

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, December 13, 2021 at 4:30 PM, Virtual Meeting

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

Join the meeting at this link:

<https://us06web.zoom.us/j/89471430642?pwd=RjZwemRIME5SMkdVNTJzYnFpengxUT09>

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

Webinar ID: 894 7143 0642

Passcode: 12132021

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, December 10, 2021

CLOSED SESSION AGENDA | 4:30 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, December 9, 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 Thursday, January 27, 2022.

PUBLIC COMMENT ON THE CLOSED SESSION AGENDA

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 Public Employee Performance Evaluation (CA Gov Code Sec. 54957) - General Manager

CS 2 Conference with Legal Counsel – the board will confer with District Counsel to review pending or anticipated litigation pursuant as follows:

a. Conference with Legal Counsel – the board will review Existing Litigation (§ 54956.9) MPWMD v. Cal-Am – CPUC Case No. 21-05-005

b. Conference with Legal Counsel – the board will review Existing Litigation (§ 54956.9) – CPUC Case No. A.21-11-024

c. Conference with Legal Counsel – the board will review Existing Litigation (§ 54956.9) – CPUC Case No. A.19-07-004

d. Conference with Legal Counsel – the board will review Significant Exposure to Threatened or Potential Litigation (§ 54956.9). MPWMD v. LAFCO of Monterey County – Case No. Not Yet Assigned

e. Conference with Legal Counsel - the board will review two matters of potential/anticipated litigation. Government Code §54956.9(c).

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 November 15, 2021 Regular Board Meeting
2. Consider Adoption of Treasurer’s Report for October 2021
3. Consider Adopting Draft Resolution No. 2021-19 Authorizing Remote Teleconferencing Meetings of all District Legislative Bodies for the Following 30 Days in Accord with the Ralph M. Brown Act and AB 361 (Rivas)
4. Consider Adopting Draft Resolution No. 2021-16 Amending MPWMD Rule 141, Rebate Amounts
5. Consider Allocating Funds to Purchase a Digital Current Meter for Surface Water Monitoring Program

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
7. Update on Water Supply Projects
8. Report on Legislative Outreach for Calendar Year 2021

REPORT FROM DISTRICT COUNSEL- *Public Comment will be received on Item No. 10(a). Please limit your comments to three (3) minutes.*

9. a. California-American Water Company (Cal-Am), 2019 General Rate Case No. 19-07-004 filed with the California Public Utilities Commission

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

10. 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.*

11. Consider Second Reading and Adoption of Ordinance No. 189, an Ordinance of the Monterey Peninsula Water Management District Board of Directors Clarifying and Amending Rules Related to Definitions (Rule 11), Water Distribution Systems (Rule 21), Water Permits (Rules 23 And 24), Water Use Credits (Rule 25.5), and Rebates (Rule 141); Deleting Rule 91 (Short Term Variance); And Revising The Title Of Regulation XV

Recommended Action: The Board will consider adoption of Ordinance No. 189. If adopted, the ordinance will become effective January 1, 2022.

12. Consider Adoption of January through March 2022 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 January through March 2022. The strategy sets monthly goals for surface and groundwater production from various sources within the California American Water systems.

13. Receive Fiscal Year 2020-21 Comprehensive Annual Financial Report

Recommended Action: The Board will review and consider acceptance of the Audit Report for Fiscal Year 2020-2021.

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

14. Review and Consider Adopting the Board Meeting Schedule for Calendar Year 2022

Recommended Action: The Board will review and consider adopting the board meeting schedule for Calendar Year 2022.

15. Review and Consider Adopting the MPWMD Advisory Redistricting Commission – Rules of Procedure

Recommended Action: The Board will consider reviewing and adopting the board meeting schedule for Calendar Year 2022.

16. Conduct Election of Board Officers for 2022

Recommended Action: The Board will conduct an election for the positions of Board Chair, Vice Chair, Secretary and Treasurer.

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.

17. Report on Activity/Progress on Contracts Over \$25,000
18. Status Report on Measure J/Rule 19.8 Phase II Spending
19. Letters Received Supplemental Packet
20. Committee Reports
21. Monthly Allocation Report
22. Water Conservation Program Report
23. Carmel River Fishery Report for November 2021
24. Monthly Water Supply and California American Water Production Report

ADJOURNMENT

Board Meeting Schedule			
Thursday, January 27, 2022	Regular Meeting	6:00 pm	Virtual - Zoom
Thursday, February 24, 2022	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, December 13, 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/89471430642?pwd=RjZwemRlME5SMkdVNTJzYnFpengxUT09> 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 December 13, 2021. Comments submitted by noon will be provided to the Board of Directors and compiled as part of the record of the meeting.

ITEM: CONSENT CALENDAR**1. CONSIDER ADOPTION OF MINUTES FROM THE NOVEMBER 15, 2021 REGULAR BOARD MEETING****Meeting Date: December 13, 2021****Budgeted: N/A****From: David J. Stoldt,
General Manager****Program/
Line Item No.: N/A****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** are draft minutes of the MPWMD Board of Director's for its Regular Meeting on November 15, 2021.**RECOMMENDATION:** The board will consider adopting the draft meeting minutes of the MPWMD Board of Director's for Regular Meeting on November 15, 2021.**EXHIBIT****1-A** Draft Minutes of the November 15, 2021 Regular Meeting of the Board of Directors



EXHIBIT 1-A

DRAFT MEETING MINUTES
Regular Meeting
Board of Directors
Monterey Peninsula Water Management District
November 15, 2021

The meeting reconvened to open session at 6:02 pm by Chair Edwards. *Pursuant to AB 361, the meeting was conducted with virtual participation via Zoom.*

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
 Mary L. Adams – Monterey County Board of Supervisors Representative
 Clyde Roberson – Mayoral Representative

ROLL CALL

Directors Absent: None

General Manager present: David J. Stoldt

District Counsel present: Dave Laredo with De Lay and Laredo

The assembly recited the Pledge of Allegiance.

PLEDGE OF ALLEGIANCE

None

ADDITIONS AND CORRECTIONS TO AGENDA

Public Comment Period Opened. The following comments were directed to the board:

ORAL COMMUNICATIONS

Nina Beety expressed concerns over Cal-Ams General Rate increase and other requests are approved before the CA Public Utilities Commission (CPUC) and ask the board to provide public input before the CPUC on the matter.

Opened Public Comments; *No comments were received*

CONSENT CALENDAR

A motion was made by Director Paull with a second by Director Riley to approve the Consent Calendar Items No. 1 through 9. The motion passed on a roll call vote of 7-Ayes (Edwards, Paull, Malek, Anderson, Adams, Riley and Roberson), 0-Noes and 0-Absent.

Absent.

Adopted the September 24, 2021 Special Board Meeting and October 18, 2021 Special and Regular Board Meeting.

1. **Consider Adoption of Minutes from the September 24, 2021 Special Board Meeting and October 18, 2021 Special and Regular Board Meeting**

Adopted the August 2021 Treasurer’s Report and financial statements, and ratification of the disbursements made during the month.

2. **Consider Adoption of Treasurer’s Report for August 2021**

Adopted the September 2021 Treasurer’s Report and financial statements, and ratification of the disbursements made during the month.

3. **Consider Adoption of Treasurer’s Report for September 2021**

Received and filed first quarter financial activity report for Fiscal Year 2021-22.

4. **Receive and File First Quarter Financial Activity Report for Fiscal Year 2021-22**

Adopted Resolution No. 2021-18

5. **Consider Adopting Resolution No. 2021-18 Authorizing Remote Teleconferencing Meetings of all District Legislative Bodies for the Following 30 Days in Accord with the Ralph M. Brown Act and AB 361 (Rivas)**

Approved the First Quarter Fiscal Year 2021-2022 Investment Report.

6. **Consider Approval of First Quarter Fiscal Year 2021-22 Investment Report**

Approved and directed the General Manager to enter into a contract with Montgomery and Associates to provide groundwater modeling support to the District in an amount not to exceed \$50,000.

7. **Consider Directing the General Manager to Enter Into A Contract with Montgomery and Associates to Provide Groundwater Modeling Support to the District**

Approved Resolution No. 2021-14

8. **Consider Adoption of Resolution No. 2021-14 Amending MPWMD Rule 24, Table 1 - Residential Fixture Unit Count Values**

Approved Resolution No. 2021-15

9. **Consider Adoption of Resolution No. 2021-15 Amending Table 2: Non-Residential Water Use Factors**

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 November 1, 2021 and answered Board questions and answered Board questions. *A copy of the presentation is on file at the District office and can be viewed on the district website.*

GENERAL MANAGER’S REPORT

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

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 14 Acre

Feet (AF); (2) For the total year-to-date for Water Projects and Rights only 298 acre feet were injected; (3) The Monthly Demands/Deliveries for Customer Service is down by 40 AF compared to WY 2020; (4) The monthly/daily rainfall recorded at the San Clemente Rain Gage has more than doubled the historical average. (5) provided an update on the Carmel River Flow at the Sleepy Hollow WEIR Facility noting that it was slightly higher than average.

Stoldt provided an overview of the Water Supply Charge Report noting that the Water Supply Charge has generated approximately \$30 million dollars, project expenditures of \$42 million dollars and with expenditures totaling approximately \$60 million dollars over a period of 9 years.

a. David Laredo provided a verbal status report on the Pure Water Monterey Expansion – Amended and Restated Water Purchasing Agreement noting that progress is being made with the District, Monterey One Water (M1W) and Cal-Am on the draft Memorandum of Understanding. Laredo made the board aware that the CA Public Utilities Commission will hold a status conference on December 15, 2021 on the District’s complaint with Cal-Am that resulted in an order of the Administrative Law Judge ordering the water company to sign a Water Purchasing Agreement. Laredo mentioned that a meeting of the M1W Board will occur on November 29, 2021 to consider approving an addendum to the Certified SEIR for the Pure Water Monterey Project

b. Laredo provided a verbal status report on the MPTA Lawsuit challenging Ordinance No. 152: the District’s Water Supply Charge (WSC). He informed the board that a demurrer has been filed by his office and a hearing is set to take place on December 17, 2021 at 9 a.m. in Department 14 before Judge Marla O’Anderson.

[Note: Since the date of the Board meeting, the Court on its own motion changed the hearing time and date to January 14, 2022 at 8:30 a.m.]

c. Laredo provided a verbal status report on the District’s Application with LAFCO of Monterey County and informed the board that a hearing is set to take place on December 6, 2021.

Director Riley informed the board that he recently attended a Seaside Groundwater Basin Watermaster meeting and the Monterey County Special District Association meeting with special guest Speaker CA Senator Anna Caballero (SD-12). He mentioned that the Special District Association of Monterey County is working in partnership with a national effort to bring awareness of Special Districts and the value

REPORT FROM DISTRICT COUNSEL

11. **a. PWM Expansion – WPA
Amended & Restated Agreement
b. An Update to the MPTA Lawsuit
c. An Update to the LAFCO of
Monterey County Proceedings**

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

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

added to communities across the nation. This is all in an effort to ensure future federal legislation, policies and commitments include Special Districts along with State and local governments.

Chair Edwards noted the recent federal Infrastructure Bill passed by Congress and signed by President Biden and asked the District Staff to look for potential sources of monies out of the bill.

Stephanie Locke, Water Demand Manager provided an overview of her staff note, answered questions from the board and presented via MS PowerPoint. *A copy of the presentation is on file at the District office and can be viewed on the district website.*

Opened Public Comments; No comments were received.

A motion was made by Director Adams with a second by Director Roberson received the first reading of Ordinance No. 189 and directed staff to return back to the Water Demand Committee for additional direction on rebates for High Efficiency Toilets and Smart Flowmeters. Second reading is proposed to take place at the December 13, 2021, Board meeting with the effective date of January 1, 2022. The motion passed on a roll call vote of 7-Ayes (Edwards, Paull, Malek, Anderson, Adams, Riley and Roberson), 0-Noes and 0-Absent.

David J. Stoldt, General Manager provided an overview of his staff note. Stoldt, Laredo and Suresh Prasad answered questions from the Board.

Opened Public Comments

Susan Schiavone: Expressed support on the matter and asked staff to request from LAFCo of Monterey County invoices for work completed.

A motion was made by Director Riley with a second by Director Anderson to authorized staff to continue to pay LAFCO Fees and pass-throughs in a total amount not to exceed \$90,000 and such fees shall be paid upon presentation of a monthly invoice. The motion passed on a roll call vote of 7-Ayes (Edwards, Paull, Malek, Anderson, Adams, Riley and Roberson), 0-Noes and 0-Absent.

David J. Stoldt, General Manager and Dr. Jennifer Hunter, Resident Director with UC Berkely: Hastings Natural History Reservation provided an overview of the staff note and answered questions from the Board.

Opened Public Comments; No comments were received.

A motion was made by Director Anderson with a second by

PUBLIC HEARINGS

- 13. Consider First Reading of Ordinance No. 189, an Ordinance of the Monterey Peninsula Water Management District Board of Directors Clarifying and Amending Rules Related to Water Distribution Systems (Rule 21), Water Permits (Rule 23 And 24), Water Use Credits (Rule 25.5), and Rebates (Rule 141); Deleting Rule 91 (Short Term Variance); and Revising the Title of Regulation XV.**

ACTION ITEMS

- 14. Consider Authorization of Additional Expenditure for LAFCO Process Related to Measure J**
- 15. Consider Extension of Time for District Grant for Removal of Concrete Ford on Finch Creek Located on Hastings Reserve**

Director Edwards to consider an extension of the District’s Grant to UC Berkeley until December 31, 2023. The motion passed on a roll call vote of 7-Ayes (Edwards, Paull, Malek, Anderson, Adams, Riley and Roberson), 0-Noes and 0-Absent.

David J. Stoldt, General Manager provided an overview of the staff note and answered questions from the Board.

Opened Public Comments; No comments were received

A motion was made by Director Malek with a second by Director Roberson to approving Amendment 6 to the Cost Sharing Agreement with M1W for the Pure Water Monterey Project expansion and execute per agreement with M1W and at the direction of the CFO and General Manager. The motion passed on a roll call vote of 7-Ayes (Edwards, Paull, Malek, Anderson, Adams, Riley and Roberson), 0-Noes and 0-Absent.

David J. Stoldt provided a verbal status report on the Sand City Desal Replacement Wells.

Opened Public Comments; No comments were received.

David J. Stoldt provided a verbal status report and discuss reopening on District Meeting Format and Work Environment.

Opened Public Comments; No comments were received.

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

Chair Edwards adjourned the meeting at 8:40 p.m.

16. **Consider Approval of Amendment 6 to the Cost Sharing Agreement with Monterey One Water for Pure Water Monterey Expansion**

DISCUSSION ITEMS

17. **Sand City Desal Replacement Wells**

18. **Provide an Update and Discuss Reopening on District Meeting Format and Work Environment**

INFORMATIONAL ITEMS/STAFF REPORTS

19. **Report on Activity/Progress on Contracts Over \$25,000**
20. **Status Report on Measure J/Rule 19.8 Phase II Spending**
21. **Letters Received**
22. **Committee Reports**
23. **Monthly Allocation Report**
24. **Water Conservation Program Report**
25. **Carmel River Fishery Report for October 2021**
26. **Monthly Water Supply and California American Water Production Report**

ADJOURNMENT

Joel G. Pablo, Deputy District Secretary

ITEM: CONSENT CALENDAR**2. CONSIDER ADOPTION OF TREASURER'S REPORT FOR OCTOBER 2021****Meeting Date: December 13, 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 December 6, 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 2-A comprises the Treasurer's Report for October 2021. Exhibit 2-B and Exhibit 2-C are listings of check disbursements for the period October 1-31, 2021. Check Nos. 40085 through 40248, the direct deposits of employee's paychecks, payroll tax deposits, and bank charges resulted in total disbursements for the period in the amount of \$1,352,755.27. This amount included \$45,524.00 for conservation rebates paid out during the current period. Exhibit 2-D reflects the unaudited version of the financial statements for the month ending October 31, 2021.

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

EXHIBITS

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

**MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
TREASURER'S REPORT FOR OCTOBER 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	\$75,782.66	\$2,162,202.21	\$10,627,443.20	\$3,410,681.23	\$16,276,109.30	\$1,433,823.05
Fee Deposits		1,162,951.10			1,162,951.10	
MoCo Tax & WS Chg Installment Pymt					0.00	
Interest Received			6,471.33	1,711.44	8,182.77	
Transfer - Checking/LAIF					0.00	
Transfer - Money Market/LAIF					0.00	
Transfer - Money Market/Checking	1,500,000.00	(1,500,000.00)			0.00	
Transfer - Money Market/Multi-Bank					0.00	
Transfer to CAWD					0.00	(700,000.00)
Voided Checks					0.00	
Bank Corrections/Reversals/Errors	(125.00)				(125.00)	
Bank Charges/Other	(1,098.50)				(1,098.50)	
Credit Card Fees	(542.00)				(542.00)	
Returned Deposits	-				0.00	
Payroll Tax/Benefit Deposits	(115,699.82)				(115,699.82)	
Payroll Checks/Direct Deposits	(135,525.36)				(135,525.36)	
General Checks	(1,093,325.89)				(1,093,325.89)	
Bank Draft Payments	(6,438.70)				(6,438.70)	
Ending Balance	\$223,027.39	\$1,825,153.31	\$10,633,914.53	\$3,412,392.67	\$16,094,487.90	\$733,823.05

Check Report

By Check Number

Date Range: 10/01/2021 - 10/31/2021



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						
09425	The Ferguson Group LLC	10/28/2021	Regular	0.00	-74.42	39794
00249	A.G. Davi, LTD	10/07/2021	Regular	0.00	395.00	40085
01188	Alhambra	10/07/2021	Regular	0.00	50.49	40086
00263	Arlene Tavani	10/07/2021	Regular	0.00	1,031.00	40087
00253	AT&T	10/07/2021	Regular	0.00	876.02	40088
12655	Graphicsmiths	10/07/2021	Regular	0.00	180.00	40089
00986	Henrietta Stern	10/07/2021	Regular	0.00	1,332.00	40090
00277	Home Depot Credit Services	10/07/2021	Regular	0.00	39.31	40091
03965	Irrigation Association	10/07/2021	Regular	0.00	464.00	40092
00094	John Arriaga	10/07/2021	Regular	0.00	3,200.00	40093
19897	John K. Cohan dba Telemetrix	10/07/2021	Regular	0.00	9,066.00	40094
13431	Lynx Technologies, Inc	10/07/2021	Regular	0.00	375.00	40095
05829	Mark Bekker	10/07/2021	Regular	0.00	1,176.00	40096
00242	MBAS	10/07/2021	Regular	0.00	1,765.00	40097
00254	MoCo Recorder	10/07/2021	Regular	0.00	16.00	40098
00118	Monterey Bay Carpet & Janitorial Svc	10/07/2021	Regular	0.00	1,260.00	40099
01002	Monterey County Clerk	10/07/2021	Regular	0.00	30.00	40100
00274	Monterey One Water	10/07/2021	Regular	0.00	850,147.54	40101
00274	Monterey One Water	10/07/2021	Regular	0.00	204.61	40102
00270	Monterey Sanitary Supply	10/07/2021	Regular	0.00	85.72	40103
13396	Navia Benefit Solutions, Inc.	10/07/2021	Regular	0.00	815.42	40104
22031	Neil Williams	10/07/2021	Regular	0.00	378.00	40105
00154	Peninsula Messenger Service	10/07/2021	Regular	0.00	64.50	40106
00154	Peninsula Messenger Service	10/14/2021	Regular	0.00	-64.50	40106
04736	Pitney Bowes Global Financial Svc, LLC	10/07/2021	Regular	0.00	392.41	40107
13430	Premiere Global Services	10/07/2021	Regular	0.00	55.46	40108
07627	Purchase Power	10/07/2021	Regular	0.00	500.00	40109
00262	Pure H2O	10/07/2021	Regular	0.00	65.54	40110
04709	Sherron Forsgren	10/07/2021	Regular	0.00	961.19	40111
03979	Special Districts Association of Monterey County	10/07/2021	Regular	0.00	40.00	40112
09351	Tetra Tech, Inc.	10/07/2021	Regular	0.00	323.04	40113
09425	The Ferguson Group LLC	10/07/2021	Regular	0.00	8,000.00	40114
17965	The Maynard Group	10/07/2021	Regular	0.00	1,525.60	40115
00207	Universal Staffing Inc.	10/07/2021	Regular	0.00	851.20	40116
20230	Zoom Video Communications Inc	10/07/2021	Regular	0.00	448.69	40117
03966	ACWA (Memberships/Conferences/Publications)	10/14/2021	Regular	0.00	12,140.00	40120
00763	ACWA-JPIA	10/14/2021	Regular	0.00	323.36	40121
00252	Cal-Am Water	10/14/2021	Regular	0.00	162.60	40122
12601	Carmel Valley Ace Hardware	10/14/2021	Regular	0.00	18.31	40123
18734	DeVeera Inc.	10/14/2021	Regular	0.00	7,778.40	40124
00986	Henrietta Stern	10/14/2021	Regular	0.00	1,332.00	40125
19448	Monroe Stone Insurance Solutions, Inc.	10/14/2021	Regular	0.00	27.24	40126
04034	Monterey County Tax Collector	10/14/2021	Regular	0.00	193.30	40127
04034	Monterey County Tax Collector	10/14/2021	Regular	0.00	193.30	40128
00036	Parham Living Trust	10/14/2021	Regular	0.00	850.00	40129
00755	Peninsula Welding Supply, Inc.	10/14/2021	Regular	0.00	64.50	40130
19107	Salmonid Restoration Federation	10/14/2021	Regular	0.00	1,000.00	40131
00207	Universal Staffing Inc.	10/14/2021	Regular	0.00	851.20	40132
00271	UPEC, Local 792	10/14/2021	Regular	0.00	997.50	40133
04360	WateReuse Association	10/14/2021	Regular	0.00	4,042.50	40134
05368	Zim Industries, Inc.	10/14/2021	Regular	0.00	5,313.86	40135
00767	AFLAC	10/21/2021	Regular	0.00	1,008.58	40136
08926	Capitol Enquiry	10/21/2021	Regular	0.00	45.04	40137

Check Report

Date Range: 10/01/2021 - 10/31/2021

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
00281	CoreLogic Information Solutions, Inc.	10/21/2021	Regular	0.00	1,558.85	40138
21462	Darrel Varni Electric, Inc	10/21/2021	Regular	0.00	2,400.00	40139
00192	Extra Space Storage	10/21/2021	Regular	0.00	973.00	40140
00072	Goodin, MacBride, Squeri & Day, LLP	10/21/2021	Regular	0.00	3,064.06	40141
02656	Graniterock	10/21/2021	Regular	0.00	124.15	40142
00277	Home Depot Credit Services	10/21/2021	Regular	0.00	124.94	40143
03857	Joe Oliver	10/21/2021	Regular	0.00	1,332.00	40144
05830	Larry Hampson	10/21/2021	Regular	0.00	843.20	40145
13396	Navia Benefit Solutions, Inc.	10/21/2021	Regular	0.00	715.42	40146
00154	Peninsula Messenger Service	10/21/2021	Regular	0.00	597.00	40147
00282	PG&E	10/21/2021	Regular	0.00	7,000.09	40148
13394	Regional Government Services	10/21/2021	Regular	0.00	1,776.20	40149
00176	Sentry Alarm Systems	10/21/2021	Regular	0.00	309.25	40150
04359	The Carmel Pine Cone	10/21/2021	Regular	0.00	1,089.12	40151
20185	The Marketing Department, Inc.	10/21/2021	Regular	0.00	8,500.00	40152
00269	U.S. Bank	10/21/2021	Regular	0.00	5,526.18	40153
	Void	10/21/2021	Regular	0.00	0.00	40154
00207	Universal Staffing Inc.	10/21/2021	Regular	0.00	851.20	40155
08105	Yolanda Munoz	10/21/2021	Regular	0.00	540.00	40156
14037	AECOM Technical Services, Inc.	10/28/2021	Regular	0.00	31,906.00	40157
01188	Alhambra	10/28/2021	Regular	0.00	176.17	40158
04039	American Water Works Association	10/28/2021	Regular	0.00	1,919.00	40159
04350	California Special Districts Assoc.	10/28/2021	Regular	0.00	8,195.00	40160
04043	Campbell Scientific, Inc.	10/28/2021	Regular	0.00	432.00	40161
04351	Carmel Chamber of Commerce	10/28/2021	Regular	0.00	690.00	40162
11822	CSC	10/28/2021	Regular	0.00	8,000.00	40163
00046	De Lay & Laredo	10/28/2021	Regular	0.00	28,000.00	40164
18734	DeVeera Inc.	10/28/2021	Regular	0.00	845.57	40165
00993	Harris Court Business Park	10/28/2021	Regular	0.00	721.54	40166
00993	Harris Court Business Park	10/28/2021	Regular	0.00	720.98	40167
00277	Home Depot Credit Services	10/28/2021	Regular	0.00	762.57	40168
21875	International Institute of Municipal Clerks	10/28/2021	Regular	0.00	40.00	40169
00117	Marina Backflow Company	10/28/2021	Regular	0.00	255.00	40170
01012	Mark Dudley	10/28/2021	Regular	0.00	540.00	40171
00242	MBAS	10/28/2021	Regular	0.00	155.00	40172
00159	Pueblo Water Resources, Inc.	10/28/2021	Regular	0.00	1,995.00	40173
09989	Star Sanitation Services	10/28/2021	Regular	0.00	113.11	40174
04359	The Carmel Pine Cone	10/28/2021	Regular	0.00	363.12	40175
09425	The Ferguson Group LLC	10/28/2021	Regular	0.00	79.29	40176
00024	Three Amigos Pest Control DBA Central Coast Exte	10/28/2021	Regular	0.00	104.00	40177
00225	Trowbridge Enterprises Inc.	10/28/2021	Regular	0.00	423.36	40178
18737	U.S. Bank Equipment Finance	10/28/2021	Regular	0.00	871.81	40179
00207	Universal Staffing Inc.	10/28/2021	Regular	0.00	851.20	40180
Total Regular:				0.00	1,047,801.89	

