826	06/04/2021	Regular	1019	Reyes, Sara C	0.00	1,868.66	1,868.66
5827	06/04/2021	Regular	1042	Hamilton, Maureen C.	0.00	3,297.82	3,297.82
5828	06/04/2021	Regular	6063	Hampson, Larry M	0.00	1,886.42	1,886.42
5829	06/04/2021	Regular	1009	James, Gregory W	0.00	3,274.90	3,274.90
5830	06/04/2021	Regular	1011	Lear, Jonathan P	0.00	4,234.60	4,234.60
5831	06/04/2021	Regular	1012	Lindberg, Thomas L	0.00	2,671.08	2,671.08
5832	06/04/2021	Regular	1045	Atkins, Daniel N	0.00	2,013.04	2,013.04
5833	06/04/2021	Regular	1004	Chaney, Beverly M	0.00	2,672.45	2,672.45
5834	06/04/2021	Regular	1005	Christensen, Thomas T	0.00	3,693.21	3,693.21
5835	06/04/2021	Regular	6071	Foster, Ivie M	0.00	435.90	435.90
5836	06/04/2021	Regular	1079	Gallagher, Riley M	0.00	1,589.77	1,589.77
5837	06/04/2021	Regular	1007	Hamilton, Cory R	0.00	2,377.99	2,377.99
5838	06/04/2021	Regular	6069	Herrmann, Katrina F	0.00	1,201.33	1,201.33
5839	06/04/2021	Regular	1048	Lumas, Eric M	0.00	1,865.38	1,865.38
5840	06/04/2021	Regular	1001	Bravo, Gabriela D	0.00	2,611.53	2,611.53
5841	06/04/2021	Regular	1076	Jakic, Tricia	0.00	2,559.20	2,559.20
5842	06/04/2021	Regular	1010	Kister, Stephanie L	0.00	2,588.40	2,588.40
5843	06/04/2021	Regular	1017	Locke, Stephanie L	0.00	3,489.92	3,489.92
5844	06/04/2021	Regular	1040	Smith, Kyle	0.00	2,394.33	2,394.33
5845	06/04/2021	Regular	1047	Timmer, Christopher	0.00	2,290.61	2,290.61
5846	06/11/2021	Regular	7015	Adams, Mary L	0.00	348.71	348.71
5847	06/11/2021	Regular	7020	Anderson, Amy E	0.00	498.69	498.69
5848	06/11/2021	Regular	7021	Malek, Safwat	0.00	249.34	249.34
5849	06/11/2021	Regular	7019	Paull, Karen P	0.00	623.36	623.36
5850	06/11/2021	Regular	7018	Riley, George T	0.00	374.02	374.02
5851	06/18/2021	Regular	1077	Pablo, Joel G	0.00	1,993.55	1,993.55
5852	06/18/2021	Regular	1024	Stoldt, David J	0.00	6,017.65	6,017.65
5853	06/18/2021	Regular	6075	Tavani, Arlene	0.00	262.26	262.26
5854	06/18/2021	Regular	1044	Bennett, Corryn D	0.00	1,928.87	1,928.87
5855	06/18/2021	Regular	1078	Mossbacher, Simona F	0.00	1,705.15	1,705.15
5856	06/18/2021	Regular	1018	Prasad, Suresh	0.00	4,067.79	4,067.79
5857	06/18/2021	Regular	1019	Reyes, Sara C	0.00	1,868.68	1,868.68
5858	06/18/2021	Regular	1042	Hamilton, Maureen C.	0.00	3,297.82	3,297.82
5859	06/18/2021	Regular	6063	Hampson, Larry M	0.00	2,055.05	2,055.05
5860	06/18/2021	Regular	1009	James, Gregory W	0.00	3,274.90	3,274.90
5861	06/18/2021	Regular	1011	Lear, Jonathan P	0.00	4,234.61	4,234.61
5862	06/18/2021	Regular	1012	Lindberg, Thomas L	0.00	2,671.08	2,671.08
5863	06/18/2021	Regular	1045	Atkins, Daniel N	0.00	2,013.04	2,013.04
5864	06/18/2021	Regular	1004	Chaney, Beverly M	0.00	2,672.45	2,672.45
5865	06/18/2021	Regular	1005	Christensen, Thomas T	0.00	3,693.22	3,693.22
5866	06/18/2021	Regular	6071	Foster, Ivie M	0.00	599.75	599.75
5867	06/18/2021	Regular	1079	Gallagher, Riley M	0.00	1,589.78	1,589.78
5868	06/18/2021	Regular	1007	Hamilton, Cory R	0.00	2,377.98	2,377.98
5869	06/18/2021	Regular	6069	Herrmann, Katrina F	0.00	834.03	834.03
5870	06/18/2021	Regular	1048	Lumas, Eric M	0.00	1,865.41	1,865.41
5871	06/18/2021	Regular	1001	Bravo, Gabriela D	0.00	2,611.54	2,611.54
5872	06/18/2021	Regular	1076	Jakic, Tricia	0.00	2,559.20	2,559.20
5873	06/18/2021	Regular	1010	Kister, Stephanie L	0.00	2,588.41	2,588.41
5874	06/18/2021	Regular	1017	Locke, Stephanie L	0.00	3,489.94	3,489.94
5875	06/18/2021	Regular	1040	Smith, Kyle	0.00	2,394.33	2,394.33
5876	06/18/2021	Regular	1047	Timmer, Christopher	0.00	2,290.62	2,290.62

EXHIBIT 4-C							
Payment Number	Payment Date	Payment Type	Employee Number	Employee Name	Check Amount	Direct Deposit Amount	Total Payment
39415	06/11/2021	Regular	7009	Edwards, Alvin	588.78	0.00	588.78
Total:					588.78	131,842.83	132,431.61



MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
STATEMENT OF REVENUES AND EXPENDITURES
FOR THE MONTH JUNE 30, 2021

	Mitigation	Conservation	Water Supply	Current Period Activity	FY 2020/2021 Year-to-Date Actual	FY 2020/2021 Annual Budget	Prior FY Year-to-Date Actual
REVENUES							
Property taxes	\$ -	\$ 10,979	\$ 101,554	\$ 112,533	\$ 2,311,197	\$ 2,050,000	\$ 2,210,330
Water supply charge			58,934	58,934	3,422,117	3,300,000	3,355,193
User fees	950,468	366,497	217,533	1,534,498	5,908,495	5,000,000	5,535,385
Mitigation revenue	-			-	-	-	-
PWM Water Sales			714,544	714,544	5,908,182	4,800,000	-
Capacity fees			32,238	32,238	474,040	400,000	575,511
Permit fees	-	20,124		20,124	194,822	198,000	191,902
Investment income	920	658	7,625	9,203	48,439	200,000	393,231
Miscellaneous	44	28	36	108	10,067	15,000	6,585
Sub-total district revenues	951,432	398,286	1,132,464	2,482,182	18,277,360	15,963,000	12,268,136
Project reimbursements	-	26,847	119,196	146,043	1,322,502	2,436,000	1,562,926
Legal fee reimbursements		150		150	2,356	16,000	1,800
Grants	-	-	-	-	82,253	2,495,400	286,651
Recording fees		4,180		4,180	43,435	6,000	35,040
Sub-total reimbursements	-	31,177	119,196	150,373	1,450,546	4,953,400	1,886,417
From Reserves	-	-	-	-	-	7,651,700	-
Total revenues	951,432	429,463	1,251,660	2,632,556	19,727,905	28,568,100	14,154,553
EXPENDITURES							
Personnel:							
Salaries	116,420	70,692	128,218	315,330	2,517,303	2,651,200	2,549,550
Retirement	11,448	6,939	12,682	31,069	635,897	647,400	557,913
Unemployment Compensation	626	-	-	626	9,503	3,000	3,417
Auto Allowance	152	152	457	762	6,024	6,000	6,046
Deferred Compensation	250	250	749	1,249	9,713	9,400	9,355
Temporary Personnel	-	-	-	-	-	10,000	58,961
Workers Comp. Ins.	5,220	396	3,132	8,748	63,707	85,000	67,191
Employee Insurance	21,751	13,283	19,165	54,200	472,523	505,700	462,213
Medicare & FICA Taxes	2,486	1,078	1,955	5,519	46,690	46,800	45,156
Personnel Recruitment	-	-	-	-	-	3,000	649
Other benefits	41	26	33	100	1,879	1,500	1,577
Staff Development	374	1,142	301	1,817	5,628	5,800	9,993
Sub-total personnel costs	158,768	93,959	166,692	419,419	3,768,866	3,974,800	3,772,021
Services & Supplies:							
Board Member Comp	713	713	734	2,160	36,990	33,900	35,640
Board Expenses	150	95	121	366	5,938	10,000	15,368
Rent	1,021	253	944	2,218	25,648	23,200	25,810
Utilities	974	578	796	2,348	27,722	33,200	29,448
Telephone	1,903	1,303	1,335	4,541	53,552	46,500	42,115
Facility Maintenance	796	504	640	1,940	57,265	56,300	70,299
Bank Charges	1,190	755	1,408	3,353	22,216	15,100	17,457
Office Supplies	130	213	105	448	12,660	18,300	16,332
Courier Expense	197	125	158	480	5,058	6,100	5,782
Postage & Shipping	11	7	9	28	2,736	6,800	3,736
Equipment Lease	518	329	417	1,264	12,553	13,900	12,168
Equip. Repairs & Maintenance	-	-	-	-	2,167	7,000	7,239
Photocopy Expense							
Printing/Duplicating/Binding	41	26	33	100	161	500	-
IT Supplies/Services	6,083	3,858	4,896	14,837	224,158	220,000	213,203
Operating Supplies	44	180	-	224	5,024	16,100	14,711
Legal Services	5,395	3,612	6,682	15,689	277,354	400,000	258,601



MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
STATEMENT OF REVENUES AND EXPENDITURES
FOR THE MONTH JUNE 30, 2021

	Mitigation	Conservation	Water Supply	Current Period Activity	FY 2020/2021 Year-to-Date Actual	FY 2020/2021 Annual Budget	Prior FY Year-to-Date Actual
Professional Fees	7,492	4,751	6,030	18,272	299,893	360,200	282,097
Transportation	1,161	45	104	1,311	27,946	33,000	27,269
Travel	43	-	-	43	3,409	8,000	12,907
Meeting Expenses	359	228	289	875	15,750	16,800	12,196
Insurance	4,016	2,547	3,232	9,795	105,107	98,000	70,265
Legal Notices	91	59	77	227	454	3,100	158
Membership Dues	-	-	-	-	31,752	38,300	36,368
Public Outreach	-	52	-	52	302	1,900	3,040
Assessors Administration Fee	-	-	-	-	32,016	20,000	28,562
Miscellaneous	-	-	-	-	386	3,000	379
Sub-total services & supplies costs	32,328	20,231	28,011	80,571	1,288,216	1,489,200	1,241,150
Project expenditures	121,515	52,979	1,074,012	1,248,506	12,265,911	20,850,700	8,805,698
Fixed assets	-	-	-	-	35,981	229,000	45,010
Contingencies	-	-	-	-	-	70,000	-
Election costs	-	-	-	-	119,628	200,000	-
Debt service: Principal	-	-	-	-	-	-	-
Debt service: Interest	-	-	60,501	60,501	122,731	230,000	125,979
Flood drought reserve	-	-	-	-	-	-	-
Capital equipment reserve	-	-	-	-	-	324,400	49,500
General fund balance	-	-	-	-	-	1,000,000	-
Pension reserve	-	-	-	-	-	100,000	100,000
OPEB reserve	-	-	-	-	-	100,000	100,000
Other	-	-	-	-	-	-	-
Sub-total other	121,515	52,979	1,134,513	1,309,006	12,544,251	23,104,100	9,226,187
Total expenditures	312,612	167,169	1,329,216	1,808,997	17,601,333	28,568,100	14,239,358
Excess (Deficiency) of revenues over expenditures	\$ 638,821	\$ 262,294	\$ (77,556)	\$ 823,559	\$ 2,126,572	\$ -	\$ (84,805)

ITEM: CONSENT CALENDAR**5. CONSIDER APPROVAL OF FOURTH QUARTER FISCAL YEAR 2020-2021
INVESTMENT REPORT****Meeting Date:** September 20, 2021 **Budgeted:** N/A**From:** David J. Stoldt,
 General Manager **Program/
Line Item No.:** N/A**Prepared By:** Suresh Prasad **Cost Estimate:** N/A**General Counsel Review:** N/A**Committee Recommendation:** The Administrative Committee considered this item on September 13, 2021 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 5-A** is the report for the quarter ending June 30, 2021. District staff has determined that these investments do include sufficient liquid funds to meet anticipated expenditures for the next six months and as a result this portfolio is in compliance with the current District investment policy. This portfolio is also in compliance with the California Government Code, and the permitted investments of Monterey County.

RECOMMENDATION: The Administrative Committee recommends that the Board approve the Fourth Quarter Investment Report for Fiscal Year 2020-2021.

EXHIBIT**5-A** Investment Report as of June 30, 2021

**MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
INVESTMENT REPORT AS OF JUNE 30, 2021**

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	06/30/21	07/01/21	\$10,618,773	\$10,618,773	\$10,618,773	0.330%	60.88%
Bank of America:							
Money Market	06/30/21	07/01/21	4,490,923	4,490,923	4,490,923	0.000%	
Checking	06/30/21	07/01/21	(808,835)	(808,835)	(808,835)	0.000%	
			\$3,682,088	\$3,682,088	\$3,682,088		21.11%
Multi-Bank Securities Cash Account	06/30/21	07/01/21	23,322	23,322	23,322	0.000%	
Multi-Securities Bank Securities:							
Interest Bearing Certificate of Deposit	07/03/18	07/06/21	\$246,000	\$246,000	\$246,121	3.000%	
Interest Bearing Certificate of Deposit	07/03/18	07/06/21	\$246,000	\$246,000	\$246,121	3.000%	
Interest Bearing Certificate of Deposit	10/05/18	10/05/21	\$249,000	\$249,000	\$251,004	3.100%	
Interest Bearing Certificate of Deposit	11/21/18	11/22/21	\$246,000	\$246,000	\$249,171	3.250%	
Interest Bearing Certificate of Deposit	01/09/19	01/10/22	\$250,000	\$250,000	\$254,023	3.100%	
Interest Bearing Certificate of Deposit	02/06/20	02/06/23	\$247,000	\$247,000	\$253,427	1.800%	
Interest Bearing Certificate of Deposit	09/30/20	09/30/24	\$249,000	\$249,000	\$249,411	0.400%	
Interest Bearing Certificate of Deposit	03/13/20	03/13/25	\$249,000	\$249,000	\$256,622	1.250%	
Interest Bearing Certificate of Deposit	03/30/20	03/31/25	\$248,000	\$248,000	\$258,850	1.600%	
Interest Bearing Certificate of Deposit	09/22/20	09/22/25	\$249,000	\$249,000	\$248,928	0.550%	
Interest Bearing Certificate of Deposit	06/16/21	06/16/26	\$249,000	\$249,000	\$249,493	0.900%	
			\$2,728,000	\$2,728,000	\$2,763,169	1.993%	15.64%
Multi-Securities Bank Securities:							
U.S. Government Bonds	02/25/21	02/25/26	\$390,000	\$390,000	\$385,765	0.700%	
			\$390,000	\$390,000	\$385,765	0.700%	2.24%
TOTAL MPWMD			\$17,442,183	\$17,442,183	\$17,473,117	0.528%	

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
US Bank Corp Trust Services:							0.14%
Certificate Payment Fund	06/30/21	07/01/21	818	818	818	0.000%	
Interest Fund	06/30/21	07/01/21	338	338	338	0.000%	
Rebate Fund	06/30/21	07/01/21	19	19	19	0.000%	
			\$1,176	\$1,176	\$1,176	0.000%	
Bank of America:							99.86%
Money Market Fund	06/30/21	07/01/21	852,809	852,809	\$852,809	0.000%	
TOTAL WASTEWATER RECLAMATION PROJECT			\$853,985	\$853,985	\$853,985	0.000%	

These investments do include sufficient liquid funds to meet anticipated expenditures for the next six months as reflected in the FY 2020-2021 annual budget adopted on June 15, 2020.

ITEM: PUBLIC HEARING**8. CONSIDER ADOPTION OF OCTOBER THROUGH DECEMBER 2021 QUARTERLY WATER SUPPLY STRATEGY AND BUDGET**

Meeting Date:	September 20, 2021	Budgeted:	N/A
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From:	Dave Stoldt	Program/	N/A
	General Manager	Line Item No.:	

Prepared By:	Jonathan Lear	Cost Estimate:	N/A
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General Counsel Approval: 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 2021** 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 8-B**, 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 2021** 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 8-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 2021**. Cal-Am's annual Main system production from the Monterey Peninsula Water Resource System (MPWRS) for Water Year (WY) 2022 will not exceed 5,584 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 4,110 AF from the Carmel River as set by WRO 2016-16. Additional water projects and water rights available are an estimated 800 AF of Pure Water Monterey Injection over this quarter, an estimated 1,200 AF from ASR Phase 1 and 2 storage remaining from WY 2020 and 2021 injection are available but is being banked for drought reserve, an estimated 150 AF from the Sand City Desalination Plant, and an estimated 24 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 900 AF of Pure Water Monterey and recover about 800 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. In compliance with WRO 2016-0016, any water diverted under these rights must be used to reduce unlawful diversion from the Carmel River Basin.

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 8-B**, Quarterly Water Supply Strategy Report: **October to December 2021**.

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.

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 2022. 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

8-A Quarterly Water Supply Strategy and Budget for Cal-Am Main System: October - December 2021

8-B Quarterly Water Supply Strategy and Budget Report: October - December 2021

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California American Water Main Distribution System
Quarterly Water Supply Strategy and Budget: October - December 2021
Proposed Production Targets by Source and Projected Use in Acre-Feet

SOURCE/USE	MONTH			YEAR-TO-DATE		
	Oct-21	Nov-21	Dec-21	Oct-20 - Aug-21	% of YTD	% of Annual Budget
<u>Source</u>						
<u>Carmel Valley Aquifer</u>						
Upper Subunits (95-10)	0	0	100	183	NA	NA
Lower Subunits (95-10)	500	500	400	4,250	55.2%	55.1%
Diversions for Injection (ASR)	0	0	145	66	NA	NA
Upper and Lower (Table 13)	0	0	24	17		
Total	500	500	669			
<u>Seaside Groundwater Basin</u>						
Coastal Subareas	0	0	0	1,372	92.5%	75.4%
ASR Recovery	0	0	0	0	0.0%	79.2%
Sand City Desalination	25	25	25	129	46.9%	43.0%
Pure Water Monterey	407	310	117	2,722	NA	NA
Total	432	335	142			
<u>Total for All Sources</u>	932	835	811			
<u>Use</u>						
Customer Service (95-10 & SGB)	932	835	642			
ASR Injection	0	0	145			
Customer Service (Table 13)	0	0	24			
Total	932	835	811			

Notes:

1. The annual budget period corresponds to the Water Year, which begins on October 1 and ends on September 30 of the following Calendar Year.
2. Total monthly production for "Customer Service" in CAW's main system was calculated by multiplying total annual production (9,700 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 4,110 AF in WY 2022. The average production percentages were based on monthly data for customer service from WY 2013 to 2018.
3. 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.
4. The production targets for CAW's wells in the Upper Subunits of the Carmel Valley Aquifer are set at 0 for the first two months of this budget assuming low flow periods.
5. 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.
6. 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 2021 to be in compliance with SWRCB WRO No 2016-0016.
7. 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.
8. 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 8-B

Quarterly Water Supply Strategy and Budget Report California American Water Main Water Distribution System: October - December 2021

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. 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 - December 2021

On September 10, 2021 the Quarterly Water Budget Group including 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 recognized that WY 2021 was a dry year and the storms in later January - early February did not result in large sustainable flows on that Carmel River that would trigger sustained ASR Operations or Table 13 Diversions. The River dropped below flow triggers for diversion of ASR and Table 13 on February 3rd and with the dry conditions additional ASR injection did not occur. For this quarterly water budget, it was agreed that CalAm would plan to produce water from the wells in the Lower Carmel Valley to support system demand. The Low Flow period as defined in SBO 2002-02 began on May 2, 2021. The first 2 months of this budget remain in the Low Flow regime using the Lower River wells and PWM Recovery as the primary sources 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 Upper Valley wells to provide water for injection into the Seaside Basin while producing water from the Lower Valley and PWM Recovery to meet system demand.

