



**Final Minutes  
Special and Regular Meeting  
Board of Directors  
Monterey Peninsula Water Management District  
November 18, 2024 at 5:00 p.m.**

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

**CLOSED SESSION AT 5:00 p.m.**

**CALL TO ORDER:**

Vice Chair Riley called the meeting to order at 5:02 p.m.

**ROLL CALL**

**Board Members Present**

George Riley, Vice Chair  
Karen Paull  
Supervisor Mary Adams  
Alvin Edwards  
Marc Eisenhart  
Mayor Ian Oglesby

**Board Members Absent**

Amy Anderson, Chair

**District Staff Members Present**

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

**District Staff Members Absent**

None

**District Counsel Present**

Michael Laredo, De Lay & Laredo  
David Laredo, De Lay & Laredo

Fran Farina, De Lay & Laredo (*via Zoom*)

**ADDITIONS AND CORRECTIONS TO THE AGENDA**

None

**PUBLIC COMMENT ON THE CLOSED SESSION AGENDA**

Vice Chair Riley opened the Public Comment period; however, no comments were made to the Board.

**CLOSED SESSION**

District Counsel David Laredo led the Board into Closed Session.

CS 1. Conference with Legal Counsel – Existing Litigation (§54956.9(d)(1)):

- a. Monterey Peninsula Taxpayers’ Association, Inc., et al. v. the Monterey Peninsula Water Management District, Case No. 21CV003066.
  - b. Monterey Peninsula Taxpayers’ Association, Inc., et al. v. the Monterey Peninsula Water Management District, et al., Case No. 22CV002113.
  - c. Monterey Peninsula Taxpayers’ Association, Inc., et al. v. the Monterey Peninsula Water Management District, et al., Case No. 23CV002453.
  - d. Richards J. Heuer III v. the Monterey Peninsula Water Management District, Case No. 24CV002642.
  - e. Monterey Peninsula Taxpayers’ Association, Inc., et al v. the Monterey Peninsula Water Management District, et al., Case No. 24CV003408.
- CS 2. Conference with Legal Counsel – Existing Litigation (§54956.9(d)(1)), MPWMD v. Cal-Am – Case No. 23 CV 004102
- CS 3. Conference with Legal Counsel – Existing Litigation (§54956.9(d)(1)), City of Marina; MPWMD, et al, v. California Coastal Commission (CCC); Cal-Am; 22CV004063

**RECESS TO CLOSED SESSION**

At 5:03 p.m. the Board went into Closed Session.

**REGULAR SESSION AT 6:00 p.m.**

**CALL TO ORDER**

Vice Chair Riley called the meeting to order at 6:02 p.m.

**ROLL CALL**

**Board Members Present**

George Riley, Vice Chair  
Karen Paull  
Supervisor Mary Adams  
Alvin Edwards  
Marc Eisenhart  
Mayor Ian Oglesby

**Board Members Absent**

Amy Anderson, Chair

**District Staff Members Present**

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

**District Staff Members Absent**

None

**District Counsel Present**

Michael Laredo, De Lay & Laredo  
David Laredo, De Lay & Laredo

Fran Farina, De Lay & Laredo (via Zoom)

**PLEDGE OF ALLEGIANCE**

The assembly recited the Pledge of Allegiance.

**PRESENTATIONS TO OUTGOING DIRECTORS MARY ADAMS, MONTEREY COUNTY BOARD OF SUPERVISORS REPRESENTATIVE, AND MARC EISENHART, DIVISION 3**

General Manager David Stoldt presented plaques to Directors Adams and Eisenhart in appreciation of their exceptional

service on the Board of Directors. Accolades were given by both the Board and the General Manager.

#### **ADDITIONS AND CORRECTIONS TO THE AGENDA**

General Manager David Stoldt reported there were no additions or corrections to the agenda.

#### **ORAL COMMUNICATIONS**

Vice Chair Riley opened Oral Communications period, and the following comments were made to the Board:

- (1) Margaret Anne Coppernoll notified the Board of an upcoming community outreach meeting on December 6 at Marina City Hall, sponsored by the California State Lands Commission. She mentioned that three panelists focusing on land management, environment, and environmental justice, will be participating. Ms. Coppernoll thanks the Board for their work to support water issues and the community.

#### **CONSENT CALENDAR**

Vice Chair Riley introduced the item.

Vice Chair Riley pulled Item 4 for comment.

Director Oglesby offered a motion, seconded by Director Adams, to approve Consent Calendar items 1, 2, 3, and 5. The motion passed by a voice vote of 5 Ayes (Oglesby, Adams, Paull, Edwards, and Riley), 0 Noes, 1 Abstention on Item 1 (Eisenhart), and 1 Absent (Anderson).

Vice Chair Riley offered a motion, seconded by Director Paull, to approve Consent Calendar item 4. The motion passed by a voice vote of 6 Ayes (Eisenhart, Riley, Adams, Paull, Edwards and, Oglesby), 0 Noes, and 1 Absent (Anderson).