Check Report

Date Range: 10/01/2021 - 10/31/2021

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payment Type: Bank Draft						
00266	I.R.S.	10/08/2021	Bank Draft	0.00	13,293.05	DFT0002101
00266	I.R.S.	10/08/2021	Bank Draft	0.00	2,860.86	DFT0002102
00267	Employment Development Dept.	10/08/2021	Bank Draft	0.00	5,445.10	DFT0002103
00266	I.R.S.	10/08/2021	Bank Draft	0.00	524.28	DFT0002104
00768	ICMA	10/07/2021	Bank Draft	0.00	4,401.59	DFT0002105
00282	PG&E	10/07/2021	Bank Draft	0.00	75.31	DFT0002106
18163	Wex Bank	10/07/2021	Bank Draft	0.00	1,318.55	DFT0002107
00266	I.R.S.	10/08/2021	Bank Draft	0.00	32.89	DFT0002109
00266	I.R.S.	10/08/2021	Bank Draft	0.00	82.22	DFT0002110
00266	I.R.S.	10/08/2021	Bank Draft	0.00	351.54	DFT0002111
06268	Comcast	10/14/2021	Bank Draft	0.00	231.56	DFT0002112
00282	PG&E	10/14/2021	Bank Draft	0.00	24.57	DFT0002113
00282	PG&E	10/14/2021	Bank Draft	0.00	9.86	DFT0002114
00282	PG&E	10/14/2021	Bank Draft	0.00	24.40	DFT0002115
00769	Laborers Trust Fund of Northern CA	10/15/2021	Bank Draft	0.00	28,138.00	DFT0002116
00266	I.R.S.	10/22/2021	Bank Draft	0.00	13,042.09	DFT0002117
00266	I.R.S.	10/22/2021	Bank Draft	0.00	2,821.88	DFT0002118
00267	Employment Development Dept.	10/22/2021	Bank Draft	0.00	5,350.16	DFT0002119
00266	I.R.S.	10/22/2021	Bank Draft	0.00	535.78	DFT0002120
00766	Standard Insurance Company	10/21/2021	Bank Draft	0.00	1,418.51	DFT0002121
00256	PERS Retirement	10/25/2021	Bank Draft	0.00	1,600.00	DFT0002122
00768	ICMA	10/21/2021	Bank Draft	0.00	4,401.59	DFT0002123
00282	PG&E	10/28/2021	Bank Draft	0.00	1,817.89	DFT0002124
00221	Verizon Wireless	10/28/2021	Bank Draft	0.00	1,228.75	DFT0002125
18163	Wex Bank	10/28/2021	Bank Draft	0.00	289.30	DFT0002126
00256	PERS Retirement	10/15/2021	Bank Draft	0.00	16,469.56	DFT0002127
00256	PERS Retirement	10/29/2021	Bank Draft	0.00	16,349.23	DFT0002132
Total Bank Draft:				0.00	122,138.52	

Payment Type	Bank Code APBNK		Summary	
	Payable Count	Payment Count	Discount	Payment
Regular Checks	130	93	0.00	1,047,940.81
Manual Checks	0	0	0.00	0.00
Voided Checks	0	3	0.00	-138.92
Bank Drafts	35	27	0.00	122,138.52
EFT's	0	0	0.00	0.00
	165	123	0.00	1,169,940.41

Check Report

Date Range: 10/01/2021 - 10/31/2021

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						
22107	Adam Powers	10/28/2021	Regular	0.00	500.00	40181
22154	Albert Mehrabian	10/28/2021	Regular	0.00	75.00	40182
22101	Alfred Hochstaedter	10/28/2021	Regular	0.00	500.00	40183
22097	Andrew Schmidt	10/28/2021	Regular	0.00	625.00	40184
22153	Angela A. Tyler	10/28/2021	Regular	0.00	75.00	40185
22138	Benjamin Mandac	10/28/2021	Regular	0.00	125.00	40186
22123	Bert Cutino	10/28/2021	Regular	0.00	500.00	40187
22135	Bill Boggess	10/28/2021	Regular	0.00	500.00	40188
22144	Brendan Cook	10/28/2021	Regular	0.00	125.00	40189
22121	Bridgette Jacober	10/28/2021	Regular	0.00	500.00	40190
22133	Carol Montana	10/28/2021	Regular	0.00	500.00	40191
22137	Cherie Mares	10/28/2021	Regular	0.00	125.00	40192
22131	Christopher Clark	10/28/2021	Regular	0.00	500.00	40193
22120	Christopher Darling	10/28/2021	Regular	0.00	500.00	40194
22113	Claudia Ulwelling	10/28/2021	Regular	0.00	500.00	40195
22095	Craig Lovell	10/28/2021	Regular	0.00	1,225.00	40196
22147	Cynthia O'Leary	10/28/2021	Regular	0.00	200.00	40197
22002	Dana Rydeheard	10/28/2021	Regular	0.00	200.00	40198
22104	Daniel F Logan	10/28/2021	Regular	0.00	500.00	40199
22111	Danielle Siliveria	10/28/2021	Regular	0.00	500.00	40200
21841	David Barnard	10/28/2021	Regular	0.00	500.00	40201
22157	Del Monte Manor, Inc.	10/28/2021	Regular	0.00	17,425.00	40202
22115	Diane Eagleson	10/28/2021	Regular	0.00	500.00	40203
22155	Frank Graziano	10/28/2021	Regular	0.00	75.00	40204
22139	Galia Kfir	10/28/2021	Regular	0.00	350.00	40205
22119	Gary R. Williams & Diane M. Williams	10/28/2021	Regular	0.00	500.00	40206
22122	Ilse Gabriel	10/28/2021	Regular	0.00	500.00	40207
22143	Ingrid Sellin	10/28/2021	Regular	0.00	125.00	40208
22134	James Langford	10/28/2021	Regular	0.00	500.00	40209
22132	Janie B Silveria	10/28/2021	Regular	0.00	500.00	40210
20268	Joanne Noto	10/28/2021	Regular	0.00	500.00	40211
22124	Joseph Conron	10/28/2021	Regular	0.00	500.00	40212
22108	Katelyn Jones	10/28/2021	Regular	0.00	500.00	40213
22102	Kay Reckas	10/28/2021	Regular	0.00	500.00	40214
22098	Ken Smith	10/28/2021	Regular	0.00	500.00	40215
22110	Kendall Properties LLC	10/28/2021	Regular	0.00	625.00	40216
22149	Kevin V. Poma	10/28/2021	Regular	0.00	100.00	40217
22116	Kevin Viner	10/28/2021	Regular	0.00	500.00	40218
22130	Kristin DeMaria	10/28/2021	Regular	0.00	500.00	40219
22103	Kristin Dotterrer	10/28/2021	Regular	0.00	500.00	40220
22148	Laura Scorpiniti Edens	10/28/2021	Regular	0.00	100.00	40221
22127	Linda Cutino	10/28/2021	Regular	0.00	500.00	40222
22145	Linda Lynch	10/28/2021	Regular	0.00	125.00	40223
22125	Lloyd Ligier	10/28/2021	Regular	0.00	500.00	40224
22136	Lori Scherling	10/28/2021	Regular	0.00	500.00	40225
22141	Malcolm Beety	10/28/2021	Regular	0.00	125.00	40226
22117	Mary Martin	10/28/2021	Regular	0.00	500.00	40227
22100	Michael Blum	10/28/2021	Regular	0.00	500.00	40228
22156	Michael Bruno	10/28/2021	Regular	0.00	250.00	40229
22105	Michael Feeney	10/28/2021	Regular	0.00	500.00	40230
22096	Michael Rasmussen	10/28/2021	Regular	0.00	2,075.00	40231
22106	Michelle Aliotti	10/28/2021	Regular	0.00	500.00	40232
22112	Michelle Kovac	10/28/2021	Regular	0.00	500.00	40233
19276	Monica Browning	10/28/2021	Regular	0.00	125.00	40234
22099	Olga Fernandez	10/28/2021	Regular	0.00	500.00	40235
22129	Patricia Skinner	10/28/2021	Regular	0.00	500.00	40236
22150	Richard Borquist	10/28/2021	Regular	0.00	75.00	40237
22126	Robert A Halliday	10/28/2021	Regular	0.00	500.00	40238
22142	Robert Kenedy	10/28/2021	Regular	0.00	125.00	40239

Check Report

Date Range: 10/01/2021 - 10/31/2021

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
19907	Rose DiRocco	10/28/2021	Regular	0.00	575.00	40240
22109	Steven Scholten	10/28/2021	Regular	0.00	500.00	40241
22151	Stuart Reynolds	10/28/2021	Regular	0.00	75.00	40242
22114	Suzanne St. John	10/28/2021	Regular	0.00	500.00	40243
22140	Terry Merwin	10/28/2021	Regular	0.00	125.00	40244
22146	Thomas M. Jacobs	10/28/2021	Regular	0.00	199.00	40245
22152	Toni Mizerek	10/28/2021	Regular	0.00	75.00	40246
22118	Ulrich Pilz	10/28/2021	Regular	0.00	500.00	40247
22128	Virginia Coffee	10/28/2021	Regular	0.00	500.00	40248
Total Regular:				0.00	45,524.00	

Bank Code REBATES-02 Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	69	68	0.00	45,524.00
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	69	68	0.00	45,524.00

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	199	161	0.00	1,093,464.81
Manual Checks	0	0	0.00	0.00
Voided Checks	0	3	0.00	-138.92
Bank Drafts	35	27	0.00	122,138.52
EFT's	0	0	0.00	0.00
	234	191	0.00	1,215,464.41

Fund Summary

Fund	Name	Period	Amount
99	POOL CASH FUND	10/2021	1,215,464.41
			1,215,464.41

EXHIBIT 2-C



Monterey Peninsula Water Management Dist

Payroll Bank Transaction Report

By Payment Number

Date: 10/1/2021 - 10/31/2021

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
6077	10/08/2021	Regular	1077	Pablo, Joel G	0.00	2,551.24	2,551.24
6078	10/08/2021	Regular	1024	Stoldt, David J	0.00	5,927.28	5,927.28
6079	10/08/2021	Regular	6075	Tavani, Arlene	0.00	318.47	318.47
6080	10/08/2021	Regular	1044	Bennett, Corryn D	0.00	1,993.12	1,993.12
6081	10/08/2021	Regular	1078	Mossbacher, Simona F	0.00	1,750.44	1,750.44
6082	10/08/2021	Regular	1018	Prasad, Suresh	0.00	3,927.74	3,927.74
6083	10/08/2021	Regular	1019	Reyes, Sara C	0.00	1,929.70	1,929.70
6084	10/08/2021	Regular	1042	Hamilton, Maureen C.	0.00	3,391.58	3,391.58
6085	10/08/2021	Regular	6063	Hampson, Larry M	0.00	1,405.62	1,405.62
6086	10/08/2021	Regular	1009	James, Gregory W	0.00	3,354.38	3,354.38
6087	10/08/2021	Regular	1011	Lear, Jonathan P	0.00	4,347.05	4,347.05
6088	10/08/2021	Regular	1012	Lindberg, Thomas L	0.00	2,746.21	2,746.21
6089	10/08/2021	Regular	1045	Atkins, Daniel N	0.00	2,064.79	2,064.79
6090	10/08/2021	Regular	1004	Chaney, Beverly M	0.00	2,756.37	2,756.37
6091	10/08/2021	Regular	1005	Christensen, Thomas T	0.00	3,790.17	3,790.17
6092	10/08/2021	Regular	1079	Gallagher, Riley M	0.00	2,233.52	2,233.52
6093	10/08/2021	Regular	1007	Hamilton, Cory R	0.00	2,344.94	2,344.94
6094	10/08/2021	Regular	6078	Kneemeyer, Cinthia A	0.00	837.91	837.91
6095	10/08/2021	Regular	1048	Lumas, Eric M	0.00	1,914.52	1,914.52
6096	10/08/2021	Regular	6076	Smith-Miller, Maret H	0.00	982.73	982.73
6097	10/08/2021	Regular	1001	Bravo, Gabriela D	0.00	2,695.42	2,695.42
6098	10/08/2021	Regular	1076	Jakic, Tricia	0.00	2,494.81	2,494.81
6099	10/08/2021	Regular	1010	Kister, Stephanie L	0.00	2,672.32	2,672.32
6100	10/08/2021	Regular	1017	Locke, Stephanie L	0.00	3,586.06	3,586.06
6101	10/08/2021	Regular	1040	Smith, Kyle	0.00	2,566.04	2,566.04
6102	10/08/2021	Regular	1047	Timmer, Christopher	0.00	2,350.61	2,350.61
6103	10/08/2021	Regular	7015	Adams, Mary L	0.00	237.53	237.53
6104	10/08/2021	Regular	7020	Anderson, Amy E	0.00	374.02	374.02
6105	10/08/2021	Regular	7019	Paull, Karen P	0.00	623.36	623.36
6106	10/08/2021	Regular	7018	Riley, George T	0.00	498.69	498.69
6107	10/22/2021	Regular	1077	Pablo, Joel G	0.00	2,127.61	2,127.61
6108	10/22/2021	Regular	1024	Stoldt, David J	0.00	5,927.29	5,927.29
6109	10/22/2021	Regular	1044	Bennett, Corryn D	0.00	1,993.13	1,993.13
6110	10/22/2021	Regular	1078	Mossbacher, Simona F	0.00	1,750.44	1,750.44
6111	10/22/2021	Regular	1018	Prasad, Suresh	0.00	3,927.75	3,927.75
6112	10/22/2021	Regular	1019	Reyes, Sara C	0.00	1,929.71	1,929.71
6113	10/22/2021	Regular	1042	Hamilton, Maureen C.	0.00	3,391.61	3,391.61
6114	10/22/2021	Regular	6063	Hampson, Larry M	0.00	1,858.50	1,858.50
6115	10/22/2021	Regular	1009	James, Gregory W	0.00	3,354.39	3,354.39
6116	10/22/2021	Regular	1011	Lear, Jonathan P	0.00	4,347.06	4,347.06
6117	10/22/2021	Regular	1012	Lindberg, Thomas L	0.00	2,746.22	2,746.22
6118	10/22/2021	Regular	1045	Atkins, Daniel N	0.00	2,064.81	2,064.81
6119	10/22/2021	Regular	1004	Chaney, Beverly M	0.00	2,756.39	2,756.39
6120	10/22/2021	Regular	1005	Christensen, Thomas T	0.00	3,790.17	3,790.17
6121	10/22/2021	Regular	1079	Gallagher, Riley M	0.00	1,740.77	1,740.77
6122	10/22/2021	Regular	1007	Hamilton, Cory R	0.00	2,344.96	2,344.96
6123	10/22/2021	Regular	6078	Kneemeyer, Cinthia A	0.00	905.69	905.69
6124	10/22/2021	Regular	1048	Lumas, Eric M	0.00	1,914.53	1,914.53
6125	10/22/2021	Regular	6076	Smith-Miller, Maret H	0.00	770.74	770.74
6126	10/22/2021	Regular	1001	Bravo, Gabriela D	0.00	2,695.43	2,695.43
6127	10/22/2021	Regular	1076	Jakic, Tricia	0.00	2,494.82	2,494.82
6128	10/22/2021	Regular	1010	Kister, Stephanie L	0.00	2,672.32	2,672.32
6129	10/22/2021	Regular	1017	Locke, Stephanie L	0.00	3,586.08	3,586.08
6130	10/22/2021	Regular	1040	Smith, Kyle	0.00	2,566.05	2,566.05
6131	10/22/2021	Regular	1047	Timmer, Christopher	0.00	2,350.62	2,350.62
40118	10/08/2021	Regular	7009	Edwards, Alvin	477.61	0.00	477.61

Payment Number	Payment Date	Payment Type	Employee Number	Employee Name	Check Amount	Direct Deposit Amount	Total Payment
40119	10/08/2021	Regular	7021	Malek, Safwat	374.02	0.00	374.02
Total:					851.63	134,673.73	135,525.36



MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
STATEMENT OF REVENUES AND EXPENDITURES
FOR THE MONTH OCTOBER 31, 2021

	Mitigation	Conservation	Water Supply	Current Period Activity	FY 2021/2022 Year-to-Date Actual	FY 2021/2022 Annual Budget	Prior FY Year-to-Date Actual
REVENUES							
Property taxes	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 2,200,000	\$ -
Water supply charge			(2,376)	(2,376)	(2,376)	3,400,000	(159)
User fees	340,788	131,799	78,438	551,025	1,166,044	5,000,000	1,763,315
Mitigation revenue	-			-	-	-	-
PWM Water Sales			837,343	837,343	2,914,027	9,828,000	546,746
Capacity fees			59,727	59,727	207,416	400,000	75,145
Permit fees	-	14,474		14,474	86,116	198,000	54,920
Investment income	1,634	1,647	10,815	14,096	(8,276)	130,000	(28,564)
Miscellaneous	-	-	-	-	18,939	15,000	9,542
Sub-total district revenues	342,422	147,919	983,947	1,474,288	4,381,889	21,171,000	2,420,945
Project reimbursements	-	-	500,000	500,000	591,317	1,802,100	593,893
Legal fee reimbursements		450		450	1,500	16,000	450
Grants	-	-	-	-	-	2,335,200	7,274
Recording fees		4,180		4,180	20,020	10,400	13,420
Sub-total reimbursements	-	4,630	500,000	504,630	612,837	4,163,700	615,038
From Reserves	-	-	-	-	-	4,269,000	-
Total revenues	342,422	152,549	1,483,947	1,978,918	4,994,726	29,603,700	3,035,982
EXPENDITURES							
Personnel:							
Salaries	73,093	44,219	79,010	196,323	757,952	2,611,200	766,695
Retirement	6,731	4,088	7,515	18,334	528,018	707,100	472,852
Unemployment Compensation	-	-	-	-	-	12,000	4,964
Auto Allowance	92	92	277	462	1,777	6,000	1,801
Deferred Compensation	151	151	454	757	2,914	10,000	2,787
Temporary Personnel	1,362	885	1,158	3,405	10,044	50,000	-
Workers Comp. Ins.	3,279	250	1,951	5,480	21,123	66,800	17,833
Employee Insurance	16,447	10,180	14,565	41,191	145,229	506,900	156,060
Medicare & FICA Taxes	1,556	707	1,224	3,488	13,784	43,600	16,087
Personnel Recruitment	-	-	-	-	120	3,000	-
Other benefits	40	26	34	100	400	2,000	400
Staff Development	-	46	-	46	1,307	32,800	1,662
Sub-total personnel costs	102,752	60,645	106,188	269,584	1,482,668	4,051,400	1,441,139
Services & Supplies:							
Board Member Comp	891	891	918	2,700	12,285	34,000	14,715
Board Expenses	122	80	104	306	1,444	8,000	2,491
Rent	1,012	253	953	2,218	8,022	24,200	8,520
Utilities	981	596	843	2,420	10,465	33,200	9,396
Telephone	1,587	934	985	3,505	14,297	50,000	18,283
Facility Maintenance	1,531	1,132	1,349	4,012	13,331	56,600	11,803
Bank Charges	1,296	843	1,227	3,366	11,898	15,000	5,083
Office Supplies	203	169	136	508	3,887	19,000	3,981
Courier Expense	231	196	150	577	2,136	6,000	1,597
Postage & Shipping	-	-	-	-	1,290	5,900	756
Equipment Lease	357	227	288	872	3,915	23,000	4,279
Equip. Repairs & Maintenance	-	-	-	-	17	7,000	341
Photocopy Expense	-	-	-	-	-	-	-
Printing/Duplicating/Binding	-	-	-	-	-	500	-
IT Supplies/Services	7,758	5,043	6,594	19,395	89,837	231,000	109,041
Operating Supplies	307	1,739	39	2,085	8,939	16,700	496
Legal Services	6,942	5,175	23,365	35,482	114,010	400,000	92,869



MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
 STATEMENT OF REVENUES AND EXPENDITURES
 FOR THE MONTH OCTOBER 31, 2021

	Mitigation	Conservation	Water Supply	Current Period Activity	FY 2021/2022 Year-to-Date Actual	FY 2021/2022 Annual Budget	Prior FY Year-to-Date Actual
Professional Fees	7,696	5,002	6,541	19,239	62,917	455,000	78,750
Transportation	1,454	-	154	1,608	7,747	30,000	8,638
Travel	362	-	-	362	2,067	19,600	1,899
Meeting Expenses	529	344	450	1,324	4,846	16,600	5,250
Insurance	4,461	2,900	3,792	11,153	44,612	134,000	32,670
Legal Notices	-	-	-	-	-	3,100	-
Membership Dues	10,043	6,528	8,537	25,108	28,950	35,400	22,086
Public Outreach	418	272	355	1,045	1,115	2,600	230
Assessors Administration Fee	-	-	-	-	-	30,000	-
Miscellaneous	155	101	131	387	387	3,100	386
Sub-total services & supplies costs	48,334	32,423	56,912	137,669	448,412	1,659,500	433,558
Project expenditures	22,336	14,778	56,088	93,202	3,244,367	21,755,000	4,051,477
Fixed assets	1,278	-	-	1,278	1,278	298,500	34,270
Contingencies	-	-	-	-	-	70,000	-
Election costs	-	-	-	-	-	-	-
Debt service: Principal	-	-	-	-	-	-	-
Debt service: Interest	-	-	-	-	-	230,000	-
Flood drought reserve	-	-	-	-	-	-	-
Capital equipment reserve	-	-	-	-	-	339,300	-
General fund balance	-	-	-	-	-	500,000	-
Debt Reserve	-	-	-	-	-	500,000	-
Pension reserve	-	-	-	-	-	100,000	-
OPEB reserve	-	-	-	-	-	100,000	-
Other	-	-	-	-	-	-	-
Sub-total other	23,614	14,778	56,088	94,480	3,245,645	23,892,800	4,085,747
Total expenditures	174,700	107,846	219,188	501,734	5,176,725	29,603,700	5,960,444
Excess (Deficiency) of revenues over expenditures	\$ 167,722	\$ 44,704	\$ 1,264,759	\$ 1,477,185	\$ (181,998)	\$ -	\$ (2,924,462)

ITEM: CONSENT CALENDAR**3. CONSIDER ADOPTING DRAFT RESOLUTION NO. 2021-19 AUTHORIZING REMOTE TELECONFERENCING MEETINGS OF ALL DISTRICT LEGISLATIVE BODIES FOR THE FOLLOWING 30 DAYS IN ACCORD WITH THE RALPH M. BROWN ACT AND AB 361 (RIVAS)****Meeting Date:** December 13, 2021 **Budgeted:** N/A**From:** David J. Stoldt,
General Manager **Program/** N/A
Line Item No.:**Prepared By:** David Laredo **Cost Estimate:** N/A**General Counsel Review:** *Prepared by District Counsel***Committee Recommendation:** N/A**CEQA Compliance:** **This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

DISCUSSION:

Assembly Bill 361 requires the District within 30 days of holding a virtual meeting for the first time, and every 30 days thereafter, to make findings ratifying the state of emergency.

District Counsel has prepared the attached resolution to satisfy the provisions of AB 361. This Resolution can have effect for only 30 days. After 30 days, the District must renew the effect of the resolution by either adopting another, or ratifying it. If no action is taken the resolution shall lapse.

RECOMMENDATION:

Consider adopting draft Resolution No. 2021-19 authorizing remote teleconference meetings of all District legislative bodies for the following 30 days in accord with the Ralph M. Brown Act and AB 361 (Rivas).

OPTIONS:

Take no action.

FINANCIAL IMPACT:

There is no fiscal impact.