Seaside Groundwater Basin Because flows in the Carmel River remain in the Low Flow regime, 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. More PWM water will be injected than recovered this quarter with the goal of building up the operational reserve in the first quarter of WY 2022. 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**9. CONSIDER ADOPTION OF RESOLUTION NO. 2021-12 MODIFYING RULE 160 – REGULATORY WATER PRODUCTION TARGETS FOR CALIFORNIA AMERICAN WATER SYSTEMS**

Meeting Date:	September 20, 2021	Budgeted:	N/A
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From:	David J. Stoldt, General Manager	Program/ Line Item No.:	N/A
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Prepared By:	Jonathan Lear	Cost Estimate:	N/A
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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 9-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 9-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 CalAm with the Adjudication decision limits are calculated using production limits set for the entire Basin. In addition, Table XV-3 in **Exhibit 9-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 the water allocated in 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 2022. 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.

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 2021-12 (**Exhibit 9-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 2022.

RECOMMENDATION: District staff recommends adoption of Resolution 2021-12 (**Exhibit 9-A**) modifying Rule 160.

EXHIBIT

9-A Resolution 2021-12 Modifying Rule 160 – Regulatory Water Production Targets for California American Water Systems



EXHIBIT 9-A

RESOLUTION NO. 2021-12 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA WATER MANAGEMENT DISTRICT MODIFYING RULE 160 – REGULATORY PRODUCTION TARGETS FOR CALIFORNIA AMERICAN WATER SYSTEMS

WHEREAS, the Monterey Peninsula Water Management District has developed a set of rules to facilitate compliance by California American Water systems with the regulatory and legal water production limits set by the State Water Resources Control Board and the Seaside Basin Adjudication as administered by the Seaside Groundwater Basin Watermaster;

WHEREAS, District Rule 160 specifies the regulatory water production targets that are used to trigger higher stages of water conservation to ensure compliance with these legal and regulatory water production limits;

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

WHEREAS, the State Water Resources Control Board adopted Order WR 2016-0016 on July 19, 2016, which requires California American Water to divert no more than 4,110 acre-feet in Water Year 2022 from its Carmel River system sources;

WHEREAS, the Monterey County Superior Court adopted an Amended Decision in the Seaside Groundwater Basin Adjudication on February 9, 2007 (*California American Water v. City of Seaside, et al.*, Case No. M66343), which requires California American Water to divert no more than 1,474 acre-feet from the Coastal Subareas and 0 acre-feet from the Laguna Seca Subarea of the Seaside Groundwater Basin in Water Year 2022;

WHEREAS, the Seaside Groundwater Basin Watermaster has not yet determined the amount of carryover credit, if any, that California American Water has from Water Year 2021 that will be available for diversion in Water Year 2022; and

WHEREAS, it is necessary to modify the monthly and year-to-date at month-end water production targets in Tables XV-1, XV-2 and XV-3 to reflect the projected quantities of production available to California American Water for diversion from the Carmel River and Seaside Groundwater Basins for Water Year 2022.

NOW THEREFORE, BE IT RESOLVED:

1. District staff shall modify Tables XV-1, XV-2 and XV-3 of District Rule 160 to reflect the projected quantities of production available to California American Water for diversion from the Carmel River and Seaside Groundwater Basins for Water Year 2022.
2. Specifically, District staff shall replace the monthly and year-to-date at month-end values presently shown in Tables XV-1, XV-2 and XV-3 of Rule 160 with the monthly and year-to-date at month-end values shown on the attached tables (**Attachment 1**).

On motion of Director _____, and second by Director _____, the foregoing resolution is duly adopted this 20th day of September 2021, by the following votes:

AYES:

NAYES:

ABSENT:

I, David J. Stoldt, Secretary of the Board of Directors of the MPWMD, hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted on the 20th day of September 2021.

Witness my hand and seal of the Board of Directors, this _____ day of September, 2021.

David J. Stoldt, Secretary to the Board

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	510	510
November	417	927
December	386	1,313
January	422	1,735
February	378	2,113
March	441	2,554
April	443	2,997
May	504	3,501
June	503	4,004
July	539	4,543
August	541	5,084
September	500	5,584
TOTAL	5,584	---

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) 2022 from Carmel River sources per State Water Resources Control Board Order WR 2016-0016 4,110 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 2022. This combined total (5,584 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 2022 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	375	375
November	306	682
December	284	966
January	311	1,277
February	278	1,555
March	324	1,880
April	326	2,205
May	371	2,577
June	370	2,947
July	397	3,344
August	398	3,742
September	368	4,110
TOTAL	4,110	---

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) 2022 from its Carmel River system sources per State Water Resources Control Board Order WR 2016-0016 (4,110 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 the triennial 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: ACTION ITEM**10. CONSIDER RECOMMENDING TO THE BOARD TO CONTRACT WITH MAGGIORA BROTHERS DRILLING FOR THE AMOUNT OF \$25,000 TO DESTROY MONITOR WELL FORT ORD 9 SHALLOW**

Meeting Date:	September 20, 2021	Budgeted:	No
From:	David J. Stoldt General Manager	Program/ Line Item:	Hydrologic Monitoring
Prepared By:	Jonathan Lear	Cost Estimate:	\$25,000

General Counsel Review: N/A**Committee Recommendation:** The Administrative Committee reviewed this item on September 13, 2021 and recommended approval.**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines section 15378.

SUMMARY: FO-09 Shallow, a coastal monitoring well in the Seaside Basin, has recently been identified as compromised due to a failure of the well casing that is allowing saltier water from the shallow zone to mix with groundwater in the Paso Robles Aquifer. Monterey County Health Department has identified this as cross-contamination between aquifer zones and has agreed on a destruction plan for FO-09 Shallow that will stop the cross-contamination of the Paso Robles Aquifer and preserve FO-09 Deep. The District completed a sealed solicitation for public bids to complete this work and Maggiora Brothers was identified as the sole bidder. With permission from the Board, District staff will award the bid and contract to Maggiora Brothers.

RECOMMENDATION: The Administrative Committee recommends that the Board authorize the General Manager to contract with Maggiora Brothers in the amount not to exceed \$25,000 to destroy FO-09 Shallow.

BACKGROUND: On 7/12/21 District opened a public bid for the destruction work. The bid closed on 8/11/21 with the District receiving one bid from Maggiora Brothers for the amount not to exceed \$25,000 as a lump sum to complete the work to destroy FO-09 Shallow. This work was not expected and was not budgeted when preparing the FY 2021-2022 budget. The cost incurred to destroy FO-09 Shallow will be added to the Hydrologic Monitoring line during the mid-year budget adjustment in January, 2022.

EXHIBIT**10-A Maggiora Brothers Bid Submission to Destroy FO-09 Shallow**

THE AMERICAN INSTITUTE OF ARCHITECTS



AIA Document A310

Bid Bond

KNOW ALL MEN BY THESE PRESENTS, that we Maggiora Bros. Drilling, Inc.
 595 Airport Blvd., Watsonville, CA 95076
 as Principal, hereinafter called the Principal, and Hudson Insurance Company
 100 William Street, 5th Floor, New York, NY 10038
 a corporation duly organized under the laws of State of DE

as Surety, hereinafter called the Surety, are held and firmly bound unto

Monterey Peninsula Water Management District

5 Harris Ct Bldg G, Monterey, CA 93940

as Oblige, hereinafter called the Oblige, in the sum of

Ten Percent of Amount Bid

Dollars (\$ 10%),

for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for

Monitoring Well FO-09 Shallow Destruction

NOW, THEREFORE, if the Oblige shall accept the bid of the Principal and the Principal shall enter into a Contract with the Oblige in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution hereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Oblige the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Oblige may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 5th of August, 2021.

Janette Grayson
 (Witness)

Maggiora Bros. Drilling, Inc.

BY: *Shirley B. Egan* - Secretary
 (Principal) (Seal)
 (Title)

see notary attached
 (Witness)

Hudson Insurance Company

(Surety) (Seal)

BY: *Catherine A. Pinney*
 Catherine A. Pinney (Title) Attorney-in-Fact

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**CIVIL CODE § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

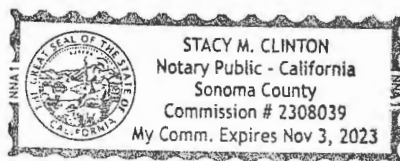
State of California)

County of Sonoma)On August 5, 2024 before me, Stacy M. Clinton, Notary Public,
Date Here Insert Name and Title of the Officerpersonally appeared Catherine A. Pinney
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature]
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☐ Individual ☒ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____



HUDSON
INSURANCE GROUP

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That HUDSON INSURANCE COMPANY, a corporation of the State of Delaware, with offices at 100 William Street, New York, New York, 10038, has made, constituted and appointed, and by these presents, does make, constitute and appoint

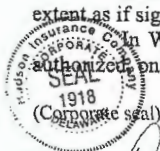
Catherine A. Pinney

of the state of California

its true and lawful Attorney(s)-in-Fact, at New York, New York, each of them alone to have full power to act without the other or others, to make, execute and deliver on its behalf, as Surety, bonds and undertakings given for any and all purposes, also to execute and deliver on its behalf as aforesaid renewals, extensions, agreements, waivers, consents or stipulations relating to such bonds or undertakings provided, however, that no single bond or undertaking shall obligate said Company for any portion of the penal sum thereof in excess of the sum of **Ten Million Dollars (\$10,000,000.00)**.

Such bonds and undertakings when duly executed by said Attorney(s)-in-Fact, shall be binding upon said Company as fully and to the same extent as if signed by the President of said Company under its corporate seal attested by its Secretary.

In Witness Whereof, HUDSON INSURANCE COMPANY has caused these presents to be of its Senior Vice President thereunto duly authorized, on this 30th day of October, 20 17 at New York, New York.



Attest:

Dina Daskalakis
Corporate Secretary

HUDSON INSURANCE COMPANY

By:

Michael P. Cifone
Senior Vice President

STATE OF NEW YORK
COUNTY OF NEW YORK. SS.

On the 30th day of October, 20 17 before me personally came Michael P. Cifone to me known, who being by me duly sworn did depose and say that he is a Senior Vice President of HUDSON INSURANCE COMPANY, the corporation described herein and which executed the above instrument, that he knows the seal of said Corporation, that the seal affixed to said instrument is such corporate seal, that it was so affixed by order of the Board of Directors of said Corporation, and that he signed his name thereto in like order.

(Notarial Seal)



ANN M. MURPHY
Notary Public, State of New York
No. 01MU6067553
Qualified in Nassau County
Commission Expires December 10, 2021

CERTIFICATION

STATE OF NEW YORK
COUNTY OF NEW YORK

The undersigned Dina Daskalakis hereby certifies:

That the original resolution, of which the following is a true and correct copy, was duly adopted by unanimous written consent of the Board of Directors of Hudson Insurance Company dated July 27th, 2007, and has not since been revoked, amended or modified:

"RESOLVED, that the President, the Executive Vice Presidents, the Senior Vice Presidents and the Vice Presidents shall have the authority and discretion, to appoint such agent or agents, or attorney or attorneys-in-fact, for the purpose of carrying on this Company's surety business, and to empower such agent or agents, or attorney or attorneys-in-fact, to execute and deliver, under this Company's seal or otherwise, bonds obligations, and recognizances, whether made by this Company as surety thereon or otherwise, indemnity contracts, contracts and certificates, and any and all other contracts and undertakings made in the course of this Company's surety business, and renewals, extensions, agreements, waivers, consents or stipulations regarding undertakings so made; and

FURTHER RESOLVED, that the signature of any such Officer of the Company and the Company's seal may be affixed by facsimile to any power of attorney or certification given for the execution of any bond, undertaking, recognizance, contract of indemnity or other written obligation in the nature thereof or related thereto, such signature and seal when so used whether heretofore or hereafter, being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed."

THAT the above and foregoing is a full, true and correct copy of Power of Attorney issued by said Company, and of the whole of the original and that the said Power of Attorney is still in full force and effect and has not been revoked, and furthermore that the Resolution of the Board of Directors, set forth in the said Power of Attorney is now in force.

In Witness the hand of the undersigned and the seal of said Corporation this 5th day of August, 20 21.



By:

Dina Daskalakis, Corporate Secretary

The undersigned has examined the location of the proposed work and/or is familiar with the Specifications and the local conditions in the place where the work is to be done.

The undersigned has checked carefully all the above figures and understands that the District shall not be responsible for any errors or omissions on the part of the undersigned in making up this bid.

The undersigned understands that the District reserves the right to reject any or all bids, and to waive any irregularities or informalities in bids received. Award shall be made which, in the judgement of the District, is to the best interest of the District. It is agreed that this bid may not be withdrawn within a period of 90 days after the date set for the opening thereof subject to the provisions of California Public Contract Code Sections 5100-5107.

In accordance with the Construction Specifications, the undersigned further agrees to so plan the work and prosecute it with such diligence that said work shall be commenced within 10 days after issuance of the notice to proceed, and the work shall be completed by November 30, 2018.

The undersigned agrees, if awarded the contract, that there shall be paid by the undersigned and all subcontractors under him, to all laborers, workmen, and mechanics employed in the execution of such contract or any subcontract thereunder, not less than the general prevailing rate of per diem wages, and rates for overtime and legal holidays in the locality in which the work is to be performed, as established by the State Director of the Department of Industrial Relations.

The undersigned or their subcontractors currently possess and agree to maintain valid **Contractor's Licenses** issued by the State of California necessary to prosecute the work.

Bidder:	Maggiora Bros. Drilling, Inc.		Tax I.D. Number:	94-1635647
Business Address:	595 Airport Blvd. Watsonville, CA 95076			
List all Contractor's License No.:	249957(C-57)			
Telephone:	(831)724-1338	e-mail:	watsonville@maggiorabros.com	
By:	Michael F. Maggiora		Dated:	8/9/2021
Title:	Corporate Secretary			

This form must be submitted with the bid for the bid to be responsive.

BID FORM

All labor, materials, services, tools, equipment, services and whatever else is required to perform all work in accordance with the requirements in the Call for Bids, and all documents incorporated by reference in the Call for Bids, for construction of the following:

Monitoring Well FO-09 Shallow Destruction


The bid will be a lump sum price inclusive all work and materials.

Bid Price: \$25,000.00

Bid Price in words: Twentyfivethousand dollars

Drilling/ Pump Contractor Name: Maggiora Bros. Drilling, Inc.

Drilling/Pump Contractor's License No. C57-249957

Signature of Authorized Representative: 

This form must be submitted with the bid for the bid to be responsive.

Upon award, this Bid Form shall become a part of the final contract.

SUBCONTRACTOR'S DESIGNATION FORM

In accordance with the State of California Public Contract Code Sections 4100-4114, the Subletting and Subcontracting Fair Practices Act, each bid shall set forth for each subcontractor who will perform work or labor or render service to Contractor in or about the construction of the work in an amount in excess of one-half of one percent (1/2%) of Contractor's Total Bid Price:

- a) the name and the location of the place of business,
- b) the California contractor license number,
- c) the public works contractor registration number, and
- d) the portion of the work which will be done as a percentage of Contractor's Total Bid Price.

Notwithstanding the foregoing, if the work involves streets and highways, then Contractor shall list each subcontractor who will perform work or labor or render service to Contractor in or about the work in an amount in excess of one-half of one percent (1/2%) of Contractor's Total Bid Price or \$10,000, whichever is greater. No additional time shall be granted to provide the below requested information.

If a Contractor fails to specify a Subcontractor for any portion of the work to be performed under the Contract, on or about the construction of the project, in excess of one-half of one percent (1/2%) of Contractor's total Bid, Contractor shall be deemed to have agreed to perform such portion, using Contractor's own resources and employed personnel and Contractor shall not be permitted to sub-contract that portion of the work, except under the conditions set forth in Section 4107 of the Government Code of the State of California.

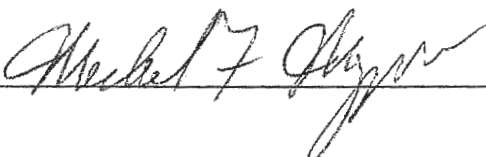
The prime contractor shall list only one subcontractor for each portion as is defined by the prime contractor in Contractor's bid.

Subcontractor Name	Subcontractor Address
Not Applicable	
California Contractor License Number	Public Works Contractor Registration Number
Description of Work to be done by Subcontractor	% of Work to be done by Subcontractor

Subcontractor Name Not Applicable	Subcontractor Address
California Contractor License Number	Public Works Contractor Registration Number
Description of Work to be done by Subcontractor	% of Work to be done by Subcontractor

Subcontractor Name	Subcontractor Address
California Contractor License Number	Public Works Contractor Registration Number
Description of Work to be done by Subcontractor	% of Work to be done by Subcontractor

Name of Bidder Maggiara Bros. Drilling, Inc.

Signature 

Name & Title Michael F. Maggiara, Corporate Secretary

Dated 8/9/2021

SUBCONTRACTOR'S EXPERIENCE QUALIFICATIONS

The subcontractor has been engaged in the contracting business, under the present business name for _____ years. Experience in work of a nature similar to that covered in the bid extends over a period of _____ years.

The subcontractor has never failed to satisfactorily complete a contract awarded to him, except as follows:

NA

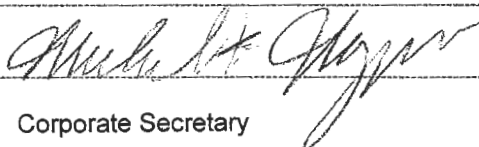
The subcontractor shall list projects meeting the pertinent Contractor's Experience Qualifications in the following table for the bid to be considered responsive:

Year	Project Location and Contracting Firm/ Agency	Contract amount (\$)	Provide Name and Telephone Number of Person(s) That Can Be Contacted Regarding Work
	NA		

Please attach additional sheet(s) as needed.

Bidder Maggiora Bros. Drilling, Inc.

Signed



Title

Corporate Secretary

Date

8/9/2021

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BID ACKNOWLEDGEMENT

Monterey Peninsula Water Management District
 5 Harris Court Bldg G., Monterey, CA 93940 (Monterey County)
 or
 P.O. Box 85, Monterey, CA 93942-0085

Pursuant to the foregoing Notice Inviting Sealed Bids, the undersigned Bidder hereby proposes and binds itself by the Monterey Peninsula Water Management District (MPWMD), under this Bid, to execute in accordance with such award, a contract of which this Bid and the Plans and Specifications, which include Special Conditions and all Addenda, shall be a part, to furnish any and all labor, materials, equipment, and services necessary for satisfactory performance and completing the work set forth in said documents within the time hereinafter sent forth and at the prices named in this bid.

Upon award, the Bid Form shall become a part of the final contract.

The undersigned Bidder certifies the following:

- Bidder has examined the location of the proposed work and/or is familiar with the Specifications, which include Special Conditions and all Addenda, and the local conditions in the place where the work is to be done.
- Bidder has examined and carefully studied the Call for Bids, the other related data identified in the Call for Bids, and the following Addenda, receipt of which is hereby acknowledged:

Addenda (BIDDER MUST FILL IN or include addenda with bid)

No. _____	Dated _____	No Addenda
No. _____	Dated _____	
No. _____	Dated _____	
No. _____	Dated _____	
No. _____	Dated _____	

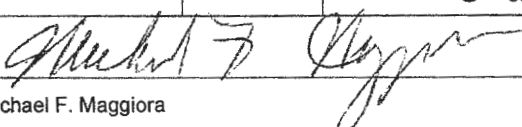
- Bidder has carefully checked all of the figures shown in its Bid Form and understands that MPWMD shall not be responsible for any errors or omissions on the part of the undersigned in making up this bid.
- Bidder has carefully reviewed the accuracy of all statements in this Bid and attachments hereto.
- Bidder understands that MPWMD reserves the right to reject any or all bids, and to waive any irregularities or informalities in bids received. Award shall be made which, in the

judgement of MPWMD, is to the best interest of MPWMD. It is agreed that this bid may not be withdrawn within a period of 90 days after the date set for the opening thereof subject to the provisions of California Public Contract Code Sections 5100-5107.