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

- 1. Consider Adoption of Minutes of the Special Board Meeting on October 11, 2024, and the Regular Board Meeting on October 21, 2024**
- 2. Consider Adoption of Treasurer’s Report for September 2024**
- 3. Receive and File First Quarter Financial Activity Report for Fiscal Year 2024-2025**
- 4. Consider Approval of First Quarter Fiscal Year 2024-2025 Investment Report**
- 5. Receive Government Accounting Standards Board (GASB) Statement No. 75 Accounting and Financial Reporting for Post-Employment Benefits Other Than Pension**

#### **GENERAL MANAGER’S REPORT**

Vice Chair Riley introduced the item.

- 6. Status Report on California American Water Compliance with State Water Resources Control Board Order 2016-0016 and Seaside Groundwater Basin Adjudication Decision**
  - General Manager 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 November 1, 2024”. The board engaged in discussions. *A copy of the presentation is available at the District office and can be found on the District website.*

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

Vice Chair Riley introduced the matter.

#### **7. Report From District Counsel**

District Counsel Michael Laredo reported that the Board met in Closed Session and discussed three items, all regarding existing litigation. He referenced the litigation report on page 77 of the meeting packet and provided a brief overview.

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

Vice Chair Riley introduced the matter.

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

- Director Paull reported that she attended a media fundraiser for the Waterkeeper Alliance, an organization focused on communities lacking safe drinking water.
- Vice Chair Riley noted his attendance at the Seaside Groundwater Basin Watermaster meeting on November 13, 2024.

#### **ACTION ITEM:**

Vice Chair Riley introduced the matter.

### **9. Consider Approval of Funds for Rate Design Consultant for Replacement Water Supply Charge Subject to a Proposition 218 Approval Process**

General Manager Stoldt presented this item, reporting that staff is seeking consultant services to prepare an updated rate study. He stated that work would not begin until the Board decides to move forward with establishing a new replacement charge. The Board then engaged in discussions.

Vice Chair Riley opened the public comment period, and the following comment was made to the Board:

- (1) Tom Rowley, Vice President of the Monterey Peninsula Taxpayers Authority, commented that he found it interesting the Board is still considering a refund and emphasized that any actions should be done legally and correctly.

A motion was made by Director Paull, seconded by Director Edwards, to approve an amount not to exceed \$47,250 and direct staff to select the most qualified consultant. The motion passed by a voice vote of 6 Ayes (Oglesby, Adams, Paull, Eisenhart, Edwards, and Riley) 0 Noes, and 1 Absent (Anderson).

### **10. Consider Approval of Funds for Engineering and Utility Operations Consultants in Support of the Public's Acquisition of the Monterey Water System**

General Manager Stoldt presented an overview of this item. He reported that: 1) the current utility consultant with Close & Associates was originally contracted through the District's General Counsel and should now be contracted directly through the District, and 2) the District is seeking a new civil engineering consultant.

Vice Chair Riley opened the public comment period, and the following comment was made to the Board:

- (1) Tom Rowley, Vice President of the Monterey Peninsula Taxpayers Authority, commented that it would have been helpful for the public to know about these costs in advance when the acquisition of the Monterey Water System was presented as a ballot measure. He emphasized that Cal-Am is not for sale, that the acquisition will cost the District more than anticipated, and encouraged the Board to stop the process.

A motion was made by Director Edwards, seconded by Director Eisenhart, to approve an amount not to exceed \$965,000 for a contract with Close & Associates and direct staff to select the most qualified civil engineering consultant and enter into a contract with an amount not to exceed \$1,200,000. The motion passed by a voice vote of 6 Ayes (Oglesby, Adams, Paull, Eisenhart, Edwards, and Riley) 0 Noes, and 1 Absent (Anderson).

## **DISCUSSION ITEM**

### **11. Update on Water Allocation Process**

General Manager Stoldt provided a brief update, reporting that he gave a presentation to the Monterey City

Council on November 5, 2024. On November 12, 2024, the District received a letter from the City of Monterey supporting the proposed water allocation. Mr. Stoldt noted that he will be meeting with other agencies in November and December and will provide an update at the December Board meeting.

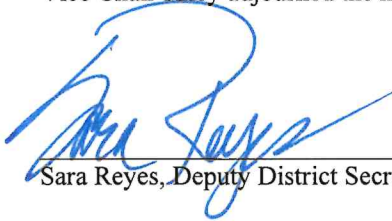
**INFORMATIONAL ITEMS/STAFF REPORTS:**

- 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 and Sent**
- 15. Committee Reports**
- 16. Monthly Allocation Report**
- 17. Water Conservation Program Report for October 2024**
- 18. Carmel River Fishery Report for October 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**

Vice Chair Riley adjourned the meeting at 7:42 p.m.



---

Sara Reyes, Deputy District Secretary

Minutes approved by the MPWMD Board of Directors on December 16, 2024