EXHIBIT**3-A** Draft Resolution No. 2021-19



EXHIBIT 3-A

DRAFT **RESOLUTION NO. 2021-19**

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA WATER MANAGEMENT DISTRICT PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE STATE OF EMERGENCY PROCLAIMED ON MARCH 4, 2020, AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF ALL DISTRICT LEGISLATIVE BODIES FOR THE FOLLOWING 30 DAYS IN ACCORD WITH THE RALPH M. BROWN ACT AND AB 361 (RIVAS)

FACTS

1. The Monterey Peninsula Water Management District (District) is public entity established under the laws of the State of California.
2. The District is committed to preserving and nurturing public access and participation in meetings of the District Board and Committees; and
3. All meetings of District legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code sections 54950 – 54963), so that any member of the public may attend, observe, and participate when District legislative bodies conduct business; and
4. The Brown Act, Government Code section 54953(e), enables remote teleconferencing participation in meetings by members of a legislative body, without strict compliance with requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and
5. One required condition is that a state of emergency has been declared by the Governor of the State of California pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and
6. A proclamation is made that there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the District's jurisdiction, caused by natural, technological, or human-caused disasters; and

7. State or local officials have imposed or recommended measures to promote social distancing, or having the legislative body meet in person would present imminent risks to the health and safety of attendees; and
8. The District Board affirms these conditions now exist in the District. Specifically, on March 4, 2020, the Governor proclaimed a State of Emergency to exist as a result of the threat of COVID-19. That Proclamation has not been terminated by either the Governor or the Legislature pursuant to Government Code section 8629; and
9. Despite sustained efforts to remedy this circumstance, the District Board determines that meeting in person poses an imminent risk to health and safety of attendees due to the COVID-19 virus and its variants; and
10. The District Board finds the emergency created by the COVID-19 virus and its variants has caused, and will continue to cause, conditions of peril to the safety of persons within the District that are likely to be beyond the control of services, personnel, equipment, and facilities of the District, and desires to proclaim a local emergency and ratify the proclamation of state of emergency by the Governor and similar local health orders that require social distancing; and
11. As a consequence of the local emergency, the District Board determines that all legislative bodies of the District are required to conduct their meetings without full compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that those District legislative bodies shall comply with the requirements to provide public access to the meetings remotely? as prescribed in paragraph (2) of subdivision (e) of section 54953; and
12. Each District legislative body shall continue to conduct meetings with public access available via call-in or internet-based service options and the public shall be allowed to address the legislative body directly in real time; and
13. This Resolution shall authorize the General Manager to establish and maintain platforms necessary for each District legislative body to hold teleconference meetings and provide an avenue for real-time public comments for such meetings; and
14. The District Board finds the introduction and adoption of this resolution is not subject to the California Environmental Quality Act (CEQA) as the activity is not a project as defined in Section 15378) of the CEQA Guidelines.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS THE MONTEREY PENINSULA WATER MANAGEMENT DISTRICT:

SECTION 1. RECITALS. The foregoing findings are true and correct and are adopted by the District Board as though set forth in full.

SECTION 2. PROCLAMATION OF LOCAL EMERGENCY. The Board hereby proclaims that a local emergency now exists throughout the District, and meeting in person would present imminent risk as a result of the COVID-19 virus and its variants.

SECTION 3. RATIFICATION OF PROCLAMATION OF A STATE OF EMERGENCY. The Board hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.

SECTION 4. REMOTE TELECONFERENCE MEETINGS. The General Manager and legislative bodies of the Monterey Peninsula Water Management District are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

SECTION 5. EFFECTIVE DATE OF RESOLUTION. This Resolution shall take effect immediately upon its adoption and shall be remain in effect for a period of 30 days, or until such time the District Board adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which District legislative bodies may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED on this XX day of December 2021 on a motion by Director _____ and second by Director _____ by the following vote, to wit:

AYES:

NOES:

ABSENT:

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify the foregoing is a resolution adopted on XX day of December 2021.

David J. Stoldt,
Secretary to the Board

ITEM: CONSENT CALENDAR**4. CONSIDER ADOPTION OF RESOLUTION NO. 2021-16 TO AMEND RULE 141, TABLE XIV-1 TO UPDATE REBATE AMOUNTS****Meeting Date:** December 13, 2021 **Budgeted:** N/A**From:** David J. Stoldt,
General Manager **Program/
Line Item No.:****Prepared By:** Stephanie Locke **Cost Estimate:** N/A**General Counsel Review:** N/A**Committee Recommendation:** The Water Demand Committee recommends approval.**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines section 15378.**SUMMARY:** Resolution 2021-16 (**Exhibit 4-A**) updates Rule 141, Rebate Amounts Table. Two amendments to Rule 141 are proposed in Resolution 2021-16:

1. “Smart Controller” has been changed to “Weather Based or Smart Irrigation Controller” for consistency with Rule 11, Definitions.
2. New rebate for Smart Flowmeters: Maximum rebate of \$200 per Qualifying Device (excluding taxes and installation). The rebate is limited to one device per User on a Site. If applicable, the rebate can cover pre-paid subscription service. Multiple rebates may be considered on a case-by-case basis through the variance process.

RECOMMENDATION: District staff recommends that the Board adopt Resolution 2021-16, A Resolution of the Board of Directors of the Monterey Peninsula Water Management District Amending Table XIV-1, Rebate Amounts. This item will be approved if adopted along with the Consent Calendar.**BACKGROUND:** Ordinance No. 163, adopted March 16, 2015, allows changes to the Rebate Amounts Table by resolution rather than by ordinance. The Rebate Amounts Table was last updated on June 21, 2021, by adoption of Resolution 2021-09.**EXHIBIT****4-A** Resolution No. 2021-16 with marked-up version of Rule 141, Rebate Amounts Table

EXHIBIT 4-A**DRAFT
RESOLUTION 2021-16****A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
AMENDING RULE 141, TABLE XIV-1, REBATE AMOUNTS**

Whereas the Monterey Peninsula has severe water use restrictions on its two sources of supply, the Carmel River and the Seaside Groundwater Basin; and

Whereas Residents of the Monterey Peninsula are among the lowest water consumers in the state, but protection of our limited water resources requires additional water conservation be achieved through an aggressive Rebate Program; and

Whereas Rebate amounts are set forth in Regulation XIV of the MPWMD Rules and Regulations; and

Whereas Ordinance 163, the 2015 Rationing and Rebate Programs Amendment Ordinance, created Table XV-1 to allow Rebate amounts to be amended by Board resolution; and

Whereas the Board of Directors has determined to add a new \$200 maximum rebate for Smart Flowmeters with a limitation of one Smart Flowmeter rebate per User on a Parcel.

NOW, THEREFORE, BE IT RESOLVED: The Board of Directors of the Monterey Peninsula Water Management District hereby amends Rule 141, Table XIV-1, Rebate Amounts, as set forth in **Attachment 1** to this Resolution (the additions and deletions are shown in **bold** and ~~strikeout~~); and that this change shall become effective along with Ordinance No. 189.

On motion by _____, and second by _____, the foregoing Resolution is adopted upon this 13th day of December 2021, by the following vote:

AYES:

NAYS:

ABSENT:

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify the foregoing resolution was duly adopted on the 13th day of December 2021.

Witness my hand and seal of the Board of Directors this ____ day of December 2021.

David J. Stoldt, Secretary to the Board

ATTACHMENT 1

Table XIV-1 Rebate Amounts
Updated December 13, 2021

Qualifying Device	Maximum Rebate
High Efficiency Toilet	\$75
Ultra High Efficiency Toilet	\$125
Toilet Flapper	\$15
Pint Urinal (in a Residential use only)	\$250
Zero Water Consumption Urinal	\$250
High Efficiency Dishwasher (Residential)	\$125
High Efficiency Clothes Washer (Residential)	\$500
Instant-Access Hot Water System (per Qualifying Property)	\$200
On-demand hot water pump or point of source water heater (maximum of two per Qualifying Property)	\$100
Smart Flowmeter (one per User on a Site)	\$200
Graywater Irrigation System supplied by one Clothes Washer	\$100
Graywater Irrigation System supplied by one or more Bathrooms that have a Bathtub/Shower connected to a Graywater Irrigation System. Residential limit: 4.	\$100 per Bathroom
Non-Residential Graywater system	Case-by-case basis
Smart Controller Weather Based or Smart Irrigation Controller	\$100 for up to four stations. An additional \$10 shall be available per station up to twenty (20) stations
Soil Moisture Sensor(s) on a conventional automatic Irrigation System (gypsum block Soil Moisture Sensors shall not qualify for Rebate)	\$25
Cistern water tanks installed on Sites supplied with water from the Monterey Peninsula Water Resource System (per Qualifying Property)	\$50 per 100 gallons for the first 500 gallons and \$25 per 100 gallons of water storage capacity to a maximum storage capacity of 25,000 gallons
Lawn removal and replacement with low water use plants or permeable surfaces (Prequalification required-See MPWMD Rule141-F)	\$1.00 per square-foot to a maximum of 2,500 square-feet
Rotating Sprinkler Nozzle (minimum purchase and installation of ten)	\$4 each
Water Broom	\$150
Commercial High Efficiency Clothes Washer in a Residential or Multi-Family Residential use.	\$1,000

¹Lawn removal Rebate at a Public facility may exceed the square-footage limitation subject to Board approval.

Commercial Ozone Laundry System	\$1,000
Cooling Tower Conductivity Controller	\$1,000
Cooling Tower Conductivity/pH Controller	\$2,500
High Efficiency Connectionless Food Steamer (per compartment)	\$1,500
Commercial Waterless Wok Stove	\$5,000
Water Efficient Commercial Steam or Combi Oven	\$2,500
High Efficiency Commercial Dishwasher	
Under counter model	\$1,000
Single tank door type model	\$1,500
Single tank conveyor	\$2,000
Multi-tank conveyor	\$2,500
X-ray film processor recirculation system	\$2,500
Medical equipment steam sterilizer retrofit with a water tempering device	\$1,500
Dry Vacuum Pump (per 0.05 HP to a limit of 4 HP)	\$200
Removal of whirlpool (or jetted water system) bathtub in Visitor-Serving Facility	\$250
Multi-Family Dwelling Meter Split	\$100/dwelling unit

*Table added by Ordinance No. 163 (3/16/2015) and revised by Resolution 2015-04 (4/20/2015); Resolution 2015-25 (12/14/2015); Ordinance No. 176 (1/25/2017); Ordinance No. 177 (9/18/2017); Resolution 2021-09 (June 21, 2021); **Resolution 2021-16 (12/13/2021)***

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ITEM: CONSENT CALENDAR**5. CONSIDER ALLOCATING FUNDS TO PURCHASE A DIGITAL CURRENT METER FOR SURFACE WATER MONITORING PROGRAM**

Meeting Date:	December 13, 2021	Budgeted:	Yes
From:	David J. Stoldt General Manager	Program/ Line Item:	Hydrologic Monitoring 2-5-3
Prepared By:	Jonathan Lear	Cost Estimate:	\$11,000

Committee Recommendation: The Administrative Committee reviewed this item on December 6, 2021 and recommended approval.

General Counsel Review: N/A

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

SUMMARY: The District has operated a Surface Water Monitoring Program since the early 1990s. Over the operational life of the program, technology has advanced related to communications and measuring equipment. Over the past 5 years as a pilot study, the District has developed real time reporting of the Carmel River flows to the District website for the gages used in ASR operations and State Board Orders. District staff and Cal-Am have found the real time reporting to be useful and plan to move forward to telemeter the rest of the monitoring network over the next 2 calendar years. Included in this plan is also to replace/upgrade the current meters used to take instantaneous stream flow measurements over the next 2 calendar years. The District will be moving to the current USGS standard of using electronic current meters. A quote for the current meter upgrade for FY 2021-2022 is included as **Exhibit 5-A** and was included in the current budget year under item 2-5-3. District staff plans to purchase a second electronic current meter in FY 2022-2023 to complete the upgrade of the network's measurement devices.

RECOMMENDATION: The Administrative Committee recommends that the Board authorize the District staff to allocate funds up to \$11,000 to purchase an electronic current meter to support the District's Surface Water Monitoring Program.

BACKGROUND: The District maintains 5 telemetered gage stations located in the Carmel River, 8 non-telemetered gage stations in the Carmel River Tributaries, 2 non-telemetered stations on Del Rey Oaks and San Jose Creek, and 2 telemetered level reporting stations in the Las Padres Reservoir and the Carmel Lagoon. Real time streamflow data can be viewed here: <https://www.mpwmd.net/environmental-stewardship/carmel-river-basin/carmel-river-flows/> The data generated from this network are used to guide ASR operations, comply with permit conditions, and calibrate predictive models of the Carmel River Watershed. District staff have developed a plan over the next 2 calendar years to telemeter the remaining 7 stations that have available cellular reception and investigate satellite communications to the 2 stations without cellular service in an effort to deliver real time data from the streamflow network to the District website. Included in the 2-year plan to upgrade the streamflow network is to replace old and aging equipment such as current meters and pressure transducers and upgrade to the current technologies.

EXHIBIT

5-A Quote from Xylem

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Quote Number: B200877
Quote Created: 2021 Nov 17
Quote Expiration Date: 2021 Dec 17

Quote Prepared For:

Monterey Peninsula Water Management District
5 Harris Ct, Bldg G
PO Box 85
Monterey, CA 93942-0085
(831) 658-5600

Prepared by: Michael Sundman
Cell Phone: +1 9165001013
Office Phone:
Email: michael.sundman@xylem.com

NOTICE:

The following pricing is proprietary and confidential information. Neither this document nor its contents may be revealed or disclosed to unauthorized persons or sent outside the institution without prior permission from Xylem Inc.

Proposal Summary

#	Part Number	Description	List Price USD	Qty	Ext. Price USD
1	FT2-HH	FlowTracker2 Handheld Display unit. The Handheld Display unit has an IP67 waterproof rating and includes a color LCD display, keypad interface, SmartQC quality control feature, 16GB internal memory, Bluetooth communications, internal GPS, USB interface and cable, removable battery cartridge plus spare cartridge, 8 AA alkaline batteries, and multi-language support. Windows based software for communications, recorder downloading, data processing and data export. Includes shipping case and manual (PDF).	\$4,965.00	1	\$4,965.00
2	FT2-2D	FlowTracker2 probe assembly consisting of a 2D side-looking 10 MHz ADV probe (10-cm distance to sampling volume) and signal conditioning/processing electronics with tilt sensor and Auto-velocity Range selection, mounted on a 1.5-m cable with a compact 8-pin male wet-pluggable connector	\$4,490.00	1	\$4,490.00
3	24-0324	Wading rod offset mounting bracket for FlowTracker ADV Sensor, for hex-shaped wading rod	\$185.00	1	\$185.00
4	28-0146	Wading rod mounting clamp, FlowTracker2 Handheld Display unit	\$190.00	1	\$190.00
				Subtotal	\$9,830.00

Total List Price	\$9,830.00
+ Freight Charge	\$25.00
Net Sale Price	\$9,855.00
+ Sales Tax not calculated, if applicable.	
Grand Total (in USD)	\$9,855.00

Terms Prepay
FOB Origin

This order is subject to the Standard Terms and Conditions of Sale - Xylem Americas effective on the date the order is accepted which terms are available at <http://www.xylem.com/en-US/support/xylem-americas-standard-terms-and-conditions/> and incorporated herein by reference and made a part of the agreement between parties.

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including Design Analysis Associates, EMS, MJK,
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Credit Card and Purchase Orders (reference or include quote B200877)

for SonTek

by Phone: (858) 546-8327
by EMail: orders@sontek.com
by Fax: (858) 546-8150
by Mail: SonTek
Attn: Order Entry
9940 Summers Ridge Road
San Diego, CA 92121

- Please make PO out to YSI Incorporated at the address above (Xylem is the parent company and we do business as YSI Incorporated).
 - All purchase orders should be accompanied with a copy of this quote or clearly reference the quotation number.
 - All purchase orders should have a complete billing and complete shipping address on the purchase order.
 - For order acknowledgement please provide email address to send updates on order.
EMail_Address _____
 - Taxes and tariffs are additional and are not included in the above pricing unless explicitly stated as a line item.
 - Shipping charges are additional and are not included in the above pricing unless explicitly stated as a line item.
 - Tax Exempt customers must include their Tax ID on their purchase order. Proof of Tax Exemption status may be required.
 - Please notify orders@ysi.com if you plan to pay with a check without a PO or Credit Card.
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Payment Remit Address for quote B200877

YSI Incorporated
Tax Identification # 31-0526418
DUNS 00-424-6716

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YSI Inc
26717 Network Place
Chicago, IL 60673-1267
Account Numb: 20000011127562
Account Name: YSI Inc.
by ACH (with Addenda Record), Wire or SWIFT
JPMorgan Chase Bank, N.A.
1 Chase Manhattan
New York, NY 10005
Wire Routing #: 021000021
ACH Routing #: 028000024
SWIFT BIC: CHASUS33

NOTE: Customer is responsible for all wire, banking and credit card processing fees. In order to avoid delays in payment processing, please ensure that the remittance advice includes the following:

- Invoice number
- Invoice date
- Invoice amount

GENERAL MANAGER'S REPORT

7. UPDATE ON DEVELOPMENT OF WATER SUPPLY PROJECTS

Meeting Date: December 13, 2021 **Budgeted:** N/A

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

Prepared By: David J. Stoldt **Cost Estimate:**

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.

DISCUSSION:

ASR: All major construction complete.

Desalination Project (MPWSP): Nothing to report.

Pure Water Monterey Project:

- Total PWM water recharged to date about 4,900 AF (~ 1.6 billion gallons delivered).
- Reclamation Ditch PS and Blanco Drain PS are operational.
- Salinas Stormwater Phase 1A & 1B facilities are available for use.
- Advanced Water Purification Facility is fully operational.
- Water Conveyance Pipeline & Blackhorse Reservoir are conveying purified water full-time to the injection facilities.
- All injection wells in service; nominal injection rate holding steady at 300 AF per month.
- PWM permitting activities with the State Division of Drinking Water and the RWQCB continue with a follow-up extrinsic tracer study which was started October 21.
- The current Injection Wells Phase 3 schedule still shows impacts due to late delivery of the two Deep Injection Wells (DIW's) backflush pumps. As a result, for example, DIW-3 first injection is now early February 2022.
- The procurement delays of the backflush pumps being supplied by National Pump Company are the result of their global and national-level material supply chain impacts;

they are expediting their Tier 2 and Tier 3 suppliers for improved delivery dates. Positive news since the last Board update is these key backflush pump components have arrived at the construction site or the Contractors warehouse: two 500 hp pump motors and enough pump column pipe for DIW-3. Major pump components still needed on-site are the pump bowl assemblies, pump drive shafts, and the medium-voltage power cables. A revised schedule is attached as **Exhibit 7-A**.

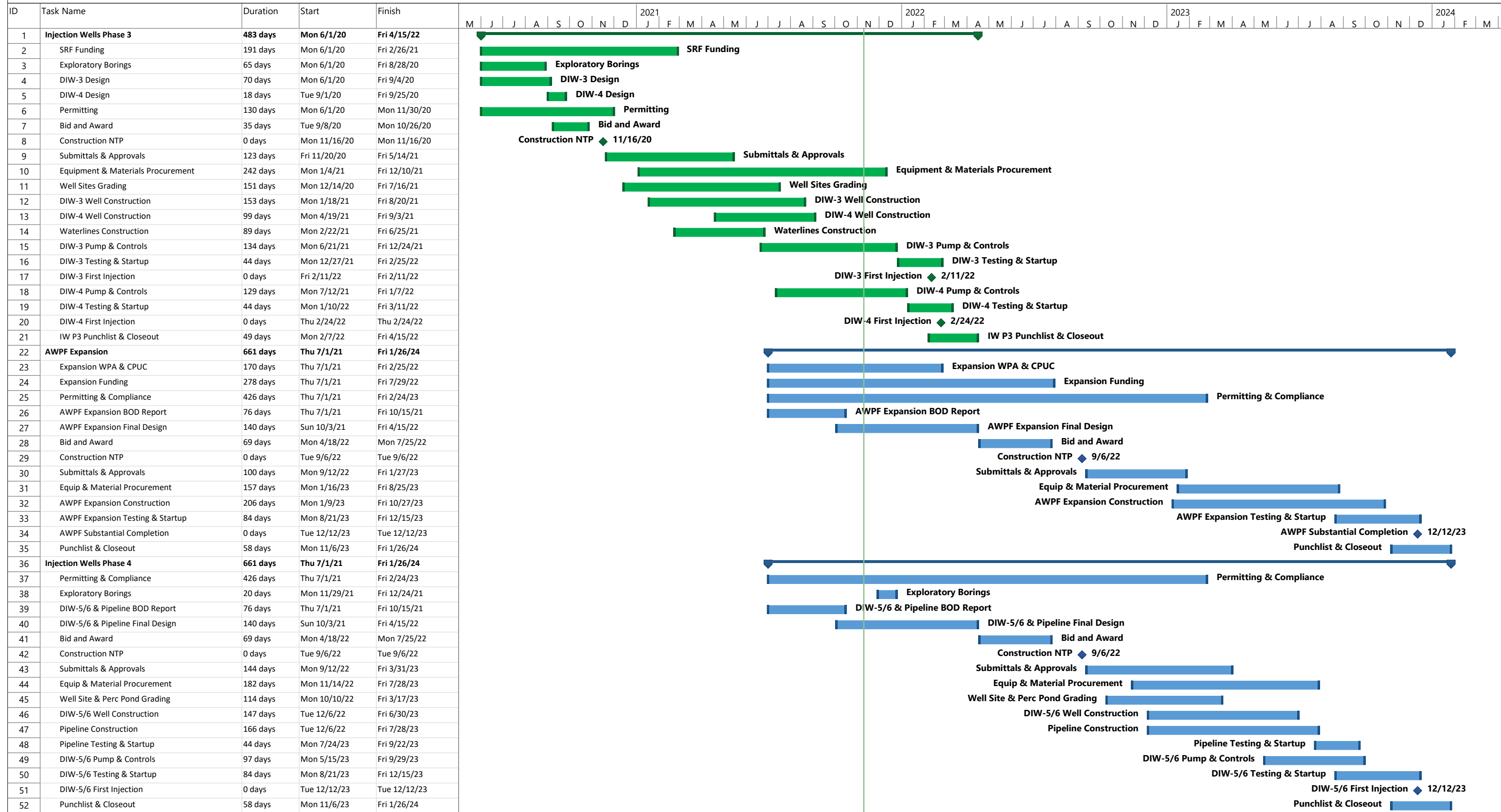
Expanded Pure Water Monterey

- Memorandum of Understanding to agree to sign the Water Purchase Agreement if approved by the CPUC has been executed by all three parties.
- Amendment 6 to the Cost Sharing Agreement with M1W has been approved by both parties and signatures being gathered.
- M1W and MPWMD staff worked with City of Seaside staff to secure permission for the Injection Wells Phase 4 DIW exploratory borings. State-wide drill rig availability has the exploratory borings now being started after the Thanksgiving break.
- Expanded PWM permitting and design activities for both construction bid packages, AWPf expansion and Injection Wells Phase 4 (which includes DIW-5 & DIW-6), are ongoing with their Basis of Design Reports (BODR's) completed, and now are moving into final design.
- Expanded PWM construction will start in early September 2022, with substantial completion of the new water supply facilities by the end of 2023.
- M1W and MPWMD staff have also been meeting with City of Seaside staff to initiate the final property easement acquisition process for all the PWM injection well field facilities.

EXHIBIT

7-A Executive Level Project Schedule

EXHIBIT 7-A



Project: PWM GWR Summary
Date: Wed 11/10/21

PWM Expansion		AWPF Expansion/IW Ph 4 Summary		PWM Expansion Milestones	
Injection Well Ph 3		Injection Well Ph 3 Summary		Injection Wells Phase 3 Milestone	

GENERAL MANAGER'S REPORT

8. REPORT ON LEGISLATIVE OUTREACH FOR CALENDAR YEAR 2021

Meeting Date: December 13, 2021 **Budgeted:** N/A

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

Prepared By: David J. Stoldt **Cost Estimate:**

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.

DISCUSSION: In 2021, the District, working with its state and federal legislative consultants, tracked 46 state Assembly and Senate bills and 24 federal bills. The District wrote nine letters of support for legislation.

State Issues: Since 2019, JEA & Associates has been working with ACWA and other stakeholders on putting together a viable water bond. We were successful in adding significant funding for water recycling projects, as well as groundwater sustainability. The two primary vehicles were AB 1500 (E. Garcia) and SB 45 (Portantino) – which MPWMD supported both bills. In mid-April, it was circulating that the State wanted to fund a climate resiliency/water infrastructure budget trailer through the General Fund and not a bond to go to the voters. The rationale was that the State was in a position to fund it itself with a \$100 billion+ surplus, and more importantly, the immediacy in which these projects need to get underway. MPWMD sent a support letter to Leadership and both Budget Committees supporting the inclusion of \$510 million in statewide funding for Integrated Regional Water Management (IRWM) regions in the final drought relief and resiliency package. MPWMD also requested that funding be allocated to IRWM Funding Areas based on hydrologic regions as defined by the California Water Plan, consistent with the previously approved Proposition 1 Water Bond. In addition to robust IRWM funding, the letter encourages consideration of funding for other important water resources priorities, such as water quality improvement, water recycling, desalting, dam safety rehabilitation, regional water system interconnectivity, groundwater sustainability and stormwater management.