- Bidder has examined and is fully familiar with all of the provisions of the Contract Documents and any addenda thereto.

Bidder agrees, if awarded the contract, Bidder and all subcontractors shall pay to all laborers, workpersons, and mechanics employed in the execution of such contract or any subcontract thereunder, not less than the general prevailing rate of per diem wages, and rates for overtime and legal holidays in the locality in which the work is to be performed, as established by the State Director of the Department of Industrial Relations.

Bidder and subcontractors currently possess and agree to maintain valid **Contractor's Licenses** issued by the State of California necessary to prosecute the work.

Bidder:	Maggiora Bros. Drilling, Inc.	Tax I.D. Number:	94-1635647
Business Address:	595 Airport Blvd. Watsonville, CA 95076		
List all Contractor's License No.:	C57-249957; 9/30/2021		
Telephone:	(831)724-1338	e-mail:	watsonville@maggiorabros.com
By (signature):			
Name (printed):	Michael F. Maggiora		
Title:	Secretary	Dated:	8/9/2021

This form must be completed submitted with the bid for the bid to be responsive.

The Bidder has been engaged in the contracting business, under the present business name for 59 years. Experience in work of a nature similar to that covered in the bid extends over a period of 50 years.

The bidder, as a contractor, has never failed to satisfactorily complete a contract awarded to him, except as follows:

The Bidder as Prime Contractor shall list projects meeting Contractor's Experience Qualifications in the following table for the bid to be considered responsive:

Year	Project Location and Contracting Firm/ Agency	Contract amount (\$)	Provide Name and Telephone Number of Person(s) That Can Be Contacted Regarding Work
	See attached List of Representative Projects		

Please attach additional sheet(s) as needed.

Bidder

Maggiora Bros. Drilling, Inc.

Signed

Title

Corporate Secretary

Date

8/9/2021

Public Works Contractor Registration Number

10000026157

MAGGIORA BROS. DRILLING, INC.

DRILLING CONTRACTORS - PUMP SALES & SERVICE

CALIFORNIA CONTRACTOR'S LICENSE NO. 249957

Corporate Office
595 Airport Blvd.
Watsonville, CA 95076

Tel: (831) 724-1338
Tel: (800) 728-1480
Fax: (831) 724-3228

LIST OF REPRESENTATIVE PROJECTS

Partial List – Additional References Available Upon Request

Name: San Jose Water Company
Location: Cupertino, CA
Owner: San Jose Water Company
Owner Contact: Ryan Yelinek, PE – 408-918-7365
Construction Manager – Michael F. Maggiora – 831-724-1338
Project Description – Mann Well Destruction 12" X 1250' well destruction
Final Cost of Project - \$59,225.00
Completion: 03-09-21

Name: City of Stockton
Location: Stockton, CA
Owner: City of Stockton
Owner Contact: Stephen Kenning – 209-937-8700
Construction Manager – Michael F. Maggiora – 831-724-1338
Project Description – Destruction of Wells 1, 9, 11 & 16, Project No. M18004
Final Cost of Project - \$484,849.00
Completion Date: 01-31-21
Liquidated Damages: None

Name: Monterey County Water Resources Agency
Location: Monterey County, CA
Owner: Various Property Owners
Owner Contact: Manuel Saaverdra – 831-755-4860
Construction Manager – Michael F. Maggiora – 831-724-1338
Project Description 2019 CSIP Well Destruction Project
Final Cost of Project - \$298,892
Completion Date: 09-11-20
Liquidated Damages: None

Name: Pure Water Monterey – Project No. 218106
Location: Seaside, CA
Owner: Pure Water Monterey
Owner Contact: Maureen Hamilton – 831-658-5652
Construction Manager: Michael F. Maggiora – 831-724-1338
Project Description: Reverse Rotary well construction 24" casing X 635 feet, monitoring wells to 700 feet, 500 HP turbine well pumps, and direct rotary 4" monitoring wells to 900 feet.
Final Cost of Project - \$4,116,962.47
Completion Date: 09-01-20
Liquidated Damages: None

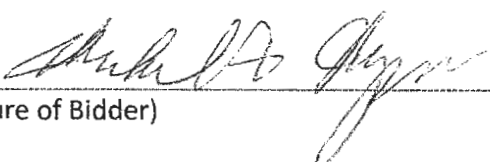
SECURITY FOR COMPENSATION CERTIFICATION

TO: MONTEREY PENINSULA WATER MANAGEMENT DISTRICT

I am aware of the provisions of Section 3700 of the Labor Code of the State of California which require every employer to be insured against liability for worker's compensation or to undertake self-insurance in accordance with the provisions of that Code, and I will comply with such provisions before commencing the performance of the work of this Contract:

8/9/2021

Date


 (Signature of Bidder)

Business Address:

595 Airport Blvd. Watsonville, CA 95076

Place of Residence:

(This certification must be executed by the successful bidder prior to the award of Contract.)

FAIR EMPLOYMENT PRACTICES CERTIFICATION

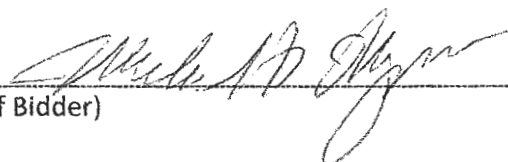
TO: MONTEREY PENINSULA WATER MANAGEMENT DISTRICT

The undersigned, in submitting a bid for performing the following work by Contract, hereby certifies that the undersigned shall meet the standards of affirmative compliance with Fair Employment Practices requirements of the special provisions contained herein:

8/9/2021

Date

(Signature of Bidder)



Business Address:

595 Airport Blvd. Watsonville, CA 95076

Place of Residence:

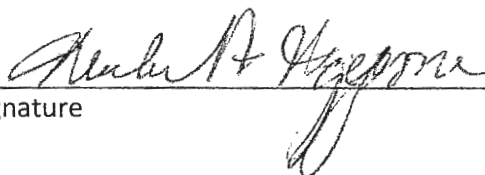
(This certification must be executed by the successful bidder prior to the award of Contract.)

NONCOLLUSION AFFIDAVIT

State of California _____)
 _____) ss.
 County of Santa Cruz)

Maggiora Bros. Drilling, Inc.

Being first duly sworn, deposes and says that the undersigned is Secretary of the party making the foregoing bid; that the bid is not made in the interest of, or on behalf of, any undisclosed person, partnership, company, association, organization, or corporation; that bid is genuine and not collusive or sham; that the bidder has not directly or indirectly induced or solicited any other bidder to put in a false or sham bid, and has not directly or indirectly colluded, conspired, connived, or agreed with any bidder or anyone else to put in a sham bid, or that anyone shall refrain from bidding; that the bidder has not in any manner, directly or indirectly, sought by agreement, communication, or conference with anyone to fix the bid price of the bidder or any other bidder, or to fix any overhead, profit, or cost element of the bid price, or of that of any other bidder, or to secure any advantage against the public body awarding the contract of anyone interested in the proposed contract; that all statements contained in the bid are true, and, further, that the bidder has not, directly or indirectly, submitted its bid price or any breakdown thereof, or the contents thereof, or divulged information or data relative thereto, or paid, and will not pay, any fee to any corporation, partnership, company association, organization, bid depository, or to any member or agent thereof to effectuate a collusive or sham bid.



 Signature

Michael F. Maggiora

 Date 8/9/2021

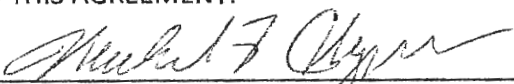
The title of the affidavit provides that it is "to be executed by bidder and submitted with the bid."

DRUG-FREE WORKPLACE CERTIFICATION

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

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

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



 Signature of responsible party

Michael F. Maggiora, Corporate Secretary

 Name and title of responsible party

8/9/2021

 Date signed

ITEM: ACTION ITEM**11. CONSIDER AUTHORIZATION OF EXPENDITURE OF FUNDS FOR SERVICES RELATED TO THE ACQUISITION OF THE MONTEREY WATER SYSTEM (MEASURE J) AS FOLLOWS:**

- A. NOT TO EXCEED \$120,000 FOR ADDITIONAL LEGAL SERVICES BY RUTAN + TUCKER**
- B. NOT TO EXCEED \$230,000 FOR ADDITIONAL APPRAISAL AND COST OF SERVICE ANALYSIS BY RAFTELIS**
- C. NOT TO EXCEED \$50,000 FOR ADDITIONAL REAL ESTATE APPRAISAL SERVICES BY CHRIS CARNEGHI MAI**
- D. NOT TO EXCEED \$28,000 FOR SURVEY SERVICES BY PSOMAS**

Meeting Date:	September 20, 2021	Budgeted:	No
From:	David J. Stoldt, General Manager	Program/ Line Item No.:	Services & Supplies Professional Fees
Prepared By:	David J. Stoldt	Cost Estimate:	\$428,000

General Counsel Review: N/A

Committee Recommendation: The Administrative Committee voted 3-0 to approve each CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: Delays and multiple Cal-Am letters in the LAFCO process, have resulted more review and work product by several of the firms working for the District on the potential acquisition of the Monterey Water System (Measure J). At its September 13, 2021 the District's Administrative Committee voted 3-0 to recommend the Board authorize expenditure of funds for additional services as described below.

RECOMMENDATION: The Administrative Committee recommends authorization of expenditure of funds for services related to the acquisition of the Monterey Water System (Measure J) as follows:

- a. Not to Exceed \$120,000 for additional legal services by Rutan + Tucker
- b. Not to Exceed \$230,000 for additional appraisal and cost of service analysis by Raftelis
- c. Not to Exceed \$50,000 for additional real estate appraisal services by Chris Carneghi MAI
- d. Not to Exceed \$28,000 for survey services by Psomas

IMPACT TO DISTRICT RESOURCES: Such Measure J related expenses have not been budgeted and will come from District reserves.

BACKGROUND: Rutan + Tucker has been the District's eminent domain attorneys working on the acquisition of the California American Water Company (Cal-Am) Monterey Water System since December 2018. Delays and multiple Cal-Am letters in the LAFCO process, have resulted more review and work product by the firm. There is \$34,900 remaining in their budget and July and August invoices have not been reflected.

The potential acquisition is just now readying itself for finalizing the "findings" of public necessity and, if the District Board decides it wishes to move forward, a bonafide offer to purchase, a District Resolution of Necessity, and a condemnation action – all requiring legal acumen. It is recommended that Rutan + Tucker's budget be increased by \$120,000 to prepare for such activities.

Raftelis has been the District's financial consultant working on the acquisition of the California American Water Company (Cal-Am) Monterey Water System since January 2019. In November 2019 the firm completed the Preliminary Valuation and Cost of Service Analysis Report determining that an acquisition of the System is financially feasible. Raftelis provided additional work on rate impacts and formal appraisal work that was ready to go in October 2020. Unfortunately, delays in the LAFCO process have resulted the appraisal work becoming "stale" and in need of updating. Additional cost of service analysis and rate impact analysis will likely also be needed to inform the District Board's decision to move forward. There is \$14,440 remaining in their budget and July and August invoices have not been reflected.

Raftelis scope of services (redacted) is attached as **Exhibit 11-A**. The proposed budget is just under \$230,000.

Chris Carneghi MAI has been the District's real estate appraiser working on the acquisition of the California American Water Company (Cal-Am) Monterey Water System since June 2020. Mr. Carneghi evaluated all of the identified Cal-Am real estate assets within the proposed acquisition and his formal appraisal work was ready to go in October 2020. Unfortunately, delays in the LAFCO process have resulted the appraisal work becoming "stale" and in need of updating. Additional analysis will be required to update the work and incorporate into Raftelis' overall appraisal.

The update will likely take two to three months. The fee would be billed on an hourly basis the same as last time. It is difficult to know the time that would be involved since some reinspection will be necessary along with any new comparables that can be found. There is just under \$44,000 left in Mr. Carneghi's budget. The addition of \$50,000 to the budget should be more than sufficient to meet all the real estate appraisal needs before the start of trial preparation/testimony. We would continue under the same authorization letter signed by David Laredo in June 2020.

The District provided detailed maps in its LAFCO application of the 58 parcels in Yankee Point and Hidden Hills proposed to be annexed as part of the potential acquisition of the California American Water Company (Cal-Am) Monterey Water System. However, detailed legal descriptions for both annexations must be prepared in conformance with the State Board of Equalization Mapping Requirements dated August 1, 2005. For that purpose, a licensed surveyor is required. Psomas was recommended for this task by our outsourced GIS professional and the

exchange of GIS files and information has been facilitated by that prior relationship. The District has used Psomas for other purposes such as construction management and has had a very good relationship with the firm.

Psomas' proposal and budget are attached in **Exhibit 11-B**. The State Board of Equalization mapping requirements are included in that Exhibit.

EXHIBITS

11-A Raftelis Proposed Scope of Services and Budget

11-B Psomas Proposal and Budget

August 13, 2021

NOTE: Some items redacted due to attorney-client privilege

David C. Laredo
District Council
Monterey Peninsula Water Management District
606 Forest Avenue
Pacific Grove, CA 93950

Subject: Scope of Services and Budget for Formal Appraisal and Rate Study

Dear Mr. Laredo:

In accordance with your request, we are providing this supplemental scope and budget to update the formal appraisal of the Monterey Water System, currently owned and operated by California-American Water Company (CAW), and to update the water rate study for this system. Descriptions of our anticipated scope of services and budget estimate for this effort are provided below.

Task 1 - Appraisal

This task consists of finalizing the appraisal of the Monterey Water System, and includes the following subtasks:

- a. *Information Gathering and Review.* Raftelis will gather, review, and evaluate relevant additional information associated with the Monterey Water System that is made available by CAW or the California Public Utilities Commission (CPUC), or through other publicly available sources. As part of information gathering and review effort, we will prepare formal information requests, as appropriate, and work with the District to obtain access to the Monterey Water System facilities in order to complete a visual system inspection.
- b. *Appraisal Update.* Based on the additional information gathered and reviewed, Raftelis will prepare an appraisal of the system as of an updated specified date. The analysis will include completing refinements to our prior valuation analysis. We have assumed that the District will also secure an updated real estate appraisal of real estate associated with the Monterey Water System which was previously provided to the District. We will incorporate the real estate appraiser's updated valuation results into our analysis.
- c. *Appraisal Report.* Raftelis will prepare an appraisal report consistent with the Uniform Standards of Professional Appraisal Practice (USPAP) and other industry guidelines.
- a. *Meetings.* Raftelis will participate in meetings with the District and the District's deal team. We have assumed participating in two meetings in Monterey, one associated with

the system facilities inspection, and another to discuss the appraisal report and the bona fide offer. We have assumed other meetings will be held via teleconference on an as-needed basis.

- d. *Bona Fide Offer Assistance.* Raftelis will assist the District in preparing a bona fide offer for the Monterey Water System, including consideration of which regulatory assets and asset additions should be included in the offer.

Task 2 – Water Rate Study

This task consists of completing an updated water rate study to (1) identify and evaluate water rate alternatives that would be allowed under California Proposition 218, and (2) forecast water rates under the alternatives for comparison with CAW's existing water rates as established in its most recent General Rate Case. Completion of this task assumes the receipt of detailed customer information from CAW. Specifically, this task will entail the following:

- b. Information Gathering and Review: Raftelis will prepare a data request to gather additional water consumption and cost data that may be available from CAW or the CPUC as part of the ongoing rate case. Upon receipt of this additional information, we will review, analyze and incorporate it into the water rate projections, as described below.
- c. Financial Plan: Raftelis will update the "cost of service" analysis that was completed for the District previously to show the cost differential between public and private ownership, reconfirm the inputs and assumptions based on any additional information that is made available, and then identify the forecasted yearly revenue needs to cover O&M, capital improvements, reserves and debt service payments related to the acquisition of the Monterey Water System that will be used in the water rate calculations. In completing the financial plan, we will rely upon operating and capital cost estimates prepared by the District's other consultants (e.g., Close & Associates and Jacobs).
- d. Cost of Service Analysis: We will complete a revised preliminary customer class level cost of service analysis, which will provide the cost-rate nexus needed to meet Proposition 218 requirements, including for tiered water rates. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- e. Rate Design: We will prepare water rate structure alternatives that meet Proposition 218 requirements for District review. Based on input from the District and data availability, we will complete a rate analysis for approximately two rate structure alternatives. [REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED] In the case of limited customer consumption data, we will rely upon our professional experience and typical industry customer peaking factors to complete the preliminary rate design.

- f. Residential Water Bill Comparisons. We will compare the proposed water rate structure options to current water rates under CAW ownership if CAW leaves the steep tiers in place, or if CAW implements the proposed tiered rate structure. We will also prepare a rate comparison of the current CAW rates and proposed District rates with the rates of nearby water agencies.
- g. [REDACTED]
[REDACTED]
[REDACTED]
- h. Rate Study Report. We will prepare a formal rate study report that summarizes rate study results. Draft and final versions of the report will be prepared.
- i. Meetings. We have assumed two meetings under this task. Once we have all or most of the data and have reviewed it, we will schedule a meeting with the District to discuss the financial plan assumptions, potential rate structures, and data gaps. This meeting will be held in parallel with a system facility inspection. The second meeting will be held to discuss the draft rate study results held with the District once the financial plan and rate structure is substantially complete. The purpose of this meeting is to review the financial plan and draft rates with the District. We have assumed other meetings will be held via teleconference on an as-needed basis.

Budget and Schedule

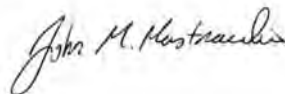
Raftelis proposes to complete this scope of services on a time-and-expense basis for a not-to-exceed amount of \$226,475 in accordance with our standard 2021 billing rates. We anticipate completing this scope of services on or about March of 2022.

Thank you for the opportunity to continue to provide support to the District regarding this important effort. If you have any questions or need any additional information, please do not hesitate to contact either John or me.

Sincerely,



William Stannard, PE
Chairman



John M. Mastracchio, CFA
Vice President

P S O M A S

Balancing the Natural and Built Environment

August 19, 2021

Mr. David J Stoldt, General Manager
**MONTEREY PENINSULA WATER
MANAGEMENT DISTRICT**
5 Harris Court – Bldg. G
Monterey, CA 93940
Phone: 831.658.5651

Re: Proposal to prepare land descriptions and exhibits for the Yankee Point Annexation and
Hidden Hills Annexation to District's service area.

(submitted via email by Brian Bullock on August 19, 2021)

Dear Mr. Stoldt:

Per your request, Psomas is submitting this proposal to prepare a land description and exhibit for the annexation of a portion of Yankee Point Acres. This annexation includes Lots 1-37 of Yankee Point Acres, shown on the attached Exhibits "A1" and "A2" and the area known as Hidden Hills depicted on the attached Exhibit "A3".

The exhibits and descriptions for both annexations will be prepared in conformance with the State Board Mapping Requirements dated August 1, 2005 and shown on Exhibit "B".

It is understood that the District will provide a copy of the current land description of the District boundaries. This would include the initial description and the description (and exhibit) of any annexations that have been added to the District prior to these proposed annexations.

Attached is our proposed scope of services, fee and schedule for this project (Attachment 1). If you have any questions, please contact me by email at bbullock@psomas.com or phone 916.788.4834. Thank you for contacting Psomas for this project opportunity!

