

This meeting has been noticed according to the Brown Act rules. The Board of Directors meets regularly on the third Monday of each month, except in January and February. The meetings begin at 6:00 PM, unless otherwise noted.



AGENDA (Draft as of 11/29/23)  
**Special and Regular Meeting**  
**Board of Directors**  
**Monterey Peninsula Water Management District**  
\*\*\*\*\*

**Monday, December 11, 2023 at 5:00 p.m. [PST]**

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

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

To Join via Zoom- Teleconferencing means, please click the link below:

<https://mpwmd-net.zoom.us/j/83480524615?pwd=p2NYSaohgNW2aV0Bzu8Bmh3FIgJ7rd.1>

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

Webinar ID: 834 8052 4615

Passcode: 12112023

To Participate by Phone: (669) 900-9128

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

Staff notes will be available on the District web site at

<http://www.mpwmd.net/who-we-are/board-of-directors/bod-meeting-agendas-calendar/>

by 5:00 P.M. on Friday, December 8, 2023

This agenda was posted at the District website ([www.mpwmd.net](http://www.mpwmd.net)) and at 5 Harris Court, Bldg. G, Monterey, California on [redacted]. Staff notes will be available on the District web site at

<http://www.mpwmd.net/who-we-are/board-of-directors/bod-meeting-agendas-calendar/>

by 5:00 P.M. on Friday, December 8, 2023.

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**CLOSED SESSION AT 5:00 P.M.**

**CALL TO ORDER / ROLL CALL**

**Board of Directors**

Mary L. Adams, Chair – Monterey County Board of Supervisors Representative  
Amy Anderson, Vice Chair – Division 5  
Alvin Edwards – Division 1  
George Riley – Division 2  
Marc Eisenhart – Division 3  
Karen Paull – Division 4  
Ian Oglesby – Mayoral Representative

**General Manager**

David J. Stoldt

**Mission Statement**

Sustainably manage and augment the water resources of the Monterey Peninsula to meet the needs of its residents and businesses while protecting, restoring, and enhancing its natural and human environments.

**Vision Statement**

Model ethical, responsible, and responsive governance in pursuit of our mission.

**Board's Goals and Objectives**

Are available online at: <https://www.mpwmd.net/who-we-are/mission-vision-goals/>

**ADDITIONS AND CORRECTIONS TO THE AGENDA** – *The General Manager will announce agenda corrections and proposed additions, which may be acted on by the Board as provided in Sections 54954.2 of the California Government Code.*

**PUBLIC COMMENT ON THE CLOSED SESSION AGENDA** – *Members of the public may address the Board on the item or items listed on the Closed Session agenda.*

**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, (Pursuant to CA Gov Code Sec. 54957 of the Government Code) - Title: General Manager
- CS 2. Conference with Legal Counsel – Existing Litigation Pursuant to CA Gov Code Sec. 54956.9 of the Government Code) - MPWMD v. LAFCO - Case 22 CV 000935
- CS 3. Conference with Legal Counsel – Existing Litigation Pursuant to CA Gov Code Sec. 54956.9 of the Government Code) - MPWMD v. Cal-Am – Case No. Not Yet Assigned

**RECESS TO CLOSED SESSION**

*Any Closed Session Items not completed may be continued to after the end of all open session items.*

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**REGULAR SESSION AT 6:00 P.M.**

**CALL TO ORDER / ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**ORAL COMMUNICATIONS** – *Anyone wishing to address the Board on Consent Calendar, Information Items, Closed Session items, or matters not listed on the agenda may do so only during Oral Communications. Please limit your comment to three (3) minutes. The public may comment on all other items at the time they are presented to the Board.*

**CONSENT CALENDAR** - *The Consent Calendar consists of routine items for which staff has prepared a recommendation. Approval of the Consent Calendar ratifies the staff recommendation. Consent Calendar items may be pulled for separate consideration at the request of a member of the public, or a member of the Board. Following adoption of the remaining Consent Calendar items, staff will give a brief presentation on the pulled item. Members of the public are requested to limit individual comment on pulled Consent Items to three (3) minutes. Unless noted with double asterisks “\*\*”, Consent Calendar items do not constitute a project as defined by CEQA Guidelines section 15378.*