In August, the Governor signed SB 129 (Committee on Budget), a \$2+ billion appropriation for water/climate infrastructure projects like multi-benefit, wastewater, conveyance and water recycling. JEA & Associates is working with MPWMD on monitoring and detailing grant requirements for identified funding streams.

While this is notable progress, water advocates and many legislators still want additional funding for water projects and will be looking at the State's \$31 billion surplus, as well as still putting a bond on the November 2022 ballot.

Federal Issues: On November 5, the House passed H.R. 3684 – the Infrastructure Investment and Jobs Act (IIJA) – by a vote of 228-205, with 13 House Republicans voting in favor and six Democrats voting against. The House passed the exact version of the bill the Senate passed on August 10, sending the legislation to President Joe Biden to be signed into law. The legislation was formally presented to President Biden on November 8 and will be signed into law during the week of November 15, 2021. While there are many categories of water-related infrastructure projects that will receive funding, the District is NOT eligible for most of them, as described in **Exhibit 8-A** attached.

After weeks of negotiations, on Friday, November 19, the House passed the \$1.85 trillion Build Back Better (BBB) Act (H.R. 5376), by a vote of 220-213, with Rep. Jared Golden (D-ME) being the lone Democrat voting against the measure.

Here are the top-level highlights and the current state of play as the legislation moves forward in the Senate.

Following the release of the full CBO score for the bill, moderate Democrats upheld a promise to vote for the \$1.85 trillion dollar package, which is centered on President Biden’s social and climate agenda. This legislation includes \$2.125 billion to invest in water infrastructure including sewer overflow and storm water reuse projects, including increased federal cost share for financially distressed communities and Tribes; wastewater infrastructure investment for the installation, repair, or replacement of domestic septic systems; and investments for alternative water source projects like groundwater recharge and potable reuse.

The Senate will continue working on its version of the bill. Major points of contention remain, including: the State and Local Tax (SALT) deduction, paid family and medical leave, drug pricing, and provisions on immigration. The major players to watch during the negotiations are Sens. Joe Manchin (D-WV), Kyrsten Sinema (D-AZ), and Bernie Sanders (I-VT), all of whom have taken aim at various provisions they want added or removed from the House-passed version of the bill. Senate Majority Leader Chuck Schumer (D-NY) has set a Christmas goal for passage of the BBB Act.

Aside from differences between Senate Democrats yet to be settled, the Senate also needs to act on the must-pass FY 2022 National Defense Authorization Act, raising the debt limit, and passing another short-term Continuing Resolution (CR) to avoid a government shutdown. These actions, all taking place in the month of December, will consume much of the Senate’s attention, possibly pushing action on the BBB Act to January 2022.

EXHIBIT

8-A Summary of the Infrastructure Investment and Jobs Act Funding Categories

Memo



TO: TFG Clients

DATE: November 12, 2021

Summary of Water and Natural Resource Provisions in the Bipartisan Infrastructure Investment and Jobs Act of 2021

Congress passed [H.R. 3684, the bipartisan Infrastructure Investment and Jobs Act](#) on November 5, 2021. President Biden is set to sign the legislation into law on November 15. This memo summarizes the provisions in the Act dealing with water and natural resource infrastructure programs for local and state governments and tribes.

Waterways and Ports

Investigations

\$150 million for Army Corps of Engineers (Corps) for investigations program over five years. Not later than 60 days after the date of enactment of this Act, the Chief of Engineers shall submit to the House and Senate Committees on Appropriations a detailed spend plan for the funds identified for fiscal year 2022. Within that same timeframe, the Chief of Engineers shall also provide a briefing to the House and Senate Committees on Appropriations on an implementation plan, including a schedule for solicitation of projects and expenditure of funds, for the funding provided for fiscal year 2023. **Does District Qualify? NO**

Construction

\$11.615 billion for Corps infrastructure priorities for construction projects over five years to help address the huge backlog of authorized projects that have yet to receive funding. Included under Corps construction are specific funding set-asides for Navigation, Inland Waterways, Aquatic Ecosystem Restoration, Environmental Infrastructure, Continuing Authorities Program, Flood Control, Shore Protection, and Remote and Subsistence Harbor Projects. \$200 million of the total amount shall be for water-related environmental infrastructure assistance. \$115 million of the total amount shall be used under the aquatic ecosystem restoration program under section 206 of the Water Resources Development Act of 1996 (33 U.S.C. 2330) to restore fish and wildlife passage by removing in-stream barriers and provide technical assistance to non-Federal interests carrying out such activities, at full Federal expense and notwithstanding the individual project cost limitation set forth in that section. \$1.9 billion of the total shall be for aquatic ecosystem restoration projects, of which not less than \$1 billion shall be for multi-purpose projects or multi-purpose programs that include aquatic

ecosystem restoration as a purpose. Not later than 60 days after the date of enactment of this Act, the Chief of Engineers shall submit to the House and Senate Committees on Appropriations a detailed spend plan for the funds provided under this heading in this Act for each fiscal year, including a list of project locations and new construction projects selected to be initiated. The bill directs the \$2.5 billion for inland waterway appropriations to give priority to projects in the Corps' Capital Investment Strategy and adds a general provision that projects in the Corps' appropriation should not be limited by cost-benefit analysis when determining benefits to disadvantaged communities. **Does District Qualify? NO**

Operations and Maintenance

\$4 billion for Corps Operations and Maintenance, which would be spent over a three-year period, and includes funding for dredging Federal navigation projects and repairing damages to Corps Projects caused by natural disasters. In addition, there is \$808 million for Corps Mississippi Rivers and Tributaries (MR&T) Projects and includes funding to address emergencies for Corps projects caused by natural disasters. Also, there is \$160 million for Corps Regulatory program; \$251 million for flood control and coastal emergencies; and \$40 million for expenses. **Does District Qualify? NO**

Water Infrastructure Finance and Innovation Program (WIFIA)

\$75 million for "Water Infrastructure Finance and Innovation Program (WIFIA) Account" to remain available until expended: with \$64,000,000 for the cost of direct loans and for the cost of guaranteed loans, for safety projects to maintain, upgrade, and repair dams identified in the National Inventory of Dams with a primary owner type of state, local government, public utility, or private; \$11 million for administrative expenses.

For projects that are carried **out** with these funds, the Secretary of the Army and the Director of the Office of Management and Budget shall consider other factors in addition to the benefit-cost ratio when determining the economic benefits of projects that benefit disadvantaged communities. **Does District Qualify? YES for Pure Water Monterey expansion - Competitive**

Western Water and Drought Resiliency

Aging Infrastructure

\$3.2 billion over five years for the Aging Infrastructure Account. The Aging Infrastructure Account was created in the 2020 Consolidated Appropriations bill. Its function is to provide funds and funding assistance to the Bureau of Reclamation for direct loans to finance the non-federal share of costs of certain major, nonrecurring maintenance of Reclamation-owned water infrastructure at water projects across the West that need major upgrades or replacement. As those facilities, most of which are more than 50 years old, continue to age, the issue of storing and delivering water effectively, efficiently, and in a timely manner only increases. Long term low interest loans would be provided under the authority provided by P.L. 111-11.

(A) \$100 million shall be made available for Bureau of Reclamation reserved or transferred works that have suffered a critical failure, in accordance with section 40904(a). This section authorizes nonreimbursable funding from Reclamation for projects where construction of the reserved or transferred work began on or before January 1, 1915; and a unit of the reserved or transferred work suffered a critical failure in Bureau of Reclamation infrastructure during the 2-year period ending on the date of enactment of the Act that resulted in the failure to deliver water to project beneficiaries; and

(B) \$100 million shall be made available for the rehabilitation, reconstruction, or replacement of a dam in accordance with section 40904(b). This section authorizes nonreimbursable funding from Reclamation for a dam the construction of which began on or after January 1, 1905; that was developed pursuant to section 4 of the "Carey Act"; that the Governor of the State in which the dam is located has determined the dam has reached its useful life, determined the dam poses significant health and safety concerns, and has requested Federal support; and for which the estimated rehabilitation, reconstruction, or replacement, engineering, and permitting costs would exceed \$50,000,000. **Does District Qualify? NO**

WIIN Act Storage

\$1.15 billion for WIIN Act Storage. \$1.05B for water storage, groundwater storage, and conveyance projects in accordance with section 40902, of which \$100M shall be made available to provide grants to plan and construct small surface water and groundwater storage projects in accordance with section 40903.

Section 40903 authorizes the Secretary to establish a competitive grant program. The non-Federal project sponsor of any project must be in a Reclamation State, including the State of Alaska or Hawaii, determined by the Secretary to be feasible. The non-Federal sponsor is eligible to apply for 25% grant for the planning, design, and construction of a small storage project between 2,000 and 30,000AF in size, with the maximum grant set at \$30 million per project. **Does District Qualify? NO**

Rural Water

\$1 billion for rural water projects that have been authorized by an Act of Congress before July 1, 2021, in accordance with the Reclamation Rural Water Supply Act of 2006. **Does District Qualify? NO**

Water Recycling and Reuse

\$1 billion for water recycling and reuse projects, of which—

(a) \$550M shall be made available for water recycling and reuse projects authorized in accordance with the Reclamation Wastewater and Groundwater Study and Facilities Act that are authorized or approved for construction funding by an Act of Congress before the date of enactment of this Act; or selected for funding under the competitive grant program authorized pursuant to section 1602(f) of the Reclamation Wastewater and Groundwater Study and Facilities Act, with funding to be provided in accordance with that section, notwithstanding section 4013 of the Water Infrastructure Improvements for the Nation (WIIN) Act, except that section 1602(g)(2) of the Reclamation Wastewater and Groundwater Study and Facilities Act shall not apply to amounts made available under this subparagraph; and **Does District Qualify? YES for Pure Water Monterey, but may be "capped" out.**

(b) \$450M shall be made available for largescale non-federal water recycling and reuse projects in accordance with section 40905 (authorizes a 25% grant (no cap) for Western water recycling and reuse projects where the total costs to plan, design and construct exceed \$500 million). **Does District Qualify? NO**

Water Desalination

\$250 million for water desalination projects and studies authorized in accordance with the Water Desalination Act of 1996 that are— (A) authorized or approved for construction funding by an Act of Congress before July 1, 2021; or (B) selected for funding under the Water Desalination Act of 1996. **Does District Qualify? NO**

Dam Safety

\$500 million for the Reclamation Safety of Dams (SOD) Program, in accordance with the Reclamation Safety of Dams Act of 1978. The Reclamation SOD program provides for Reclamation owned dam rehabilitation projects with a 15% reimbursable component taken over all project purposes. **Does District Qualify? NO**

WaterSMART Grants

\$400 million for WaterSMART grants in accordance with section 9504 of the Omnibus Public Land Management Act of 2009 (50-50 cost shared grant), of which \$100M shall be made available for projects that would improve the condition of a natural feature or nature-based feature (50-75% cost shared grants, as those terms are defined in section 9502 of the Omnibus Public Land Management Act of 2009). **Does District Qualify? YES**

Drought Contingency Planning

\$300 million over 5 years for Drought Contingency Plan Funding. The Drought Contingency Plan (DCP) was agreed between the 7 states of the Upper and Lower Colorado Basins, and approved by Congress, to prepare for increasingly harsh drought conditions. This section provides \$50 million to the Upper Basin and \$250 million to the Lower Basin to implement the DCP and for drought contingency operations, such Federal water contributions and monitoring at Lake Powell and Lake Mead. **Does District Qualify? NO**

Watershed Management

\$100 million for watershed management projects to provide financial assistance in accordance with subtitle A of title VI of the Omnibus Public Land Management Act of 2009 (established the Cooperative Watershed Management Program where diverse stakeholder groups in a watershed are eligible for grants (50%-100% federal share) to form and/or carry out projects to restore or enhance watershed function). **Does District Qualify? NO**

Aquatic Ecosystem Restoration

\$250 million for design, study, and construction of aquatic ecosystem restoration and protection projects in accordance with section 1109 of division FF of the Consolidated Appropriations Act, 2021 (which authorized the Secretary of the Interior to negotiate and enter into an agreement on behalf of the United States to fund up to 65% of the design, study, and construction of an aquatic ecosystem restoration and protection project in a Reclamation State if the Secretary determines that the project is likely to improve the health of fisheries, wildlife or aquatic habitat, including through habitat restoration and improved fish passage via the removal or bypass of barriers to fish passage, with limitations). **Does District Qualify? Possibly YES**

Multi-Benefit Projects

\$100 million for multi-benefit projects to improve watershed health in accordance with section 40907 (which authorizes and directs the Secretary of the Interior, in consultation with the heads of relevant agencies, to establish a competitive grant program (50% - 75% federal share) for grants to eligible applicants for the design, implementation, and monitoring of conservation outcomes of habitat restoration projects that improve watershed health in a river basin that is adversely impacted by a Bureau of Reclamation water project). **Does District Qualify? NO**

Endangered Species Recovery

\$50 million for endangered species recovery and conservation programs in the Colorado River Basin.

Not later than 60 days after the date of enactment of this Act, the Secretary of the Interior shall submit to the House and Senate Committees on Appropriations a detailed spend plan, including a list of project locations of the preceding proviso, to be funded for fiscal year 2022; and beginning not later than 120 days after the enactment of this Act, the Secretary of the Interior shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of the funds provided under this heading in this Act. **Does District Qualify? NO**

Fish and Wildlife Restoration

Fish Passage

\$1 billion to the Secretary of Transportation to establish an annual competitive grant program to award grants (up to 80% federal share) to eligible entities (states/local governments/tribes) for projects for the replacement, removal, and repair of culverts or weirs that— “(1) would meaningfully improve or restore fish passage for anadromous fish; and “(2) with respect to weirs, may include— “(A) infrastructure to facilitate fish passage around or over the weir; and “(B) weir improvements. The legislation also authorizes an additional \$800 million annually for the program for each of FYs 2022—2026. **Does District Qualify? Possibly YES**

\$10 million to the USFWS and NOAA Fisheries for the removal of non-hydropower Federal dams and for providing dam removal technical assistance in support of listed ESA species. **Does District Qualify? NO**

\$200 million to the Secretary of the Interior to be used for restoring fish and wildlife passage by removing in-stream barriers and providing technical assistance under the National Fish Passage Program. **Does District Qualify? YES**

\$400 million to the Secretary of Commerce (NOAA) to be used for restoring fish passage by removing in-stream barriers and providing technical assistance pursuant to section 117 of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006 (16 U.S.C. 1891a), of which up to 15 percent shall be reserved for Indian Tribes or partnerships of Indian Tribes in conjunction with an institution of higher education, non-profit, commercial (for profit) organizations, U.S. territories, and state or local governments, and of which the remaining amount shall be for all eligible entities, including Indian Tribes and such partnerships of Indian Tribes **Does District Qualify? Possibly YES**

Ecosystem and Habitat Restoration

\$255 million to the Secretary of the Interior to be used for regional ecosystem restoration purposes, including \$162 million for Klamath Basin restoration activities; \$17 million for Lake Tahoe restoration; and \$50 million for the sagebrush steppe ecosystem. **Does District Qualify? NO**

\$491 million to the Secretary of Commerce (NOAA) to be used for contracts, grants, and cooperative agreements to provide funding and technical assistance for purposes of restoring marine, estuarine, coastal, or Great Lakes ecosystem habitat, or constructing or protecting ecological features that protect coastal communities from flooding or coastal storms. **Does District Qualify? NO**

\$492 million to the Secretary of Commerce (NOAA) to be used for coastal and inland flood and inundation mapping and forecasting, and next-generation water modeling activities, including modernized precipitation frequency and probable maximum studies. **Does District Qualify? NO**

\$77 million to the Secretary of Commerce (NOAA) for habitat restoration projects through the National Estuarine Research Reserve System (16 U.S.C. 1456c), including ecosystem conservation pursuant to section 12502 of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 1456–1). **Does District Qualify? NO**

\$172 million to the Secretary of Commerce (NOAA) for Pacific Coastal Salmon Recovery. **Does District Qualify? YES - Competitive**

Forest Restoration and Ecosystem Health

\$2.130 billion authorization (not appropriated in the Act – to be spent from future operating funds) for forest ecosystem restoration projects on federal, tribal and non-federal lands to the Secretary of the Interior and the Secretary of Agriculture, acting through the Chief of the Forest Service, for described activities, including water quality and fish passage, for the period of fiscal years 2022 through 2026. **Does District Qualify? NO**

\$250 million to the Secretary of Agriculture to restore passages for fish and other aquatic species by improving, repairing, or replacing culverts and other infrastructure; and removing barriers, as the Secretary determines appropriate, from the passages; and to remove unauthorized roads and trails in the National Forest System (USFS Legacy Road and Trail Remediation Program), for the period of fiscal years 2022 through 2026.

Does District Qualify? Possibly YES

Watershed Resiliency

\$618 million over five years for USDA NRCS Watershed Programs. Provides \$500 million for Watershed and Flood Prevention Operations (WFPO) and \$118 million for Watershed Rehabilitation Programs. Both programs are critically important to Western and Midwestern states being hit by drought. WFPO helps units of federal, state, local, and tribal governments protect and restore watersheds up to 250,000 acres. This program provides for cooperation between the Federal government and the states and their political subdivisions to work together to prevent erosion; floodwater and sediment damage; to further the conservation development, use and disposal of water; and to further the conservation and proper use of land in authorized watersheds. The Watershed Rehabilitation Program helps project sponsors rehabilitate aging dams that are reaching the end of their design lives. This rehabilitation addresses critical public health and safety concerns. **Does District Qualify? NO**

\$300 million to USDA NRCS for “Emergency Watershed Protection Program” to repair damages to the waterways and watersheds resulting from natural disasters. **Does District Qualify? YES through local RCS if damages**

Tribal Programs

\$216 million over five years for Tribal Climate Resilience. Provides \$216 million for tribal climate resilience, adaptation, and community relocation planning, design, and implementation of projects that address the varying climate challenges facing tribal communities across the country. Of that, \$130 million is for community relocation and \$86 million is for climate resilience and adaptation projects. **Does District Qualify? NO**

\$250 million for construction, repair, improvement, and maintenance of irrigation and power systems, safety of dams, water sanitation, and other facilities. **Does District Qualify? NO**

Drinking Water Programs

\$17.343 billion to the EPA in appropriations for Drinking Water State Revolving Fund (SRF) capitalization grants for fiscal years 2022 through 2026. Authorizes an additional **\$14.65 billion** for the Drinking Water SRF over FYs 2022—2026. Additional authorities are provided for further subsidizations from the SRF. **Does District Qualify? YES for Pure Water Monterey**

\$15 billion to the EPA in appropriations for Drinking Water SRF capitalization grants to replace lead service lines, with 49% of the funding distributed by the states as forgivable loans or grants for fiscal years 2022 through 2026. **Does District Qualify? NO**

\$4 billion to the EPA in appropriations for Drinking Water SRF capitalization grants to address per- and polyfluoroalkyl substances (PFAS) for fiscal years 2022 through 2026. **\$5 billion** to the EPA in appropriations under subsections (a) through (j) of section 1459A of the Safe Drinking Water Act (42 U.S.C. 300j–19a) to address PFAS for fiscal years 2022 through 2026. **Does District Qualify? NO**

\$175 million to the EPA for technical assistance and grants for emergencies affecting public water systems for fiscal years 2022 through 2026. **Does District Qualify? Possibly YES**

\$510 million to the EPA in funding for the Assistance for Small and Disadvantaged Communities Program for fiscal years 2022 through 2026. **Does District Qualify? NO**

\$500 million to the EPA for the Lead Reduction Projects Grant Program for fiscal years 2022 through 2026. There is an additional **\$10 million** authorized, until expended, for a Lead Inventorying Utilization Grant Pilot Program to provide grants to eligible entities to carry out lead reduction projects that are demonstrated to exist or are suspected to exist, based on available data, information, or resources, including existing lead inventorying of those eligible entities. **Does District Qualify? NO**

\$250 million to the EPA for the Drinking Water System Infrastructure Resilience and Sustainability Program for fiscal years 2022 through 2026. Stipulates a 90 percent federal cost share for aid to small, rural, and disadvantaged communities. **Does District Qualify? NO**

\$250 million to the EPA for the Indian Reservation Drinking Water Program for fiscal years 2022 through 2026. **Does District Qualify? NO**

\$50 million to the EPA for an Advanced Drinking Water Technologies grant program for fiscal years 2022 through 2026. The program is for public water systems that serve a population of 100,000 or fewer people or disadvantaged communities. The grant program is designed to identify and/or deploy drinking water infrastructure technology that is new or emerging, but proven to enhance the treatment, monitoring, affordability, efficiency, and safety of the drinking water provided. **Does District Qualify? UNLIKELY**

Clean Water Programs

\$19.908 billion to the EPA in appropriations for Clean Water SRF capitalization grants for fiscal years 2022 through 2026. Authorizes an additional **\$14.65 billion** for the Clean Water SRF over FYs 2022—2026. Additional authorities are provided for further subsidizations from the SRF. **Does District Qualify? Yes for PWM**

\$1 billion to the EPA in appropriations for Clean Water SRF capitalization grants to address per- and polyfluoroalkyl substances (PFAS) for fiscal years 2022 through 2026. **Does District Qualify? NO**

\$100 million to the EPA for the Wastewater Efficiency Grant Program for fiscal years 2022 through 2026. The program provides funding to publicly owned treatment works to create or improve waste-to-energy systems. Grants may be awarded for sludge collection systems, anaerobic digesters, methane capture or transfer, and other emerging technologies that transform waste to energy. **Possibly for M1W and Waste District**

\$125 million to the EPA for the Pilot Program for Alternative Water Source Projects for fiscal years 2022 through 2026. The grants may be used for engineering, design, construction, and final testing of alternative water source projects designed to meet critical water supply needs. Alternative water source projects include those projects that provide alternative sources of water through conserving, managing, reclaiming, or reusing water, stormwater, or wastewater. **Possibly for M1W**

\$1.4 billion to the EPA for the Sewer Overflow and Stormwater Reuse Municipal Grants Program for fiscal years 2022 through 2026, placing a particular emphasis on projects in rural and financially distressed communities. The federal cost share for rural or financially distressed communities would be no less than 90 percent. The bill also expands eligible projects to include “notification systems to inform the public of combined sewer or sanitary overflows that result in sewage being released into rivers and other waters.” **Does District Qualify? NO**

\$125 million to the EPA for the Clean Water Infrastructure Resiliency and Sustainability Program to provide grants for protecting water systems from weather events and cybersecurity risks for fiscal years 2022 through 2026. **Does District Qualify? UNLIKELY**

\$50 million to the EPA for the Small and Medium Publicly Owned Treatment Works Circuit Rider Program for fiscal years 2022 through 2026. The program awards grants to provide on-site technical assistance to owners and operators of small and medium publicly owned treatment works. **Does District Qualify? NO**

\$250 million to the EPA for a grant program that allows nonprofit organizations to receive funds for the construction, repair, or replacement of decentralized wastewater systems for low- or moderate-income households, or groups of such households for fiscal years 2022 through 2026. **Does District Qualify? NO**

\$200 million to the EPA for a program to provide grants to publicly owned treatment works or nonprofit organizations to cover the costs incurred from connecting a household to a municipal or private wastewater system for fiscal years 2022 through 2026. **Does District Qualify? NO**

\$25 million to the EPA for the Innovative Water Infrastructure Workforce Development Program for fiscal years 2022 through 2026. **Does District Qualify? NO**

\$75 million to the EPA for a water data sharing pilot program aimed at ensuring the coordination of data and information regarding water quality and needs between state and local governments for fiscal years 2022 through 2026. **Does District Qualify? NO**

\$250 million to the EPA for WIFIA for fiscal years 2022 through 2026. Requires the EPA to develop and begin implementation of an outreach plan to promote WIFIA assistance to small communities and rural communities. The legislation also changes the WIFIA requirement that mandates each WIFIA project applicant must provide two final agency rating opinion letters. Under this section, project applicants will only need to provide one final agency rating opinion letter, like the requirements of other federal loan programs, prior to final acceptance and financing of the project. **Does District Qualify? UNCLEAR**

\$50 million to the EPA for a Stormwater Infrastructure Technology program that provides grants to eligible entities to carry out stormwater control infrastructure projects that incorporate new and emerging, but proven, stormwater control technologies for fiscal years 2022 through 2026. Authorizes an additional **\$25 million** for FYs 2022—2026 to the EPA to establish Centers of Excellence for stormwater control infrastructure and create a public website to share the results of the research. **Does District Qualify? NO, but M1W might**

\$25 million to the EPA to conduct and complete an assessment of wastewater system capital improvement needs of all treatment works in the United States that are eligible for assistance from state water pollution control revolving funds established under the CWA for fiscal years 2022 through 2026. **Does District Qualify? NO**

\$25 million to the EPA to provide funding to carry out groundwater research on enhanced aquifer use and recharge in support of sole-source aquifers for fiscal years 2022 through 2026. **Does District Qualify? UNCLEAR**

Authorizes a new Small Publicly Owned Treatment Works Efficiency Grant Program at the EPA for small publicly owned treatment works to support water and energy efficiency in disadvantaged communities, as well as those in rural areas with a population of less than 10,000. The bill does not provide a specific authorized funding level for this program. **Does District Qualify? NO**

via a smartphone or web-based application. Cal-Am is supportive of this addition to the rebate program. Rebates for Cal-Am customers are funded by the ratepayers and are available on a first-come first-served basis as long as funding is available. Details about the rebate program can be found in Rule 141.

