



**Final Minutes  
Regular Meeting  
Board of Directors  
Monterey Peninsula Water Management District  
July 15, 2024 at 6:00 P.M.**

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

**CALL TO ORDER:**

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

**ROLL CALL:**

Board members present: Amy Anderson, Chair  
George Riley, Vice Chair  
Mary Adams  
Karen Paull  
Ian Oglesby  
Alvin Edwards  
Marc Eisenhart (via Zoom)

Board members absent: None

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

District staff members absent: None

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

**PLEDGE OF ALLEGIANCE:**

The assembly recited the Pledge of Allegiance.

**ADDITIONS AND CORRECTIONS TO THE AGENDA:**

None

**ORAL COMMUNICATIONS:**

Chair Anderson opened Oral Communications; *the following comments were directed to the Board:*

- (1) Tom Rowley, serving as the Vice President of the Monterey Peninsula Taxpayers Association, raised questions about the water supply charge revenue included in the fiscal year 2024-2025 budget approved by the Monterey Peninsula Water Management District (MPWMD).

- (2) Marlana Brown, the Community Planning Liaison Officer, Naval Support Activity Monterey, presented a letter to the MPWMD Board of Directors. The letter, written by Captain Robert S. Smith, Commanding Officer of the U.S. Navy, expressed appreciation for the MPWMD’s collaborative role in the environmental assessment of the proposed Naval Innovation Center under the National Environmental Protection Act. Ms. Brown read the letter into the record on July 15, 2024.
- (3) Melodie Chrislock, responded to comments by Tom Rowley and highlighted that an annual investment of three million dollars has been contributing to the resolution of a longstanding water crisis in the community. She urged patience and support for the MPWMD’s ongoing initiatives.
- (4) Susan Schiavone, concurred with Melodie Chrislock’s statements, adding that the MPWMD’s consistent recognition for exemplary fiduciary management is a testament to their capability. She remains hopeful about the MPWMD’s future handling of financial responsibilities.

*No further comments were directed to the Board.*

**CONSENT CALENDAR:**

Chair Anderson introduced the matter.

Director Paull offered a motion with a second by Director Oglesby, to approve the Consent Calendar. The motion passed by a roll call vote of 7-Ayes (Oglesby, Eisenhart, Anderson, Riley, Paull, Adams, and Edwards), and 0-Noes.

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

1. **Consider Adoption of Minutes of the Special and Regular Board Meeting on June 17, 2024 and the Special Board Meeting on July 1, 2024**
2. **Consider Adoption of Treasurer’s Report for May 2024**

**GENERAL MANAGER’S REPORT:**

Chair Anderson introduced the matter.

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

General Manager Stoldt provided information on the status of this agenda item via slide-deck presentation titled “Status Report on Cal-Am Compliance with SWRCB Orders and Seaside Basin Decision as of July 1, 2024”. A discussion on this topic was then conducted by the Board. *A copy of the presentation is available at the District office and can be found on the District website.*

4. **Update on Water Supply Projects**

General Manager provided a brief report and noted the following:

- Aquifer Storage and Recovery (ASR) currently sits at 3,677 acre feet in the ground and can serve as a drought reserve if needed for a dry year
- Pure Water Monterey’s (PWM) operating reserve is 2,189 acre feet. That combined with ASR is 5,868 acre feet or roughly 60 to 65 of total demand during a single year
- PWM still deemed to be on target for late calendar year 2025 for coming online

**REPORT FROM DISTRICT COUNSEL:**

Chair Anderson introduced the matter.

5. **Report From District Counsel**

District Counsel David Laredo drew attention to his memorandum included in the meeting materials, specifically listed as Item 5. He delivered a comprehensive update on the pending legal matters as of July 8, 2024.

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

- (1) Tom Rowley, addressed Item 2 from Counsel Laredo’s report and voiced his dissent regarding the characterization of the ongoing lawsuit, specifically the phrase “electoral mandate of Measure J.” He further argued that the Water Supply Charge should be discontinued should the courts decide against the MPWMD.
- (2) Melodie Chrislock, responded to Tom Rowley’s remarks by clarifying that Measure J was a directive formally passed by the voters, rather than a discretionary decision made by the MPWMD.

*No further comments were directed to the Board.*

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

Chair Anderson introduced the matter.

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

Director Edwards noted his attendance at the Seaside Groundwater Basin Watermaster meeting on July 10, 2024.

### **PUBLIC HEARING:**

Chair Anderson introduced the matter.

#### **7. Consider Adoption of Resolution No. 2024-09 – Calling an Election for Directors in Voter Divisions 3, 4, and 5 on November 5, 2024, and Approve the Services Agreement with the County of Monterey-Elections Department**

Sara Reyes, Board Clerk, gave a summary of the agenda item. She informed that the Monterey County Elections Department has two requirements (1) the Board must adopt and submit a resolution to call for the election on November 5<sup>th</sup> by August 9, 2024, and (2) a Service Agreement must be in place for Election Services. The upcoming election will determine the directors for voter Divisions 3, 4, and 5, slated for November 5, 2024. A discussion on this topic was then conducted by the Board.