- 1. Consider Adoption of Minutes of the Special Meeting on October 10, 2023 and the Special and Regular Meeting on November 13, 2023
- 2. Consider Adoption of Treasurer’s Report for October 2023
- 3. Consider Confirmation of Salary and Benefits for CFO/ASD Manager Approved in Closed Session

**GENERAL MANAGER’S REPORT**

- 4. Status Report on California American Water Compliance with State Water Resources Control Board Order 2016-0016 and Seaside Groundwater Basin Adjudication Decision (*Verbal Report*)
- 5. Update on Water Supply Projects
- 6. Progress Report on Strategic Goals Assigned to General Manager for 2023

**REPORT FROM DISTRICT COUNSEL**

7. Update on Pending Litigation
8. Reportable Action from Closed Session on Monday, November 13, 2023

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

9. 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.*

10. Consider Adoption of January through March 2024 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 2024. The strategy sets monthly goals for surface and groundwater production from various sources within the California American Water systems.*

*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*

11. Receive Pension Reporting Standards Government Accounting Standards Board (GASB) Statement No. 68 Accounting Valuation Report

*Recommended Action/:* *The Board will receive the GASB 68 Accounting Valuation Report prepared by CalPERS.*

12. Receive Government Accounting Standards Board (GASB) Statement No. 75 Accounting and Financial Reporting for Post-Employment Benefits Other Than Pension

*Recommended Action:* *The Board will receive the GASB 75 OPEB Valuation Report prepared by GovInvest.*

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

13. Consider Adoption of Resolution 2023-15 Authorizing an Exception to the CalPERS 180-Day Wait Period for Hiring a Retiree (Suresh Prasad)

*Recommended Action:* *The Board will consider adoption of a resolution in compliance with the California Public Retirement System (CalPERS) requirement that the governing body of any agency wishing to hire a retiree prior to 180-days following their retirement date, pass a resolution to that effect.*

14. Consider Adoption of Resolution 2023-16 Authorizing an Exception to the CalPERS 180-Day Wait Period for Hiring a Retiree (Tom Lindberg)

*Recommended Action:* *The Board will consider adoption of a resolution in compliance with the California Public Retirement System (CalPERS) requirement that the governing body of any agency*

wishing to hire a retiree prior to 180-days following their retirement date, pass a resolution to that effect.

15. Review and Consider Adopting the Board Meeting Schedule for Calendar Year 2024 Through February 2025

Recommended Action: The Board will review and consider adopting the board meeting schedule for Calendar Year 2024.

16. Conduct Election of Board Officers for 2024

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
20. Committee Reports
21. Monthly Allocation Report
22. Water Conservation Program Report
23. Carmel River Fishery Report for November 2023
24. Water Conservation Program Report
25. Monthly Water Supply and California American Water Production Report  
 [Exempt from environmental review per SWRCB Order Nos. 95-10 and 2016-0016, and the Seaside Basin Groundwater Basin adjudication decision, as amended and Section 15268 of the California Environmental Quality Act (CEQA) Guidelines, as a ministerial project; Exempt from Section 15307, Actions by Regulatory Agencies for Protection of Natural Resources]

**ADJOURNMENT**

Board Meeting Schedule		
Monday, January 22, 2024	Regular	6:00 p.m.
Monday, February 12, 2024	Regular	6:00 p.m.

