



**CASTROVILLE  
COMMUNITY  
SERVICES DISTRICT**

P.O. BOX 1065

OFFICE: 11499 GEIL STREET

CASTROVILLE, CA 95012

FAX (831) 633-3103

President – Cosme Padilla  
Vice President – Ron Stefani  
Director – Glenn Oania  
Director – James R. Cochran  
Director – Greg MacMillan

24-HOUR TELEPHONE: (831) 633-2560

General Manager – Eric Tynan  
Board Secretary – Lidia Santos

Website: [CastrovilleCSD.org](http://CastrovilleCSD.org)

**AGENDA  
REGULAR MEETING OF THE BOARD OF DIRECTORS  
TUESDAY, JUNE 18, 2024 – 4:30 P.M.  
DISTRICT BOARD ROOM – 11499 GEIL STREET**

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*In compliance with the Americans with Disabilities Act, if special assistance is needed to participate in the Board meeting, please contact Lidia Santos, Board Secretary during regular business hours at (831) 633-2560. Notification received 48 hours before the meeting will enable the District to make reasonable accommodations.*

Notice is hereby given that the Castroville Community Services District will hold a public hearing on Tuesday, June 18, 2024 at 4:30 p.m. to consider adoption of a resolution approving the District's 2024-2025 Annual Rate Report for Wastewater Collection in the community of Moss Landing and directing collection of the charges detailed in the Report on the Monterey County tax roll.

The owner of any parcel subject to the fees and charges detailed in the Report may submit a written protest prior to the close of the public hearing. Written protests can be submitted at the public meeting or via mail [lidia@castrovillecsd.org](mailto:lidia@castrovillecsd.org) or drop off before the meeting at the address noted above. Any protest submitted once the public hearing has closed shall be rejected as late and shall not be considered.

**CALL MEETING TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**ADDITIONS OR CORRECTIONS TO THE AGENDA**

**PUBLIC COMMENTS** – (Limited to three minutes per speaker within the jurisdiction of items not on the agenda. The public will have the opportunity to ask questions or make statements as the Board addresses each agenda item.)

**CONSENT CALENDAR:**

Consider and Approve the draft minutes of the Budget & Personnel Committee Meeting – May 16, 2024 – motion item

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**CASTROVILLE COMMUNITY SERVICES DISTRICT**

2. Consider and Approve the draft minutes of the Regular Board Meeting, May 21, 2024 – **motion item**

**CORRESPONDENCE:**

1. Memorandum from Water Resources Agency General Manager Ara Azhderian to Joint Boards Leadership Committee regarding Groundwater Extraction Monitoring System (GEMS) Expansion.

**INFORMATIONAL ITEMS:**

1. *Monterey Waterkeeper* – Community Water Center, recommendations for Department of Water Resources action regarding the 180/400 ft Aquifer Subbasin Groundwater Sustainability Plan Update
2. *Monterey County Weekly* – Mine Fields: A comprehensive study of unsustainable groundwater pumping in the county is cause for alarm
3. *ACWA News* – Melanie Schumcher will assume duties as General Manager for Scotts Valley Water District October 1
4. *Pacific Water* – What is Water Management?

**PRESENTATION:**

1. Receive presentation by Regional Government Services (RGS) a public agency serving the consulting, administrative and project management needs of local government to discuss services provided – Sophia Selivanoff, Executive Director

**The owner of any parcel subject to the fees and charges detailed in the Report may submit a written protest prior to the close of the public hearing. Written protests can be submitted at the public meeting or via mail or drop off before the meeting at the address noted above. Any protest submitted once the public hearing has closed shall be rejected as late and shall not be considered.**

**PUBLIC HEARING**

1. Public Hearing – Open Public Hearing, Receive Public Comment and Consider and Adopt Resolution No. 24-04 Adopting the Report Proposing to have Sewer Fees and Charges for the Moss Landing Service Area Collected on the Tax Roll for Fiscal Year 2024-25 and Directing the Secretary of the Board to File a Copy of Said Report with the Monterey County Auditor to Place Said Fees on the Tax Roll – **motion item**

**CLOSE PUBLIC HEARING – motion item**

**NEW BUSINESS:**

1. Consider and Adopt Resolution No. 24.05, Resolution Certifying Compliance with State Law with Respect to the Levying of General and Special Taxes, Assessments, and Property Related Fees and Charges and Approve Service Agreement for Collection of Special Taxes, Fees, and Assessments (Exhibit A attached) between the County of Monterey and the Castroville Community Services District – **motion item**
2. Consider and Approve Memorandum of Understanding with Monterey One Water (“M1W”) regarding the collection of local sewer use fees imposed on parcels of real property receiving the services and facilities within its service area on the tax roll – **motion item**
3. Consider and Approve “Castroville CSD Investment and Deposit Policy” for fiscal year 2024/2025- **motion item**

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4. Consider designation of Eric Tynan, General Manager as labor negotiator for all employees for the District for purpose of (Gov. Code Sec. 54957.6) - **motion item**
5. Receive letter from Castroville Community Services District General Manager J. Eric Tynan announcing his retirement as of October 31, 2024 – Eric Tynan, General Manager
6. Provide direction to staff regarding engagement of a firm to assist with the recruitment of a District General Manager and provide direction to staff – **motion item**