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

A motion was made by Director Riley with a second by Director Edwards to adopt Resolution No. 2024-09 Ordering an Election in Voter Divisions 3, 4 and 5. The motion passed by a roll call vote of 7-Ayes (Oglesby, Adams, Paull, Eisenhart, Edwards, Riley and Anderson) and 0-Noes.

A motion was made by Director Riley with a second by Director Paull to authorize the General Manager to enter into a service agreement with Monterey County Elections to conduct the election. The motion passed by a voice vote of 7-Ayes (Oglesby, Adams, Paull, Eisenhart, Edwards, Riley and Anderson) and 0-Noes.

### **ACTION ITEM:**

Chair Anderson introduced the matter.

#### **8. Consider Establishment of Financial Assistance Program to Assist Low-Income Households to Comply with District Ordinance No. 3 and Rule 54 Requiring Metering and Reporting of Privately Owned Wells**

Jonathan Lear, Water Resources Manager, presented this item and answered questions from the Board. Mr.

Lear explained this program is being requested to establish a financial assistance program to assist low-income households in complying with MPWMD Regulation V. Well Monitoring/Rule 54 – Reporting. The Board engaged in discussions. A discussion on this topic was then conducted by the Board.

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

A motion was made by Director Oglesby with a second by Director Edwards to direct the General Manager to establish a financial assistance program to assist low-income households to comply with District Rule 54. The motion passed by a roll call vote of 7-Ayes (Oglesby, Adams, Paull, Eisenhart, Edwards, Riley and Anderson) and 0-Noes.

**9. Consider Authorizing Additional Funds for the Contract with Maggiora Brothers Drilling for Rehabilitation of Two ASR Wells**

Maureen Hamilton, District Engineer presented this item via slide-deck presentation titled “Consider Authorizing Additional Funds for the Contract with Maggiora Brothers Drilling for Rehabilitation of Two ASR Wells”. *A copy of the presentation is available at the District office and can be found on the District website.* Ms. Hamilton reported that a revised staff report with a reduced cost estimate was distributed to the board. A discussion on this topic was then conducted by the Board.

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

On a motion by Director Riley with a second by Director Eisenhart, the Board authorized the General Manager (or his designee) to increase the Maggiora Brothers Drilling, Inc. contract to rehabilitate ASR1 and ASR2 wells by \$176,250.50 for a total not-to-exceed amount of \$509,544.00. The motion passed by a roll call vote of 7-Ayes (Oglesby, Paull, Eisenhart, Edwards, Riley, and Anderson) and 0-Noes.

**10. Consider Adoption of Agreement with De Lay & Laredo for Legal Services**

David Stoldt, General Manager, delivered a briefing on this subject and responded to the Board’s inquiries. Mr. Stoldt disclosed that the legal agreement underwent review during a performance evaluation in a confidential session. After the review, the Board suggested two small amendments, which have been incorporated into the agreement. A discussion on this topic was then conducted by the Board.

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

On a motion by Director Edwards with a second by Director Oglesby, the Board approved the proposed contract for legal services with De Lay & Laredo. The motion passed by a roll call vote of 7-Ayes (Oglesby, Paull, Eisenhart, Edwards, Riley, and Anderson) and 0-Noes.

**11. Consider Adoption of Memorandum of Understanding with the District Bargaining Units**

General Manager Stoldt provided a summary of this item and answered questions from the Board. Mr. Stoldt highlighted that (1) a motion is required to adopt the Memorandum of Understanding for each bargaining unit, and (2) a separate motion is required to determine whether to award a cost of living adjustment for the General Manager, effective at the same time as the bargaining units. He referred to the salary survey detailed in the report. A discussion on this topic was then conducted by the Board.

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

- (1) Tom Rowley, referenced an article in the Carmel Pine Cone from former Congressman Representative Sam Farr on salaries of government agencies and merging all water districts into one organization. He suggested the Board read the article.

*No further comments were directed to the Board.*

On a motion by Director Edwards with a second by Director Paull, the Board adopted all three of the Memorandum of Understandings based on the salary survey results discussed on July 1, 2024, and the redline of the General Staff Memorandum of Agreement as it appears in Exhibit 11-A and which will be similar for all three units. The motion passed by a roll call vote of 7-Ayes (Oglesby, Paull, Eisenhart, Edwards, Riley, and Anderson) and 0-Noes.

On a motion by Director Edwards with a second by Director Adams, the Board agreed to grant the same 3% cost of living adjustment to the General Manager, consistent with the one approved for the three bargaining units. The motion passed by a roll call vote of 7-Ayes (Oglesby, Paull, Eisenhart, Edwards, Riley, and Anderson) and 0-Noes.

**INFORMATIONAL ITEMS/STAFF REPORTS:**

12. **Report on Activity/Progress on Contracts Over \$25,000**
13. **Status Report on Spending – Public’s Ownership of Monterey Water System**
14. **Letters Received**
15. **Committee Reports**
16. **Monthly Allocation Report**
17. **Water Conservation Program Report**
18. **Carmel River Fishery Report for January 2024**
19. **Monthly Water Supply and California American Water Production Report**

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

**ADJOURNMENT**

Chair Anderson adjourned the meeting at 8:11 PM.



Sara Reyes, Deputy District Secretary

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