Board Meeting Television and On-Line Broadcast Schedule	
<b>Television Broadcast</b>	<b>Viewing Area</b>
Comcast Ch. 24   View live broadcast on meeting dates, and replays on Mondays, Tuesdays and Thursdays at 4:00 p.m.	All Peninsula Cities
Comcast Ch. 28 (Monterey County Government Channel) Replays only at 9:00 a.m. on Saturdays	Throughout the Monterey County Government Television viewing area.
<b>Internet Broadcast</b>	
AMP 1   View live broadcast on meeting dates, and replays on Mondays, Tuesdays, and Thursdays at 4:00 p.m. and at <a href="https://accessmediaproductions.org/">https://accessmediaproductions.org/</a> scroll to <b>AMP 1</b> .	
Monterey County Government Channel   Replays only at 9:00 a.m. on Saturdays at <a href="http://www.mgtvonline.com">www.mgtvonline.com</a>	

MPWMD YouTube Page – View live broadcast on meeting dates. Recording/Replays available five (5) days following meeting date - <https://www.youtube.com/channel/UCg-2VgzLBmgV8AaSK67BBRg>

### Accessibility

In accordance with Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), MPWMD will make a reasonable effort to provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. MPWMD will also make a reasonable effort to provide translation services upon request. Submit requests at least 48 hours prior to the scheduled meeting date/time to Sara Reyes, Board Clerk by e-mail at [sara@mpwmd.net](mailto:sara@mpwmd.net) or at (831) 658-5610.

### Provide Public Comment at the Meeting

#### Attend In-Person

The Board meeting will be held in the Main Conference Room at **5 Harris Court, Building G, Monterey, CA 93942** and has limited seating capacity. Face coverings are encouraged, but not required. Please fill out a speaker card for each item you wish to speak on, and place in the speaker card box next to the Board Clerk.

**Attend via Zoom:** See below “Instructions for Connecting to the **Zoom Meeting**”

#### Submission of Public Comment via E-mail

Send comments to [comments@mpwmd.net](mailto:comments@mpwmd.net) with one of the following subject lines "PUBLIC COMMENT ITEM #" (insert the item number relevant to your comment) or “PUBLIC COMMENT – ORAL COMMUNICATIONS.” Staff will forward correspondence received to the Board. Correspondence is not read during public comment portion of the meeting. However, all written public comment received becomes part of the official record of the meeting and placed on the District’s website as part of the agenda packet for the meeting.

#### Submission of Written Public Comment

All documents submitted by the public must have no less than fifteen (15) copies to be received and distributed by the **Clerk** prior to the Meeting.

#### Document Distribution

In accordance with Government Code §54957.5, any materials of public record relating to an agenda item for a meeting of the Board of Directors that are provided to a majority of the members less than 72 hours before the meeting will be made available at the **District Office, 5 Harris Court, Building G, Monterey, CA** during normal business hours. Materials of public record that are distributed during the meeting shall be made available for public inspection at the meeting if prepared by the Board or a member of its legislative/advisory body, or the next business day after the meeting if prepared by some other person.

### Instructions for Connecting to the **Zoom Meeting**

**The public may remotely view and participate in the meeting to make public comment by computer, by phone or smart device.**

Please log on or call in as early as possible to address any technical issues that may occur and ensure you do not miss the time to speak on the desired item. Follow these instructions to log into Zoom from your computer, smart device or telephone. (Your device must have audio capability to participate).

To Join via Zoom- Teleconferencing means, please click the link below:  
<https://mpwmd-net.zoom.us/j/83480524615?pwd=p2NYSaohgNW2aV0Bzu8Bmh3FIgJ7rd.1>

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

Webinar ID: 834 8052 4615

Passcode: 12112023

To Participate by Phone: (669) 900-9128

1. Use the “raise hand” function to join the queue to speak on the current agenda item when the Chair calls the item for Public Comment.

**COMPUTER / SMART DEVICE USERS:** You can find the raise hand option under your participant name.

**TELEPHONE USERS:** The following commands can be entered using your phone’s dial pad:

- \*6 – Toggle Mute / Unmute
- \*9 – Raise Hand

2. Staff will call your name or the last four digits of your phones number when it is your time to speak.
3. You may state your name at the beginning of your remarks for the meeting minutes.
4. Speakers will have up to three (3) minutes to make their remarks. *The Chair may announce and limit time on public comment.*
5. You may log off or hang up after making your comments.

Refer to the Meeting Rules to review the complete Rules of Procedure for MPWMD Board and Committee Meetings:  
<https://www.mpwmd.net/who-we-are/board-of-directors/meeting-rules-of-the-mpwmd/>

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