**UNFINISHED BUSINESS:**

1. Update on meeting with Regional Government Services (RGS) regarding the Community Outreach Service position – Eric Tynan and Ad Hoc Community Outreach Committee: Directors: Cosme Padilla and Ron Stefani
2. Update on Water Line Replacement Project awarded to contractor Teichert Constructions – Eric Tynan, General Manager
3. Update on Well levels – Eric Tynan, General Manager
4. Update on status of grant/projects for Moss Landing-Sewer Zone 3 (Professional Engineering Services for Moss Landing Wastewater System Rehabilitation Project – Eric Tynan, General Manager
5. Update on status of competitive bid process and grant/projects for Castroville-Water Zone 1 (Emergency Deep Aquifer Supply and Storage Tank Project, Well No. 6) for system upgrades and improvements – Eric Tynan, General Manager
6. Update on status of grant/projects for Castroville-Sewer Zone 1 (Washington Sewer Trunk Line Bypass) – Eric Tynan, General Manager
7. Update on status of grant/projects for Castroville Landmark Sign at Highway 183 and Cooperative Agreement with Amendment No. 01 with Caltrans and Resolution No. 22-14/Agreement with Signs By Van for the Design, Fabrication, and installation of the Castroville Landmark Sign – Eric Tynan, General Manager
8. Update on the State of California Department of Transportation (Caltrans) projects and all current agreements Caltrans has with Castroville CSD: (1) Caltrans Merritt Street Beautification Project, Adjustment of Manhole and Valve Covers Agreement with Caltrans, (2) Pedestrian Bridge Enhancement/Improvement Project, Pedestrian Overpass Maintenance (Landscape) Agreement with Caltrans and Agreement for the Positive Location of Underground Utilities with Caltrans – Eric Tynan, General Manager

**CLOSED SESSION:**

CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8

Property Location: APN: 030-141-022-000 and 030-141-023-000, Southwest corner of Merritt Street and Washington Street, Castroville, CA

Negotiating Parties: Castroville CSD and Salvador Alvarez and Hermilinda Alvarez  
Property Owner: Salvador Alvarez and Hermilinda Alvarez  
Under Negotiation: Price and Terms of Payment

Property Location: APN: 133-143-016-000, Highway 1 at Washington Road, Castroville, CA

Negotiating Parties: Castroville CSD and Vegetable Ranches, LLC  
Property Owner: Vegetable Ranches, LLC  
Under Negotiation: Price and Terms of Payment

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PUBLIC EMPLOYEE PERFORMANCE EVALUATION pursuant to Government Code Section 54957

Title: General Manager

CONFERENCE WITH LABOR NEGOTIATORS pursuant to Government Code Section 54957.6

Unrepresented Employee: General Manager

**ANNOUNCEMENT OF CLOSED SESSION ITEM:** (if applicable):

The board will reconvene into an open session prior to adjournment and shall announce any action taken during the closed session.

**UNFINISHED BUSINESS CONTINUED:**

9. Consider and Adopt Resolution No. 24-06, Adopting the District Budgets for Fiscal Year 2024/2025; Operating Budgets for Water (Castroville Zone 1), Sewer and Governmental (Castroville Zone 1), Sewer and Governmental (Moro Cojo, NMCHS, & Monte Del Lago Mobile Home Park Zone 2) and Sewer (Moss Landing Zone 3) and Five Year Capital Improvement Projects 2024/2028 – **motion item**
  - Recommendation of the Budget & Personnel Committee (Directors: Stefani and MacMillan) to consider along with the annual income and operating budget for fiscal year 2024/2025:
    - Extended recreational services with North County Recreation & Park District,
    - Proposed wage increase for staff varies from (3%-6.2%) percent of current annual wages. Effective July 11, 2024, if considered
    - Capital Improvement Projects
10. Consider and Approve salary increase for General Manager, effective July 11, 2024 – **motion item**

**BOARD OF DIRECTORS COMMUNICATION:** When needed, this time is reserved for the Board of Directors to communicate activity, educational classes, and/or Committee reports.

1. Update on Monterey One Water board meeting – Ron Stefani, Director
2. Update on the Salinas Valley Basin Groundwater Sustainability Agency – Ron Stefani, Director
3. Update on other meetings/educational classes attended by Castroville CSD Directors

**GENERAL OPERATIONS:**

1. **General Manager's Report** – Compliance Update, Current Projects Update, Seminars Update, Staff Update, Suggestive Projects Discussions
2. **Operations Report**
  - a) Water – Pumpage & Usage Update, Water Testing Update, Current Installation
  - b) Status Update, Current Contractor Work Update, Maintenance/Repair Update, Customer Service Update, Safety Issues
  - c) Sewer & Storm Drain – Jetting, Current Installation Status Update, Current Contractor Work Update, Maintenance/Repair Update, Customer Service Update, Safety Issues

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3. **Customer/Billing Reports** – A/R Update, Water Sales, Water Usage
4. **Financial Reports** –Quarterly Financial Statements, \* Treasures Report-L.A.I.F., Internal Report and Administration Update

**CHECK REGISTER** – Receive and approve the Check Register for the month of May 2024 – **motion item**

**ITEMS FOR NEXT MONTHS AGENDA: Tuesday, July 16, 2024, at 4:30 p.m.**

**CLOSE:**

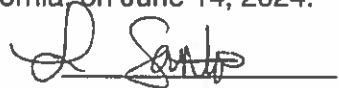
Adjournment to the next regular scheduled Board Meeting – **motion item**

All public records relating to an agenda item on this agenda are available for public inspection at the time the record is distributed to all, or a majority of all, members of the Board. Such records shall be available at the District office located at 11499 Geil Street, Castroville, California.

**Certification of Posting**

I certify that on June 14, 2024, I posted a copy of the foregoing agenda near the regular meeting place of the Board of Directors of the Castroville Community Services District, said time being at least 72 hours in advance of the meeting of the Board of Directors (Government Code Section 54954.2).

Executed at Castroville, California, on June 14, 2024.



Lidia Santos, Board Secretary

**BUDGET & PERSONNEL COMMITTEE MEETING MINUTES**  
**CASTROVILLE COMMUNITY SERVICES DISTRICT**  
May 16, 2024

**DRAFT**

The Budget & Personnel Committee meeting was held in the District board room.

Director Ron Stefani called the meeting to order at 4:30 p.m.