Sincerely,

P S O M A S

Brian E. Bullock, PLS
Senior Project Manager

1075 Creekside Ridge Dr.,
Suite 200
Roseville, CA 95610

Tel 916.788.8122
www.Psomas.com

ATTACHMENT 1 SCOPE OF SERVICES

Prepare a Land Descriptions and Exhibits
for the Yankee Point Annexation and the Hidden Hills Annexation
to the Monterey Peninsula Water Management District,
Monterey, CA

August 19, 2021

Psomas proposes to perform the following services:

1. **Research and review** existing documents of client-supplied descriptions and exhibits for the District as well as existing record documents to be utilized in the preparation of the annexation exhibits and descriptions.
2. **Perform record calculations** of the exterior boundary of the lands to be annexed to the District as well as those portions of the existing District boundary to which the annexations will adjoin. The Yankee Point annexation consist of Lots 1-37 of Yankee Point Acres as the lots are shown on attached Exhibits "A1" and "A2". The lands to be included in the Hidden Hills annexation are shown on Exhibit "A3". Field surveys are excluded from this scope.
3. **Preparation of the annexation exhibits and land descriptions** in conformance to the State Board of Equalization Requirements. (attached hereto as Exhibit "B")
4. Psomas will submit the descriptions and exhibits to the District for the initial review and comment. Once any edits or changes have been made, the annexation package will be ready to be submitted to Monterey County LAFCO and the State Board of Equalization for review and processing.

SCHEDULE & FEES: To begin our tasks on this project, Psomas will need a signed contract, record descriptions of the District, previous annexation documents in the area of this proposed annexation, electronic files (AutoCAD and/or GIS files) of the District's boundaries, and a written notice to proceed.

Total lump sum fee for the described services is \$25,900, *excluding application and review fees*. Excepting events beyond Psomas' control, we will submit the descriptions and exhibits to the District four (4) weeks from receipt of the above materials and written notice to proceed from the District.

DELIVERABLES:

This proposal includes the following deliverables:

1. One hard copy of the description and exhibit stamped and signed by the licensed land surveyor in charge.
2. Digital package of the materials required for submittal to the State Board.



SCALE: 1 in. = 100 ft.

CARMEL HIGHLANDS
241-29

TAX CODE AREA

COUNTY OF MONTEREY
ASSESSOR'S MAP
BOOK 243 PAGE 13

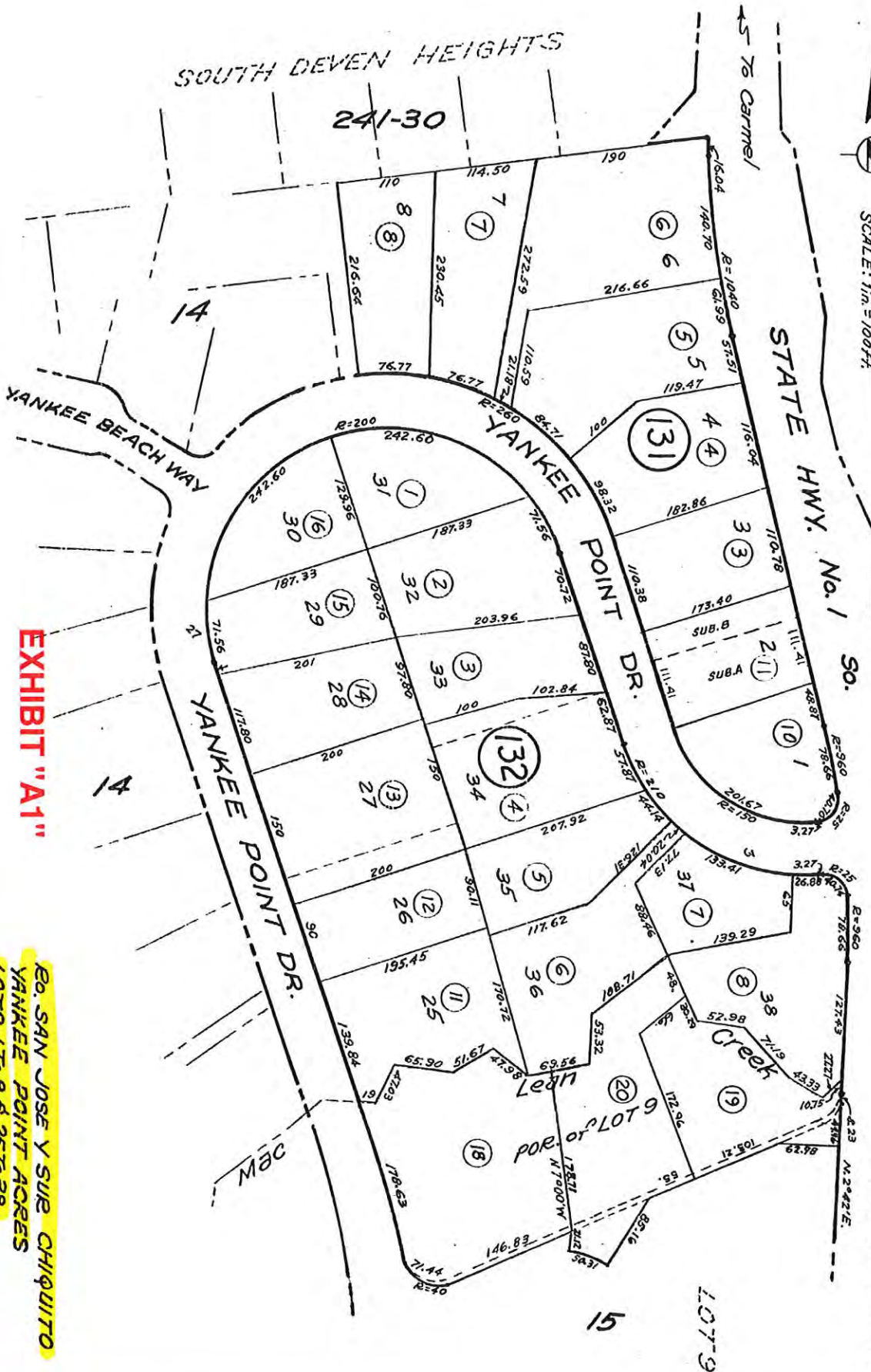
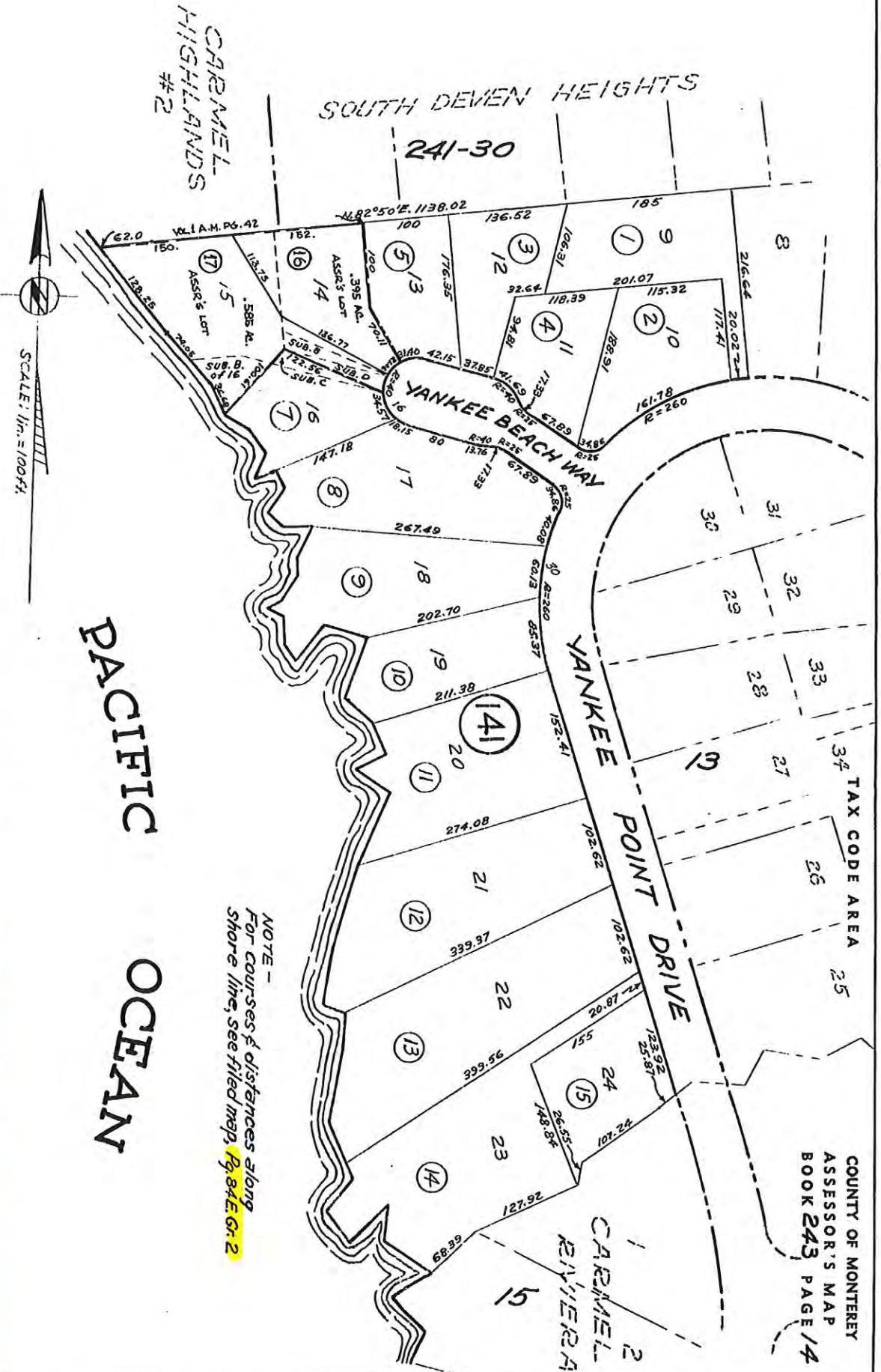


EXHIBIT "A1"

EO. SAN JOSE Y SURE CHIQUEITO
YANKEE POINT ACRES
LOTS 1768 & 257638
ALSO, PORTION OF LOT 9 WEST OF HWY.

COUNTY OF MONTEREY
ASSESSOR'S MAP
BOOK 243 PAGE 14



Re. SAN JOSE Y SUE CHIQUITO
YANKEE POINT ACRES
LOTS 9 TO 24

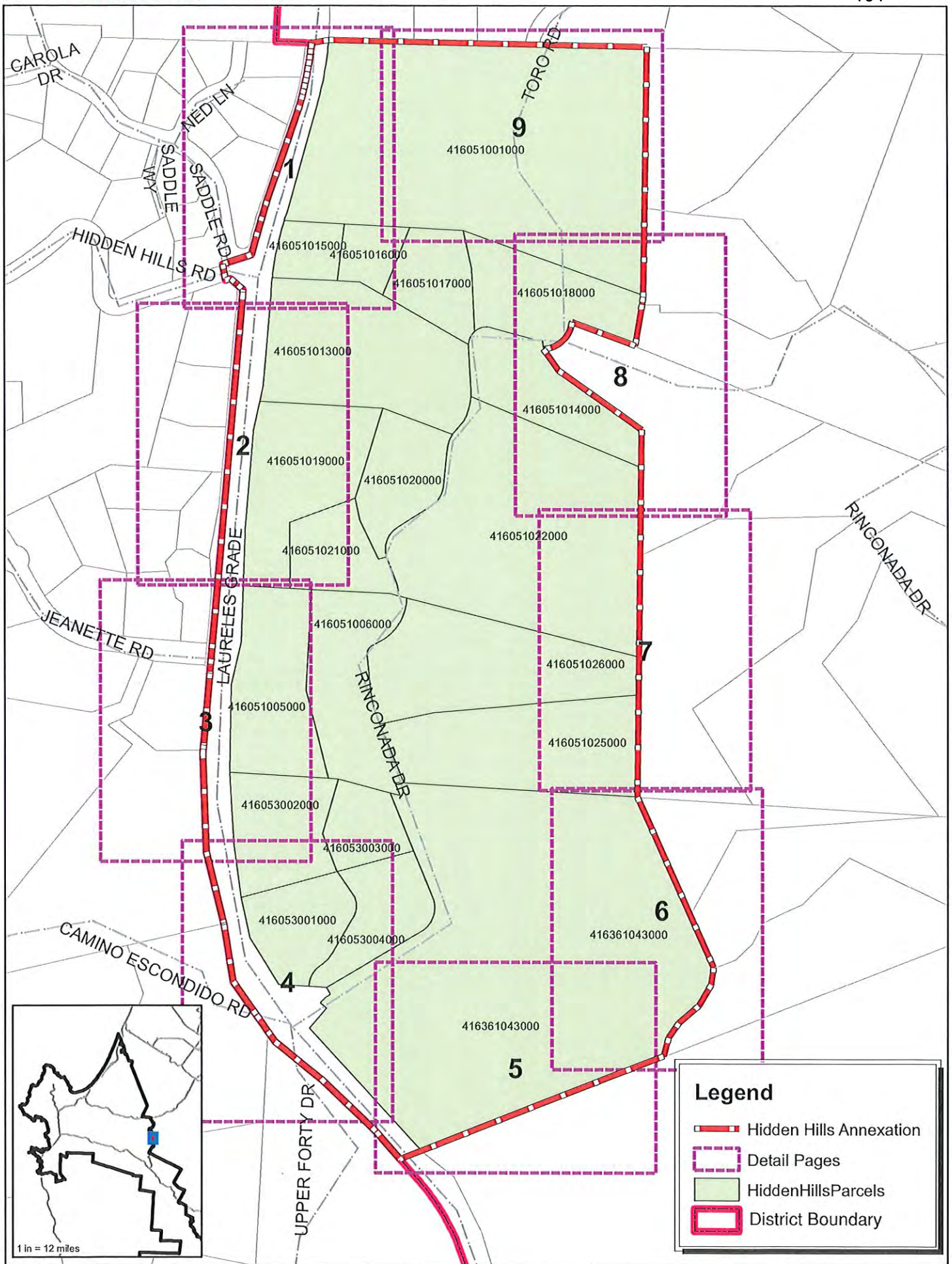


EXHIBIT "B"

State Board Mapping Requirements

Map(s)

It is strongly recommended that all maps submitted to the Board be filed in electronic/digital form. Digital information will not be shared without the permission of the applicant.

Maps submitted as part of the jurisdictional boundary change filing shall conform to the following specifications:

Map Documents:

1. All maps shall be professionally and accurately drawn or copied. Rough sketches or pictorial drawings will not be accepted. Assessor's parcel maps will not be accepted as a substitute for the project map.
2. Original or copies of the same size project map must be submitted. Reduced maps are not acceptable and will be rejected.
3. A vicinity map shall be included. The vicinity map shall show the location of the project area in relationship to a larger geographic area that includes major streets and highways or other physical features.
4. Any portion of an existing district boundary in close proximity to the project area shall be shown and identified.
5. Every map must clearly show all existing streets, roads and highways with their current names that are within and adjacent to the project area. Additionally, every map shall indicate each township and range, section lines and numbers, or ranchos that are in proximity of the project area.
6. Every map shall bear a scale and a north arrow. The **point of beginning** shall be clearly shown and match the written geographic description.
7. The boundaries of the project area shall be distinctively delineated on each map without masking any essential geographic or political features. The boundaries of the project area must be the most predominant line on the map. Boundary lines that are delineated by a line that exceeds 1.5 millimeter in width shall be rejected. The use of graphic tape or broad tip marking pens to delineate the boundary is not acceptable.
8. All dimensions needed to plot the boundaries must be given on the map of the project area. Each map shall have **numbered courses matching the written geographic description**. Index tables may be utilized.
9. All parcels within the project area that touch the new boundary shall be clearly labeled with the assessor's parcel number. Interior parcels that do not touch the boundary need not be identified on the map.

10. If the project area has an interior island(s) of exclusion or the boundary has a peninsula of exclusion (or inclusion), that area(s) should be shown in an enlarged drawing. This drawing should be of sufficient size and scale to allow TASS to plot the boundary without difficulty.
11. When it is necessary to use more than one map sheet to show the boundaries of the project area, the sheet size should be uniform. A small key map giving the relationship of the several sheets shall be furnished. Match lines between adjoining sheets must be used. While the geography on adjoining sheets may overlap, the project boundaries must stop at the match lines. TASS has standardized the D size (24" x 36") map sheet, but will accept larger or smaller map sizes depending on the size and complexity of the individual single area(s).

Digital Maps:

Maps that are filed electronically shall conform to the same requirements as described in this section under map documents (Items 1 through 11 above). Additional items for digital maps are as follows:

Required files -- The disk or CD shall contain only the following files:

- a. Map/drawing file(s) using AutoCAD.dwg format in vector format:
 - Plotting: The map drawing file shall have the same appropriate borders, legends, title blocks, signature block and any necessary information that is required for a manually drawn map.
 - Scale: The drawing shall be at real-world scale.
 - Layers: A listing of the layers and their definitions shall be included in the "read_me" file.
 - File Format: File shall be in vector format only. Raster files, raster-vector hybrid, .pdf, tiff, .pcx, .eps, .gif, .jpeg or any other image formats will not be accepted.
 - Compressed Files: Files shall be uncompressed; compressed files will not be accepted.
- a. A text file labeled "read_me" listing:
 - The name, address, and phone number of the agency/special district
 - County name and city or district name
 - Project/short title of the action
 - Name, address and phone number of office that prepared the map file
 - List of files on the disk or CD
 - Map projection and datum
 - Layer definitions
 - Sheet size
 - Plotting scale
 - Date of creation
- a. Labels: The disk or CD must have a label that identifies:
 - The agency and/or special district submitting the map
 - Name of the project/short title
 - County name(s)
 - Date of creation

ITEM: INFORMATIONAL ITEM/STAFF REPORT**12. REPORT ON ACTIVITY/PROGRESS ON CONTRACTS OVER \$25,000**

Meeting Date: September 20, 2021 **Budgeted:** N/A

From: David J. Stoldt, **Program/** N/A
 General Manager **Line Item No.:**

Prepared By: Suresh Prasad **Cost Estimate:** N/A

General Counsel Review: N/A

Committee Recommendation: The Administrative Committee reviewed this item on September 13, 2021.

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

SUMMARY: Attached for review is **Exhibit 12-A**, monthly status report on contracts over \$25,000 for the period June 2021. This status report is provided for information only, no action is required.