- Ordinance No. 189 amends the Water Factor for High Efficiency Clothes Washers and High Efficiency Dishwashers to be consistent with the factors used in the U.S. Environmental Protection Agency's Energy Star program. The District requires Energy Star certification for these appliances when the appliance is required as a condition of a Water Permit and for rebate qualification.
- Ordinance No. 189 clarifies language related to the processing of Water Permits for Non-Residential tenant improvements. It also amends (for clarity) language related to submetering and reporting requirements.
- Ordinance No. 189 allows permanent submetering in Multi-Family Dwelling units or Residential Common Interest Developments of more than four units and the project's common areas. Conditions of approval require reporting at the submeter level to the District upon request, and monthly or more frequently during water rationing. This action replaces previous variance consideration at the Board level under the definition of Special Circumstances, as submetering technology allows for individual User accountability, reporting, and billing, and does not undermine the intent of District law to promote conservation and User accountability. It should be noted that required submeters do not qualify for the new Smart Flowmeter rebate.
- Ordinance No. 189 codifies a process whereby the District issues a Water Permit waiver when requested by a Jurisdiction or Applicant.
- Ordinance No. 189 establishes criteria for use of a Mobile Water Distribution System for filling a Swimming Pool.
- Ordinance No. 189 codifies the practice that there is no change in Capacity when a High Efficiency Clothes Washer is installed in a Multi-Family Dwelling or Common Interest Development. High Efficiency Clothes Washers are required in Common Laundry Rooms at Multi-Family Residential and Common Interest Development Sites, and it is assumed that they are used by the tenants/occupants: For this reason, locating a High Efficiency Clothes Washer within an existing Dwelling Unit in a Multi-Family Dwelling does not increase Capacity.
- Ordinance No. 189 specifies that no credit or reduced Water Use Capacity shall be granted to a Non-Residential User who proposes to locate/relocate a component of that business to an out-of-District location or to another Water Distribution System. For example, no credit would be granted for a hotel use when laundry is washed at another location.
- Ordinance No. 189 deletes Rule 91, Short Term Variance, as the rule is obsolete.
- Ordinance No. 189 allows a rebate for the replacement of High Efficiency Dishwashers and Ultra-High Efficiency Toilets when they are replaced at least ten years after the initial Rebate.

RECOMMENDATION: The Board will consider adoption of Ordinance No. 189. If adopted, the ordinance will become effective January 1, 2022.

EXHIBIT

11-A Ordinance No. 189

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EXHIBIT 11-A*Second Reading Draft***ORDINANCE NO. 189**

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF
THE MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
CLARIFYING AND AMENDING RULES RELATED TO DEFINITIONS (RULE
11), WATER DISTRIBUTION SYSTEMS (RULE 21), WATER PERMITS (RULES
23 AND 24), WATER USE CREDITS (RULE 25.5), AND REBATES (RULE 141);
DELETING RULE 91 (SHORT TERM VARIANCE); AND REVISING THE
TITLE OF REGULATION XV**

FINDINGS

1. The Monterey Peninsula Water Management District (District or Water Management District) is charged under the Monterey Peninsula Water Management District Law with the integrated management of the ground and surface water resources in the Monterey Peninsula area.
2. The Water Management District has general and specific power to cause and implement water conservation activities as set forth in Sections 325 and 328 of the Monterey Peninsula Water Management District Law.
3. The Monterey Peninsula Water Management District has found and determined that it is in the best interests of the Monterey Peninsula Water Management District and its inhabitants to define, implement and enforce water efficient plumbing standards and requirements for the conservation of Potable water supplies. Retrofit or replacement of existing plumbing fixtures lessens consumption of the limited water resources available on the Monterey Peninsula. Installation of water efficient plumbing fixtures reduces the burden of new, expanded or modified uses on the water resources.
4. This ordinance adds a definition of a “Public Water System” to Rule 11 as defined by the State Water Resources Control Board, Division of Drinking Water (DDW). This is to facilitate an added requirement to Rule 21 for DDW preliminary approval prior to District consideration of a Water Distribution System Permit. DDW has been critical of small WDS that may not have adequate long-term water supply.

5. This ordinance adds a definition for “Smart Flowmeters” to facilitate the addition of a rebate to Rule 141.
6. This ordinance amends the Water Factor for High Efficiency Clothes Washers and High Efficiency Dishwashers to be consistent with the factors used in the U.S. Environmental Protection Agency’s Energy Star program. The District requires Energy Star certification for both appliances.
7. This ordinance clarifies language related to the processing of Water Permits for tenant improvements, submetering and reporting requirements.
8. This ordinance allows permanent submetering of a User’s consumption in Multi-Family Dwellings or Residential Common Interest Developments of more than four units and in the project’s the common areas. Conditions require reporting at the submeter level to the District upon request and monthly or more frequently during water rationing.
9. This ordinance codifies a process whereby the District issues a Water Permit waiver when requested by a Jurisdiction or Applicant.
10. This ordinance establishes criteria for use of a Mobile Water Distribution System for filling a Swimming Pool.
11. This ordinance codifies the practice that there is no change in Capacity when a High Efficiency Clothes Washer is installed in a Multi-Family Dwelling or Common Interest Development. High Efficiency Clothes Washers are required in Common Laundry Rooms at Multi-Family Residential and Common Interest Development Sites, and it is assumed that they are used by the tenants/occupants. For this reason, locating a High Efficiency Clothes Washer within an existing Dwelling Unit in a Multi-Family Dwelling does not increase Capacity.
12. This ordinance specifies that no credit or reduced Water Use Capacity shall be granted to a Non-Residential User who proposes to locate/relocate a component of that business to an out-of-District location or to another Water Distribution System.
13. This ordinance deletes Rule 91, Short Term Variance, as the rule is obsolete.
14. This ordinance allows a Rebate for the replacement of High Efficiency Dishwashers and Ultra-High Efficiency Toilets when they are replaced at least ten years after the initial Rebate.

15. This ordinance does not constitute a Project as that term is defined by Section 15378 of the California Environmental Quality Act (CEQA) as it is an organizational or administrative activity of government that will not result in direct or indirect physical changes in the environment.

NOW THEREFORE be it ordained as follows:

ORDINANCE

Section One: Short Title

This ordinance shall be known as the 2021 Rule Amendment Ordinance of the Monterey Peninsula Water Management District.

Section Two: Purpose

This ordinance clarifies and revises rules related to Definitions (Rule 11), Water Distribution Systems (Rule 21), Water Permits (Rules 23 and 24), Water Use Credits (Rule 25.5), and Rebates (Rule 141). The ordinance also deletes Rule 91 (Short Term Variance) and amends the title of Regulation XV to delete reference to the year it was adopted.

Section Three: Amendments to Rule 11

Rule 11 shall be amended as shown below, with added language as shown in ***bold italic*** type face, and deleted language shown in ~~strikeout~~ type face.

PUBLIC WATER SYSTEM – “Public Water System” shall mean a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections (Users) or regularly serves at least 25 individuals daily at least 60 days out of the year.

SMART FLOWMETER – “Smart Flowmeter” shall mean a device that accurately measures water use through plumbing. Smart Flowmeters report water use and send customizable alerts through a convenient web portal or mobile application. Customers can see their water use down to a fraction of a gallon and usage as frequently as every minute, keeping them informed of overall water use, potential high water use, or suspected leaks.

HIGH EFFICIENCY CLOTHES WASHER - “High Efficiency Clothes Washer (or HEW)” shall mean a Clothes Washer with a Water Factor of ~~5.0~~ **4.3** or less *that has Energy Star certification*.

HIGH EFFICIENCY DISHWASHER - “High Efficiency Dishwasher” shall mean a Dishwasher designed to use a maximum of ~~5.8~~ **3.5** gallons per cycle *and that has*. ~~A High Efficiency Dishwasher shall have~~ Energy Star certification.

Section Four: **Amendments to Rule 21**

Rule 21-A shall be amended with added language as shown in *bold italic* type face show below.

- p. An application for a Water Distribution System for a Public Water System must have preliminary approval from the Division of Drinking Water in the Department of Water Resources before District consideration of a Water Distribution System Permit.*

Section Five: **Amendments to Rule 23**

1. Rule 23-A-1-i shall be amended as shown below, with added language as shown in *bold italic* type face, and deleted language shown in ~~strikeout~~ type face. These changes facilitate sub-metering at a Multi-Family Residential Site where the installation of multiple Water Meters owned by the Water Distribution System Operator would result in difficulties related to utility infrastructure and sidewalk safety. Current technology allows sub-metering to be installed that provides water use information for each User that can be reported to the District as needed.
 - i. Water Meters maintained by the Water Distribution System Operator shall be installed for each Residential and Non-Residential water User except as allowed in 23-A-1-i-(3), (4), (5), and (6).
 - (1) A Non-Residential User may extend water use to another Non-Residential User within an existing structure unless the Remodel or Addition requires a Water Permit for a Change of Use (as defined in Rule 11).
 - (2) A Change of Use as defined in Rule 11 shall trigger the requirement for a separate Water Meter *if the User has a Bathroom or uses water as a component of their business (i.e., restaurant, Group II uses, manufacturing, etc.)*.

- (3) Users of multiple structures on a Site occupied by one Non-Residential User may apply for a variance of this Rule.
- (4) The General Manager shall allow sub-metering for each Multi-Family Dwelling (including condominiums and Common Interest Developments), Mixed Use, or Non-Residential User when the installation of separate Water Meters is not feasible and the User is utilizing Water Credits or an Entitlement on a Site that has a Connection. Applications for sub-metering of Single-Family Dwellings will be considered by the General Manager when the Jurisdiction confirms there is no potential that the sub-metered User could be located on a separate Site through subdivision or transfer of ownership of a portion of the Site. Approval of a Water Permit allowing sub-metering under this provision shall require recordation of a deed restriction on the title of the property that shall encumber current and future Site owners to comply with the following conditions:
- a. A Site's owner shall have Water Meters installed for each sub-metered User by the Water Distribution System Operator within ninety (90) days of the conclusion of a Connection moratorium. It is recommended that the sub-meter(s) be located in or near the future meter box to facilitate this requirement. Once Water Meters maintained by the Water Distribution System Operator have been installed, the deed restriction shall be removed.;
 - b. ***When requested*** ~~Annually~~ at the conclusion of the Water Year, ~~and within 30 days of change in tenancy,~~ the Site's owner shall provide the General Manager with individual monthly consumption for each User in a format acceptable to the District. Information shall identify the User of the sub-meter (e.g., apartment number or lease space number) and the number of residents in each Residential Dwelling Unit or the type of use according to Rule 24, Table 2, for each Non-Residential User;
 - c. During Stages **Four** of ~~The 2016~~ Monterey Peninsula Water Conservation and Rationing Plan (Regulation XV), sub-metered consumption shall be provided to the District monthly or more frequently if requested by the General Manager;

2. Rule 23-A-1-i shall be amended as shown below with added language as shown in ***bold italic*** type face, and deleted language shown in ~~strikeout~~ type face.

- i. Water Meters maintained by the Water Distribution System Operator shall be installed for each Residential and Non-Residential water User except as allowed in 23-A-1-i-(3), (4), (5), ~~and (6)~~, ***and (7)***.

3. Rule 23-A-1-i shall be amended as shown below to add subparagraph 7, with added language as shown in ***bold italic*** type face, and deleted language shown in ~~strikeout~~ type face.

(7) The General Manager shall allow permanent sub-metering of each User's water use in a Multi-Family Dwelling or Residential Common Interest Development of more than four units and into the project's common areas. Approval of a Water Permit allowing sub-metering under this provision shall require recordation of a deed restriction on the title of the property that shall encumber current and future Site/common area owners to comply with the following conditions:

b. When requested at the conclusion of the Water Year, the Site's owner shall provide the General Manager with individual monthly consumption for each User in a format acceptable to the District. Information shall identify the User of the sub-meter (e.g. apartment or condo number) and the number of residents in each Dwelling Unit and information about common area uses;

c. During Stage Four of the Monterey Peninsula Water Conservation and Rationing Plan (Regulation XV), sub-metered consumption shall be provided to the District monthly or more frequently if requested by the General Manager;

4. Rule 23-A-4 shall be added as shown below in ***bold italic*** type face.

4. Water Permit Waiver

When requested by a Jurisdiction, or at the request of an Applicant, the District will review a Water Permit application. When a Water Permit is not required, the District will issue a "waiver." A waiver involves the same review process as a Water Permit but does not result in recordation of deed restrictions.

Section Six: Amendments to Rule 24

1. New Rule 24-A-6 shall be inserted as shown below, with added language as shown in ***bold italic*** type face. Existing Rule 24-A-6 shall be moved to the end of the rule and renumbered as Rule 24-A-7.

6. ***Swimming Pools constructed with a condition prohibiting use of the local Potable Water Distribution System to fill the pool shall be required to secure their water supply from an entity that holds a current and valid Water Hauler's License from the Department of Public Health, Food and Drug Branch (FDB). The Water Hauler's License is required to haul more than 250 gallons by any means of transportation for drinking, culinary, or other purposes involving a likelihood of the water being ingested by humans. There shall be a minimum deduction to the Water Distribution System serving the property in the amount of 0.01 Acre-Foot Annually to offset potential maintenance demand in addition to the requirement to fill and maintain the pool using a licensed Mobile Water Distribution System.***

2. Rule 24-A-8 shall be added as shown below, with added language as shown in ***bold italic*** type face. High Efficiency Clothes Washers are required in Common Laundry Rooms at Multi-Family Residential and Common Interest Development Sites, and it is assumed that they are used by the tenants/occupants. Locating a High Efficiency Clothes Washer within an existing unit in a Multi-Family Dwelling does not increase Capacity.

8. ***Installation of a High Efficiency Clothes Washer within a Dwelling Unit constructed prior to January 1, 2022, on a Multi-Family Residential Site or Common Interest Development served by a Common Laundry Room does not increase Capacity.***

3. Rule 24-B-1 shall be amended as shown below, with added language as shown in ***bold italic*** type face, and deleted language shown in ~~strikeout~~ type face.

1. Methodology for Determining Water Use Capacity

The following process shall be used to determine if there is an increase in Water Use Capacity:

- a. The General Manager shall estimate Water Use Capacity of the proposed Project using the Water Use Factors from Table 2: Non-Residential Water Use Factors.

- (1) New Construction: When the Non-Residential Water Use Factor is based on a square-footage factor, the ~~entire~~ **gross** square-footage shall be applied to the factor for construction of a new building.
- (2) Tenant Improvements *within a defined lease space*: When the Non-Residential Water Use Factor is based on a square-footage for a Tenant Improvement, the **useable** square-footage shall be applied to the factor. ***This calculation does not affect the remaining Capacity of the building and is to be used only to identify the Capacity of the area being remodeled.***

Section Seven: **Amendments to Rule 25.5**

Rule 25.5-G-6 shall be added as shown below, with added language as shown in ***bold italic*** type face. The relocation of an associated use is generally not sustainable and results in increases in traffic, greenhouse gas emissions, etc.

6. ***No Water Use Credit or reduced Water Use Capacity shall be granted for the removal of a Non-Residential associated use to an out of District location or to another Water Distribution System. For example: No reduction in Water Use Capacity or Water Use Credit shall be granted for laundering hotel textiles at another location.***

Section Eight: **Deletion of Rule 91, Short Term Variance**

Rule 91 shall be deleted in its entirety as it is obsolete. Rule 91 was adopted by Ordinance No. 5 and amended by Ordinance No. 6 in 1981. The District's Water Permit process has been completely revised since then, and there is no circumstance where Rule 91 would apply.

Section Nine: **Amendments to Rule 141**

1. Rule 141-A shall be amended by deleting the following footnote to the word "purchase" as shown in ~~strike through~~. High Efficiency Clothes Washers have been required in all Common Laundry Rooms since 2014, and the rebate program is to available only for voluntary retrofits.

A. QUALIFYING DEVICES

Rebates are available for purchase[†] of the following Qualifying Devices within the boundaries of the Monterey Peninsula Water Management District. Qualifying Devices and the associated Rebate amount are shown in Table XIV-1.

~~+Rebates are available for High Efficiency Clothes Washers in Common Laundry Rooms that are leased under a contract with a vendor.~~

2. Rule 141-C-3 shall be amended as shown below, with added language as shown in ***bold italic*** type face, and deleted language shown in ~~strikeout~~ type face to facilitate the continued water savings associated with these appliances as they are replaced.
 3. Rebates shall be available only for the initial purchase of a Qualifying Device. Rebates shall not be issued for replacement of an existing Qualifying Device except for High Efficiency Clothes Washers that have been removed from the Qualifying Property by a previous owner/tenant or that are being replaced after eight or more years ***and High Efficiency Dishwashers and Ultra-High Efficiency Toilets replaced after ten years.*** Applicants submitting an application for a High Efficiency Clothes Washer Rebate on a Site that has previously qualified for a High Efficiency Clothes Washer Rebate may be required to provide information to substantiate a subsequent Rebate.
3. Rule 141-D-10 (Conditions of Approval) shall be added as shown below, with added language as shown in ***bold italic*** type face. The rebate for Smart Flowmeters will be considered in Resolution 2021-16 to be considered at the December 20, 2021.

10. Rebates for Smart Flowmeters. Qualifying Devices shall meet the following requirements:

- a. Eligible Smart Flowmeters shall measure total water usage at least hourly and report water usage on a web portal or smartphone application.***
- b. Limit of one Smart Flowmeter rebate per User on a Parcel.***
- c. An Applicant for a Smart Flowmeter shall obtain authorization from the Water Distribution System Operator when a flowmeter is attached to the Water Meter.***
- d. The Smart Flowmeter shall be designed for at least two years of continuous operation.***

- e. *Property owner shall agree to keep the flowmeter installed and operational for a minimum of two years.*
- f. *Applicant shall submit a photograph of the installed Smart Flowmeter with the Rebate application.*

Section Ten: **Amendment to Regulation XV Title**

The title to Regulation XV shall be amended to delete the year 2016.

Section Eleven: **Publication and Application**

The provisions of this ordinance shall cause the republication and amendment of Rules 11, 21, 23, 24, 25.5, and 141. This ordinance also deletes Rule 91 (Short Term Variance) and amends the title of Regulation XV to delete reference to the year it was adopted.

Section Twelve: **Effective Date and Sunset**

This ordinance shall take effect at 12:01 a.m. on January 1, 2022, and shall not have a sunset date.

Section Thirteen: **Severability**

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

On motion by Director _____, and second by Director _____, the foregoing ordinance is adopted upon this ____ day of _____, 2021, by the following vote:

AYES:

NAYS:

ABSENT:

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify the foregoing is a full, true and correct copy of an ordinance duly adopted on the _____ day of _____, 2021.

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

David J. Stoldt, Secretary to the Board

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ITEM: PUBLIC HEARING**12. CONSIDER ADOPTION OF OCTOBER THROUGH DECEMBER 2021 QUARTERLY WATER SUPPLY STRATEGY AND BUDGET**

Meeting Date:	December 13, 2021	Budgeted:	N/A
From:	David J. Stoldt General Manager	Program/ Line Item:	N/A
Prepared By:	Jonathan Lear	Cost Estimate:	\$11,000

Committee Recommendation: N/A**General Counsel Review: 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 **January through March 2022** 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 12-A**, outline monthly production by source of supply that will be required to meet projected customer demand in Cal-Am's Main and Laguna Seca Subarea systems, i.e., Ryan Ranch, Bishop, and Hidden Hills, during the **January through March 2022** 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 12-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 **November 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 900 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 150 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 1,050 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 12-B**, Quarterly Water Supply Strategy Report: **January to March 2022**.

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

12-A Quarterly Water Supply Strategy and Budget for Cal-Am Main System: January – March 2022

12-B Quarterly Water Supply Strategy and Budget Report: January - March 2022

EXHIBIT 12-A

**California American Water Main Distribution System
Quarterly Water Supply Strategy and Budget: January - March 2022**

Proposed Production Targets by Source in Acre-Feet

SOURCE/USE	MONTH			YEAR-TO-DATE	
	Jan-22	Feb-22	Mar-22	Oct-21 - Nov-21	% of YTD % of Annual Budget
<u>Source</u>					
<u>Carmel Valley Aquifer</u>					
Upper Subunits (Service)	0	100	100		
Lower Subunits (Service)	250	172	199		
ASR Diversion	0	150	300		
Table 13 Diversion (Service)	<u>38</u>	<u>52</u>	<u>60</u>		
Total	288	474	659		
<u>Seaside Groundwater Basin</u>					
Coastal Subareas	50	50	50		
Phase 1 and 2 ASR Recovery	0	0	0		
Sand City Desalination	25	25	25		
Pure Water Monterey	350	350	350		
Total	425	425	425		
<u>Total for All Sources</u>	713	899	1,084		
<u>Use</u>					
Customer Service	675	697	724		
Phase 1 and 2 ASR Storage	0	150	300		
Table 13 In Basin use	<u>38</u>	<u>52</u>	<u>60</u>		
Total	713	899	1,084		

Notes:

- The annual budget period corresponds to the Water Year, which begins on October 1 and ends on September 30 of the following Calendar Year.
- Total monthly production for "Customer Service" in CAW's main system was calculated by multiplying total annual production (9,700 AF) times the average percentage of annual production for January, February and March (7.9%, 6.8%, and 8.3%, 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, without adjustments for water produced from water resources projects, would not exceed 4,110 AF in WY 2022. The average production percentages were based on monthly data for customer service from WY 2012 to 2015.
- Anticipated production for ASR injection is based on an average diversion rate of approximately 4,500 gallons per minute (gpm) or 19.9 AF per day from CAW's sources in the Carmel River Basin. "Total" monthly CAW "Use" includes water for customer service and water for injection into the Seaside Basin.
- The production targets for CAW's wells in the Seaside Coastal Subareas are based on the assumption that sufficient flow will occur in the Carmel River at the targeted levels, to support ASR injection. It is planned that Coastal Subarea pumping will not occur, or will be proportionally reduced, if ASR injection does not occur at targeted levels.
- The production targets for CAW's wells in the Seaside Coastal Subareas are based on the need for CAW to produce its full Standard Allocation during WY 2020 to be in compliance with SWRCB WRO No. 95-10.
- 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 Cal-Am Seaside Wellfield is to be used to offset production in Carmel Valley during low-flow periods. Adjustments are also made to the Quarterly Budgets to ensure that compliance is achieved on an annual basis with MPWMD Rule 160 totals.
- Table 13 values reflect source/use estimates based on SWRCB Permit 21330, which allows diversions from the CVA for "In Basin use" (3.25 AFD) when flows in the River exceed threshold values. In accordance with Water Rights Permits 21330 and CDO2009-0060, water produced and consumed under this right is subtracted from the CVA annual base amount. Actual values will be dependant on the number of days flows exceed minimum daily instream flow requirements.

EXHIBIT 12-B**Quarterly Water Supply Strategy and Budget Report California American Water
Main Water Distribution System: January - March 2022**

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: January - December 2022

On December 7, 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 discussed the early storm in October and the lower than normal rainfall in November resulting in Los Padres Reservoir filling slowly. The group discussed the construction of the Parallel Pipeline that will allow for simultaneous injection of Carmel River water and recovery of Pure Water Monterey. If rainfall occurs during this quarter and the Parallel Pipeline is completed, Cal-Am and the District will use the Santa Margarita Site to divert and inject Carmel River water. The Upper Valley wells will be used to support ASR injection once the flow triggers are reached and the Low-Flow regime is no longer in effect.

Seaside Groundwater Basin For this quarter, the Seaside Groundwater Basin will be the largest component of supply to meet system demand. Most of the production from the Seaside Basin will be Pure Water Monterey recovery. Once the Parallel Pipeline is completed, ASR 1 and 2 will be used for injection if flow triggers are reached on the Carmel River.

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**13. RECEIVE FISCAL YEAR 2020-2021 COMPREHENSIVE ANNUAL FINANCIAL REPORT****Meeting Date:** December 13, 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:** N/A**CEQA Compliance: This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.**

SUMMARY: A draft copy of the District’s Comprehensive Annual Financial Report (CAFR) is provided for review. Draft of the Independent Auditors’ Report and Board Communication Letter (required communication letter from the Auditors to the Board) for the fiscal year ending June 30, 2021 has been received from the District’s auditors, Hayashi & Wayland. The final audit documents will also be posted on the District’s website after it has been accepted by the Board. Hayashi & Wayland has been the District auditors since 1989.

This is the seventh year that the District has prepared a CAFR. A CAFR is a set of government financial statements comprising the financial report of a municipality that complies with the accounting requirements promulgated by the Governmental Accounting Standards Board (GASB). GASB provides standards for the content of a CAFR in its annually updated publication. A CAFR is compiled by the governmental accounting staff and audited by an external certified accounting firm utilizing GASB requirements. A CAFR is composed of three sections:

Introductory section – includes transmittal letter.