**ROLL CALL:**

**Directors Present:** Committee members: Ron Stefani and Greg MacMillan

**Absent:**

**Staff Present:** General Manager Eric Tynan and Office Manager Lidia Santos

**Guest:** North County Recreation and Park District General Manager Alex Lopez

**PUBLIC COMMENTS**

None

1. Review of FY 2024/2025 Proposed Budget & 5 -Year CIP – General Manager Eric Tynan presented the preliminary budgets for Water (Castroville –Zone1), Sewer and Governmental (Castroville - Zone1), Sewer and Governmental (Moro Cojo, NMCHS, & Monte Del Lago Mobile Park –Zone 2), and Sewer (Moss Landing – Zone 3), which were all reviewed by the Budget Committee.
2. Recommendations for FY 2024/2025 Budget & 5-Year CIP – The Budget Committee will be updating the Board at the regularly scheduled board meeting on May 21, 2024, on the reviewed budgets and their recommendations. All budget items and 5-year CIPs were reviewed and discussed at this meeting and recommended changes made to the preliminary budgets. Furthermore, there is no water rate increase as the 5-year water rate increase that was approved ended fiscal year 2020/2021. Castroville Zone 1-Sewer currently reflects \$29,000 of ad valorem property taxes to be transferred out to Castroville Zone1-Governmental to fund extended recreational services (\$124,000) for fiscal year 2024/2025. Ad valorem funds will need to be transferred out in this manner as done in the past to fund Extended Recreational Services. Funding to be used for capital improvement projects (Sports Complex Improvements and Rehabilitation Project) is yet to be determined and to be discussed further at the regularly scheduled board meeting on May 16, 2024. NCRPD General Manager Alex Lopez had submitted the request for Extended Recreational Services, which is included with this board packet and can be viewed on page 14. Per Mr. Lopez, NCRPD requests Extended Recreational Services funding for the 2024/2025 fiscal year amounting to \$114,000 a 3.6% increase from last year's request of \$110,000, which is in line with CPI of 3.9%. NCRPD is also asking for an additional \$10,000 for funding the maintenance of the Caltrans Clean California Project, Pedestrian Overcrossing landscape features. In addition, NCRPD still has \$95,000 funding that has been carried forward from previous years that is still in the Castroville Zone1-Governmental Fund. The Budget Committee wanted the following changes to be reflected; Extended Recreational Services expense to reflect \$124,000 ad valorem property taxes transferred in from Castroville Zone1-Sewer and for NCRPD to also use the \$95,000 for CIP projects this fiscal year instead of continuing to carry these funds forward that are still in the Governmental-Zone1 fund. A total of \$219,000 in funds will be provided to NCRPD for fiscal year 2024/2025 with Board approval. Sewer and Governmental (Moro Cojo, NMCHS & Monte De Lago Mobile Park-Zone 2 will have no sewer rate increases as the last of the 5-year approved rate increase was for fiscal year 2020/2021 per Ordinance No. 67. Also, discussed were the employees' health benefits. The cost of insurance coverage for PERS Platinum is currently \$18,194.96 monthly for all employees, which provide coverage of 90/10 for employees with CalPERS at this rate until December 2024 and expected to increase for January 2025 to June 2025 fiscal year. The new rates for 2025 will not be disclosed until August of 2024. Director Ron Stefani stated that having good coverage is especially important and the cost is still reasonable. The Budget & Personnel Committee will provide their recommendation to the full Board at the May 21, 2024, board meeting, which will only be a discussion at this time as well. This committee meeting is only a discussion at this time and no action has been taken pending Board approval and the adoptions of the 2024/2025 Budget at the June 18, 2024, board meeting. The budget will be discussed further at the upcoming regular scheduled board meeting.

**BUDGET & PERSONNEL COMMITTEE MEETING MINUTES  
CASTROVILLE COMMUNITY SERVICES DISTRICT**

May 16, 2024

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3. Personnel-Staff Wage Increase 2024/2025– The Budget & Personnel Committee reviewed the Wage Step Program that was approved by the Board at the October 2018 board meeting for all hourly staff positions, which can be viewed on pages 59 of this board packet. Three of the Five positions have now exceeded the wage steps and a new Wage Step Program will need to be created. For most employees, any increase is for cost of living. Also, enclosed was a memorandum to the Board from General Manager Eric Tynan with option (1), 3%-3.2% hourly rate increases for employees and option (2), 4% hourly rate increase for employees, which can be viewed on pages 57-58 of this packet. The consumer price index for all items as of March 2024 reflects 3.5%.
  
4. Recommendations for Staff Wage Increase 2024/2025- General Manager Eric Tynan informed the Budget & Personnel Committee that the preliminary budgets include a 4% hourly wage increase for employees, pending Board approval. He recommended the Board select option (2) where all staff receive a 4% hourly wage increase. The budgets currently reflect a 4% for Employees' Wages, FICA and PERS Retirement Employer Contributions budget line items for the following funds: Water, Sewer Zone 1, 2, and 3. Directors Stefani and MacMillan recommended option (1) for all employees, a 3%- 3.2% hourly rate increase with the exception of the customer service representative, a 6% wage increase. The Budget & Personnel Committee will be making their recommendations to the Board at the regularly scheduled board meeting on May 21, 2024, which will only be a discussion item and final Board approval will be made at the June 18, 2024, board meeting.
  
5. Adjournment

**CLOSE:**

The meeting was adjourned at 5:25 p.m.

Respectfully submitted by,

Approved by,

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Lidia Santos  
Secretary to the Board

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Cosme Padilla  
President

THE OFFICIAL MINUTES OF THE REGULAR BOARD MEETING OF  
CASTROVILLE COMMUNITY SERVICES DISTRICT  
May 21, 2024

President Cosme Padilla called the meeting to order at 4:31 p.m.

**DRAFT**

**ROLL CALL:**

**Directors Present:** President Cosme Padilla, Vice President Ron Stefani, Director James Cochran, and Director Greg MacMillan

**Absent:** Director Glenn Oania

**General Manager:** Eric Tynan

**Secretary to the Board:** Lidia Santos

**Staff Present:**

**Guest:** Mike McCullough, Director of External Affairs for Monterey One Water and Heidi Quinn, District Legal Counsel

**PLEDGE OF ALLEGIANCE**

The pledge of allegiance was led by Director James Cochran at the request of President Cosme Padilla.