EXHIBIT

12-A Status on District Open Contracts (over \$25k)

EXHIBIT 12-A

107

**Monterey Peninsula Water Management District
Status on District Open Contracts (over \$25K)
For The Period June 2021**

Contract	Description	Date Authorized	Contract Amount	Prior Period Expended To Date	Current Period Spending	Total Expended To Date	Expected Completion	Current Period Activity	P.O. Number
1	Monterey One Water	PWM Deep Injection Well #4 Design/Construction	9/21/2020	\$ 4,070,000.00	\$ 718,878.31	\$ 288,288.96	\$ 1,007,167.27	Current period billing related to new DIW #4	PO02604
2	Goodin, MacBride, Squeri & Day, LLP	Legal Fee Related MPWSP	4/1/2021	\$ 50,000.00	\$ 12,717.04		\$ 12,717.04		PO02601
3	Local Agency Formation Commission (LAFCO) of Monterey County	Measure J/Rule 19.8 MPWMD LAFCO Application Proces	5/17/2021	\$ 80,000.00	\$ 39,163.00	\$ 25,000.00	\$ 64,163.00	Current period billing related to Measure J LAFCO process	PO02598
4	FISHBIO	Carmel River Fish Weir	8/17/2020	\$ 130,000.00	\$ 126,799.07		\$ 126,799.07		PO02586
5	Monterey County Elections Department	November 3, 2020 Election Expense	6/15/2020	\$ 200,000.00	\$ 119,628.12		\$ 119,628.12		PO02585
6	Integrated Aqua Systems, Inc	UV unit for RAS building at Sleepy Hollow	7/16/2020	\$ 62,025.08	\$ -	\$ 62,025.08	\$ 62,025.08	Purchase of UV unit for RAS building at Sleepy Hollow Fish Facility	PO02514
7	Shute, Mihaly & Weinberger LLP	Measure J CEQA Litigation Legal Services	12/23/2020	\$ 200,000.00	\$ 114,685.47	\$ 911.00	\$ 115,596.47	Current period billing related to Measure J CEQA litigation legal services	PO02490
8	The Marketing Department	Outreach Consultant Contract FY 2020/2021	9/21/2020	\$ 36,000.00	\$ 28,587.95	\$ 4,000.00	\$ 32,587.95	Current period retainer billing	PO02506
9	De Lay & Laredo	Measure J/Rule 19.8 3rd Party Operations Phase II	12/16/2019	\$ 87,000.00	\$ 18,690.50		\$ 18,690.50		PO02398
10	Weston Solutions, Inc.	UXO Support Services	6/15/2020	\$ 26,378.70	\$ 4,252.35	\$ 545.83	\$ 4,798.18	Current period billing for UXO support services	PO02371
11	Denise Duffy & Assoc. Inc.	CEQA addendum for ASR Parallel Pipeline	4/20/2020	\$ 28,567.00	\$ 25,970.44		\$ 25,970.44		PO02363
12	Lynx Technologies, Inc	Geographic Information Systems contractual services	6/15/2020	\$ 35,000.00	\$ 4,950.00	\$ 2,100.00	\$ 7,050.00	Current period billing for GIS services	PO02357
13	Regional Government Services	Human Resouces contractual services	6/15/2020	\$ 70,000.00	\$ 42,751.65	\$ 1,672.00	\$ 44,423.65	Current period billing for HR services	PO02356
14	DeVeera Inc.	BDR Datto Services Contract FY 2020/2021	9/16/2019	\$ 26,352.00	\$ 24,156.00	\$ 2,196.00	\$ 26,352.00	Current period billing for IT backup services	PO02349
15	DeVeera Inc.	IT Managed Services Contract for FY 2020/2021	6/15/2020	\$ 57,012.00	\$ 52,261.00	\$ 4,751.00	\$ 57,012.00	Current period billing for IT managed services	PO02348
16	The Ferguson Group LLC	2020-21 - Legislative and Administrative Services	6/15/2020	\$ 99,500.00	\$ 88,779.75	\$ 8,000.00	\$ 96,779.75	Current period retainer billing	PO02339
17	JEA & Associates	Contract for Legislative and Administrative Services - FY 20-21	6/15/2020	\$ 35,000.00	\$ 27,500.00	\$ 2,500.00	\$ 30,000.00	Current period retainer billing	PO02338
18	MBAS	ASR Water Quality	6/15/2020	\$ 40,000.00	\$ 39,061.25	\$ 310.00	\$ 39,371.25	Current period billing related to ASR water quality testing	PO02330
19	Pueblo Water Resources, Inc.	ASR Operations Support	6/15/2020	\$ 75,000.00	\$ 43,195.33	\$ 22,195.00	\$ 65,390.33	Current period billing related to ASR Operations Support	PO02320
20	De Lay & Laredo	Measure J/Rule 19.8 Appraisal/MAI Services	6/15/2020	\$ 120,000.00	\$ 76,032.00		\$ 76,032.00		PO02316
21	De Lay & Laredo	Measure J/Rule 19.8 Appraisal/Rate Study Phase II	12/16/2019	\$ 200,000.00	\$ 184,965.00		\$ 184,965.00		PO02282
22	De Lay & Laredo	Measure J/Rule 19.8 Operations Plan - Phase II	12/16/2019	\$ 145,000.00	\$ 62,077.50		\$ 62,077.50		PO02281
23	De Lay & Laredo	Measure J/Rule 19.8 CEQA Services Consultant	12/16/2019	\$ 134,928.00	\$ 134,779.54		\$ 134,779.54		PO02273
24	Rutan & Tucker, LLP	Rule 19.8 Eminent Domain Legal Services Phase II	12/16/2019	\$ 200,000.00	\$ 160,110.44	\$ 4,125.00	\$ 164,235.44	Current period billing related to Measure J Services	PO02236
25	Norton Rose Fulbright	Cal-Am Desal Structuring & Financing Order	4/20/2015	\$ 307,103.13	\$ 38,557.29		\$ 38,557.29		PO02197
26	Pueblo Water Resources, Inc.	ASR SMWTF Engineering Services During Construction	10/21/2019	\$ 148,100.00	\$ 131,034.96	\$ 8,797.28	\$ 139,832.24	Current period billing for ASR SMWTF engineering services	PO02163

Monterey Peninsula Water Management District
Status on District Open Contracts (over \$25K)
For The Period June 2021

				Prior Period		Total				
Contract	Description	Date Authorized	Contract Amount	Expended To Date	Current Period Spending	Expended To Date	Expected Completion	Current Period Acitivity	P.O. Number	
27	U.S. Bank Equipment Finance	Copier machine leasing - 60 months	7/15/2019	\$ 52,300.00	\$ 19,297.45	\$ 871.81	\$ 20,169.26	6/30/2024	Current period billing for photocopy machine lease	PO02108
28	Monterey One Water	Supplemental EIR Costs for PWM Expansion Project	3/18/2019	\$ 750,000.00	\$ 731,336.70		\$ 731,336.70			PO02095
29	Monterey One Water	Pre-Construction Costs for PWM Expansion Project	11/13/2017	\$ 360,000.00	\$ 312,617.94		\$ 312,617.94			PO02094
30	DUDEK	Consulting Services for Prop 1 grant proposal	4/15/2019	\$ 95,600.00	\$ 94,315.05		\$ 94,315.05			PO01986
31	Denise Duffy & Associates	Consulting Services IRWM plan update	12/17/2018	\$ 55,000.00	\$ 53,322.32		\$ 53,322.32			PO01985
32	Tetra Tech, Inc.	Engineering services Sleepy Hollow Facility Upgrade	7/16/2018	\$ 30,000.00	\$ 26,367.76		\$ 26,367.76			PO01880
33	Colantuono, Highsmith, & Whatley, PC	Legal Services for MCWD vs PUC Matter for FY 2018-2019	7/1/2018	\$ 60,000.00	\$ 54,628.80		\$ 54,628.80	6/30/2021		PO01874
34	Ecology Action of Santa Cruz	IRWM HEART Grant	4/16/2018	\$ 152,600.00	\$ 86,362.33		\$ 86,362.33			PO01824
35	Pueblo Water Resources, Inc.	ASR Backflush Basin Expansion, CM services	7/16/2018	\$ 96,034.00	\$ 68,919.39		\$ 68,919.39			PO01778
36	Rural Community Assistance Corporation	IRWM DAC Needs Assessment	4/16/2018	\$ 100,000.00	\$ 99,250.00		\$ 99,250.00			PO01777
37	Mercer-Fraser Company	Sleepy Hollow Intake upgrade project	7/16/2018	\$ 1,802,835.00	\$ 1,786,834.91		\$ 1,786,834.91			PO01726
38	Pueblo Water Resources, Inc.	Seaside Groundwater Basin Geochemical Study	1/24/2018	\$ 68,679.00	\$ 36,795.25		\$ 36,795.25			PO01628
39	Pueblo Water Resources, Inc.	SSAP Water Quality Study	8/21/2017	\$ 94,437.70	\$ 44,318.11		\$ 44,318.11			PO01510
40	Normandeau Associates, Inc.	Assistance with IFIM Study	11/13/2017	\$ 35,000.00	\$ 31,482.50		\$ 31,482.50			PO01509
41	Accela Inc.	Acquisition of Water Demand Database System	11/13/2017	\$ 676,377.00	\$ 669,227.81		\$ 669,227.81	6/30/2021		PO01471
42	Balance Hydrologics, Inc	Design Work for San Carlos Restoration Project	6/19/2017	\$ 51,360.00	\$ 50,894.32		\$ 50,894.32			PO01321
43	AECOM Technical Services, Inc.	Los Padres Dam Alternatives Study	1/25/2017	\$ 700,700.00	\$ 505,766.50	\$ 21,559.00	\$ 527,325.50		Current period billing for Los Padres Alternative Study	PO01268
44	Denise Duffy & Assoc. Inc.	MMRP Services for Monterey Pipeline	1/25/2017	\$ 80,000.00	\$ 73,144.06		\$ 73,144.06			PO01202
45	Goodin,MacBride,Squeri,Day,Lamprey	User Fee PUC Proceedings Legal Fee	7/1/2016	\$ 50,000.00	\$ 49,318.05		\$ 49,318.05	6/30/2021		PO01100
46	Whitson Engineers	Carmel River Thawleg Survey	9/19/2018	\$ 52,727.43	\$ 49,715.00		\$ 49,715.00			PO01076
47	HDR Engineering, Inc.	Los Padres Dam Fish Passage Study	4/18/2016	\$ 320,000.00	\$ 316,085.56		\$ 316,085.56			PO01072
48	Michael Hutnak	GS Flow Modeling for Water Resouces Planning	8/19/2013	\$ 71,800.00	\$ 65,880.00		\$ 65,880.00			PO00123
49	Justin Huntington	GS Flow Modeling for Water Resouces Planning	8/19/2013	\$ 59,480.00	\$ 53,918.98		\$ 53,918.98			PO00122

ITEM: INFORMATIONAL ITEM/STAFF REPORT**13. STATUS REPORT ON MEASURE J/RULE 19.8 PHASE II SPENDING****Meeting Date: September 20, 2021 Budgeted: N/A****From: David J. Stoldt, General Manager Program/Line Item No.: N/A****Prepared By: Suresh Prasad Cost Estimate: N/A****General Counsel Review: N/A****Committee Recommendation: The Administrative Committee reviewed this item on September 13, 2021.****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY: Attached for review is **Exhibit 13-A**, monthly status report on Measure J/Rule 19.8 Phase II spending for the period July 2021. This status report is provided for information only, no action is required.

EXHIBIT**13-A Status on Measure J/Rule 19.8 Phase II Spending**

**Monterey Peninsula Water Management District
Status on Measure J/Rule 19.8 Spending Phase II
Through July 2021**

	Contract	Date Authorized	Contract/Approved Amount	Prior Period Spending	Current Period Spending	Total Expended To Date	Spending Remaining	Project No.
1	Eminent Domain Legal Counsel	12/16/2019	\$ 225,000.00	\$ 164,235.44	\$ 862.50	\$ 165,097.94	\$ 59,902.06	PA00005-01
2	CEQA Work	12/16/2019	\$ 134,928.00	\$ 134,779.54		\$ 134,779.54	\$ 148.46	PA00005-02
3	Appraisal Services	12/16/2019	\$ 200,000.00	\$ 184,965.00	\$ 595.00	\$ 185,560.00	\$ 14,440.00	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	\$ 119,399.06	\$ 5,830.00	\$ 125,229.06	\$ (85,229.06)	PA00005-05
6	MAI Appraiser	12/16/2019	\$ 120,000.00	\$ 76,032.00		\$ 76,032.00	\$ 43,968.00	PA00005-06
7	Jacobs Engineering	12/16/2019	\$ 87,000.00	\$ 86,977.36		\$ 86,977.36	\$ 22.64	PA00005-07
8	LAFCO Process	12/16/2019	\$ 150,000.00	\$ 71,363.00		\$ 71,363.00	\$ 78,637.00	PA00005-08
9	Contingency/Miscellaneous/Uncommitted	12/16/2019	\$ 289,072.00	\$ 26,034.95		\$ 26,034.95	\$ 263,037.05	PA00005-20
	Total		\$ 1,391,000.00	\$ 958,646.35	\$ 7,287.50	\$ 965,933.85	\$ 425,066.15	

1	Measure J CEQA Litigation Legal Services	12/23/2000	\$ 200,000.00	\$ 115,596.47		\$ 115,596.47	\$ 84,403.53	PA00005-15
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**Phase I Costs
Status on Measure J/Rule 19.8 Spending
Through November 2019**

	Contract	Date Authorized	Contract Amount	Prior Period Spending	Current Period Spending	Total Expended To Date	Spending Remaining	Project No.
1	Eminent Domain Legal Counsel	12/17/2018	\$ 100,000.00	\$ 148,802.21	\$ 12,195.95	\$ 160,998.16	\$ (60,998.16)	PA00002-01
2	Investment Banking Services	2/21/2019	\$ 30,000.00	\$ -	\$ 27,000.00	\$ 27,000.00	\$ 3,000.00	PA00002-02
3	Valuation & Cost of Service Study Consultation	2/21/2019	\$ 355,000.00	\$ 247,690.63	\$ 39,274.54	\$ 286,965.17	\$ 68,034.83	PA00002-03

4	Investor Owned Utility Consultant	2/21/2019	\$ 100,000.00	\$ 84,221.69		\$ 84,221.69	\$ 15,778.31	PA00002-04
5	District Legal Counsel		\$ 35,000.00	\$ 33,763.61	\$ 8,133.98	\$ 41,897.59	\$ (6,897.59)	PA00002-05
6	Contingency/Miscellaneous		\$ 30,000.00	\$ 9,931.83	\$ 33,814.12	\$ 43,745.95	\$ (13,745.95)	PA00002-10
	Total		\$ 650,000.00	\$ 524,409.97	\$ 120,418.59	\$ 644,828.56	\$ 5,171.44	

ITEM: INFORMATIONAL ITEM/STAFF REPORT**14. LETTERS RECEIVED****Meeting Date: September 20, 2021****Budgeted: N/A****From: David J. Stoldt,
General Manager****Program/ N/A
Line Item No.:****Prepared By: Joel G. Pablo****Cost Estimate: N/A****General Counsel Review: N/A****Committee Recommendation: N/A****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

A list of letters submitted to the Board of Directors or General Manager and received between August 11, 2021 and September 14, 2021 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 web site at www.mpwmd.net.

Author	Addressee	Date	Topic
Eric J. Benink	David J. Stoldt	August 30, 2021	Claim, re: Ordinance No. 152 – Water Supply Charge
Chris Cook, PE	David J. Stoldt	September 1, 2021	Response to M1W and MPWMD Letter dated July 9, 2021, re: Pure Water Monterey Project
Rudy Fischer	MPWMD Board of Directors	September 2, 2021	Water Supply Concerns on the Peninsula
Carmel River Steelhead Association (CRSA)	MPWMD	September 8, 2021	Recognizing Corey Hamilton and the District's Fisheries Crew on a recent CRSA Electrofishing Training Classes held on the Carmel River

ITEM: INFORMATIONAL ITEM/STAFF REPORT**15. COMMITTEE REPORTS**

Meeting Date: September 20, 2021 **Budgeted:** N/A

From: David J. Stoldt, **Program/** N/A
 General Manager **Line Item No.:**

Prepared By: Joel G. Pablo **Cost Estimate:** N/A

General Counsel Review: N/A

Committee Recommendation: N/A

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

Attached for your review as **Exhibits 15-A through 15-B** are the final minutes of the committee meetings listed below.

EXHIBITS

15-A August 2, 2021: MPWMD Water Supply Planning Committee

15-B August 9, 2021: MPWMD Administrative Committee



EXHIBIT 15-A

FINAL MEETING MINUTES Water Supply Planning Committee of the Monterey Peninsula Water Management District Monday, August 2, 2021

Call to Order: The Zoom virtual meeting was called to order at 4:00 pm.

Committee members present: George Riley, Chair
Mary L. Adams
Karen Paull

Committee members absent: None

Staff members present: David J. Stoldt, General Manager
Jonathan Lear, Water Resources Division Manager
Thomas Christensen, Environmental Resources Manager
Larry Hampson, District Engineer
Maureen Hamilton, Senior Water Resources Engineer
Joel G. Pablo, Executive Assistant / Board Clerk

District Counsel present: Fran Farina, Esq. with De Lay & Laredo

Comments from the Public: No Comments

Action Items

1. **Consider Adoption of May 3, 2021 Committee Meeting Minutes**
Public Comment: None

Staff responded to Director Riley and confirmed the meeting minutes should be revised to strike out November, 2022 and insert November, 2021 as the completion date for Deep Injection Well (DIW) No. 3.

A motion was made by Riley and second by Adams, to approve the committee meeting minutes of May 3, 2021 as revised. The motion passed on a vote of 3-Ayes (Riley, Paull and Adams), 0-Noes, and 0-Absent.

Discussion Items

2. **Presentation on Monterey Sub-Basin Groundwater Sustainability Planning Work within the Corral De Tierra Management Area by Sarah Hardgrave, Monterey County (verbal report)**
David J. Stoldt, General Manager provided introductory remarks.

Sarah Hardgrave, Chief of Staff to Supervisor Mary L. Adams (Supervisory District No. 5) presented via MS PowerPoint Presentation. *A copy of the presentation is on file at the District office and can be viewed on the district website.*

Hardgrave provided an Overview of Groundwater Sustainability Planning and Issues Affecting Supervisorial District's No. 4 and 5, the Salinas Valley Basin Groundwater Sustainability Agency process, the Monterey Subbasin (Marina Coast Water District/Marina-Ord area and SVBGSA Corral de Tierra area), Seaside Groundwater Basin Watermaster, potential projects and recent findings.

Public Comment: None

3. Further Updates on Seaside Fort Ord 09 Shallow

David J. Stoldt, General Manager and Jonathan Lear, Water Resources Manager provided an overview of the staff report covering the Fort Ord Monitoring Wells, the Watermaster's Monitoring and Maintenance Plan (MMP), the WY 2020 Seaside Intrusion report, its findings and work plan created by and approved by the County Health Department to destroy FO-09 Shallow and leave FO-09 Deep intact. Stoldt and Lear stated that the Seaside Basin Watermaster has approached the Marina Coast Water District (MCWD) and the district to enter into a cost sharing agreement for replacement costs for the Fort Ord 09 Shallow. Lear informed the committee the district has published a notice and is soliciting bids to destroy Fort Ord 09 Shallow. Riley responded to staff and suggested in a 10% or 15% cost sharing agreement with the MCWD and the Watermaster.

Public Comment: None

4. Update on Pure Water Monterey Project

David J. Stoldt, General Manager directed the committee to Exhibit 4-A: Pure Water Monterey and Expanded Pure Water Monterey Executive Schedule Gantt Chart and responded to committee questions. Stoldt made the following points: (1) Updated the committee on target completion dates for DIW3 which is set for December 10, 2021 and December 23, 2021 for DIW4; (2) DIW5 and the Advance Water Purification Process Notice to Proceed / Construction to begin in September, 2022 and completed in December, 2023; and (3) Lastly, Stoldt noted discussion whether or not DIW5 remains sufficient to do a combined 5750 Acre Feet per year and the need to construct a 6th DIW.

Public Comment: None

5. Discuss National Marine Fisheries Service Proposal for Coho Salmon Rearing at District's Sleepy Hollow Steelhead Rearing Facility

Thomas Christensen, Environmental Resources Manager and Larry Hampson, District Engineer made the committee aware of recent inquiries made by staff at the National Marine Fisheries Service (NMFS) about the availability of open space and source water for Coho operations. Christensen made the committee aware of concerns shared with NMFS to include site access agreements, cost sharing, alarm response, set-up and removal of assets just to include a few. Hampson stated the Sleepy Hollow Steelhead Rearing Facility equipment, alarm system, infrastructure and communications are reliable, however the access to the facility may present an issue for NMFS.

Public Comment: None

6. Summary of Recent Discussions with Seaside Basin Watermaster (verbal report)

Dave Stoldt, General Manager informed the committee of recent discussions with Paul Bruno and Robert Jacques with the Watermaster, Paul Scuito with Monterey One Water and Chris Cook with Cal-Am on protective water levels, funding and water purchasing. Stoldt and Lear informed the committee that a service agreement with the watermaster for next year has been drafted and is underway.

Public Comment: None

Suggest Items to be Placed on Future Agendas

None

Adjournment

Chair George Riley adjourned the meeting at 5:33 PM.