Financial section – includes the independent auditor’s report and contains management’s discussion and analysis, government-wide financial statements, fund financial statements, notes to the financial statements, required supplementary information, combining financial statements, and schedules.

Statistical section – includes additional financial, economic, and demographic information.

The auditors have issued an “unmodified opinion” on the District’s CAFR. An unmodified opinion is the opinion where auditor expresses that the financial statements, in all material respects, are fairly presented in accordance with accounting principles generally accepted in the United States. The audit did not identify any deficiencies in the internal control that the auditors consider to be material weaknesses. Representatives from Hayashi and Wayland will be available at the meeting to review the Board Disclosure Letter.

A Management Letter may be issued in conjunction with the Report to offer constructive suggestions for improvements on matters that came to the auditors' attention in connection with the audit, however, such letter was not deemed necessary by Hayashi & Wayland in connection with the audit for this fiscal year.

The Government Finance Officers Association of the United States and Canada (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to the District for its CAFR for the fiscal year ended June 30, 2020. This was the sixth year that the District has achieved this prestigious award. In order to be awarded a Certificate of Achievement, the District had to publish an easily readable and efficiently organized CAFR that satisfied both generally accepted accounting principles and applicable program requirements. A Certificate of Achievement for Excellence in Financial Reporting is valid for a period of one year only. However, we believe that our current CAFR continues to meet the Certificate of Achievement for Excellence in Financial Reporting Program's requirements, and we will be submitting it to the GFOA to determine its eligibility for another certificate.

RECOMMENDATION: District staff recommends that the Board review and receive the Comprehensive Annual Financial Report for the year ending June 30, 2021.

EXHIBITS

13-A Comprehensive Annual Financial Report for FY 2020-2021 (provided separately)

13-B Board Disclosure Letter (provided separately)

EXHIBIT 13 – A

Comprehensive Annual Financial Report for FY 2020-2021

Note: The District's CAFR FY2020-2021 will be posted on the District's Webpage and Listed as Additional Material at <https://www.mpwmd.net/who-we-are/board-of-directors/bod-meeting-agendas-calendar/> by closed of business on Friday, December 10, 2021.

EXHIBIT 13 – B

Board Disclosure Letter

Note: The Board Disclosure Letter will be posted on the District's Webpage and Listed as Additional Material at <https://www.mpwmd.net/who-we-are/board-of-directors/bod-meeting-agendas-calendar/> by closed of business on Friday, December 10, 2021.

ITEM: ACTION ITEM**14. REVIEW AND CONSIDER ADOPTING THE BOARD MEETING SCHEDULE FOR 2022****Meeting Date:** December 13, 2021 **Budgeted:** N/A**From:** David J. Stoldt
General Manager **Program/
Line Item No.:** N/A**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 **Exhibit 14-A** is a proposed Board meeting schedule for the months of January 2022 through February 2023. Dates that are not set for the third Monday of each month are January and February 2021 and 2022 due to conflicts with the Martin Luther King Jr. Birthday and Presidents' Day holidays, and four special meeting dates scheduled in case there is a need for additional meetings during the year.

Changes to meeting time or location will be noticed on the meeting agenda and the Water Management District website.

RECOMMENDATION: Review and adopt the 2022 MPWMD Board meeting schedule.

EXHIBIT**14-A** Proposed Board Meeting Schedule for 2022



EXHIBIT 14-A

**Draft
MPWMD Board Meeting Schedule
January 2022 through February 2023**

Meetings begin at 6 PM in the District Conference Room unless noted otherwise.

	Day of Week	Date	Time	Type of Meeting
2022	Thursday	January 27	6 PM	Regular
	Thursday	February 24	6 PM	Regular
	Monday	March 21	6 PM	Regular
	Monday	April 18	6 PM	Regular
	Monday	May 16	6 PM	Regular
	Thursday	May 26	6 PM	Special- Budget Workshop
	Monday	June 20	6 PM	Regular- Budget Adoption
	Monday	July 18	6 PM	Regular
	Monday	August 15	6 PM	Regular
	Monday	September 19	6 PM	Regular
	Monday	October 17	6 PM	Regular
	Monday	November 14	6 PM	Regular
	Monday	December 19	6 PM	Regular
2023	Thursday	January 23	6 PM	Regular
	Thursday	February 23	6 PM	Regular

This schedule is subject to change in the event a Special Meeting of the Board of Directors is needed. At that time notification will be given on the District's Website.

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ITEM: ACTION ITEM**15. REVIEW AND CONSIDER ADOPTING THE MPWMD REDISTRICTING ADVISORY COMMISSION – RULES OF PROCEDURE****Meeting Date: December 13, 2021 Budgeted: N/A****From: David J. Stoldt, General Manager Program/ Line Item No.: N/A****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: The District is required under the United States Constitution, the CA Constitution, the Federal Voting Rights Act of 1965, the CA Voting Rights Act of 2001 and the CA Elections code to redraw voter district boundary lines based on data from the year 2020 census. Pursuant to SB 594, states that for districts “conducting elections in 2022... require a governing board to adopt adjusted division boundaries no later than April 17, 2022, if the board has a regular election to elect members of its governing board on the same date as the 2022 statewide general election.” As such, a final report shall be made by the commission to the District Board by the March 21, 2022 Board meeting and a Special Meeting of the Board will occur on April 17, 2022 or prior to that date to review and consider adoption of a draft resolution to receive a report and approve draft maps.

Staff has provided additional information and drafted a Rules of Procedure for your review and consideration.

RECOMMENDATION: The Board should review and consider adopting the MPWMD Redistricting Advisory Commission – Rules of Procedure and provide direction to staff on the names of communities of interest that should be invited to participate.

IMPACT ON STAFF RESOURCES: The General Manager, District Counsel and the Board Clerk will work closely with the demographers and the facilitator to coordinate meetings of the MPWMD Redistricting Advisory Commission and prepare all reports documenting the commission’s progress.

EXHIBITS**15-A MPWMD Redistricting Advisory Commission: Purpose and Formation****15-B Draft MPWMD Redistricting Advisory Commission- Rules of Procedure**

EXHIBIT 15-A

MPWMD Redistricting Advisory Commission: Purpose and Formation

Purpose of Commission

On October 18, 2021, the Board approved formation of the MPWMD Redistricting Advisory Commission charged with making recommendations to the Board of Directors on changes to resident voting division boundaries based on the 2020 Census. The MPWMD Redistricting Advisory Commission (RAC) should recommend at least two significantly different plans (maps) to cause the voter division boundary changes. Although the commission should strive to unanimously endorse one plan, a minority position may be presented to the Board of Directors as an attachment to the commission's final report.

Meetings of the RAC shall comply with the Brown Act, be open and public, and shall allow the public an opportunity to comment. The presiding officer (and parliamentarian) for the RAC shall be designated as the District General Manager, or his appointee, by the Board to serve as a non-voting facilitator and chair for the commission.

Formation of the Commission (as adopted by the Board on 10-18-2021)

Director Appointments

Each Director shall appoint a participant from their division, and the mayoral and county representatives appoint one from their city or supervisorial district. The Board will ratify the appointments in January 2022.

At-Large Appointments

The Board as a whole agree on two additional "at large" participants at the regularly scheduled meeting in January 2022.

Invitation to Communities of Interest to Participate

Shown below is the list of organizations that were invited to participate in the 2021 redistricting effort. These groups represent either a recognized ethnic organization or an area of specific geographic interest. However, there are variations as to who could sit on the Redistricting Advisory Commission. The public, media, ethnic groups, special interest groups, neighborhood groups, cities, the League of Women Voters and others could be invited to join. *The Board should provide direction to staff on the names of other groups that should be invited to participate.*

Invited Communities of Interest

- League of Women Voters of Monterey County
- NAACP
- LULAC
- Filipino Community Organization of the Monterey Peninsula
- Korean American Organization of Monterey County

- Monterey Peninsula Chamber of Commerce
 - Carmel Residents Association
 - Carmel Valley Association
 - Central Labor and Building Trades Council
 - Monterey County Association of Realtors
 - Del Monte Forest Property Owners
 - Monterey Bay Chinese Association
 - Japanese American Citizens League of Monterey Peninsula
 - Esselen Tribe of Monterey County
 - Costanoan Rumsen Carmel Tribe
 - Ohlone/Costanoan-Esselen Nation
 - Amah Mutsun Tribal Band
 - Indigenous Peoples Consultant Ohlone/Costanoan Esselen Nation
 - Rumsen Ohlone Community
1. The city/county representatives shall be appointed to represent interests of that community “at large,” but shall not be a member of the city council, board of supervisors or a paid member of staff.
 2. Each representative must be a resident of the Monterey Peninsula Water Management District.
 3. The District shall publish notice that any unrepresented ethnic group may seek appointment to the advisory commission by a letter requesting such representation. Any such letter must be received by the District no later than the close of business on January 7, 2022.
 4. Guidelines for conduct of the MPWMD Redistricting Advisory Commission and a charge for the commission are included as **Exhibit 15-B**.

EXHIBIT 15-B
RULES OF PROCEDURE
FOR THE
MPWMD REDISTRICTING ADVISORY COMMISSION (DRAFT)

1. As a result of the 2020 census, the District's voter division boundaries must be reassessed for balance. The MPWMD Redistricting Advisory Commission (RAC) is charged to make recommendations to the Board of Directors on changes to resident voting division boundaries based on the 2020 Census. Although the RAC should strive to unanimously endorse one plan, a minority position may be presented to the Board of Directors as an attachment to the commission's final report.
2. Any plan recommended by the RAC shall comply with the legal requirements for districting under the United States Constitution, the California Constitution, the Federal Voting Rights Act of 1965, the California Voting Rights Act of 2001, and the California Elections Code and shall promote representation of the diverse geographic and social interests in our community. The five voting divisions shall be based on the 2020 census, with an overall total deviation in any division not to exceed ten percent (10%).
3. Each meeting of the RAC shall comply with the Brown Act, be open and public, and shall allow the public an opportunity to comment. Members of the Board of Directors of the District, however, shall neither serve on the RAC, nor make presentations to the RAC, nor participate in RAC discussions.
4. The presiding officer (and parliamentarian) for the RAC shall be designated as the District General Manager, or his appointee, by the Board to serve as a non-voting facilitator and chair for the commission.
5. Each member of the advisory commission shall represent either an area of specific geographic interest or a recognized social organization.
6. Each RAC member must be a resident of the Monterey Peninsula Water Management District. Each RAC member must file a statement of interest or application which must be received by the District no later than close of business on January 7, 2022. Applicants will be notified whether or not they are appointed shortly thereafter.
7. Each person shall be entitled to one vote, even if that person is the representative of more than one organization or area. Due to the number of representatives, alternates shall not be allowed. All decisions of the RAC shall be made by roll call vote. Decisions shall be made by a majority of those present.
8. A final report shall be written and approved by the RAC. Although the RAC should strive to unanimously endorse one plan, any group or individual who has a minority position may present that position in writing to the Board of Directors as an attachment to the final report.

9. The RAC shall convene its first meeting in January or early February 2022. A final report shall be made by the commission to the District Board by the March 21, 2022 Board meeting.
10. District staff shall provide necessary and reasonable support to the RAC. Primary staff liaison, support, and media contact shall be provided by Joel G. Pablo, District Board Clerk. Legal services shall be provided to the commission by David C. Laredo, General Counsel to the District.
11. As much as possible, take into account the residences of incumbents so that incumbents are not paired in a division. That is, each director division contains only one director.
12. All expenditures of the RAC shall be subject to the prior review and approval of the Board.
13. Aside from the Facilitator/Chair and staff, all contact with the demographer shall be at and during the public sessions of the Redistricting Advisory Commission. There shall be no individual communication with Lapkoff & Gobalet by either RAC members or members of the Board of Directors.

ITEM: ACTION ITEM**16. CONDUCT ELECTION OF BOARD OFFICERS FOR 2022****Meeting Date:** December 13, 2021 **Budgeted:** N/A**From:** David J. Stoldt,
General Manager **Program/** N/A
Line Item No.:**Prepared By:** David J. Stoldt **Cost Estimate:** N/A**General Counsel Approval:** N/A**Committee Recommendation:** None**CEQA Compliance:** This action does not constitute a project as defined by the California Environmental Quality Act Guidelines Section 15378.

SUMMARY: Rule 2 of the MPWMD Board Meeting Rules states that in December of each year, the Board will elect a Chair, Vice-Chair, Treasurer, and Secretary. Rule 2.5 specifies the rotation of Directors into the position of Chair and Vice-Chair. The rules also specify that election of officers shall be the final item on the December meeting agenda. The officers elected at the meeting will assume their offices immediately following the December Board meeting. The term of office is twelve months.

It has been the Board's past practice to elect the General Manager to serve as Secretary and the Administrative Services Division (ASD) Manager to serve as Treasurer.

The rotation is listed as follows:

Calendar Year	Chair	Chair Name	Vice Chair
2022	Division 4	Paull	Supervisor
2023	Supervisor	Adams	Division 5
2024	Division 5	Anderson	Division 2
2025	Division 2	Riley	Mayoral Rep
2026	Mayoral Rep	Roberson	Division 3

RECOMMENDATION: The Board confirm the rotation of Directors into the positions of Board Chair and Vice Chair according to Meeting Rules 2 and 2.5 (**Exhibit 16-A**); Director Adams would take the position of Vice Chair and Karen Paull would move into the position of Chair. In addition, staff recommends that General Manager, David J. Stoldt be elected to serve as Secretary and that ASD Manager, Suresh Prasad be elected to the position of Treasurer for 2022.

EXHIBIT**16-A** Meeting Rules of the Monterey Peninsula Water Management District, September 2019

EXHIBIT 16-A

PART 1: GENERAL RULES

RULE 1: OPEN MEETINGS

Meetings of the Board of Directors of the MPWMD and subcommittees of the Board shall be held as provided by the MPWMD Law and shall comply with the open meeting requirements of the Ralph M. Brown Act.

RULE 2: ELECTION OF BOARD OFFICERS

At the first meeting in the month of December of each year, the Board of Directors shall elect a Chair, Vice-Chair, a Treasurer, and a Secretary. The agenda for the December meeting will list the election of Board officers as the last item for consideration that evening. The newly elected officers will assume their positions immediately following adjournment of the meeting at which they were elected. At the first meeting after a vacancy occurs in any office, an election shall be conducted to fill that vacancy. If both the Chair and Vice-Chair are absent, the directors in attendance shall select a presiding officer to conduct that meeting.

RULE 2.5: ROTATION OF VICE CHAIR INTO THE POSITION OF CHAIR

The Board shall rotate its leadership among the seven (7) members. To encourage rotation of the Chair, each December when the annual election of Board officers is conducted, or when a vacancy in the position of Chair occurs, the Vice-Chair shall be elected as Chair. Beginning in December 2016, the following rotation shall be used to select the next Vice-Chair.

Division 2 Director
 Mayoral Representative
 Division 3 Director
 Division 1 Director
 Division 4 Director
 Monterey County Board of Supervisors Representative
 Division 5 Director

Thereafter, the rotation shall return to the top of this list.

Should the current Vice Chair decline to serve as incoming Chair, the Board shall select the Director next in rotation to serve as Chair. Should the Director next in rotation for the position of Vice Chair decline to serve in that capacity, the Board shall select the next Director in rotation to serve as Vice Chair. The declining Director shall have an opportunity to serve once the entire rotation schedule is complete and has returned to the Division that opted-out. If the Chair has served less

ITEM: INFORMATIONAL ITEM/STAFF REPORT**17. REPORT ON ACTIVITY/PROGRESS ON CONTRACTS OVER \$25,000****Meeting Date: December 13, 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 December 6, 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 17-A**, monthly status report on contracts over \$25,000 for the period October 2021. This status report is provided for information only, no action is required.

EXHIBIT**17-A Status on District Open Contracts (over \$25k)**

EXHIBIT 17-A

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

Contract	Description	Date Authorized	Contract Amount	Prior Period		Total		Expected Completion	Current Period Activity	P.O. Number
				Expended To Date	Current Period Spending	Expended To Date	Current Period Spending			
1	Regional Government Services	Human Resouces contractual services	6/21/2021	\$ 70,000.00	\$ 3,988.20	\$ 3,799.00	\$ 7,787.20		Current period billing for HR services	PO02698
2	The Marketing Department	Outreach Consultant Contract FY 2021/2022	6/21/2021	\$ 51,000.00	\$ 4,250.00	\$ 4,250.00	\$ 8,500.00		Current period retainer billing for outreach services	PO02696
3	Tetra Tech, Inc.	Engineering services Sleepy Hollow Facility Upgrade	6/21/2021	\$ 67,500.00	\$ -		\$ -			PO02693
4	DeVeera Inc.	Dell PE R740XD Series Server (2)	6/21/2021	\$ 60,000.00	\$ -		\$ -			PO02666
5	CSC	Annual e-recording of deed restrictions.	6/21/2021	\$ 26,000.00	\$ 13,000.00	\$ 8,000.00	\$ 21,000.00		Current period payment for e-recording services	PO02663
6	Zim Industries, Inc.	ASR 1 Rehabilitation	2/25/2021	\$ 113,350.00	\$ 106,277.25		\$ 106,277.25			PO02650
7	DeVeera Inc.	BDR Datto Services Contract FY 2021/2022	6/21/2021	\$ 26,352.00	\$ 6,588.00	\$ 2,196.00	\$ 8,784.00		Current period billing for IT backup services	PO02646
8	DeVeera Inc.	IT Managed Services Contract for FY 2021/2022	6/21/2021	\$ 58,728.00	\$ 14,680.20	\$ 4,893.40	\$ 19,573.60		Current period billing for IT managed services	PO02647
9	The Ferguson Group LLC	2021-22 - Legislative and Administrative Services	6/21/2021	\$ 99,500.00	\$ 24,314.54	\$ 8,064.28	\$ 32,378.82		Current period retainer billing	PO02645
10	JEA & Associates	Legislative and Administrative Services	6/21/2021	\$ 43,400.00	\$ 9,600.00	\$ 3,200.00	\$ 12,800.00		Current period retainer billing	PO02644
11	Lynx Technologies, Inc	Geographic Information Systems contractual services	6/21/2021	\$ 35,000.00	\$ 825.00		\$ 825.00			PO02637
12	Pueblo Water Resources, Inc.	ASR Operations Support	6/21/2021	\$ 75,000.00	\$ 53,807.14		\$ 53,807.14			PO02630
13	MBAS	ASR Water Quality	6/21/2021	\$ 40,000.00	\$ 22,805.00	\$ 7,925.00	\$ 30,730.00		Current period billing related to ASR water quality testing	PO02627
14	Monterey One Water	PWM Deep Injection Well #4 Design/Construction	9/21/2020	\$ 4,070,000.00	\$ 1,007,167.27		\$ 1,007,167.27			PO02604
15	Goodin, MacBride, Squeri & Day, LLP	Legal Fee Related MPWSP	4/1/2021	\$ 50,000.00	\$ 29,848.31		\$ 29,848.31			PO02601
16	Local Agency Formation Commission (LAFCO) of Monterey County	Measure J/Rule 19.8 MPWMD LAFCO Application Proce	5/17/2021	\$ 142,800.00	\$ 114,163.00		\$ 114,163.00			PO02598
17	FISHBIO	Carmel River Fish Weir	8/17/2020	\$ 130,000.00	\$ 126,799.07		\$ 126,799.07			PO02586
18	Monterey County Elections Department	November 3, 2020 Election Expense	6/15/2020	\$ 200,000.00	\$ 119,628.12		\$ 119,628.12			PO02585
19	Shute, Mihaly & Weinberger LLP	Measure J CEQA Litigation Legal Services	12/23/2020	\$ 200,000.00	\$ 134,820.57		\$ 134,820.57			PO02490
20	The Marketing Department	Outreach Consultant Contract FY 2020/2021	9/21/2020	\$ 36,000.00	\$ 32,587.95		\$ 32,587.95			PO02506
21	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
22	Weston Solutions, Inc.	UXO Support Services	6/15/2020	\$ 26,378.70	\$ 5,677.76		\$ 5,677.76			PO02371
23	Denise Duffy & Assoc. Inc.	CEQA addendum for ASR Parallel Pipeline	4/20/2020	\$ 28,567.00	\$ 25,970.44		\$ 25,970.44			PO02363
24	Pueblo Water Resources, Inc.	ASR Operations Support	6/15/2020	\$ 75,000.00	\$ 69,602.56		\$ 69,602.56			PO02320
25	De Lay & Laredo	Measure J/Rule 19.8 Appraisal/MAI Services	6/15/2020	\$ 120,000.00	\$ 76,032.00		\$ 76,032.00			PO02316
26	De Lay & Laredo	Measure J/Rule 19.8 Appraisal/Rate Study Phase II	12/16/2019	\$ 200,000.00	\$ 188,683.75		\$ 188,683.75			PO02282
27	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

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

Contract	Description	Date Authorized	Contract Amount	Prior Period		Current Period Spending	Total Expended To Date	Expected Completion	Current Period Activity	P.O. Number
				Expended To Date	Expended To Date					
28	De Lay & Laredo	Measure J/Rule 19.8 CEQA Services Consultant	12/16/2019	\$ 134,928.00	\$ 134,779.54		\$ 134,779.54			PO02273
29	Rutan & Tucker, LLP	Rule 19.8 Eminent Domain Legal Services Phase II	12/16/2019	\$ 200,000.00	\$ 167,085.44	\$ 450.00	\$ 167,535.44		Current period billing for Measure J eminent domain services	PO02236
30	Norton Rose Fulbright	Cal-Am Desal Structuring & Financing Order	4/20/2015	\$ 307,103.13	\$ 38,557.29		\$ 38,557.29			PO02197
31	Pueblo Water Resources, Inc.	ASR SMWTF Engineering Services During Construction	10/21/2019	\$ 148,100.00	\$ 139,832.24	\$ 2,877.63	\$ 142,709.87		Current period billing for ASR engineering services	PO02163
32	U.S. Bank Equipment Finance	Copier machine leasing - 60 months	7/15/2019	\$ 52,300.00	\$ 22,784.69	\$ 871.81	\$ 23,656.50	6/30/2024	Current period billing for photocopy machine lease	PO02108
33	Monterey One Water	Supplemental EIR Costs for PWM Expansion Project	3/18/2019	\$ 750,000.00	\$ 731,336.70		\$ 731,336.70			PO02095
34	Monterey One Water	Pre-Construction Costs for PWM Expansion Project	11/13/2017	\$ 360,000.00	\$ 312,617.94		\$ 312,617.94			PO02094
35	DUDEK	Consulting Services for Prop 1 grant proposal	4/15/2019	\$ 95,600.00	\$ 94,315.05		\$ 94,315.05			PO01986
36	Denise Duffy & Associates	Consulting Services IRWM plan update	12/17/2018	\$ 55,000.00	\$ 53,322.32		\$ 53,322.32			PO01985
37	Tetra Tech, Inc.	Engineering services Sleepy Hollow Facility Upgrade	7/16/2018	\$ 30,000.00	\$ 26,690.80	\$ 188.07	\$ 26,878.87		Current period billing for Sleepy Hollow engineering services	PO01880
38	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	6/30/2022		PO01874
39	Ecology Action of Santa Cruz	IRWM HEART Grant	4/16/2018	\$ 152,600.00	\$ 86,362.33		\$ 86,362.33			PO01824
40	Pueblo Water Resources, Inc.	ASR Backflush Basin Expansion, CM services	7/16/2018	\$ 96,034.00	\$ 68,919.39		\$ 68,919.39			PO01778
41	Rural Community Assistance Corporation	IRWM DAC Needs Assessment	4/16/2018	\$ 100,000.00	\$ 99,250.00		\$ 99,250.00			PO01777
42	Mercer-Fraser Company	Sleepy Hollow Intake upgrade project	7/16/2018	\$ 1,802,835.00	\$ 1,786,834.91		\$ 1,786,834.91			PO01726
43	Colantuono, Highsmith, & Whatley, PC	MPTA Legal Matter	7/1/2018	\$ 30,000.00	\$ 9,570.18	\$ 13,251.00	\$ 22,821.18		Current period billing for MPTA lawsuit legal services	PO01707
44	Pueblo Water Resources, Inc.	Seaside Groundwater Basin Geochemical Study	1/24/2018	\$ 68,679.00	\$ 36,795.25	\$ 21,115.00	\$ 57,910.25		Current period billing for geochemical study	PO01628
45	Pueblo Water Resources, Inc.	SSAP Water Quality Study	8/21/2017	\$ 94,437.70	\$ 44,318.11		\$ 44,318.11			PO01510
46	Normandeau Associates, Inc.	Assistance with IFIM Study	11/13/2017	\$ 35,000.00	\$ 31,482.50		\$ 31,482.50			PO01509
47	Balance Hydrologics, Inc	Design Work for San Carlos Restoration Project	6/19/2017	\$ 51,360.00	\$ 50,894.32		\$ 50,894.32			PO01321
48	AECOM Technical Services, Inc.	Los Padres Dam Alternatives Study	1/25/2017	\$ 700,700.00	\$ 591,912.50		\$ 591,912.50			PO01268
49	Denise Duffy & Assoc. Inc.	MMRP Services for Monterey Pipeline	1/25/2017	\$ 80,000.00	\$ 73,144.06		\$ 73,144.06			PO01202
50	Goodin,MacBride,Squeri,Day,Lamprey	User Fee PUC Proceedings Legal Fee	7/1/2016	\$ 50,000.00	\$ 49,318.05		\$ 49,318.05	6/30/2022		PO01100
51	Whitson Engineers	Carmel River Thawleg Survey	9/19/2018	\$ 52,727.43	\$ 49,715.00		\$ 49,715.00			PO01076
52	HDR Engineering, Inc.	Los Padres Dam Fish Passage Study	4/18/2016	\$ 320,000.00	\$ 316,085.56		\$ 316,085.56			PO01072
53	Michael Hutnak	GS Flow Modeling for Water Resouces Planning	8/19/2013	\$ 71,800.00	\$ 65,880.00		\$ 65,880.00			PO00123
54	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**18. STATUS REPORT ON MEASURE J/RULE 19.8 PHASE II SPENDING****Meeting Date: December 13, 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 December 6, 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 18-A**, monthly status report on Measure J/Rule 19.8 Phase II spending for the period October 2021. This status report is provided for information only, no action is required.