**ADDITIONS OR CORRECTIONS TO THE AGENDA** (motion item was attend to New Business item 7).

**PUBLIC COMMENTS**

1. None

**CONSENT CALENDAR**

1. A motion was made by Greg MacMillan and seconded by James Cochran to approve the minutes of the April 16, 2024, Regularly Scheduled Board Meeting. The motion carried by the following roll call votes:

AYES: 4 Directors: Stefani, MacMillan, Cochran, and Padilla

NOES: 0 Directors:

ABSENT/NOT

PARTICIPATING: 1 Directors: Oania

*Consent Calendar accepted as presented*

**CORRESPONDENCE:**

1. Letter from Rincon to the California Department of Fish and Wildlife regarding Lake or Streambed Alteration Notification for the Washington Street Trunk Line Bypass Project

*Correspondence Calendar accepted as presented*

**INFORMATIONAL ITEMS:**

1. The Northern Salinas Valley Watershed Restoration Plan (1007)
2. Monterey Bay Water Works Association, April 18, 2024, Training (Quality Control for Field Measurements) Hartnell College, Castroville Campus
3. North Monterey County Middle School is hosting its annual Career Day, April 18, 2024
4. North County Recreation & Park District hosting Castroville Community cleanup on Earth Day, Saturday, April 20, 2024, and Castroville in the Plaza, Saturday, May 18, 2024
5. Caltrans District 4 invites you to attend: The Moss Landing CAPM Project, Open House, Wednesday, April 17, 2024, Moss Landing Marine Labs 5:30 p.m.-7:00 p.m.

*Informational items accepted as presented*

**Director Glenn Oania arrives at 4:45 p.m.**



**PRESENTATIONS:**

1. Monterey One Water (M1W) is moving its billing for wastewater service to the County of Monterey Property Tax Bill and is will acquaint the Board and public with the procedure necessary for the Castroville Community Services District (District) to accomplish the transfer of Wastewater (Sewer) charges for the community of Moss Landing to the County Property Tax Bill and assist the District with the process. M1W to provide a community presentation and feedback – Mike McCullough, Director of External Affairs thanked the Board for the opportunity to explain the process of moving wastewater billing to the tax roll and the steps CCSD will need to follow. CCSD can collect wastewater fees on the property tax roll pursuant to Health and Safety Code (HSC) Section 5473 *et seq.* Mr. McCullough discussed the implementation scheduled that will need to be followed for moving the wastewater billing to the tax roll and meet the deadline of August 1, 2024, for submittal to the County. He provided the Board with a handout that outlined the steps necessary to comply with moving wastewater billing for the community of Moss Landing to the tax roll. This handout can be viewed as an attachment to the May 21, 2024, board packet at [www.castrovillecsd.org](http://www.castrovillecsd.org). The Board thanked him for attending the board meeting and the implementation schedule MIW is following for moving the wastewater billing to the tax roll.

**NEW BUSINESS:**

1. Authorize General Manager J. Eric Tynan to send a letter to Monterey One Water affirming the Castroville Community Services District's intent to move the Districts billing for Wastewater (Sewer) charges to the County of Monterey property tax bill, prepare Annual Rate Report and set a public hearing for June 18, 2024 for the community of Moss Landing – General Manger Eric Tynan provided the Board with a memo which can be viewed on pages 28-29 of this board packet listing the reasons it would be beneficial for CCSD to also put the wastewater fee on the tax roll for the community of Moss Landing. His recommendation are for the Board to Direct the General Manager to send a letter to Monterey One Water confirming the District's intent to move the District's charges for wastewater collection for the community of Moss Landing to the County of Monterey's property tax bill and authorize him to carry out the tasks to accomplish the transfer by July 1, 2024. In addition, M1W will assist CCSD with moving the wastewater billing to the tax roll for 2024/2025. Pending Board approval, a copy of the draft letter that would be sent to M1W confirming the District's intent to move the District's charges for wastewater collection for the community of Moss Landing to the County of Monterey's property tax bill can be viewed on page 30 of this board packet. The other option would be that the District Board could decide to retain responsibility for billing and collections. Should the Board determine to retain responsibility for the billing and collection responsibility, additional costs would be incurred, but have not been estimated. After some discussion, a motion is made Ron Stefani and seconded by Glenn Oania to Authorize General Manager J. Eric Tynan to send a letter to Monterey One Water affirming the Castroville Community Services District's intent to move the Districts billing for Wastewater (Sewer) charges to the County of Monterey property tax bill, prepare Annual Rate Report and set a public hearing for June 18, 2024 for the community of Moss Landing. The motion carried by the following roll call votes:

AYES:	5	Directors:	Stefani, MacMillan, Cochran, Oania and Padilla
NOES:	0	Directors:	
ABSENT/NOT PARTICIPATING:	0	Directors:	

2. Consider and Approve Resolution No. 24-02 Ordering an Election, Requesting the County Elections Department to Conduct the Election, and Requesting Consolidation of the Election – Office Manager Lidia Santos informed the Board that four seats for the Castroville CSD Board of Directors are up for elections this November 5, 2024. Three Directors-4-year term (Stefani, Oania and Cochran) and One Director-2 year term (MacMillan). Resolution No. 24-02 Ordering an Election, Requesting the County Elections Department to Conduct the Elections, and Requesting Consolidation of the Election needs to

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May 21, 2024, Regular Board Meeting  
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be approved by the Board and submitted to Monterey County Elections Department. The Board determined that the Statement of Qualifications would be limited to two hundred words, the candidate will be responsible for paying the cost of publishing the Statement of Qualifications and in the event of a tie; the District would not conduct a special runoff election. A motion was made by Glenn Oania and seconded by Greg MacMillan to approve Resolution No. 24-02 Ordering an Election, Requesting County Elections to Conduct the Election, and Requesting Consolidation of the Election. The motion carried by the following roll call votes:

AYES: 5 Directors: Stefani, MacMillan, Cochran, Oania and Padilla  
NOES: 0 Directors:  
ABSENT/NOT  
PARTICIPATING: 0 Directors:

3. Consider and Approve Service Agreement for the Provision of Election Services Between Castroville Community Services District and County of Monterey Department of Elections, November 5, 2024 – After some discussion, a motion is made by Ron Stefani and seconded by James Cochran to approve the Service Agreement for the Provision of Election Services Between Castroville Community Services District and County of Monterey Department of Elections, November 5, 2024. The motion carried by the following roll call votes:

AYES: 5 Directors: Stefani, MacMillan, Cochran, Oania and Padilla  
NOES: 0 Directors:  
ABSENT/NOT  
PARTICIPATING: 0 Directors:

4. Receive North County Recreation and Park District request for funding, "Extended Recreation Services" for fiscal year 2024/2025 – General Manager Eric Tynan informed the Board of North County Recreation and Park District's request for funding, "Extended Recreation Services" for fiscal year 2024/2025 can be viewed on page 40 of this board packet. NCRPD is requesting \$114,000 a 3.6% increase from last year's \$110,000 (in line with CPI of 3.9%), and \$10,000 for funding the maintenance of Caltrans Clean California Project Pedestrian Overcrossing landscape features for a total of \$124,000. In addition, NCRPD still has \$95,000 funding that has been carried forward from previous years that is still in the Castroville Zone1-Governmental Fund. The Budget Committee also received and reviewed this request at the May 16, 2024, meeting.