/s/ Joel G. Pablo, Board Clerk

Approved by the MPWMD Water Supply Planning Committee on Tuesday, September 7, 2021
Received by the MPWMD Board of Directors on Monday, September XX, 2021

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EXHIBIT 15-B

Final Minutes Monterey Peninsula Water Management District Administrative Committee August 9, 2021

Call to Order

The virtual meeting was called to order at 2:00 PM via Zoom.

Committee members present: Karen Paull, Chair
Amy Anderson (arrived at 2:02 PM)
Safwat Malek

Committee members absent: None

District staff members present: David Stoldt, General Manager
Suresh Prasad, Administrative Services Manager/Chief Financial Officer
Thomas Christensen, Environmental Resources Manager
Larry Hampson, District Engineer
Jonathan Lear, Water Resources Manager
Stephanie Locke, Water Demand Manager
Sara Reyes, Sr. Office Specialist

District Counsel present: Fran Farina with De Lay and Laredo

Additions / Corrections to Agenda: None

Comments from the Public: None

Items on Board Agenda for August 16, 2021

1. Consider Adoption of July 12, 2021 Committee Meeting Minutes

On a motion by Anderson and second by Malek, the minutes of the July 12, 2021, meeting were approved on a roll call vote of 3 – 0 by Anderson, Malek and Paull.

2. Consider Expenditure of Funds for Consultant Services for Upgrades at the Sleepy Hollow Steelhead Rearing Facility

On a motion by Anderson and second by Paull, the committee voted to recommend that the Board authorize the General Manager to enter into an agreement with Tetra Tech for consultant services in an amount not-to-exceed \$61,338 and approve a 10% contingency (approximately \$6,100) for additional consultant work. The motion was approved by a roll call vote of 3 – 0 by Malek, Anderson and Paull.

3. Consider Purchase of Spare Replacement Parts for Sleepy Hollow Steelhead Rearing Facility UV Unit

On a motion by Paull and second by Malek, the committee voted to recommend that the Board authorize the General Manager to purchase UV unit replacement parts for the Sleepy Hollow Facility at an approximate cost of \$9,000. The motion was approved by a roll call vote of 3 – 0 by Anderson, Malek ,and Paull.

4. Consider Adoption of Resolution No. 2021-11 – Amending Fees and Charges Table – Rule 60

On a motion by Paull and second by Anderson, the committee voted to recommend that the Board Adopt Resolution 2021-11, A Resolution of the Board of Directors of the Monterey Peninsula Water Management District Amending Rule 60, Fees and Charges Table with amendments proposed by staff. The motion was approved by a roll call vote of 3 – 0 by Malek, Paull and Anderson.

5. Consider Recommending Approval of the Watermater Master Service Agreement

On a motion by Paull and second by Malek, the committee received the Draft Master Services Agreement between MPWMD and the Watermaster for Hydrologic Monitoring and Database Services and recommended that the Board approve the agreement. The motion was approved by a roll call vote of 3 – 0 by Anderson, Malek and Paull.

6. Review Draft August 16, 2021 Board Meeting Agenda

General Manager Stoldt reported that additional Action Items will be added to the agenda. Additionally, the Item 5 on the August 9, 2021 Administrative Committee meeting will be added to the agenda. No changes were made by the committee.

Suggest Items to be Placed on Future Agendas

No items were presented.

Adjournment

The meeting adjourned at 3:18 PM.

/s/ Sara Reyes, Sr. Office Specialist

Approved by the MPWMD Administrative Committee on Monday, August 13, 2021

Received by the MPWMD Board of Directors on Monday, September XX, 2021

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ITEM: INFORMATIONAL ITEM/STAFF REPORT**16. MONTHLY ALLOCATION REPORT****Meeting Date: September 20, 2021 Budgeted: N/A****From: David J. Stoldt, General Manager Program: N/A Line Item No.:****Prepared By: Gabriela Bravo Cost Estimate: N/A****General Counsel Review: N/A****Committee Recommendation: N/A****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines section 15378.**

SUMMARY: As of August 31, 2021, a total of **26.419** acre-feet (**7.7%**) of the Paralta Well Allocation remained available for use by the Jurisdictions. Pre-Paralta water in the amount of **33.436** acre-feet is available to the Jurisdictions, and **28.990** acre-feet is available as public water credits.

Exhibit 16-A shows the amount of water allocated to each Jurisdiction from the Paralta Well Allocation, the quantities permitted in August 2021 (“changes”), and the quantities remaining. The Paralta Allocation had no debits in August 2021.

Exhibit 16-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 16-B** shows water available to Pebble Beach Company and Del Monte Forest Benefited Properties, including Macomber Estates, Griffin Trust. Another table in this exhibit shows the status of Sand City Water Entitlement and the Malpaso Water Entitlement.

BACKGROUND: The District’s Water Allocation Program, associated resource system supply limits, and Jurisdictional Allocations have been modified by a number of key ordinances. These key ordinances are listed in **Exhibit 16-C**.

EXHIBITS**16-A** Monthly Allocation Report**16-B** Monthly Entitlement Report**16-C** District’s Water Allocation Program Ordinances

EXHIBIT 16-A
MONTHLY ALLOCATION REPORT
Reported in Acre-Feet
For the month of August 2021

Jurisdiction	Paralta Allocation*	Changes	Remaining	PRE-Paralta Credits	Changes	Remaining	Public Credits	Changes	Remaining	Total Available
Airport District	8.100	0.000	5.197	0.000	0.000	0.000	0.000	0.000	0.000	5.197
Carmel-by-the-Sea	19.410	0.000	1.398	1.081	0.000	1.081	0.910	0.000	0.182	2.661
Del Rey Oaks	8.100	0.000	0.000	0.440	0.000	0.000	0.000	0.000	0.000	0.000
Monterey	76.320	0.000	0.245	50.659	0.000	0.181	38.121	0.000	2.451	2.877
Monterey County	87.710	0.000	10.579	13.080	0.000	0.352	7.827	0.000	1.775	12.706
Pacific Grove	25.770	0.000	0.000	1.410	0.000	0.014	15.874	0.000	0.065	0.079
Sand City	51.860	0.000	0.000	0.838	0.000	0.000	24.717	0.000	23.373	23.373
Seaside	65.450	0.000	0.000	34.438	0.165	31.808	2.693	0.000	1.144	32.952
District Reserve	9.000	0.000	9.000	N/A			N/A			9.000
TOTALS	342.720	0.000	26.419	101.946	0.165	33.436	90.142	0.000	28.990	88.845

Allocation Holder	Water Available	Changes this Month	Total Demand from Water Permits Issued	Remaining Water Available
Quail Meadows	33.000	0.000	32.320	0.680
Water West	12.760	0.000	9.639	3.121

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

EXHIBIT 16-B
MONTHLY ALLOCATION REPORT
ENTITLEMENTS
Reported in Acre-Feet
For the month of August 2021

Recycled Water Project Entitlements

Entitlement Holder	Entitlement	Changes this Month	Total Demand from Water Permits Issued	Remaining Entitlement/and Water Use Permits Available
Pebble Beach Co. ¹	216.070	0.850	32.261	183.809
Del Monte Forest Benefited Properties ² (Pursuant to Ord No. 109)	148.930	0.454	62.356	86.574
Macomber Estates	10.000	0.000	10.000	0.000
Griffin Trust	5.000	0.000	4.829	0.171
CAWD/PBCSD Project Totals	380.000	1.304	109.446	270.554

Entitlement Holder	Entitlement	Changes this Month	Total Demand from Water Permits Issued	Remaining Entitlement/and Water Use Permits Available
City of Sand City	206.000	0.387	7.502	198.498
Malpaso Water Company	80.000	0.000	19.451	60.549
D.B.O. Development No. 30	13.950	0.000	3.784	10.166
City of Pacific Grove	38.390	0.109	6.327	32.063
Cypress Pacific	3.170	0.000	3.170	0.000

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

EXHIBIT 16-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.

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.

ITEM: INFORMATIONAL ITEM/STAFF REPORTS**17. WATER CONSERVATION PROGRAM REPORT**

Meeting Date: September 20, 2021 **Budgeted:** N/A

From: David J. Stoldt,
General Manager **Program/
Line Item No.** N/A

Prepared By: Chris Timmer **Cost Estimate:** N/A

Committee Recommendation: N/A

CEQA Compliance: N/A

I. MANDATORY WATER CONSERVATION RETROFIT PROGRAM

District Regulation XIV requires the retrofit of water fixtures upon Change of Ownership or Use with High Efficiency Toilets (HET) (1.28 gallons-per-flush), 2.0 gallons-per-minute (gpm) Showerheads, 1.2 gpm Washbasin faucets, 1.8 gpm Kitchen, Utility, and Bar Sink faucets, and Rain Sensors on all automatic Irrigation Systems. Property owners must certify the Site meets the District's water efficiency standards by submitting a Water Conservation Certification Form (WCC), and a Site inspection is occasionally conducted to verify compliance. Properties that do not require an inspection are issued a Conservation Certification document.

Changes of Ownership

Information is obtained monthly from *Realquest.com* on properties transferring ownership within the District. The information is compared against the properties that have submitted WCCs. Details on **160** property transfers that occurred between August 1, 2021, and August 31, 2021, were added to the database.

Certification

The District received **65** WCCs between August 1, 2021, and August 31, 2021. Data on ownership, transfer date, and status of water efficiency standard compliance were entered into the database.

Verification

From August 1, 2021, and August 31, 2021, **50** properties were verified compliant with Rule 144 (Retrofit Upon Change of Ownership or Use). Of the **50** verifications, **29** properties verified compliance by submitting certification forms and/or receipts. District staff completed **43** Site inspections. Of the **43** properties verified, **21 (49%)** passed.

CII Compliance with Water Efficiency Standards

Effective January 1, 2014, all Non-Residential properties were required to meet Rule 143, Water Efficiency Standards for Existing Non-Residential Uses. To verify compliance with these requirements, property owners and businesses are sent notification of the requirements

and a date that inspectors will be on Site to check the property. In August, District inspectors performed **21** verification inspections.

MPWMD is forwarding its CII inspection findings to California American Water (Cal-Am) for their verification with the Rate Best Management Practices (Rate BMPs) that are used to determine the appropriate Non-Residential rate division. Compliance with MPWMD's Rule 143 achieves Rate BMPs for indoor water uses. Properties with landscaping must also comply with Cal-Am's outdoor Rate BMPs to avoid Division 4 (Non-Rate BMP Compliant) rates. In addition to sharing information about indoor Rate BMP compliance, MPWMD notifies Cal-Am of properties with landscaping. Cal-Am then conducts an outdoor audit to verify compliance with the Rate BMPs. During August 2021, MPWMD referred **three** properties to Cal-Am for verification of outdoor Rate BMPs.

Water Waste Enforcement

The District has a Water Waste Hotline (831-658-5653) or an online form to report Water Waster occurrences at www.mpwmd.net or www.montereywaterinfo.org. There were **six** Water Waste responses during the past month. There were **no** repeated incidents that resulted in a fine.

II. WATER DEMAND MANAGEMENT

Permit Processing

As of July 6, 2021, the District has been processing both electronic and in person applications for Water Permits. Information can be found at <https://www.mpwmd.net/regulations/water-permits>.

District Rule 23 requires a Water Permit application for all properties that propose to expand or modify water use on a Site, including New Construction and Remodels. District staff processed and issued **90** Water Permits from August 1, 2021, and August 31, 2021. **Ten** Water Permits were issued using Water Entitlements (Pebble Beach Company, Malpas Water, etc.). **No** Water Permits involved a debit to a Public Water Credit Account. In addition to those Water Permits issued in August, **ten** Meter Permits and **five** Hydrant Meter Permits were issued. All Water Permits have a disclaimer informing applicants of the Cease-and-Desist Order against California American Water and that MPWMD reports Water Permit details to California American Water.

District Rule 24-3-A allows the addition of a second Bathroom in an existing Dwelling Unit. Of the **90** Water Permits issued from August 1, 2021, and August 31, 2021, **9** were issued under this provision.

Permit Compliance

District staff completed **no** conditional Water Permit finals during August 2021. Staff completed **36** site inspections. **Twenty-five** properties passed and **eleven** failed due to unpermitted fixtures.

Deed Restrictions

District staff prepares deed restrictions that are recorded on the property title to provide notice of District Rules and Regulations, enforce Water Permit conditions, and provide notice of

public access to water records. In April 2001, the District Board of Directors adopted a policy regarding the processing of deed restrictions. District staff provided Notary services for 62 Water Permits with deed restrictions.

III. Rebates

The full list of available rebates can be found in Rule 141:

<https://www.mpwmd.net/rules/Rule141-TableXIV-1.pdf>. Below is the rebate information for August 2021.

REBATE PROGRAM SUMMARY		August-2021			2021 YTD		1997 - Present	
I.	Application Summary							
A.	Applications Received	71			806		29,149	
B.	Applications Approved	58			659		22,764	
C.	Single Family Applications	56			626		25,778	
D.	Multi-Family Applications	2			33		1,556	
E.	Non-Residential Applications	0			0		358	
II.	Type of Devices Rebated	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)	7	\$525.00	0.035000	11,405	176	\$13,129.00	0.88000
B.	Ultra HET			0.000000	0	26	\$3,166.00	0.26000
C.	Toilet Flapper			0.000000	0	0	\$0.00	0.00000
D.	High Efficiency Dishwasher	13	\$1,625.00	0.039000	12,708	100	\$12,500.00	0.30000
E.	High Efficiency Clothes Washer - Res	35	\$17,000.00	0.563500	183,617	356	\$166,425.00	5.73160
F.	High Efficiency Clothes Washer - Com			0.000000	0	0	\$0.00	0.00000
G.	Instant-Access Hot Water System	2	\$300.00	0.010000	3,259	17	\$2,998.00	0.08500
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	15	\$15,075.00	0.00000
K.	Smart Controllers	1	\$100.00	0.000000	0	12	\$1,145.98	0.00000
L.	Rotating Sprinkler Nozzles			0.000000	0	65	\$260.00	0.00000
M.	Moisture Sensors			0.000000	0	2	\$47.05	0.00000
N.	Lawn Removal & Replacement			0.000000	0	2	\$5,350.00	0.00000
O.	Graywater			0.000000	0	0	\$0.00	0.00000
R.	Other			0.000000	0	0	\$0.00	0.00000
III.	TOTALS	58	\$19,550.00	0.647500	210,989	771	\$220,096.03	7.25660
IV.	TOTALS Since 1997				Paid Since 1997: \$		6,578,851	592.4 Acre-Feet Per Year Saved Since 1997 (from quantifiable retrofits)

IV. Outreach & Events

Summer Splash Water Challenge Giveaway

For the second year, MPWMD launched the Summer Splash Water Challenge Giveaway on July 1st. The event consists of a water-themed gameboard where participants watch educational water conservation related videos and answer questions to enter a drawing for a chance to win prizes. The topics covered in the videos included the water cycle, drought, and tips to save water at home. The event was promoted in the local papers and on social media. The District received 65 entries for prizes. The prizes offered were a High Efficiency Washing Machine which went to Elisa Gensberg, an iPad, and a 500-gallon cistern. The latter have yet to be claimed by the winners.

Events

After more than a year of not attending outreach events due to the Covid-19 pandemic, MPWMD was represented at the Carmel Valley Fiesta in the Carmel Valley Community Park

and at the West End Celebration in Sand City. At both events, staff gave out approximately 420 quick-acting trigger hose nozzles, 290 moisture meters, and other conservation materials to customers eager to save water. Due to the ongoing dry weather, customers were enthusiastic and motivated to find out about the current drought and how they can save water at their property or get rebates for purchasing and installing water efficient appliances. The next event will be a staffed booth at the Monterey County Fair on September 4, 2021.

ITEM: INFORMATIONAL ITEM/STAFF REPORT**18. CARMEL RIVER FISHERY REPORT FOR AUGUST 2021****Meeting Date: September 20, 2021 Budgeted: N/A****From: David J. Stoldt, General Manager Program/ Line Item No.: N/A****Prepared By: Beverly Chaney Cost Estimate: N/A****General Counsel Review: N/A****Committee Recommendation: N/A****CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

AQUATIC HABITAT AND FLOW CONDITIONS: Continued dry weather and low river flow resulted in poor rearing conditions for juvenile steelhead throughout the watershed. By month's end, most of the lower valley below Robinson Canyon Road, as well as the De Dampierre Park reach, was dry or had isolated pools.

August's mean daily streamflow at the Sleepy Hollow Weir fell from 4.4 to 3.5 cfs (monthly mean 3.45 cfs) resulting in 107 acre-feet (AF) of runoff, while the river at the Highway 1 gage is dry.

There were 0.00 inches of rainfall in July as recorded at the San Clemente gauge. Since January there have only been 1.41 inches of rain. The rainfall total for WY 2021 (which started on October 1, 2020) is 10.85 inches, or 52% of the long-term year-to-date average of 20.99 inches.

CARMEL RIVER LAGOON: During August, the lagoon mouth remained closed. The water surface elevation (WSE) remained fairly steady at ~6.0 to 6.5 feet (North American Vertical Datum of 1988; NAVD 88) (See graph below).

Water quality depth-profiles were conducted at five sites on August 26, 2021, while the lagoon mouth was closed, water surface elevation was 6.25 feet, and river inflow was 0.0 cfs. Steelhead rearing conditions were generally "fair to good". Salinity was low, ranging from 1 - 3 ppt, dissolved oxygen (DO) levels were variable, ranging from 0 – 11 mg/l, while water temperatures were cooler than last month ranging from 64 - 68 degrees F.

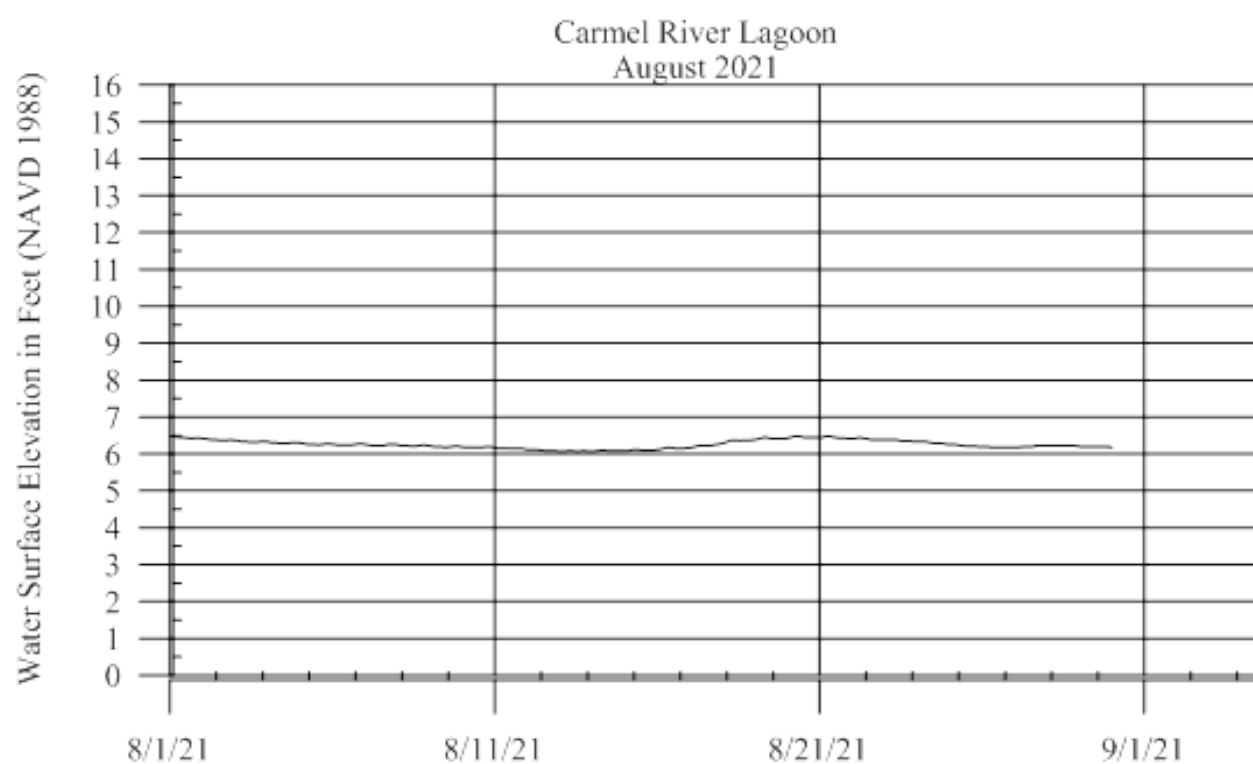
CARMEL RIVER MAINSTEM STEELHEAD RESCUES: Mainstem rescues began on May 27, 2021. In August, Staff completed 4 days of fish rescues in the lower river, primarily in the Berwick area. By the end of August, a total of 7,623 steelhead had been rescued including: 6,588 young-of-the-year (yoy), 993 age 1+ fish, 11 kelts, with 31 mortalities (0.4%). Most juvenile fish were transported to the Sleepy Hollow Steelhead Rearing Facility while the adult kelts were released in the ocean at Stewart's Cove.