EXHIBIT**18-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 October 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	\$ 167,085.44	\$ 450.00	\$ 167,535.44	\$ 57,464.56	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	\$ 188,683.75		\$ 188,683.75	\$ 11,316.25	PA00005-03
4	Operations Plan	12/16/2019	\$ 145,000.00	\$ 94,860.00		\$ 94,860.00	\$ 50,140.00	PA00005-04
5	District Legal Counsel	12/16/2019	\$ 40,000.00	\$ 130,688.06	\$ 4,823.00	\$ 135,511.06	\$ (95,511.06)	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	\$ 121,363.00		\$ 121,363.00	\$ 28,637.00	PA00005-08
9	Contingency/Miscellaneous/Uncommitted	12/16/2019	\$ 289,072.00	\$ 31,959.95		\$ 31,959.95	\$ 257,112.05	PA00005-20
	Total		\$ 1,391,000.00	\$ 1,032,429.10	\$ 5,273.00	\$ 1,037,702.10	\$ 353,297.90	
1	Measure J CEQA Litigation Legal Services	12/23/2000	\$ 200,000.00	\$ 134,820.57		\$ 134,820.57	\$ 65,179.43	PA00005-15

**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 Consulta	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**19. LETTERS RECEIVED****Meeting Date: December 13, 2021** **Budgeted: N/A****From: David J. Stoldt,
General Manager** **Program/ Line Item No.: N/A****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 November 11, 2021 and December 7, 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
Thomas W. Smith III.	Mike McCullough, M1W	December 1, 2021	Outstanding Civil Engineering Achievement (CEA) 2022 Honor Awards for the Pure Water Monterey Groundwater Replenishment Project
Melodie Chrislock	MPWMD Board of Directors	December 1, 2021	LAFCO Decision on MPWMD Application
Melodie Chrislock	MPWMD Board of Directors	December 1, 2021	Monterey Herald Op-Ed on LAFCO
Tom Luster	MPWMD and Other Interested Parties	December 3, 2021	Coastal Development Permit Amendment No. 9-14-1735-A7 to construct and operate a temp slant test well & associated monitoring wells to develop data necessary to assess the feasibility of the project site as a potential long-term water source for a desal facility.
Melodie Chrislock	MPWMD Board of Directors	December 6, 2021	Cal-Am Facebook Message



EXHIBIT 20-A

FINAL MINUTES

Legislative Advocacy Committee of the Monterey Peninsula Water Management District

Tuesday, May 25, 2021

Call to Order

The meeting was called to order at 4:00 pm by Chair Riley. *This was a virtual meeting conducted via Zoom.*

Committee members present:

George Riley, Chair
Karen Paull
Safwat Malek

Committee members absent:

None

Staff members present:

David J. Stoldt, General Manager
Joel G. Pablo, Board Clerk

District Counsel present:

David Laredo with De Lay and
Laredo

Legislative Consultant:

John Arriaga, JEA & Associates
Laurie Johnson, JEA & Associates
Roger Gwinn, The Ferguson Group
Chris Kearney, The Ferguson Group
Stephanie Missert, The Ferguson Group
Rebecca Bliss, The Ferguson Group

Comments from the Public:

No comments

Action Items

1. Consider Adoption of February 22, 2021 Committee Meeting Minutes

A motion was made by Paull and second by Riley to approve the committee meeting minutes of February 22, 2021. The motion passes on a vote of 2-Ayes (Paull and Riley), 0-Noes, 1-Abstain and 0-Absent.

Discussion Items

2. Report from JEA and Associates on Legislative Status and Bill Tracking

David J. Stoldt, General Manager provided introductory remarks. An updated informational memorandum and updated legislative track was received by the District from JEA & Associates. *A copy of both materials is on file at the District office and can be viewed on the District website.*

Laurie Johnson with JEA and Associates provided a verbal progress report and overview of her memorandum touching upon AB 1500 (E. Garcia) and SB 45 (Portantino) sister-bills covering wildlife protection, drought preparation/prevention and safe drinking water, the Governor's May

budget revision and an overview of the Governor’s water package. She informed the committee of a letter sent to the State Budget Committees supporting the inclusion of a \$510 million in funding for the Integrated Regional Water Management (IRWM). John Arriaga provided an update to the committee on the District’s Condition II/Housing Issue. Arriaga informed the committee that he is working with Senator Laird’s office and CA Department of Housing and Community Development in moving forward and finding a solution on the matter. Laurie further added and informed the committee that the District will have an upcoming meeting with Josh Rosa, Deputy Director with the CA Department of Housing and Community Development to allow for potential movement and direction on Condition II/Housing Issue.

By Committee Consensus, the committee directed District staff and consultants to take the following actions on the following Assembly Bills (AB):

Support	AB 125 (Rivas); AB 252 (Rivas); AB 315 (Stone); AB 361 (Rivas); AB 1500 (Garcia)
Drop	AB 100 (Holden); AB 271 (Rivas); AB 304 (Quirk); AB 339 (Lee); AB 350 (Villapudua); AB 585 (Rivas); AB 621 (Rivas); AB 703 (Rubio); AB 747 (Mathis); AB 712 (Calderon); AB 781 (Daly); AB 821 (Cooper); AB 878 (Dahle); AB 885 (Quirk); AB 1001 (Garcia); AB 1037 (Grayson); AB 1408 (Petrie-Norris); AB 1553 (McDonnell)
Follow	AB 67 (Petrie-Norris); AB 303 (Rivas); AB 336 (Villapudua); AB 377 (Rivas); AB 473 (Chau); AB 754 (Mathis); AB 850 (Gallagher); AB 1058 (Garcia); AB 1164 (Flora); AB 1250 (Calderon)
Oppose and Revisit	AB 819 (Levine)
AB 1434 (Friedman)	Allowed Staff and JEA and Associates to send in coalition letters.

By Committee Consensus, the committee directed District staff and consultants to take the following actions on the following Senate Bills (SB):

Support	SB 45 (Portantino); SB 323 (Caballero); SB 427 (Eggman)
Drop	SB 1 (Atkins); SB 222 (Dodd); SB 223 (Dodd); SB 627 (Bates)
Follow	SB 83 (Allen); SB 273 (Hertzberg); SB 274 (Wieckowski); SB 351 (Caballero); SB 463 (Dahle); SB 520 (Wilk); SB 526 (Min); SB 552 (Hertzberg); SB 708 (Melendez)
Oppose	SB 403 (Gonzalez)

3. Report from the Ferguson Group on Federal Legislative and Regulatory Activities

Roger Gwinn with the Ferguson Group provided introductory remarks and provided an overview of the Federal Governments FY 2022 Appropriations Process; Chris Kearney provided a verbal progress report on the federal infrastructure package and Stephanie Missert provided a verbal report on the American Rescue Plan noting that monies as a result of the COVID-19 pandemic are being allocated to the Federal, State and Local Level. Missert mentioned Special Districts can receive and request monies from either the State or Local Level as a sub-recipient.

David J. Stoldt, Rebecca Bliss and Roger Gwinn reviewed and provided their recommendations on the Federal Tracker.

By Committee Consensus, the committee directed District staff and consultants to take the following actions on the following House of Representative (HR) Bills:

Support	HR 535; HR 1015; HR 1563
Follow	HR 616; HR 737; HR 866; HR 1848; HR 1915; HR 2241; HR 3023
Drop	HR 895; HR 1162; HR 1660; HR 2008; HR 2173

By Committee Consensus, the committee directed District staff and consultants to take the following actions on the following Senate Bills (SB):

Support	SB 91
Follow	SB 29; SB 914; SB 1057
Drop	SB 209; SB 487

4. Report from General Manager on Recent or Upcoming Legislative Actions

David J. Stoldt, General Manager provided an overview of letters sent and attached as Exhibit 4-A showing recent actions and letters sent by the District.

5. Suggest Items to be Placed on Future Agendas

None

Other Items

6. Discuss and Set End of Year Meeting Date (Oct / Nov / Dec 2021)

Committee Members, District Staff and Consultants agreed to move the meeting time to an earlier time frame and directed the Board Clerk to find an available date that will work for all in the first two weeks of December 2021.

Adjournment: Chair Riley adjourned the meeting at 6 p.m.

/s/ Joel G. Pablo, Clerk to the MWPMD Legislative Advocacy Committee

Approved by the MPWMD Legislative Advocacy Committee on Tuesday, December 7, 2021

Received by the MPWMD Board of Director's at their meeting on Monday, December XX, 2021



EXHIBIT 20-B

FINAL MINUTES Water Demand Committee of the Monterey Peninsula Water Management District Thursday, October 7, 2021

Call to Order

The meeting was called to order at 2:00 pm by Chair Anderson. *Pursuant to AB 361, the meeting was conducted with virtual participation via Zoom.*

Committee members present: *(By Roll-Call)*

Amy Anderson, Chair
Alvin Edwards
Clyde Roberson

Committee members absent:

None

Staff members present:

David J. Stoldt, General Manager
Stephanie Locke, Water Demand Manager
Joel G. Pablo, Board Clerk

District Counsel present:

Fran Farina with De Lay and Laredo

Comments from the Public:

No comments were directed to the committee.

Action Items

1. Consider Adoption of Committee Meeting Minutes from June 3, 2021

Opened Public Comment Period; no comments were directed to the committee on Item No. 1.

A motion was made by Edwards with a second by Roberson to approve the committee meeting minutes from June 3, 2021. The motion passed on a roll-call vote of 3-Ayes (Anderson, Edwards and Roberson), 0-Noes, and 0-Absent.

2. Review Preliminary Draft Ordinance No. 189 and Provide Direction to Staff

Stephanie Locke, Water Demand Manager provided an overview of her staff report, answered questions from the committee and presented via MS PowerPoint Presentation entitled, "Review Preliminary Draft Ordinance No. 189 and Provide Direction to Staff." *A copy of the presentation is on file at the District office and can be viewed on the district website.*

Opened Public Comment Period; no comments were directed to the committee on Item No. 2.

A motion was made by Anderson with a second by Edwards directing staff to consult with other local cities and realtors on the proposed changes and to conduct a first reading of a further revised preliminary draft Ordinance No. 189 at the November 2021 Board meeting. The motion passed on a roll-call vote of 3-Ayes (Anderson, Edwards and Roberson), 0-Noes, and 0-Absent.

Discussion Items

3. Update on District's Water for Housing Initiative (*Verbal Report*)

General Manager Stoldt provided a status progress report on the District's Water for Housing Initiative. Stoldt informed the committee the District will send a letter to the State Water Resources Control Board's counsel on and ask for a status update on its application. He stated Senator Laird and local housing advocates have done an excellent job supporting the district's initiative, however noted traction has been lost due to the drought in the Central Valley.

Opened Public Comment Period; no comments were directed to the committee on Item No. 3.

4. Summary of Water Year 2021 Supply and Demand

General Manager Stoldt provided introductory remarks, provided an overview of his staff note, answered questions from the committee and informed the committee a full report to include data from Water Year 2021 will be provided to the board at its October 2021 meeting.

Opened Public Comment Period; no comments were directed to the committee on Item No. 4.

5. Discussion of Potential Changes to Rule 160

General Manager Stoldt provided an overview of the staff note and answered questions from the committee.

Opened Public Comment Period; no comments were directed to the committee on Item No. 5

Suggest Items to be Placed on Future Agendas

- None

Adjournment

Chair Anderson adjourned the meeting at 3:25 PM

Joel G. Pablo, Board Clerk

Reviewed and Approved by the MPWMD Water Demand Committee on December 2, 2021

Received by the MPWMD Board of Directors on December __, 2021



EXHIBIT 20-C

FINAL MINUTES
Monterey Peninsula Water Management District
Administrative Committee
November 8, 2021

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

Call to Order

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

Committee members present: Karen Paull, Chair
 Amy Anderson
 Safwat Malek

Committee members absent: None

District staff members present: David Stoldt, General Manager
 Suresh Prasad, Administrative Services Manager/Chief Financial Officer
 Jonathan Lear, Water Resources Manager
 Sara Reyes, Sr. Office Specialist

District Counsel present: David Laredo with De Lay and Laredo

Additions / Corrections to Agenda: None

Comments from the Public: None

Items on Board Agenda for November 8, 2021

1. **Consider Adoption of October 11, 2021 Committee Meeting Minutes**
On a motion by Malek and second by Anderson, the minutes of the October 11, 2021, meeting were approved on a roll call vote of 3 – 0 by Malek, Anderson and Paull.
2. **Consider Directing the General Manager to Enter Into a Contract with Montgomery and Associates to Provide Groundwater Modeling Support to the District**
On a motion by Anderson and second by Paull, the committee voted to recommend that the Board direct the General Manager to enter into a contract with Montgomery and Associates to provide groundwater modeling support to the District. The motion was approved by a roll call vote of 3 – 0 by Malek, Anderson and Paull.
3. **Consider Adoption of Treasurer’s Report for August 2021**
On a motion by Malek and second by Paull, the committee voted to recommend that the Board adopt the August 2021 Treasurer’s Report and financial statements, and ratification of the disbursements

made during the month. The motion was approved by a roll call vote of 3 – 0 by Anderson, Malek and Paull.

4. Consider Adoption of Treasurer’s Report for September 2021

On a motion by Anderson and second by Paull, the committee voted to recommend that the Board adopt the September 2021 Treasurer’s Report and financial statements, and ratification of the disbursements made during the month. The motion was approved by a roll call vote of 3 – 0 by Malek, Anderson and Paull.

5. Receive and File First Quarter Financial Activity Report for Fiscal Year 2021-2022

On a motion by Paull and second by Malek, the committee voted to recommend that the Board receive and file the First Quarter Financial Activity Report for Fiscal Year 2021-2022. The motion was approved by a roll call vote of 3 – 0 by Anderson, Paull and Malek.

6. Consider Approval of First Quarter Fiscal Year 2021-2022 Investment Report

On a motion by Paull and second by Anderson, the committee voted to recommend that the Board approve the First Quarter Fiscal Year 2021-2022 Investment Report. The motion was approved by a roll call vote of 3 – 0 by Malek, Paull and Anderson.

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

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

8. Status Report on Measure J/Rule 19.8 Phase II Spending

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

9. Review Draft November 15, 2021 Board Meeting Agenda

General Manager Stoldt reviewed the agenda with the committee. The committee made no changes to the agenda.

Suggest Items to be Placed on Future Agendas

Adjournment

The meeting adjourned at 3:00 PM.

/s/ Sara Reyes, Sr. Office Specialist

Clerk to the MPMWD Administrative Committee

Approved by the MPWMD Administrative Committee on Monday, December 2, 2021

Received by the MPWMD Board of Director’s at their meeting on Monday, December __, 2021

ITEM: INFORMATIONAL ITEM/STAFF REPORT**21. MONTHLY ALLOCATION REPORT**

Meeting Date:	December 13, 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 November 30, 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 **33.298** acre-feet is available to the Jurisdictions, and **28.990** acre-feet is available as public water credits.

Exhibit 21-A shows the amount of water allocated to each Jurisdiction from the Paralta Well Allocation, the quantities permitted in November 2021 (“changes”), and the quantities remaining. The Paralta Allocation had no debits in November 2021.

Exhibit 21-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 21-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 21-C**.

EXHIBITS**21-A** Monthly Allocation Report**21-B** Monthly Entitlement Report**21-C** District’s Water Allocation Program Ordinances

EXHIBIT 21-A
MONTHLY ALLOCATION REPORT
 Reported in Acre-Feet
 For the month of November 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	0.003	31.670	2.693	0.000	1.144	32.814
District Reserve	9.000	0.000	9.000	N/A			N/A			9.000
TOTALS	342.720	0.000	26.419	101.946	0.003	33.298	90.142	0.000	28.990	88.707

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	0.033	9.672	3.088

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

EXHIBIT 21-B
MONTHLY ALLOCATION REPORT
ENTITLEMENTS
 Reported in Acre-Feet
 For the month of November 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	212.570	1.150	32.261	180.309
Del Monte Forest Benefited Properties ² (Pursuant to Ord No. 109)	152.430	0.180	64.614	87.816
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	1.330	111.704	268.296

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	0.000	7.677	198.323
Malpaso Water Company	80.000	0.023	19.578	60.422
D.B.O. Development No. 30	13.950	0.000	3.784	10.166
City of Pacific Grove	38.390	0.132	6.628	31.762
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 21-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.

and a date that inspectors will be on Site to check the property. In November, District inspectors performed **five** verification inspection.

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 November 2021, MPWMD referred **no** properties to Cal-Am for verification of outdoor Rate BMPs.

E. Water Waste Enforcement

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

II. WATER DEMAND MANAGEMENT

A. 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 **59** Water Permits from November 1, 2021, and November 30, 2021. **Nine** 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 November, **nine** Meter Permits and **three** 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 **59** Water Permits issued from November 1, 2021, and November 30, 2021, **two** were issued under this provision.

B. Permit Compliance

District staff completed **no** conditional Water Permit finals during November 2021. Staff completed **55** site inspections. **Forty** properties passed and **seven** failed due to unpermitted fixtures.

C. 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 39 Water Permits with deed restrictions.

D. 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 November 2021.

REBATE PROGRAM SUMMARY		November-2021			2021 YTD		1997 - Present	
I. Application Summary								
A.	Applications Received	53			1,010		29,353	
B.	Applications Approved	48			826		22,931	
C.	Single Family Applications	46			783		25,935	
D.	Multi-Family Applications	2			43		1,566	
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)	6	\$450.00	0.030000	9,776	549	\$32,454.00	2.74500
B.	Ultra HET	2	\$250.00	0.020000	6,517	29	\$3,541.00	0.29000
C.	Toilet Flapper			0.000000	0	0	\$0.00	0.00000
D.	High Efficiency Dishwasher	7	\$875.00	0.021000	6,843	127	\$16,000.00	0.38100
E.	High Efficiency Clothes Washer - Res	32	\$16,000.00	0.515200	167,878	456	\$216,425.00	7.34160
F.	High Efficiency Clothes Washer - Com			0.000000	0	0	\$0.00	0.00000
G.	Instant-Access Hot Water System			0.000000	0	20	\$3,597.00	0.10000
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	2	\$5,100.00	0.000000	0	19	\$23,475.00	0.00000
K.	Smart Controllers			0.000000	0	16	\$1,532.95	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	4	\$9,241.00	0.00000
O.	Graywater			0.000000	0	0	\$0.00	0.00000
R.	Other			0.000000	0	0	\$0.00	0.00000
III. TOTALS		49	\$22,675.00	0.586200	191,014	1,287	\$306,573.00	10.85760
IV. TOTALS Since 1997						Paid Since 1997:	\$ 6,665,328	623.3 Acre-Feet Saved Since 1997 (from quantifiable retrofits)

ITEM: INFORMATIONAL ITEMS/STAFF REPORT**23. CARMEL RIVER FISHERY REPORT FOR NOVEMBER 2021****Meeting Date: December 13, 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: Dry, warm weather returned in November slowing the downstream advancement of the river front. Rearing conditions for juvenile steelhead remain fair.

November's mean daily streamflow at the Sleepy Hollow Weir ranged from 5.9 to 8.5 cfs (monthly mean 6.8 cfs) resulting in 406 acre-feet (AF) of runoff, while the river at the Highway 1 gage remained dry. The Los Padres Reservoir water surface elevation continued to slowly rise, reaching approximately 1,024 feet (spill is at ~1,040').

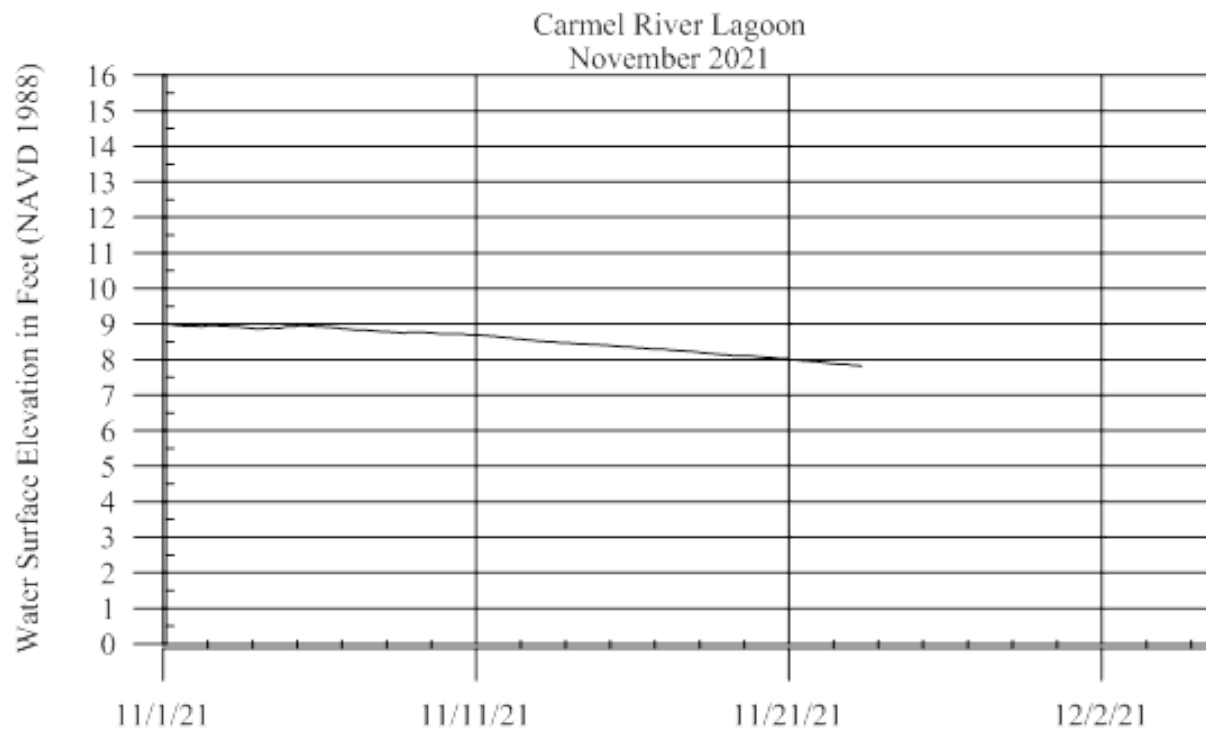
There were 0.22 inches of rainfall in November as recorded at the San Clemente gauge. The rainfall total for WY 2022 (which started on October 1, 2021) is 2.30 inches, or 81% of the long-term year-to-date average of 2.84 inches.

CARMEL RIVER LAGOON: During November, the lagoon mouth remained closed. The water surface elevation (WSE) dropped from 9 to 7.5 feet (North American Vertical Datum of 1988; NAVD 88) (See graph below).

Water quality depth-profiles were conducted at five sites on November 23, 2021, while the lagoon mouth was closed, water surface elevation was ~7.8 feet, and river inflow was 0.0 cfs. Steelhead rearing conditions were generally "good". Salinity increased with depth, ranging from 6 - 22 ppt, dissolved oxygen (DO) levels ranged from 1 - 11 mg/l, while water temperatures were lower this month, ranging from 54 - 62 degrees F.