5. Receive Preliminary 2024-25 Operating Budgets for Water (Castroville Zone 1), Sewer and Governmental (Castroville Zone 1), Sewer and Governmental (Moro Cojo, NMCHS, & Monte Del Lago Mobile Home Park Zone 2) and Sewer (Moss Landing Zone 3) and 5-year CIP – General Manager Eric Tynan and the Board reviewed and discussed all budget items and the CIP for the different funds, which can be viewed on pages 41-62 on this board packet. General Manager Eric Tynan reported to the Board that Castroville CSD has several big projects coming up, such as the deep well (Well #6). CIP for this project is being projected at \$1.8 million but may easily come in at \$2 million. Per the Budget Committee recommendations source of funding, \$2,000,000 for this project will come from LAIF Water accounts as this account earns the lowest interest rate. The District is looking for grants to fund these projects: Moss Landing Rehabilitation Project \$7.5 million, Washington Street Sewer Bypass Project \$3.5 million, and Well Site 4 with a new tank \$8 million. However, grants funds are not secured, and Castroville CSD will need to have funds available for these projects. General Manager Eric Tyan reviewed all the budgets along with capital improvements projects (CIP) slated for 2024/2025 and projected up until 2028. They also reviewed and discussed personnel wages and medical benefits which can be viewed on pages 63-67 of this board packet. The Budget & Personnel Committee: Directors Stefani and MacMillan reported to the Board that they had met on May 16, 2024, with the General Manager and discussed and reviewed the budgets and made their recommendations. The Budget & Personnel Committee are recommending a 3% wage increase for all staff for the cost of living with the exception of the Customer Service Representative, 6% wage increase. President Cosme

Padilla announced that the Customer Service Representative staff member is his niece and would feel more comfortable leaving the room for this discussion. District Legal Counsel stated that it was not required, however may do so if he feels more comfortable doing so. President Padilla steps out of the board meeting during this discussion at 5:21 p.m. General Manager Eric Tynan felt a 4% wage increase for the rest of the staff was more equitable as the cost of living is at 3.9%. General Manager Eric Tynan's memo, option 2 with his proposed 4% wage increase for all staff with the exception of the Customer Service Representative receiving a 6% wage increase can be viewed on page 64 of this board packet. Vice President Stefani stated the Board will consider the 4% wage increase for all staff except for the Customer Service Representative receiving a 6% wage increase President Cosme Padilla returned to the meeting at 5:25 p.m. The District will remain with PERS Platinum in 2025 for the employee's monthly health care coverage. The Budget & Personnel Committee also discussed with the Board to consider approving the funding to the NCRPD \$124,000 for Extended Recreation Services and \$95,000 that was carried forward for Capital Improvement funds for their Sports Complex Improvement and Rehabilitation project. Total allocated to NCRPD \$219,000 for fiscal year 2024/2025. Vice President Ron Stefani stated that Castroville Zone 1-Sewer is doing well due to ad valorem property taxes. With the value of homes continually rising, property taxes have gone up every year. For this reason, Castroville CSD revenue for ad valorem property taxes continues to increase. The CIP report lays out the anticipated total operating expenses and Capital Improvement Projects for each year and at the end it still leaves a surplus of funds due to the increase in property values. These funds should be used and not put in the bank. Furthermore, we are all aware the State is facing a severe budget deficit and is concerned the State may shift these property taxes away from local governments and the State use these funds instead, which has been done in the past. He would like this District to have a strategic plan that focuses and lays out the direction of the Board for this District. General Manager Eric Tynan stated that the CIP provide this information as well. Final adoption of the budgets will not be made until the June 18, 2024, regularly scheduled board meeting.

6. Discussion on celebration of the community mural on the Castroville Pedestrian Crosswalk by artist Guillermo Aranda – General Manager Eric Tyan let the Board know that had spoken with Corby with Caltrans regarding the Pedestrian Bridge Enhancement/Improvement Project. Caltrans contracted with Hoseley Corporation and First Night Monterey to do the murals. The murals are being painted on the west side and east side pedestrian bridge. Once the project is completed by the muralist and the landscaping by Hoseley Construction, Caltrans plans to have a community celebration of this project with local and state representatives in attendance and more than willing to collaborate with Castroville CSD for this event. Vice President Ron Stefani stated he would like to see a picture of the landscaping improvements to be made. He would also like to see all contracts Castroville CSD has signed with Caltrans and just wanted Castroville CSD to take this opportunity to acknowledge the artist, Guillermo Aranda. Members of the community are pleased with this project thus far and he feels this was a missed opportunity for the District to be part of. General Manager Eric Tynan reminded the Board that this Board tried to have a mural painted at this site, but Caltrans would not approve it. As mentioned before, General Manager Eric Tynan stated CSD will continue to be responsible for the maintenance of the pedestrian bridge and North County Recreation and Park District has agreed to maintain the parklets that will be placed at each end of the pedestrian bridge. Furthermore, the District is funding NCRPD to upkeep the parklets.
7. Consider and Adopt Castroville Community Services District, Workplace Violence Prevention Plan – Office Manager Lidia Santos informed the Board that most California employers will need to have their Workplace Violence Prevention Plan in place by July 1, 2024. The plan can be viewed on page 68-92 of this board packet. A copy will be made available to each employee once adopted. A motion is made by Ron Stefani and seconded by Greg MacMillan to adopt the Castroville Community Services District, Workplace Violence Prevention Plan. The motion carried by the following roll call votes:

AYES:	5	Directors:	Stefani, MacMillan, Cochran, Oania and Padilla
NOES:	0	Directors:	
ABSENT/NOT			
PARTICIPATING:	0	Directors:	

8. Consider and Approve proposal from Teichert Constructions for water line replacement, not to exceed \$135,230 – General Manager Eric Tynan reported to the Board the District requires trenching, installation and backfill of certain water services lines (“Project”) that were budgeted to be completed at a cost of approximately \$185,000. The County of Monterey (“County”) engaged in a competitive bidding process for construction services related to road, bridge, and sidewalk improvements (“Road and Bridges Work”) and selected Teichert Construction in August 2023. The District’s water service lines are adjacent to, or associated with, the Road and Bridges Work being performed by Teichert Construction. Teichert Construction has been performing the Roads and Bridges Work for the County, and as part of these improvements is uniquely positioned and qualified to perform the District’s Project concurrently with such work. General Manager Eric Tynan has determined that the highly specialized work associated with the Project, the necessity to coordinate with Contractor for the County’s Road and Bridges Work, and the economic efficiencies in performing the work of the District and County concurrently requires a distinctly qualified company to render the Project services required. Teichert Construction submitted a proposal for the Project for an amount not to exceed \$135.230, which can be viewed on pages 93-97 of this board packet. Resolution No. 2024-03, Approving Proposal from Teichert Construction for Water Service Line Replacement in an Amount not to Exceed \$135,230 (Exhibit A) and the Sole Source Justification (Exhibit B) can be viewed as an attachment to the board packet. District Legal Counsel Heidi Quinn prepared the resolution and sole source justification. Nick Panofsky with MNS Engineers arrives at the board meeting at 5:39 p.m. Per the request of the General Manager. Mr. Panofsky stated that this was a terrific way to go as there are significant cost savings going this route and he supports the recommendation made by General Manager Eric Tynan. After some discussion, a motion is made by Ron Stefani and seconded by Glenn Oania to approve Resolution No. 2024-03, Approving Proposal from Teichert Construction for Water Service Line Replacement in an Amount not to Exceed \$135,230 (Exhibit A) and the Sole Source Justification (Exhibit B). The motion carried by the following roll call votes:

AYES:	5	Directors:	Stefani, MacMillan, Cochran, Oania and Padilla
NOES:	0	Directors:	
ABSENT/NOT			
PARTICIPATING:	0	Directors:	

**UNFINISHED BUSINESS:**

1. Update on Well levels – General Manager Eric Tynan reported to the Board that the well levels graph from January 2018 to present can be viewed on page 98 of this board packet. The well levels during the winter came up quite a bit, including Well #5 and are now starting to decline due to the farmers pumping their wells for the agriculture season. As mentioned before, the bubblers give a direct calculation of well levels. The District continues to monitor the chloride levels of all the wells. Well #3 is not pumping and the motor is not hooked up. A desalter is being considered for Well #3.
2. Update on the status of the **Moss Landing Wastewater System Rehabilitation Project** – General Manager Eric Tynan stated the current project status can be viewed on page 99 of this board packet and he will turn it over to Nick Panofsky with MNS Engineers to provide an update. MNS submitted a construction grant application to CWSFR for project funding and are continuing to work with Matt Chambers to respond to RFIs. Mr. Panofsky mentioned, due to budget constraints, MNS has not billed the District for grant work. The continuing follow-up work on this grant will be billed to their general support services contract. Also, MNS/Rincon submitted the Coastal Development Permit Application. This process is anticipated to be completed by August 2024. Reimbursement from the Clean Water Small Communities Planning Grant in the amount of \$118,456 has been requested and approved for reimbursement to CCSD. General Manager Eric Tynan stated that the property owner next to the land acquisition purchased by for Lift Station 1 has encroached on the property believing a section of it was his. He has been trying to reach the property owner to clear this matter up. Also, discussed prior the current project status is 60% Design is complete, CDP permit is pending County concurrence and Easement Acquisition. The State Water Resource Control Board CWSRF is the construction funding

source for this project. The funding application has been submitted and additional information has been requested. The next target milestone is to complete the funding applications and CDP application. LAFCO approved the annexation of Finepro, LLC Property APN: 413-012-014 to the Castroville Community Services with Resolution No. 23-10. This land acquisition is for Lift Station 1. Ortega (FINEPRO, LLC (seller) approved the sale for the easement for \$10,000 in Moss Landing, which was completed February 2024. Upon completion of the land acquisition, the coastal development permit application will be submitted for approval. Construction Grant Application for CWSRF is part of the grant. Grant application in process and MNS to research if current costs over the planning grant amount can be reimbursed by the CWSRF grant. Furthermore, California Coastal Commission is requiring a jurisdictional delineation and Lake and Streambed Alteration Agreement (LSAA) notification for work on the Elkhorn Slough Bridge, which MNS/Rincon are preparing an amendment to add this work to the Project Scope. General Manager Eric Tynan reported to the Board that the pipeline under the bridge is still under the mitigated negative declaration and without the bike bridge being built by the County, Castroville CSD will have to do it on their own and build under the existing structure a 4" pipeline, which is right over the Elkhorn Slough, Marine Sanctuary and Harbor. For this project, MNS is to prepare a construction application following the 60% completion. The Board had approved a proposal with MNS Engineers to provide professional engineering services for the Moss Landing Wastewater System Rehabilitation Project \$462,722 in 2021. General Manager Eric Tynan had previously approved Amendment No.1 for this project for an additional \$14,520 for the arborist and at the December 19, 2023, board meeting the Board approved Amendment No. 2 for \$59,104 as costs have increased due to plans specifications changing due to the County not building the bridge noted above.