SLEEPY HOLLOW STEELHEAD REARING FACILITY: The first rescued fish were brought to the facility on May 27, 2021. Due to the very small size of many of the fish, fry/yoy are

being quarantined and held in the rectangular “rearing troughs” until they are large and healthy enough to be transferred to the rearing channel.

By the end of August, 6,016 fish had been stocked in the rearing channel, including 5,047 yoy fish (small/medium size) and 969 age 1+ fish. The survival rate has remained high at 93%, indicating the new upgrades to the Facility, along with the modified stocking and handling protocols are working.

Carmel River Lagoon Plot:



ITEM: INFORMATIONAL ITEM/STAFF REPORT**19. MONTHLY WATER SUPPLY AND CALIFORNIA AMERICAN WATER PRODUCTION REPORT**

Meeting Date: September 20, 2021 **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.

Exhibit 19-A shows the water supply status for the Monterey Peninsula Water Resources System (MPWRS) as of **September 1, 2021**. This system includes the surface water resources in the Carmel River Basin, the groundwater resources in the Carmel Valley Alluvial Aquifer and the Seaside Groundwater Basin. **Exhibit 19-A** is for Water Year (WY) 2021 and focuses on four factors: rainfall, runoff, and storage. The rainfall and Streamflow values are based on measurements in the upper Carmel River Basin at Sleepy Hollow Weir.

Water Supply Status: Rainfall through **August** 2021 totaled **0.00 inches** and brings the cumulative rainfall total for WY 2021 to **10.85 inches**, which is **52%** of the long-term average through **August**. Estimated unimpaired runoff through **August** totaled **0 acre-feet (AF)** and brings the cumulative runoff total for WY 2021 to **16,193 AF**, which is **24%** of the long-term average through **August**. Usable storage for the MRWPRS was **25,810 acre-feet**, which is **92%** of average through **August**, and equates to **78%** percent of system capacity.

Production Compliance: Under State Water Resources Control Board (SWRCB) Cease and Desist Order No. 2016-0016 (CDO), California American Water (Cal-Am) is allowed to produce no more than 7,310 AF of water from the Carmel River in WY 2021. Through **August**, using the CDO accounting method, Cal-Am has produced **4,433 AF** from the Carmel River (including ASR capped at 600 AF, Table 13, and Mal Paso.) In addition, under the Seaside Basin Decision, Cal-Am is allowed to produce 1,474 AF of water from the Coastal Subareas and 0 AF from the Laguna Seca Subarea of the Seaside Basin in WY 2021. Through **August**, Cal-Am has produced **1,541 AF** from the Seaside Groundwater Basin. Through **July**, **66 AF** of Carmel River Basin groundwater have been diverted for Seaside Basin injection; **0 AF** have been recovered for customer use, **17 AF** have been diverted under Table 13 water rights, and **2,722 AF** of Pure Water Monterey recovered. Cal-Am has produced **8,735 AF** for customer use from all sources through **August**. **Exhibit 19-B** shows production by source. Some of the values in this report may be revised in the future as Cal-Am finalizes their production values and monitoring data.

EXHIBITS

19-A Water Supply Status: **September 1, 2021**

19-B Monthly Cal-Am production by source: WY 2021

EXHIBIT 19-A

**Monterey Peninsula Water Management District
Water Supply Status
September 1, 2021**

Factor	Oct – Aug 2021	Average To Date	Percent of Average	Oct - Aug 2020
Rainfall (Inches)	10.85	20.99	52%	17.57
Runoff (Acre-Feet)	16,193	67,916	24%	45,958
Storage ⁵ (Acre-Feet)	25,810	27,990	92%	26,730

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 1922-2020 and 1902-2020 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 1989-2020 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 2021

(All values in Acre-Feet)

Year-to-Date Values	MPWRS					Water Projects and Rights				
	Carmel River Basin ^{2, 6}	Seaside Groundwater Basin		MPWRS Total						Water Projects and Rights Total
		Coastal	Laguna Seca			ASR Recovery	Table 13 ⁷	Pure Water Monterey	Sand City ³	
Target	4,853	1,147	0	1,147	6,000	0	114	2,436	275	2,825
Actual ⁴	4,433	1,372	170	1,541	5,974	0	17	2,722	129	2,868
Difference	420	-225	-170	-394	26	0	97	-286	146	-43
WY 2020 Actual	6,607	1,882	303	2,185	8,792	430	218	0	176	979

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, 66 AF and 17 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 2021

(All values in Acre-Feet)

	Carmel River Basin	Seaside Basin	ASR Recovery	Table 13	Sand City	Mal Paso	Pure Water Monterey	Total
Oct-20	293	266	0	0	10	5	300	874
Nov-20	233	219	0	0	0	5	300	757
Dec-20	314	276	0	0	7	6	100	703
Jan-21	343	130	0	13	12	5	150	652
Feb-21	531	26	0	4	20	5	32	617
Mar-21	464	29	0	0	15	5	195	708
Apr-21	351	43	0	0	0	5	389	787
May-21	371	42	0	0	9	5	440	868
Jun-21	400	50	0	0	28	5	424	906
Jul-21	494	266	0	0	10	5	142	918
Aug-21	476	196	0	0	18	5	250	944
Sep-21								
Total	4,270	1,541	0	17	129	56	2,722	8,735
WY 2020	5,730	2,185	430	218	176	60	0	8,799

1. This table is produced as a proxy for customer demand.

2. Numbers are provisional and are subject to correction.



Supplement to 9/20/2021 MPWMD Board Packet

Attached are copies of letters received between August 11, 2021 and September 14, 2021. These letters are listed in the September 20, 2021 Board packet under Letters Received.

Author	Addressee	Date	Topic
Eric J. Benink	David J. Stoldt	August 30, 2021	Claim, re: Ordinance No. 152 / Water Supply Charge
Chris Cook, PE	David J. Stoldt	September 1, 2021	Response to M1W and MPWMD Letter dated July 9, 2021, re: Pure Water Monterey Project
Rudy Fischer	MPWMD Board of Directors	September 2, 2021	Water Supply Concerns on the Peninsula
Carmel River Steelhead Association (CRSA)	MPWMD	September 8, 2021	Recognizing Corey Hamilton and the District's Fisheries Crew on a recent CRSA Electrofishing Training Classes held on the Carmel River



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August 30, 2021

Via email: dstoldt@mpwmd.net and USPS Express mail

David Stoldt, General Manager
Monterey Peninsula Water Management District
P.O. Box 85
Monterey, CA 93942-0085

RE: Claim re: Ordinance No. 152

Dear Mr. Stoldt:

Please be advised that this firm represents Monterey Peninsula Taxpayers' Association and Richards J. Heuer III (together as "Claimants"). Claimants believe that the Monterey Peninsula Water Management District ("District") is violating Ordinance No. 152 and request that it cease its ongoing illegal activities immediately. A draft lawsuit setting forth the basis of their claims is attached hereto.

Section 6 of Ordinance No. 152 provides for administrative review and appeals of certain types of claims. We do not believe that the claims and allegations described in the draft lawsuit are subject to section 6. Namely, they do not meet any of the conditions of section 6, subdivision B(5). Nevertheless, we transmit this letter and claim out of an abundance of caution. If the District believes that the claims and allegations described in the draft lawsuit are subject to section 6, we provide the following in response to section 6, subdivision B.

(1) The names and addresses of the Claimants:

Monterey Peninsula Taxpayers' Association
P.O. Box 15
Monterey, CA 93942

Richards J. Heuer III
47 Alta Mesa Circle
Monterey, CA 93940

August 30, 2021
Page 2

(2) The address to which Claimants desire notices be sent:

Eric J. Benink, Esq.
Benink & Slavens, LLP.
8885 Rio San Diego Dr., Suite 207
San Diego, CA 92108

(3) The circumstances which give rise to the claims:

See attached draft lawsuit attached hereto.

(4) The street addresses and assessor parcel numbers of each property to which the claim may be applicable:

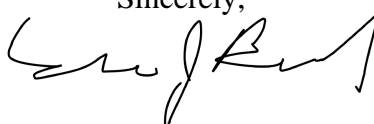
Every property against which the Ordinance No. 152 Water Supply Charge is charged, including, but not limited to Claimant Heuer's real property at 47 Alta Mesa Circle, Monterey, CA 93940. The parcel's APN number is 001-752-013-000.

(5) Facts to demonstrate the basis of the claims. We do not believe that the claims fall into any of the section 6, subdivision B(5) categories (i)-(v). The basis of the claims is set forth in the draft lawsuit.

If the District contends that the claims as described in the draft lawsuit are subject to section 6, Claimants request that the District initiate the administrative process immediately. If it agrees with Claimants that the claims are not subject to section 6, please advise of such. We would also appreciate it if the District would take this opportunity to re-examine its obligations under Ordinance No. 152, which require it to reduce its Water Supply Charge following the reinstatement of the User Charge. In the absence of a written commitment to reduce the Water Supply Charge, we will assume it intends to continue the Water Supply Charge unabated.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric J. Benink", with a stylized flourish at the end.

Eric J. Benink

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Attorneys for Petitioners/Plaintiffs

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF MONTEREY**

MONTEREY PENINSULA TAXPAYERS'
ASSOCIATION, INC., a California nonprofit
corporation; and RICHARDS J. HEUER III,
an individual,

Petitioners and Plaintiffs,

v.

THE MONTEREY PENINSULA WATER
MANAGEMENT DISTRICT, a California
public agency; and DOES 1 through 10,

Respondents and Defendants.

Case No.:

**VERIFIED PETITION FOR WRIT OF
MANDATE**

and

**COMPLAINT FOR DECLARATORY
RELIEF**

SUMMARY OF ACTION

1. Petitioners challenge the Monterey Peninsula Water Management District's ("District's") continued imposition of a water supply charge established and authorized by Ordinance No. 152 on June 27, 2012 (the "Water Supply Charge"). Ordinance No. 152 (§ 10) required the District to reduce the Water Supply Charge in the event it reinstated a User Fee it previously collected through California-American Water Company ("Cal-Am"), an investor-owned utility. In 2016, following a California Supreme Court decision, the District reinstated the fee. But the District did not cease or reduce the Water Supply Charge as its own ordinance required. It continues to impose the full amount of the Water Supply Charge on property owners within the County. Petitioners seek a writ of mandate and related relief commanding the District to cease the further collection of the Water Supply Charge (or to reduce it by the amount of the User Fee) because it violates Ordinance No. 152 and Proposition 218.

PARTIES

2. Petitioner Monterey Peninsula Taxpayers' Association, Inc. ("MPTA") is a California nonprofit corporation with its primary place of operations in Monterey County. Its purpose and objective, *inter alia*, are to take appropriate steps to keep taxes as low as possible consistent with efficiency, progress and development and to sponsor, sanction, promote, and assist movements in Monterey County for the conservation of tax monies and the efficient use thereof. Its members are subject to the User Fee and Water Supply Charge at issue herein.

3. Petitioner Richards J. Heuer III resides, and has resided at all relevant times, in Monterey, California. Petitioner is a customer of Cal-Am and, during the relevant time period when it was in effect, has paid the District's User Fee collected by Cal-Am. In addition, he also pays the Water Supply Charge through his property tax bill.

1 4. Defendant Monterey Peninsula Water Management District is a public agency
 2 organized and existing under the Monterey Peninsula Water Management District Law (See
 3 West's Water Code Appendix, Chapter 118 (uncodified).) It is an "agency" and "local
 4 government" subject to Proposition 218's mandates. (See Cal. Const., art.¹ XIII C, § 1, subd.
 5 (b); art. XIII D, § 2, subd. (a).) It is governed by a seven-person board of directors ("Board").

6 5. Petitioners are unaware of the true names and capacities of respondents/
 7 defendants sued herein as DOES 1 through 10, inclusive, and therefore sue those respondents/
 8 defendants by such fictitious names. They are informed and believe, and thereon allege, that
 9 each of said fictitiously-named respondents/defendants is in some manner responsible for the
 10 acts, violations, and injuries alleged herein. They will amend this petition and complaint to
 11 allege the true names and capacities of said fictitiously-named respondents/defendants when the
 12 same has been ascertained.

13 6. Petitioners are informed and believe, and thereon allege, that at all times herein
 14 mentioned, each of the respondents/defendants was the agent, employee, representative, partner,
 15 joint venturer, and/or alter ego of each of the other respondents/defendants and, in doing the
 16 things alleged herein, was acting within the course and scope of such agency, employment,
 17 representation, on behalf of such partnership or joint venture, and/or as such alter ego, with the
 18 authority, permission, consent, and/or ratification of each of the other respondents/defendants.
 19

20 **GENERAL ALLEGATIONS**

21 7. Water service on the Monterey Peninsula is principally supplied by Cal-Am, an
 22 investor-owned water supplier, which is regulated by the California Public Utilities Commission
 23 ("PUC"). Cal-Am owns a water supply, storage, and distribution system on the Monterey
 24 Peninsula, through which it provides water to over 100,000 residents, including in Carmel-by-
 25 the-Sea, Monterey, Pacific Grove, Seaside, Del Rey Oaks, and Sand City, as well as some
 26 unincorporated areas of Monterey County.
 27

28 ¹ All references to "art." herein are to the California Constitution.

1 8. Because Cal-Am is not a government agency, in 1977 the Legislature created the
2 District “to carry out such functions which only can be effectively performed by government,
3 including, but not limited to, management and regulation of the use, reuse, reclamation,
4 conservation of water and bond financing of public works project.” (Wat. Code App. § 118-2.)
5 The Legislature conferred on the District broad powers to manage and regulate water use and
6 distribution in Monterey Peninsula area. (*Id.* at §§ 301-494, pp. 1686-1712.)

7 9. Beginning in 1983 and at various times as described further herein, the District
8 imposed a User Fee on Cal-Am customers and contracted with Cal-Am to include this fee on
9 bills to its customers. Cal-Am collects and remits the User Fee to the District.

10 10. In 2009, Cal-Am sought the PUC’s approval for a rate increase. In or around March
11 2011, in connection with that request, the PUC ruled that Cal-Am could no longer collect the User
12 Fee for the District. Cal-Am ceased the collection shortly thereafter. According to the District, at the
13 time, the User Fee was the source of approximately 46% (or \$3.7 million) of the District’s annual
14 revenues, with the remainder derived from property taxes, permit fees, connection charges, and other
15 sources.
16

17 11. Having lost almost half of its annual revenues as a result of the PUC’s ruling, the
18 District determined to replace the invalidated User Fee with a new fee, a Water Supply Charge,
19 which would be added to the property tax bill of those property owners subject to the charge. In
20 April 2012, it mailed a notice to property owners advising that it would conduct a public hearing to
21 consider a Water Supply Charge at a public hearing on June 12, 2012.

22 12. In the meantime, the District had retained a rate consultant Bartle Wells Associates
23 (“BWA”) to prepare a rate study in furtherance of its desire to impose a Water Supply Charge. On
24 April 12, 2012, BWA issued a “Technical Memorandum” that stated: “Until recently, the District
25 funded its activities through a user fee collected from Cal-Am customers and other water system
26 customers on the customer bills. The collection of the user fee was recently eliminated by a ruling of
27 the California Public Utilities Commission (CPUC) in the General Rate Case of Cal-Am. To
28

continue its activities, the District must now develop a new mechanism for collecting fees.” (See p. 1.)

13. The Technical Memorandum also concluded that “[i]n order to maintain fund reserve balances, meet costs, and to fund new water supply projects, the District will need to recover \$3.7 million annually in user fee revenues” and stated that the District “must restore the user fee revenues to meet operating and capital expenses, and to fund new water supply activities.” (See pp. 3, 6.) On April 12, 2012, the Board adopted the Technical Memorandum.

14. At the June 12, 2012 public hearing for the Board’s consideration of the Water Supply Charge, members of the public mounted a vigorous opposition; thousands of written protests were submitted. The Board counted 10,343 valid written protests from a possible 30,509 eligible parcels.

15. In the face of the outcry from the public, the Board twice continued the hearing to consider the Water Supply Charge: once to June 19, 2012, and then again to June 27, 2012. During that period, District staff communicated or met with at least eight groups², including MPTA, to consider their concerns and to attempt to reach agreement in order to avoid litigation.

16. At the June 27, 2012 continued hearing, District staff gave a slideshow presentation which reflected “Topics of Compromise & Agreement” referring to its discussions and communications with the community groups. One of the items identified was “stronger ‘sunset’ provisions.” Staff also presented “Potential Modifications to Ordinance No. 152” (Handout 3) which included proposed language for sunset clauses.

17. At the June 27, 2012 continued hearing, the Board adopted Ordinance No. 152 which incorporated the modifications set forth in Handout 3. Ordinance No. 152 imposed a Water Supply

² In addition to MPTA, the District met with Monterey County Association of Realtors, Coalition of Peninsula Businesses, Monterey County Republican Party (Dist. 5), Monterey Peninsula Chamber of Commerce, Citizens for Public Water, Carmel Valley Association, Monterey Peninsula Regional Water Authority. The Monterey County Association of Realtors retained counsel who transmitted a critique of the Technical Memorandum prepared by another rate consultant, Raftelis Financial Consultants, Inc.

Charge on property owners via a meter fee (based on meter size) and a water usage fee (based on type and size of structure).

18. Ordinance No. 152 states: “The purpose of this Ordinance is to replace and augment the former charge collected by CAW (Cal-Am) on its bills to water customers with a supply charge collected from owners of parcels that receive from the District through CAW’s distribution system.” (See Findings, ¶ 10.) It also states: “Notwithstanding any other provision of this Ordinance, the District shall not collect a water supply charge pursuant to this Ordinance: ... (b) to the extent alternative funds are available via a charge collected on the California American Water Company bill...” (See § 10.) In other words, if the then-invalidated User Fee was reinstated – or some other fee was instituted and collected through Cal-Am’s water bills – then the amount collected via the Water Supply Charge would be reduced pro rata from the fees collected from Cal-Am’s bills. This provision – which placed a severe restriction on the District’s ability to charge the full amount of the Water Supply Charge – was forged through compromise and public participation, and adopted by the Board to mollify angry constituents.

19. The District has no discretion to disregard Ordinance No. 152, section 10’s provisions. In fact, one of the other modifications presented in Handout 3 that the Board considered and ultimately adopted was section 13. Section 13 provides that the Board may not amend any part of Ordinance No. 152 unless it conducts another public hearing, mails notice, and allows for protests (as required by section 6, subdivision (a).) The only exceptions are (a) to suspend the Water Supply Charge, (b) reduce its rate, or (c) repeal the ordinance in its entirety. In order words, the District agreed to not repeal or amend the sunset provisions (a power it would normally hold) without an entirely new Proposition 218 process.