SLEEPY HOLLOW STEELHEAD REARING FACILITY: The first rescued fish were brought to the facility on May 27, 2021. By the end of November, 6,212 fish had been stocked in the rearing channel, including 5,219 young-of-year (yoy) fish (small/medium size) and 993 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**24. MONTHLY WATER SUPPLY AND CALIFORNIA AMERICAN WATER PRODUCTION REPORT**

Meeting Date:	December 13, 2021	Budgeted:	N/A
From:	David J. Stoldt, General Manager	Program/ Line Item No.:	N/A
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 24-A shows the water supply status for the Monterey Peninsula Water Resources System (MPWRS) as of **December 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 24-A** is for Water Year (WY) 2022 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 **November** 2021 totaled **2.08 inches** and brings the cumulative rainfall total for WY 2022 to **2.30 inches**, which is **81%** of the long-term average through **November**. Estimated unimpaired runoff through **November** totaled **539 acre-feet (AF)** and brings the cumulative runoff total for WY 2022 to **990 AF**, which is **55%** of the long-term average through **November**. Usable storage for the MRWPRS was **25,48 acre-feet**, which is **91%** of average through **November**, and equates to **77%** 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 4,110 AF of water from the Carmel River in WY 2022. Through **November**, using the CDO accounting method, Cal-Am has produced **859 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 2022. Through **November**, Cal-Am has produced **85 AF** from the Seaside Groundwater Basin. Through **October**, **0 AF** of Carmel River Basin groundwater have been diverted for Seaside Basin injection; **0 AF** have been recovered for customer use, **0 AF** have been diverted under Table 13 water rights, and **577 AF** of Pure Water Monterey recovered. Cal-Am has produced **1,527 AF** for customer use from all sources through **November**. **Exhibit 24-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**24-A** Water Supply Status: **December 1, 2021****24-B** Monthly Cal-Am production by source: WY 2022

EXHIBIT 24-A

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

Factor	Oct – Nov 2021	Average To Date	Percent of Average	Oct – Nov 2020
Rainfall (Inches)	2.30	2.83	81%	0.54
Runoff (Acre-Feet)	990	1,785	55%	732
Storage⁵ (Acre-Feet)	25,480	27,800	91%	28,920

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 2022

(All values in Acre-Feet)

Year-to-Date Values	MPWRS					Water Projects and Rights				Water Projects and Rights Total
	Carmel River Basin ^{2, 6}	Seaside Groundwater Basin			MPWRS Total	ASR Recovery	PWM Recovery	Table 13 ⁷	Sand City ³	
		Coastal	Laguna Seca	Ajudication Compliance						
Target	1,000	0	0	0	1,000	0	717	0	50	767
Actual ⁴	859	65	20	85	944	0	577	0	6	583
Difference	140	-65	-20	-85	55	0	0	0	44	184
WY 2021 Actual	532	425	60	485	1,016	0	600	0	10	310

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, 0 AF and 0 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 2022

(All values in Acre-Feet)

	Carmel River Basin	Seaside Basin	ASR Recovery	PWM Recovery	Table 13	Sand City	Mal Paso	Total
Oct-21	438	41	0	344	0	0	7	829
Nov-21	407	45	0	234	0	6	7	698
Dec-21								
Jan-22								
Feb-22								
Mar-22								
Apr-22								
May-22								
Jun-22								
Jul-22								
Aug-22								
Sep-22								
Total	845	85	0	577	0	6	14	1,527
WY 2021	526	485	0	600	0	10	5	1,626

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



Supplement to 12/13/2021 MPWMD Board Packet

Attached are copies of letters received between November 11, 2021 and December 7, 2021. These letters are listed in the December 2021 Board packet under Letters Received.

Author	Addressee	Date	Topic
Thomas W. Smith III.	Mike McCullough, M1W	December 1, 2021	Outstanding Civil Engineering Achievement (OCEA) 2022 Honor Awards for the Pure Water Monterey Groundwater Replenishment Project
Melodie Chrislock	MPWMD Board of Directors	December 1, 2021	LAFCO Decision on MPWMD Application
Melodie Chrislock	MPWMD Board of Directors	December 1, 2021	Monterey Herald Op-Ed on LAFCO
Tom Luster	MPWMD and Other Interested Parties	December 3, 2021	Coastal Development Permit Amendment No. 9-14-1735-A7 to construct and operate a temp slant test well & associated monitoring wells to develop data necessary to assess the feasibility of the project site as a potential long-term water source for a desal facility.
Melodie Chrislock	MPWMD Board of Directors	December 6, 2021	Cal-Am Facebook Message

U:\Joel\Boards, Commissions and Committees\2021\Board Meeting\Staff Notes\December 13, 2021\Letters Received\Item-19 Supplement Packet.docx

December 1, 2021

Mike McCullough
Monterey One Water
Email: mikem@mylwater.org

1801 Alexander Bell Drive Reston, VA 20191-4382
(800) 548.2723 toll free (703) 295.6300 intl
(703) 295.6333 fax ■ www.ASCE.org

Dear Mr. McCullough:

I am pleased to inform you that **Pure Water Monterey Groundwater Replenishment Project** has been selected to receive an Honor Award, and possibly the 2022 Outstanding Civil Engineering Achievement (OCEA) award. You, along with the projects listed in the attached, will be honored at ASCE's esteemed Outstanding Projects And Leaders (OPAL) Gala, October 25, 2022 in Anaheim, CA.

From the 11 Honor Award recipients, the bronze and silver OCEA runners-up will be announced and the evening will culminate with revealing the Honor Award project that will take home the top prize of the night – the 2022 Outstanding Civil Engineering Achievement award. We are thrilled to include your project in our showcase.

Established in 1960, the OCEA award annually recognizes the project that best illustrates superior civil engineering skills and represents a significant contribution to civil engineering progress and society. It is quite an achievement to be selected as an honoree from among the many entries received each year. The project selected as the 2022 OCEA winner joins the ranks of past OCEA recipients such as the JFK International Airport, the World Trade Center, Walt Disney Epcot Center, and many more. To be designated as an Honor Award is certainly a prestigious honor.

Please read the enclosed letter from Jane Moran Alspach, Director of ASCE's Honors and Awards Program, and respond to her requests so we can begin to publicize your project as an OCEA Honor Award recipient.

Congratulations to you and your colleagues for this exceptional achievement! I look forward to meeting you at the OPAL Gala.

Sincerely,



Thomas W. Smith III, ENV SP, CAE, F.ASCE
Executive Director

cc: Todd Reynolds, Engineer of Record, ToddReynolds@KennedyJenks.com
Pete Anderson, Prime Contractor, pea@andpac.com

Kenneth Rosenfield, Section 9 Director, KennethRosenfield.ASCE@gmail.com
Jeffrey Braun, Los Angeles Section President, jeffbraun77@yahoo.com
Carolina Albornoz, Geographic Services; calbornoz@asce.org



**Outstanding Civil Engineering Achievement (OCEA)
2022 Honor Awards**

The following projects will be recognized at the Society's OPAL Gala
October 25, 2022

Able Pump Station
Dallas, Texas

Canarsie Tunnel Rehabilitation & Core Capacity Improvements
New York, NY

Citizens Reservoir
Fishers, IN

I-15; Lehi Main to SR92, Technology Corridor
Lehi, UT

Keauhou Beach Hotel and Site Demolition
Kahalu'u, North Kona, HI

Moynihan Train Hall
New York, NY

NE Spring Boulevard
Bellevue, Washington

One Vanderbilt
New York, NY

Pure Water Monterey Groundwater Replenishment Project
Marina, CA

Rainier Square Redevelopment
Seattle, WA

West Riverside Energy Center
Beloit, Wisconsin

From: mwchrislock@redshift.com
To: [Alvin Edwards](#); [Amy Anderson](#); [Clyde Roberson](#); [Dave Stoldt](#); [George Riley](#); [Joel Pablo](#); [Karen Paull](#); [Mary Adams](#); [SAFWAT MALEK](#)
Subject: LAFCO Decision on MPWMD Application
Date: Wednesday, December 1, 2021 2:08:11 PM
Attachments: [image.jpg](#)
Importance: High

FYI



December 1, 2021

LAFCO of Monterey County
c/o Executive Officer, Kate McKenna
132 W. Gabilan Street, Ste. 102
Salinas Ca 93901

Chair Lopez and Commissioners:

The public deserves action on the Monterey Peninsula Water Management District's (MPWMD) application. The mandate of 24,000 voters should be honored. MPWMD has given LAFCO everything you've asked for. There is no further reason for delay.

You've fulfilled your responsibilities. Granting conditional approval protects LAFCO and puts the responsibility on the court. The court will decide if this change of services is in the public interest.

It's time to make a decision. If you vote to approve MPWMD's application you support the voters' mandate and desire for lower cost water and a publicly owned water system. Yes, Cal Am may sue LAFCO, but your court costs will be covered by MPWMD.

If you vote against MPWMD in support of Cal Am, where is your case? You have no grounds to deny MPWMD's application. How will you defend a no vote in court and who will pay your legal bills?

Cal Am is using LAFCO against the voters. Don't allow this to continue. This application has already cost MPWMD \$240,000. Cal Am customers

will pay this.

Cal Am is not a responsible steward of our water resources and it is not accountable to this community. A change of ownership is urgently needed.

No matter how many pages of information Cal Am submits to LAFCO to stall this decision, it does not change the fact that Cal Am has mismanaged the Peninsula's water resources for decades and because of state actions against it, Cal Am is charging outrageous prices for water to make up for its negligence.

Compare the cost of water from the publicly owned Marina Coast Water District next door.

Cost for Marina Coast Residential Water 3/4" meter

5,000 gallons – \$66.38
10,000 gallons – \$96.50
15,000 gallons – \$133.32

Cost for Cal Am Residential Water 5/8" meter

5,000 gallons – \$125.00
10,000 gallons – \$320.00
15,000 gallons – \$625.00

The Cal Am buyout is an urgent matter for the 95,000 Cal Am customers who have to pay these outrageous water costs. LAFCO has had this application under consideration since February. Enough is enough.

MPWMD has been a responsible steward of our water supply. It has worked with its sister agency Monterey One Water to provide a third of the water that Cal Am now delivers and it is working to provide more supply in expanding the Pure Water Monterey Project.

MPWMD should be allowed to exercise its latent powers to provide

water service. Please approve its application and allow this voter mandated process to move forward.

Melodie Chrislock

Managing Director

PUBLIC WATER NOW

<http://www.publicwater.org>

mwchrislock@redshift.com

From: mwchrislock@redshift.com
To: [Alvin Edwards](#); [Amy Anderson](#); [Clyde Roberson](#); [Dave Stoldt](#); [George Riley](#); [Joel Pablo](#); [Karen Paull](#); [Mary Adams](#); [SAFWAT MALEK](#)
Subject: Monterey Herald Op-ed on LAFCO
Date: Wednesday, December 1, 2021 8:26:36 PM

Monterey Herald | December 1, 2021

<https://www.montereyherald.com/2021/12/01/melodie-chrislock-guest-commentary-whos-blocking-the-cal-am-buyout/>

Guest Commentary: Who's blocking the Cal Am buyout?

By **MELODIE CHRISLOCK**

It's been three years since Measure J was passed by 56% of the vote mandating that the Monterey Peninsula Water Management District (MPWMD) buy out Cal Am if feasible. For many months now, MPWMD has been ready to make Cal Am an initial offer. However, they need another local agency, LAFCO, to activate MPWMD's latent power to provide water service. But LAFCO has been stalling on their approval.

If you've never heard of LAFCO, you're not alone. LAFCO stands for Local Agency Formation Commission. Its job is to oversee changes in the services of public agencies or boundary changes.

This LAFCO approval process should have been simple. MPWMD was acting on a voter mandate to buy out Cal Am, and it was well prepared. Their 2019 feasibility study had proven the buyout was feasible even at the worst-case estimate of \$513 million.

But with Cal Am and its legions of lawyers, nothing is ever simple. They argued that MPWMD could not afford to buy Cal Am's system, citing Cal Am's own biased and bloated appraisal as proof, an appraisal that includes a non-existent desal plant. Again and again, Cal Am argued that LAFCO needed more information. MPWMD continued to provide everything LAFCO asked for.

A few days before the last vote on Oct. 25, Cal Am's attorneys dumped 400 pages of what they claimed was new information on LAFCO staff. LAFCO caved to this strategy and delayed the vote again.

Cal Am's tactics should have been a red flag to a public agency like LAFCO, tasked with the public's best interest. The problem is that most of the LAFCO commissioners live in the Salinas Valley. They don't pay Cal Am water bills, and they have not experienced decades of limited water supply under Cal Am. Some oppose the buyout because they don't want to lose their special district's tax revenue. Some still think Cal Am can do a better job, despite decades of evidence to the contrary.

The seven LAFCO commissioners are Chris Lopez – District 3 supervisor (chair); Luis Alejo – District 1 supervisor; Ian Oglesby – Seaside mayor; Kimbley Craig – Salinas mayor; Warren Poitras – Monterey County Regional Fire District; Mary Ann Leffel – Monterey Regional Airport District; and Matt Gourley – public member.

Oglesby is the only commissioner who has argued for approval of MPWMD's application. Alternate Commissioners Steve Snodgrass and Wendy Root Askew have also supported approval.

After months of opposing approval of MPWMD's application, Alejo finally had to recuse himself when it was discovered that he'd received more than \$250 in contributions in the past 12 months from Anthony Lombardo & Associates, a law firm representing Cal Am. Alejo had also received past contributions from Cal Am President Kevin Tilden and the Manatt, Phelps & Phillips law firm, which will represent Cal Am in the anticipated eminent domain case.

At this point, MPWMD is asking for conditional approval pending the outcome of the eminent domain case. This is a no-risk vote for LAFCO. They can let the court determine if this buyout is in the public interest.

LAFCO has had MPWMD's application before it since last February. All this stalling and extra work have cost MPWMD \$240,000 so far. Cal Am customers will pay for this.

LAFCO has no case to delay or deny MPWMD's application. LAFCO staff has recommended approval. But if LAFCO again refuses, it may leave MPWMD no choice but to sue LAFCO. Of course, this will add more unnecessary delay and expense. All of this is driven by Cal Am.

Will LAFCO try to block the will of the voters? We'll find out on Dec. 6 when LAFCO is again scheduled to vote on approval of MPWMD's application.

Comments can be sent to LAFCO by emailing the commission through their clerk at MunozDM@monterey.lafco.ca.gov or given orally at the public hearing on Dec. 6.

Melodie Chrislock is the director of Public Water Now, the local nonprofit that put Measure J on the ballot.

DEC 06 2021

Notice of Proposed Immaterial Permit Amendment

MPWMD

9-14-1735-A7 / A-3-MRA-14-0050-A7

STATE OF CALIFORNIA - NATURAL RESOURCES AGENCY

GAVIN NEWSOM, GOVERNOR

CALIFORNIA COASTAL COMMISSION

ENERGY, OCEAN RESOURCES AND FEDERAL CONSISTENCY DIVISION
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December 3, 2021

**NOTICE OF PROPOSED IMMATERIAL PERMIT
AMENDMENT**

Coastal Development Permit Amendment
No. **9-14-1735-A7 / A-3-MRA-14-0050-A7**

To: All Interested Parties

From: John Ainsworth, Executive Director

Subject: Permit No. **9-14-1735-A7 / A-3 MRA-14-0050-A7** granted to **California-American Water, Richard C Svindland, P.E.** for: Construct and operate temporary slant test well and associated monitoring wells to develop data necessary to assess the feasibility of the project site as a potential long-term water source for a desalination facility.

Project Site: CEMEX, Inc. Lapis Plant, Lapis Road, Marina, CA 93933 (APN(s): 2203011001, 2203011011)

The Executive Director of the California Coastal Commission has reviewed a proposed amendment to the above referenced permit, which would result in the following change(s):

Background and Project Description: In November 2014, the Commission approved CDPs for Cal-Am to construct, operate, and decommission a test slant well and associated monitoring wells and other infrastructure in the City of Marina near the shoreline of Monterey Bay.¹ The project purpose was to conduct a pump test program to obtain data describing the geologic, hydrogeologic, and water quality characteristics in aquifers underlying the project area to see if the site would be suitable for wells that could be used by a long-term desalination facility as part of Cal-Am's proposed Monterey Peninsula Water Supply Project ("MPWSP"). In February 2015, Cal-Am completed installation and started the pump test, which ran until June 2015 when monitoring detected that groundwater levels were approaching a permit threshold that required Cal-Am to shut down the test and obtain a permit amendment. In November 2015, the Commission approved an amendment to modify the groundwater monitoring requirements and Cal-Am restarted its pump test.² On April 15,

¹ The project is partially within the Commission's retained jurisdiction and partially within the jurisdiction of the City of Marina's certified Local Coastal Program. The Commission accepted an appeal of the City CDP decision and approved the portions of Cal-Am's project within both jurisdictions.

² See Commission's Final Adopted Findings for 9-14-1735-A1 and A-3-MRA-14-0050-A1, November 2015.

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2016, the Commission approved a further amendment to allow Cal-Am to modify its discharge pipe and to require additional monitoring of the pipe area. On December 13, 2017, the Commission approved an immaterial amendment to the permit providing an additional year for the test well to remain in place. Cal-Am ended its full-time pump tests on February 28, 2018. On November 9, 2018, the Commission approved an immaterial amendment to the permit allowing the test well to remain in place an additional year, until February 28, 2019. On February 14, 2020, the Commission again approved an immaterial amendment allowing another one-year extension until February 28, 2021. On February 12, 2021, the Commission approved another immaterial amendment for a one-year extension until February 28, 2022.

Requested Amendment: On September 30, 2021 Cal-Am submitted an application to the Commission requesting the CDPs be further amended to allow the test well to remain in place for an additional year. **Special Condition 6** of the current CDPs as amended requires that, no later than February 28, 2022, Cal-Am complete its pump test, cut off, cap, and bury the slant well head, and remove all other associated temporary facilities. Cal-Am is now requesting that deadline be extended to February 28, 2023. As part of its request, Cal-Am states that it will not operate the well other than to provide limited periodic maintenance pumping (i.e., up to a few hours each week) during this one-year extension, just as it has done since ending its full-time pump tests in February 2018.

The previous one-year extensions were meant to allow the test well facilities to remain in place while Cal-Am first completed its CEQA and NEPA review processes with the California Public Utilities Commission ("CPUC") and the Monterey Bay National Marine Sanctuary ("MBNMS"), followed by Cal-Am's submittal of its coastal development permit applications for the proposed MPWSP and eventual review by the Commission. The CEQA and NEPA reviews were completed in 2018, and the Commission scheduled a September 2020 hearing on Cal-Am's CDP application (and its appeal of the City of Marina's denial of a CDP). Cal-Am withdrew its application shortly before that hearing, but later in 2020 submitted a new application, which remains incomplete. Cal-Am is proposing this additional one-year extension to allow the well to remain in place during the Commission's potential upcoming review of Cal-Am's requests for CDPs that could authorize the use of the test well facilities as part of Cal-Am's proposal to construct additional wells and infrastructure nearby that would serve a desalination facility to be located further inland.³ If the additional wells and infrastructure are not approved by the Commission, Cal-Am would still be required to remove the test well and its associated infrastructure, but not until February 28, 2023. Should these permit review processes take longer than currently anticipated, Cal-Am may also request a subsequent extension of these CDPs.

Cal-Am has requested the change shown below in bold underline text to the currently-amended **Special Condition 6** of the CDP:

"Monitoring and Removal of Temporary Structures, Well Head Burial & Well Closure/Destruction. The Permittee shall monitor beach erosion at least once per week over the duration of the project to ensure the slant well and monitoring wells remain covered. If the wellheads, linings, casings, or other project components become exposed due to erosion, shifting sand or other factors, the Permittee shall

³ On November 14, 2019, the Commission found that substantial issue existed regarding an appeal of the City's denial of Cal-Am's CDP application and additionally continued the hearing for the consolidated permit review being conducted by the Commission.

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immediately take action to reduce any danger to the public or to marine life. When components of the discharge pipeline below the connection to the outfall are exposed, the Permittee shall conduct monitoring, including photographic documentation of the exposed components, at least once per day until the components are naturally reburied, after which erosion monitoring shall be done no less than once per week. When components are exposed, the Permittee shall also post notices at the nearest upcoast and downcoast vertical public access points informing the public of the exposed components. The Permittee shall provide monitoring records, photographs, and proof of the above public notices to the Executive Director upon request.

Prior to conducting any repairs or reinstallation of exposed equipment that require construction methods other than the hand methods described in Amendment 2 of this permit, the Permittee shall apply for and obtain a permit amendment unless the Executive Director determines no such amendment is necessary.

*The Permittee shall complete its regular test slant well pumping operations by February 28, 2018. Thereafter, the Permittee may conduct limited periodic maintenance pumping necessary to maintain the test slant well. No later than February 28, **2023**, the Permittee shall cut off, cap, and bury the slant well head at least 40 feet below the ground surface, and shall completely remove all other temporary facilities approved by this coastal development permit. To ensure timely removal, the Permittee shall post the bond or other surety device as required by **Special Condition 17** to ensure future removal measures would be appropriately supported and timed to prevent any future resurfacing of the well casing or other project components.*

FINDINGS

The Executive Director has determined this amendment to be IMMATERIAL within the meaning of section 13166(b) of the Commission's regulations. Pursuant to section 13166(b)(1), if no written objection to this notice of immaterial amendment is received at the Commission office listed within ten (10) working days of mailing said notice, the determination of immateriality shall be conclusive, and the amendment shall be approved (i.e., the permit will be amended as proposed). Note: all correspondence received responding to the previous November 5, 2021 Notice of this immaterial amendment will be considered as part of this current Notice.

Pursuant to section 13166(b)(2), if a written objection to this notice of an immaterial amendment is received within ten (10) working days of mailing notice, and the executive director determines that the objection does not raise an issue of conformity with the Coastal Act or certified local coastal program if applicable, the amendment shall not be effective until the amendment and objection are reported to the Commission at its next regularly scheduled meeting. If any three Commissioners object to the executive director's designation of immateriality, the amendment application shall be referred to the Commission to be reviewed as a material amendment at a subsequent Commission meeting. If no three Commissioners object to the executive director's designation of immateriality, that designation shall stand, and the amendment shall become effective.

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Pursuant to section 13166(b)(3), if a written objection to this notice of an immaterial amendment is received within ten (10) working days of mailing notice, and the executive director determines that the objection does raise an issue of conformity with the Coastal Act or a certified local coastal program if applicable, the amendment application shall be referred to the Commission to be reviewed as a material amendment at a subsequent Commission meeting. Note: all correspondence received responding to the previous November 5, 2021 Notice of this immaterial amendment will be considered as part of this current Notice.

The Executive Director has determined this proposed amendment to be "immaterial" for the following reason(s):

- Public Access: The proposed amendment would delay for up to one year any required decommissioning activities. The project would remain subject to the CDP's other special conditions, including the terms of **Special Condition 6** above that require monitoring and notification to avoid potential adverse effects to public access to the shoreline.
- Biological and Marine Resources: Although the proposed amendment would delay decommissioning activities, the project would remain subject to the CDP's other special conditions, including those that require biological monitoring and that provide for the approved biologist(s) to halt any work activities that may affect special-status species or habitat near the project location. It would also eliminate the potential that Cal-Am's decommissioning work, if started now to comply with the currently required removal by February 28, 2022, could extend into the breeding/nesting season of the federally threatened western snowy plover (*Charadrius nivosus nivosus*), which starts on March 1 of each year. This proposed amendment will not result in new development in currently undisturbed areas of the site.

If you wish to register an objection to this notice, please send the objection in writing to Tom Luster at the above address. If you have any questions, you may contact him at (415) 904-5248 or via email at tom.luster@coastal.ca.gov.

Original on File signed by:

Tom Luster
Coastal Program Analyst

cc: Commissioners/File

From: mwchrislock@redshift.com
To: [Alvin Edwards](#); [Amy Anderson](#); [Clyde Roberson](#); [Dave Stoldt](#); [George Riley](#); [Joel Pablo](#); [Karen Paull](#); [Mary Adams](#); [SAFWAT MALEK](#)
Subject: Cal Am Facebook Message
Date: Monday, December 6, 2021 7:48:46 AM
Attachments: [IMG_0911.PNG](#)
[IMG_0911.PNG](#)

Cal Am is circulating this ad for letters to LAFCO on Facebook and other outlets. They did not post it on their Monterey Water Works page, so no one can refute it.

Melodie

23:49

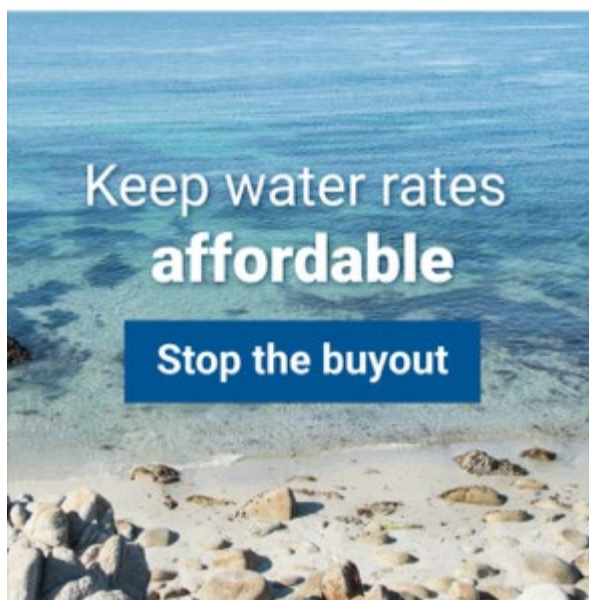


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