3. Update on the status of the **Emergency Deep Aquifer Supply and Storage Tank Project** – General Manager Eric Tynan stated that the current project status can be viewed on pages 99 of this board packet, and he will turn it over to Nick Panofsky with MNS Engineers. MNS Engineers and Pueblo are working together to develop final bid documents for Well No. 6 and have provided template from end documents, published by EJCDC for District legal review. MNS Engineers recommended these documents be used rather than the District's template as it is current with respect to public contract code and is more comprehensive. As mentioned prior, the application for construction to the Bureau of Reclamation WaterSMART Drought Resiliency Projects Grant Program was submitted fall 2023. The project scope of the Emergency Deep Aquifer Deep Well No. 6 was too large for the grant to fund. The project scope needs to be narrowed to correspond to a project cost less than \$10 million to compete for the grant. The project scope can be narrowed by the District proceeding with drilling of the well and leaving the remaining scope to be funded by the grant. The grant application can be resubmitted in Fall 2024 to the Bureau of Reclamation at no additional cost to the District; anticipated grant request amount to be approximately \$9.6 million. If a construction contract is awarded, it will be funded using reserves and construction funds from the current grant and the grant application will be resubmitted. He is also considering working with the grant writer used by Monterey One Water to assist with this grant. Discussed prior, MNS is not doing the design of Well #6, Pueblo is doing the design. The Board approved grant writing services, fee proposal from MNS Engineers for Bureau of Reclamation WaterSMART: Drought Resiliency Projects, not to exceed \$29,415. Construction funding is pending to move the project forward. The hydrogeologic approach was discussed with Mike Burke the hydrologist with Pueblo who will advance the well contract documents to nearly bid ready, to be finalized. In addition, MNS has substantial funds remaining in the budget (\$60k), which MNS will review if these remaining funds can be used for applying for construction funding for the project. The 30% design has been completed as of May 2022. The 60% design has been completed on the application for the construction. The District is still working on getting grant funds for the construction of the deep well and CEQA is complete.
4. Update on status of the **Castroville-Sewer Zone 1 (Washington Sewer Trunk Line Bypass Project)** – General Manager Eric Tynan stated the current project status for this project can be viewed on page 99 of this board packet and he will turn it over to Nick Panofsky with MNS Engineers to provide and update. MNS Engineers is currently waiting for District Board approval of their proposal to prepare a SWPPP and stake easement. The SWPP is the last required element of the Caltrans encroachment permit process. As mentioned prior, MNS/Rincon are working on submittal of jurisdictional permits for

the agricultural ditch crossing. Submittal of Coastal Development Permit is pending easement acquisition. The District is working to negotiate easement purchase. One property owner is requesting the limits of the easement be staked. MNS Engineers needs budget authorization from the District to stake easement. Construction grant award is pending coastal development permit completion. Discussed prior, the 60% Design is completed, the CDP permit is pending Caltrans encroachment, County concurrence, and Easement Acquisition. The jurisdiction permitting is in progress. The State Water Resource Control Board CWSRF is the construction funding source for this project. The funding is obtained but the final information submittal is required to secure the construction funding. Although there is no written agreement yet, the State has assured him that Castroville CSD will receive the \$3.5 million grant once the environmental review is completed. MNS Engineers is managing the environmental review and permitting for this project. At a prior meeting, per Nick Panofsky, P.E. with MNS Engineers, stated once environmental and land acquisition is completed, MNS Engineers will complete the application for the next phase and will also update the engineering report submitted with the grant application. CEQA compliance is complete. Permits are required due to jurisdictional wetlands in agricultural ditches. Two permits are required from Federal Agencies. MNS is coordinating with Rincon to obtain these permits. MNS Engineers sent a letter along with the encroachment permit application to Caltrans regarding notification to perform construction for a new 24" sewer bypass in the community of Castroville in unincorporated Monterey County, California—Washington Sewer Trunk Line Bypass Project. Castroville CSD will construct approximately 1,350 linear feet of 24" trunk sewer bypass from the intersection of Washington St. and Merritt St., then across the undeveloped areas and beneath Route 1 to the Monterey One Water station pump located at the south end of Watsonville Road. Approximately 450 feet of the proposed sewer line will be in the Caltrans right-of-way. Castroville CSD applied for the \$3.5 million grant for this project and the State is saying Castroville CSD is good to go for this grant once the environmental review is completed. Castroville CSD approved the environmental proposal from MNS Engineers for this project, which is complete. State Water Resources Control Board, CWSRF set aside for small, disadvantaged communities, "The Small Community Clean Water Wastewater Funding Program." The proposal for Professional Engineering and Constructions Management Services-Washington Sewer Trunk Line Bypass Final Design and Construction (not to exceed \$498,141) is contingent on award of grant to Castroville CSD. The Board approved at the December 19, 2023, board meeting MNS Engineers proposals for Professional Engineering Services-Washington Sewer Trunk Line Bypass Regulatory Permitting Support (\$19,622) and Washington Sewer Trunk Line Bypass Right-of-Way Acquisition (\$81,610) total \$101,232.

5. Update on the status of grant/projects for **Castroville Landmark Sign at Highway 183 Project**: Per General Manager Eric Tynan he stated the current project status for this project can be viewed on page 99 of this board packet. The issue with the foundation has yet to be resolved. The structural engineer needs to confirm the design for sign supports. He would like to have Jay Johnson, owner of J. Johnson and Company, assist with this project as he is currently working for Santa Clara as a public works inspector and signs off on many Caltrans projects. Per Vice President Ron Stefani Signs By Van and his subcontractor Y & J Engineers need to resolve this matter with Caltrans. Legal counsel may need to get involved if this cannot be resolved. In his opinion, the community is expecting this project to be completed and he is willing to spend the funds necessary to see it done. President Cosme Padilla stated he would like to see the project completed already but not spend whatever it takes to get it done. As mentioned prior, MNS Engineers coordinated with Caltrans to submit a reimbursement request on behalf of CCSD for this project for \$6,422. Foundation testing was completed, and the next steps are for the Project structural engineer to confirm the design for sign supports, which he believes has been done. He is pushing for this project to be completed by the 4<sup>th</sup> of July and to have a ribbon cutting ceremony to invite the public and political representatives. President Comse Padilla had stressed to Corby with Caltrans that he was very unhappy on how long this project has been delayed. The design is complete. Construction funding source is Caltrans. The concrete/foundation testing to confirm structural design has been completed by the Penhall Company, a nationwide leader in concrete solutions and the engineers have signed off on it. At the January 16, 2024, board meeting, the Castroville CSD Board of Directors reviewed and submitted the signed Amended Cooperative Agreement to Caltrans. The delay for this project again has been the foundation. The Board concurred that Castroville CSD needs to keep putting