20. In a Frequently Asked Questions document published by the District (dated July 2012) informing the public about the implementation of the Water Supply Charge, the District explained:

1. Why is this charge needed?

1 a. *When the California Public Utilities Commission (CPUC) took away the*
 2 *collection of the MPWMD user fee through the Cal Am bill, the District was left with a*
 3 *\$3.7 million gap in its budget...Without a replacement of that revenue source, the*
 4 *District does not have the ability to fund development of much-needed water supply*
 5 *projects.*

6 **2. What was wrong with the old user fee and collection method?**

7 a. *The CPUC disallowed the collection of the District's user fee to be passed*
 8 *through on the Cal Am bill. The judge agreed that the user fee was legal, but stated*
 9 *that she would disallow the charge to be collected on the Cal Am bill.*

10 ***

11 **14. Is there a sunset date for the charge?**

12 *Additionally, no supply charge shall be collected if alternative funds become*
 13 *available via a charge on the Cal Am bill.*

14 21. While the District was working toward implementing the Water Supply Charge, it
 15 was also continuing to challenge the PUC's decision to disallow the User Fee. In February 2013, it
 16 filed a Petition for Review of the PUC's decision before the California Supreme Court. The Supreme
 17 Court granted review and on January 25, 2016, issued an opinion setting aside the PUC's decision.
 18 (Monterey Peninsula Water Management Dist. v. California Public Utilities Com. (2016) 62 Cal.4th
 19 693.)

20 22. Although the District had secured a replacement fee via the Water Supply Charge, it
 21 nevertheless determined to reinstate the prior User Fee following the Supreme Court's ruling.
 22 Counsel for the District opined in a March 16, 2016 memorandum that, with respect to the User Fee,
 23 the District need not comply with Proposition 218's mandates (notice, hearing, protest rights) if the
 24 User Fee was based on fee ordinances that either pre-existed Proposition 218 or had already been
 25 subjected to Proposition 218's requirement. The memorandum concluded that the two components
 26 of the User Fee met these requirements.
 27
 28

23. On February 17, 2016, the Board adopted Resolution No. 2016-03 “Reestablish User Fee and Suspend its Collection for Remainder of Fiscal Year 2015-16.” On March 21, 2016, the Board adopted Resolution No. 2016-05 “Reestablish User Fee and Suspend its Collection For Remainder of Fiscal Year 2015-16” (superseding Resolution No. 2016-03.) Subsequently, the District began imposing on, and Cal-Am began collecting, the same User Fee that the PUC had previously disallowed from Cal-Am customers through Cal-Am water bills. This imposition and collection are continuing today.

24. In an April 18, 2016 staff report prepared by District General Manager David Stoldt, Stoldt acknowledged Ordinance No. 152’s sunset provision and stated that “it is incumbent upon the board to examine its needs and availability of its two primary funding sources and develop a plan for their use, including reductions or possible sunsets of either or both.” Nevertheless, Stoldt recommended (together with the District’s Chief Financial Officer) that the District collect both charges for at least 3 years.

25. In 2018, during that three-year period, the District initiated a ballot measure (Measure J) to seek approval of a District policy to acquire Cal-Am’s assets (either through negotiation or eminent domain). Voters approved Measure J at a November 28, 2018 election.

26. On February 6, 2019, the District’s counsel issued a memorandum that opined that the District could utilize Water Supply Charge proceeds to implement Measure J (i.e. to engage in an expensive eminent domain proceeding). It relies on the “plain language” of Ordinance No. 152. Petitioners take no position on the legality of using Water Supply Charge proceeds to fund Measure J efforts in this litigation.

27. As set forth above, Ordinance No. 152 provides that the District shall not collect the Water Supply Charge to the extent alternative funds are available via a charge collected on the Cal-Am bill. Alternative funds are now available via a charge collected on the Cal-Am (i.e., the reinstated User Fee.) The District was required to reduce the Water Supply Charge in the amount of the User Charge but it has not done so. The District is violating Ordinance No. 152 each time it imposes the Water Supply Charge on property tax bills.

28. The Water Supply Charge is subject to the requirements of article XIII D, section 6 (Proposition 218) because it is a “fee” or “charge” as defined by section 2, subdivision (e). Section 6 places constitutional limitations on the manner by which a local agency like the District may impose property-related fees. Among its provisions is a requirement that the “revenues derived from the fee or charge shall not be used for any purpose other than that for which the fee or charge was imposed.” (See § 6, subd. (b)(2).) The purpose of the Water Supply Charge was to replace the then-invalid User Charge. By not reducing the Water Supply Charge by the amount of the User Fee, the revenue from the Water Supply Charge is necessarily being utilized for purposes other than that for which fee or charge was imposed in violation of section 6, subdivision (b)(2).

CAUSES OF ACTION

FIRST CAUSE OF ACTION **PETITION FOR WRIT OF MANDATE** **(Against All Respondents)**

29. Petitioners refer to and incorporate by reference all preceding paragraphs as though fully set forth at length herein.

30. There is a clear, present and ministerial duty upon the part of the Respondents to comply with Ordinance No. 152 (§ 10) and Proposition 218 (article XIII D, § 6, subds. (b)(2)) in connection with Respondents’ continuing imposition of the Water Supply Charge.

31. Respondents have failed to comply with Ordinance No. 152 (§ 10) by failing to stop the collection of the Water Supply Charge to the extent alternative funds are now available via the User Charge collected on the Cal-Am bill.

32. Respondents have failed to comply with section 6, subdivision (b)(2) by not reducing the Water Supply Charge by the amount of the User Fee and thus, the revenue from the Water Supply Charge is necessarily being utilized for purposes other than that for which fee or charge was imposed.

1 33. Petitioners have a clear, present and beneficial right to the performance of those
2 duties.

3 34. Petitioners do not have an adequate remedy at law.

4 35. Accordingly, Petitioners are entitled to a writ of mandate pursuant to Code of
5 Civil Procedure section 1085 as specified more fully below.

6
7 **SECOND CAUSE OF ACTION**
8 **DECLARATORY RELIEF**
9 **(Against All Defendants)**

10 36. Petitioners refer to and incorporate by reference all preceding paragraphs as
11 though fully set forth at length herein.

12 37. An actual, present, and substantial controversy exists between Petitioners and
13 Defendants. Petitioners contend that the District is violating Ordinance No. 152 (§ 10) and
14 article XIII D, section 6, subdivision (b)(2) by refusing to reduce the Water Service Charge by
15 the amount of the User Fee. They further contend that any interpretation of Ordinance No. 152
16 (§ 10) that allows the District to continue to charge the full amount of the Water Supply Charge
17 is erroneous.

18 38. Defendants contend that the District is in compliance with Ordinance No. 152 (§
19 10) and is not violating article XIII D, section 6, subdivision (b)(2) by refusing to reduce the
20 Water Service Charge by the amount of the User Fee. They interpret Ordinance No. 152 (§ 10)
21 in a manner that authorizes the District to continue to charge the full amount of the Water Supply
22 Charge.

23 39. Petitioners are entitled to a judicial declaration stating the parties' respective
24 rights arising from Ordinance No. 152 (§ 10) and article XIII D, section 6, subdivision (b)(2),
25 and the proper interpretation of Ordinance No. 152 (§ 10.)

26 **PRAYER FOR RELIEF**

27 WHEREFORE, Petitioners pray for relief and judgment against Respondents, jointly and
28 severally, as follows:

1 1. For a writ of mandate directing Respondents to cease the imposition and collection
2 of Water Supply Charge by the amount of the User Charge.

3 2. For a declaratory judgment declaring that (a) Defendants have violated, are
4 continuing to violate Ordinance No. 152 (§ 10) and article XIII D, section 6, subdivision (b),
5 subdivision (2) and (b) Ordinance No. 152 (§ 10) requires the District to reduce the Water
6 Service Charge by the amount of the User Fee.

7 3. An award of attorneys' fees and costs, including those recoverable pursuant to
8 California Code of Civil Procedure section 1021.5 and/or other applicable method of awarding
9 attorney's fees and costs; and

10 4. For any such further relief as may be permitted by law and/or that the Court deems
11 equitable, just and proper.

12
13
14 August _____, 2021

BENINK & SLAVENS, LLP.

DRAFT

Eric J. Benink, Esq.

Attorneys for Petitioners/Plaintiffs

VERIFICATIONS

I, Richards J. Heuer III, declare:

I have read the foregoing August 30, 2021 Claim Letter and the draft Verified Petition for Writ of Mandate and Complaint for Declaratory Relief attached thereto and know their contents. With respect to the matters about me personally, the matters stated therein are true based on my personal knowledge. With respect to the remaining allegations, I believe them to be true based on the investigation of my attorneys.

I certify, upon penalty of perjury under the laws of the State of California, that the foregoing is true and correct and that this verification was executed on the date shown below in Vista, California.



Richards J. Heuer III

Dated: August 30, 2021

I, Richards J. Heuer III, declare:

I have read the foregoing August 30, 2021 Claim Letter and the draft Verified Petition for Writ of Mandate and Complaint for Declaratory Relief attached thereto and know their contents. I am the president of Monterey Peninsula Taxpayers' Association, Inc. (MPTA). With respect to the matters about MPTA personally, the matters stated therein are true based on my personal knowledge. With respect to the remaining allegations, I believe them to be true based on the investigation of my attorneys.

I certify, upon penalty of perjury under the laws of the State of California, that the foregoing is true and correct and that this verification was executed on the date shown below in Vista, California.



Richards J. Heuer III, President
Monterey Peninsula Taxpayers'
Association, Inc.

Dated: August 30, 2021



511 Forest Lodge Road
Suite 100
Pacific Grove, CA 93950
www.amwater.com

P: 831.646.3241
C: 831.277.2405

September 1, 2021

David Stoldt, General Manager
dstoldt@mpwmd.net
Monterey Peninsula Water Management District
PO Box 85
Monterey, CA 93942-0085

Paul Sciuto, General Manager
paul@my1water.org
Monterey One Water
5 Harris Court, Building D
Monterey, CA 93940

Dear Mr. Stoldt and Mr. Sciuto:

This letter responds to the attached July 9, 2021 letter (Joint Letter) to California American Water (Cal Am) from Monterey Peninsula Water Management District (MPWMD) and Monterey One Water (M1W) concerning a June 29th 2021 meeting at which Cal Am was notified of an apparent failure of the Pure Water Monterey Project (Project) to comply with underground retention times required for groundwater replenishment reuse projects.

As you know, state regulations, and M1W's Project permit from the California Regional Water Quality Control Board (RWQCB Order No. R3-2017-0003), require treated recycled wastewater to meet specific requirements for potable reuse necessary for the protection of public health, including state-approved response retention times. These regulations are designed to ensure that recycled water is retained underground for a sufficient period of time to identify any treatment failures and implement actions so that inadequately treated recycled water does not enter a potable water system (22 CCR § 60320.124; RWQCB Order R3-2017-0003, ¶ 30). Based on the monitoring data provided by the MPWMD under the methodologies specified in 22 CCR § 60320.224, it appears that the minimum retention time is not achieved at ASR Well 01/02 site.

Cal Am is concerned not only about the ability of the Project to meet fundamental state requirements for the use of recycled water for potable water purposes, but also the extreme delay in notifying Cal Am of the Project's failure to meet underground retention time requirements. MPWMD's delay of seven months before notifying M1W in May 2021 of the results of sampling conducted in October 2020, and the further one-month delay of both M1W and MPWMD in notifying Cal Am in June 2021 is not acceptable. M1W's RWQCB permit

requires notification to the Central Coast Water Board, DDW, and all purveyors drawing potable water from the Seaside Basin within 24 hours of becoming aware of a permit violation.

Additionally, the Project Water Purchase Agreement requires that all recycled water delivered by M1W to MPWMD, and by MPWMD to the Delivery Point, meet the water quality requirements set forth in Applicable Law, including all state regulations and permits that apply to the services provided by any party under the Water Purchase Agreement. Clearly, the Project's ability to satisfy state regulations and comply with regulatory permits to ensure sufficient treatment and underground retention of recycled water is MPWMD's and M1W's joint responsibility.

Cal Am is also concerned about certain interim measures proposed in the Joint Letter to allow the Project to meet regulatory compliance requirements, particularly the proposal to delay using ASR-1 well extraction. As customer water use increases during summer months, extraction from ASR-1 will be needed to meet system demand. Eliminating the availability of ASR-1 for extraction also eliminates any operational redundancy, a necessary safeguard in case other major producing Seaside Wells need to be taken offline. Consequently, a failure of the Project to comply with retention requirements may require reduction in Project injection rates.

We understand that MPWMD and M1W also propose conducting an added tracer study, modeling studies, and sampling of ASR-4. While none of these options are guaranteed to provide the required state approval by our operational deadline of June 2022, we feel these are the right steps forward. However, the Joint Letter also proposes constructing an intertie from the Paralta well to the Santa Margarita site and completion of EW-1 & EW-2 prior to June 2022. Cal Am has significant concerns about the feasibility of these options, as well as the impact these measures may have on Cal Am's ability to withdraw native Seaside Basin water and stored ASR water for service to its customers.

The impact of any failure of the Project to comply with regulatory requirements cannot be overstated. It is imperative that the Project's injection well field remain robust with sufficient redundancy and factors of safety, since water supplied from the Project and its proposed expansion will supply the majority of the drinking water for the Monterey Peninsula and Cal Am's customers. By the end of 2021, Cal Am has been ordered to reduce its Carmel River diversions to its authorized diversion limits, and is relying on the availability of recycled water from the Project to achieve compliance.

Cal Am must be informed in a timely manner about all potential failures in Project operations, proposed solutions, schedule, regulatory approvals, and any resulting impact on deliveries of AWT Water.

Sincerely,



Chris Cook, PE
Director of Operations – Central Division
E: Christopher.Cook@amwater.com
www.amwater.com

Attachment: Joint Letter

CC: Alvin Edwards, Chair, MPWMD Board of Directors, alvinedwards420@gmail.com
Mary Ann Carbone, Chair, M1W Board of Directors, sandcityrep@my1water.org
Ian Crooks, VP of Engineering, Cal Am, ian.crooks@amwater.com

Copy by email to ian.crooks@amwater.com

July 9, 2021

Ian Crooks, VP Engineering
California American Water
655 W. Broadway, Suite 1410
San Diego, CA 92101

RE: Pure Water Monterey Injection Wells Update & Seaside Groundwater Basin Management Coordination

Dear Mr. Crooks,

Monterey One Water (M1W) and Monterey Peninsula Water Management District (MPWMD) thought it would be helpful to summarize our June 29th meeting with you and Chris Cook. Other technical consultants in attendance included staff from Todd Groundwater, Trussell Tech and Montgomery & Associates. The meeting objective was to share with California American Water Company (Cal Am) the findings of the recent Pure Water Monterey (PWM) injection wells Tracer Study and subsequent groundwater modeling, while also coordinating related Seaside Groundwater Basin management issues. The Tracer Study and recent modeling indicate the underground travel times for injected purified water are somewhat faster than originally anticipated. The injection capacity is not affected; however, there is a concern with the Study's implications on extraction capacity.

Gus Yates, with Todd Groundwater, presented the findings of the Tracer Study and groundwater modeling. Results of the study illustrate that if ASR-1 comes back online in October 2021, the travel time could be below the regulatory minimum allowable 2 month retention time.

On our call, Jon Lear, with MPWMD, and Gus Yates outlined basin management options for Cal Am to consider that would allow PWM to meet regulatory compliance requirements, while meeting Cal Am's water supply needs. The concepts included the following:

1. Delay start-up of ASR-1 extraction
2. Complete DDW permit for ASR-4 well production
3. Construct an intertie from Paralta well to Santa Margarita site
4. Conduct an added extrinsic tracer study to receive 1:1 travel time credited time vs. 1: 0.67 provided by the intrinsic tracer study and modeling. (Note: this would be in combination with other methods identified above)

Ian Crooks, VP Engineering
California American Water (Cal Am)
July 9, 2021
Page 2 of 3

David Stoldt also discussed using Carmel River water supplies in Oct – Dec 2021 to minimize pumping demands.

Jon Lear outlined an approach which allows Cal Am to operate ASR-3 and ASR-4 so that Cal Am can meet its demands beginning in October. This approach requires an acceleration of the ASR-4 extraction permit approval process. The cone of depression and interference using both ASR-3 and 4 would have less effect than using ASR-1 and 2, which are closer together. It is anticipated that ASR-3 and 4 could extract 3,000 – 3,500 GPM.

Gus Yates stated that the team will model a long-term basis as if M1W shifts all the injection to DIW-3 & 4 and later, as part of the Expanded PWM, add a fifth deep injection well and, also a sixth. In the short term (without additional expansion deep injection wells), the yield would need to be reduced by 10-20% to meet minimum detention times without using DIW-1 & 2. Therefore, the option of ASR-1 extracting is not available this calendar year. It was iterated that Cal Am should shift extraction from wells other than ASR-1 in the interim, at least for Oct 2021 – March 2022. However, reducing injection from DIW-1&2 is not viewed as a long-term solution

Chris Cook reiterated action items for Cal Am:

- Determine available use of additional Carmel River supplies from Oct – Dec 2021
- Verify if ASR-3 & 4 can meet the demand in Jan – May of 2022
- Determine if ASR-1 can be used for injection when extracting from ASR-3
- Pursue acceleration of ASR-4 extraction permit and request DDW set aside the application for ASR-2
- Confirm adequate operational redundancy
- Proposed M1W conduct the added tracer study and requested support from MPWMD to help determine ASR-1 injection/ASR-3 extraction verification.

M1W actions to help address this issue:

- Implement daily strontium monitoring (May 18, 2021)
- Calibrate groundwater model to intrinsic tracer data for updated modeling (May-July)
- Review alternatives for additional log removal credits
- Complete 2 additional deep injection wells
- Continue to collaborate with Cal Am and MPWMD

It was also noted that M1W would share the same Tracer Study and groundwater modeling results with the State Division of Drinking Water (DDW) and the Regional Water Quality Control Board (RWQCB). An initial meeting with DDW and RWQCB occurred on July 6, 2021 with a follow-up meeting scheduled for July 14, 2021. Further meeting topics include the positive contribution of additional water treatment log removal credits along with proposed M1W action items that will ensure PWM moves forward while staying in full regulatory compliance.

Sincerely,



Paul A. Sciuto
General Manager
M1W



David J. Stoldt
General Manager
MPWMD

From: [Rudy Fischer](#)
To: [Joel Pablo](#)
Cc: [Catherine Bowie Stedman](#); [Rick Heuer](#); kdayton@daytonpublicpolicy.com; [Moe Ammar](#)
Subject: Message to the board for tonight's meeting
Date: Thursday, September 2, 2021 12:30:26 PM

Ladies and gentlemen;

In looking at your agenda package for tonight, it looks like you are starting to go down the same road that the Marina Coast Water District went down many years - and millions of dollars - ago. Your role as Directors of MPWMD is to manage and enhance water supplies for the Peninsula; not spend all of the public's money on litigation. I urge you to change direction and start working with those involved in providing water, not against them.

Rudy Fischer
(831) 236-3431

**RECEIVED**

SEP 08 2021

MPWMD

Carmel River Steelhead Association
501 (c) (3) TIN 77 - 0093979
P.O. Box 1183
Monterey, CA 93942

August 30, 2021

Dear Friends at The Monterey Peninsula Water Management District

The Carmel River Steelhead Association (CRSA) appreciates the assistance and the partnering from the Monterey Peninsula Water Management District (MPWMD) on the recent CRSA organized electrofishing training classes held on the Carmel River.

CRSA was able to access the river, train the students, rescue fish, tag fish and in general allow a full experience to the students on the entirety of electrofishing including the rescuing of steelhead and how they are handled once they have been removed from the river.

In particular CRSA would like to recognize Corey Hamilton and his fisheries crew for their generous work and help in making this event even more successful than it might have been.

CRSA recognizes the importance of these partnerships and we are encouraged when they further promote the wellness of the Carmel River and its STEELHEAD fish.

Our thanks and gratitude
Carmel River Steelhead Association