

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.



**DRAFT AGENDA (1/11/24)
Special and Regular Meeting
Board of Directors
Monterey Peninsula Water Management District

Monday, January 22, 2024 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/81378371324?pwd=y1QOb7tHFyoUjw0ClxNJ2SJ42juT5L.1>

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

Webinar ID: 813 7837 1324

Passcode: 01222024

To Participate by Phone: (669) 900-9128

For detailed instructions on how to connect to the meeting, please see page 5 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 AMP 1.

This agenda was posted at the District website (www.mpwmd.net) and at 5 Harris Court, Bldg. G, Monterey, California on _____. 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, January 19, 2024.

CLOSED SESSION AT 5:00 P.M.

CALL TO ORDER / ROLL CALL

Board of Directors

Amy Anderson, Chair – Division 5
George Riley, Vice-Chair – Division 2
Alvin Edwards – Division 1
Marc Eisenhart – Division 3
Karen Paull – Division 4
Mary L. Adams– Monterey County Board of Supervisors Representative
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. Conference with Legal Counsel – Existing Litigation Pursuant to CA Gov Code Sec. 54956.9 of the Government Code) - MPWMD v. LAFCO – Case No. 22 CV 000935
- CS 2. Conference with Legal Counsel – Existing Litigation Pursuant to CA Gov Code Sec. 54956.9 of the Government Code) - MPWMD v. Cal-Am – Case No. 23 CV 004102
- CS 3. Public Employee Performance Evaluation, (Pursuant to CA Gov Code Sec. 54957 of the Government Code) - Title: General Manager

RECESS TO CLOSED SESSION

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

REGULAR SESSION AT 6:00 P.M.

CALL TO ORDER / ROLL CALL

PLEDGE OF ALLEGIANCE

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.*

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.*

PRESENTATION TO MARY ADAMS, MONTEREY COUNTY BOARD OF SUPERVISORS REPRESENTATIVE | 2023 BOARD CHAIR

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 and Regular Board Meeting on December 11, 2023
- 2. Consider Adoption of Resolution 2024-01 Rescinding Resolution 2023-15

3. Consider Approving Contract No. 1 with Tierra Plan in an Amount Not-To-Exceed \$8,000 to Maintain and Provide Additional Development to the MPWMD Stream Flow Data Portal as a Public Facing Database Web Server
4. Consider Adoption of Treasurer's Report for November 2023
5. Review Annual Disclosure Statement of Employee/Board Reimbursements for Fiscal Year 2022-2023
6. Consider Approval of Annual Update on Investment Policy
7. Ratify Board Committee Assignments for Calendar Year 2024

GENERAL MANAGER'S REPORT

8. Status Report on California American Water Compliance with State Water Resources Control Board Order 2016-0016 and Seaside Groundwater Basin Adjudication Decision (*Verbal Report*)
9. Report on Legislative Outreach for Calendar Year 2023

REPORT FROM DISTRICT COUNSEL

10. Update on Pending Litigation and Report Out from the Monday, December 11, 2023 Closed Session Meeting

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

11. 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.*

12. Consider First Reading of Ordinance No. 194 – Amending Rule 11, and Adding Rule 23.10 to Establish a Water Entitlement for the City of Seaside

Recommended Action: The Board will consider an ordinance to create a Water Entitlement of 13 Acre-Feet Annually based on adjudicated rights from the Seaside Groundwater Basin under a court-approved in-lieu groundwater storage program. The City has been purchasing recycled water from the Marina Coast Water District to irrigate golf courses and has been accumulating stored water credits recognized by the Seaside Watermaster. The Entitlement will be available in the Cal-Am System supplied by the Seaside Groundwater Basin within the City of Seaside. The City has identified the Ascent Housing Project as the Benefited Properties.

DISCUSSION ITEMS – *Discussion Only. No action will be taken by the Board. Public Comment will be received. Please limit your comments to three (3) minutes per item.*

13. Discuss Aquifer Storage & Recovery Third Injection Well Concept

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.*

14. Report on Activity/Progress on Contracts Over \$25,000
15. Status Report on Measure J / Rule 19.8 Phase II Spending
16. Letters Received and Sent
17. Committee Reports
18. Monthly Allocation Report
19. Water Conservation Program Report
20. Carmel River Fishery Report for December 2023

21. 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]
22. Quarterly Water Use Credit Transfer Status Report
23. Quarterly Carmel River Riparian Corridor Management Program Report

ADJOURNMENT

Board Meeting Schedule		
Monday, February 12, 2024	<i>Regular</i>	6:00 p.m.
Monday, March 18, 2024	<i>Regular</i>	6:00 p.m.

Board Meeting Television and On-Line Broadcast Schedule	
Television Broadcast	Viewing Area
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.
Internet Broadcast	
AMP 1 View live broadcast on meeting dates, and replays on Mondays, Tuesdays, and Thursdays at 4:00 p.m. and at https://accessmediaproductions.org/ scroll to AMP 1 .	
Monterey County Government Channel Replays only at 9:00 a.m. on Saturdays at www.mgtvonline.com	
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
<p>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 or at (831) 658-5610.</p>
Provide Public Comment at the Meeting
<p>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.</p> <p>Attend via Zoom: See below “Instructions for Connecting to the Zoom Meeting”</p>

Submission of Public Comment via E-mail

Send comments 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." 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).

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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/>