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pressure on Caltrans to complete this project. This project was started in 2019 and it was to be completed by July 2023. The Board approved the Cooperative Agreement and Maintenance Agreement with Caltrans for the Overhead Sign in October 2022. The State has also requested a traffic control plan and a storm water control plan which was prepared by MNS Engineers and sent to the state. MNS will be managing the administration for this project. Resolution No.2022-14, Engaging Signs By Van for the Design, Fabrication, and Installation of the Castroville Landmark Sign was approved. MNS to continue working with Signs By Van and draft the Project Management Professional (PMP), contract, encroachment permit. Castroville CSD received a check from Caltrans in the amount of \$127,955.28 February 2, 2023, a check for \$17,580 May 24, 2023, and a check for \$9,461.25 September 12, 2023. The original placement of the post will remain in the same spot as long as YJ Engineers say it is safe.

Current grants awarded are the Clean Water Small Communities Planning Grant (\$500,000) with State Waterboards for administration, preliminary engineering report, plans, and specs for sewer in Moss Landing, project assigned to MNS Engineers. The IRWM Implementation Grant (\$395,000) is with DWR for the Deep Well (Well #6) and the use will be specified in the DWR/MCRWA agreement. The DAC Involvement Programs amount \$61,807 with DWR is for the design of the Washington Sewer Bypass for Castroville sewer is also assigned to MNS Engineers. Current funding efforts: Moss Landing sewer system improvements, Castroville emergency well replacement, Castroville water supply improvements and Castroville wastewater improvements.

6. Update on the State of California Department of Transportation (Caltrans) projects: (1) Caltrans Merritt Street Beautification Project, (2) Pedestrian Bridge Enhancement/Improvement Project – General Manager Eric Tynan did not provide an update on item (1). However, on item (2) he informed the Board that the County will be replacing the rails and the fencing on the pedestrian bridge. Castroville CSD is only responsible for the lighting on the bridge and minor cosmetic maintenance such as any graffiti.

**CLOSED SESSION:** At 6.16 p.m. the Board went into Closed Session.

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR** pursuant to Government Code Section 54956.8

Property Location: APN: 030-141-022-000 and 030-141-023-000, Southwest corner of Merritt Street and Washington Street, Castroville, CA

Negotiating Parties: Castroville CSD and Salvador Alvarez and Hermilinda Alvarez

Property Owner: Salvador Alvarez and Hermilinda Alvarez

Under Negotiation: Property Negotiations

Property Location: APN: 133-143-016-000, Highway 1 at Washington Road, Castroville, CA

Negotiating Parties: Castroville CSD and Vegetable Ranches, LLC

Property Owner: Vegetable Ranches, LLC

Under Negotiation: Property Negotiations

**CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION** pursuant to Government Code Section 54956.9(d)(1)

Name of case: *David Lewis Schartow v. County of Monterey, et al.*, Superior Court of Monterey County, Case no. 20CV001881.

**ANNOUNCEMENT OF CLOSED SESSION ITEM:** (if applicable): The board will reconvene into open session prior to adjournment and shall announce any action taken during the closed session. At 6:35 p.m. the Board returned to Open Session. There was no reportable action taken.

**BOARD OF DIRECTORS COMMUNICATION:** When needed, this time is reserved for the Board of Directors to communicate activity, educational classes, and/or Committee reports.

1. Update on Monterey One Water (M1W) board meeting – Vice President Ron Stefani stated the last meeting they had was a four-hour meeting on strategic planning and discussion the future of M1W. They also talked about the EPA's national regulations for PFAS. This enforceable rule requires public water systems to monitor for these PFAS, notify the public of the levels of these PFAS in drinking water if they exceed the MCL (for further information on PFAS, see page 19 of this board packet.) With the excessive cost of electricity, M1W is also strategically looking at moving forward with developing a renewable energy source. M1W is also still dealing with putting rate payer fee charges on the property tax bill in 2024/2025. As mentioned prior, effective July 1, 2024, customers will no longer receive a direct bill for wastewater service from M1W and instead the bill will be replaced by an annual fee included on the parcel's property tax bill. The County of Monterey mails property tax bills in mid-October and payments may be made in two installments. The County of Monterey and the Treasurer-Tax Collector have also authorized Easy Smart Pay, a third-party vendor, to provide a monthly payment option for the payment of property taxes. Interested property owners can work directly with Easy Smart Pay to set up payments via ACH or credit card. There are also programs that can assist the ratepayers with their bills that M1W refers them too.
2. Update on Salinas Valley Basin Groundwater Sustainability Agency (SVBGSA) meeting – Vice President Ron Stefani reported the latest news is that the Deep Aquifer Study came out. All these experts participated in this study, and all concluded that the deep aquifer does not recharge. The 184 hundred subbasin now must report the deep aquifer extractions as a net loss as there is no recharge. All ninety-five wells in the 184 hundred subbasin and Monterey subbasin will not be complying with the Department Water Resources. A moratorium will be put on new deep aquifer well permits. When Castroville CSD applies for its permit for Well #6, let us see if it gets approved. The GSA will be one of the enforcing agencies on this permit. The study does show where the deep aquifer runs; it runs past Castroville, up the canyon a bit and runs all the way to Chualar and all the way to the Seaside basin, which is part of the deep aquifer. The deep aquifer could be threatened with saltwater intrusion, just as we are threatened here in Castroville. General Manager Eric Tynan stated that the imposing ban on approval of applications for all wells is not intended for domestic and public water supply purposes in certain regions of the state as per the information on page 19 of this board packet, ACWA NEWS.
3. Update on meetings or educational classes attended by the Directors – President Cosme Padilla informed the Board that he attended a Transportation Agency for Monterey County (TAMC) meeting. At this meeting they are asking community members to join the Castroville Safe Routes Committee as the County of Monterey is planning for safer streets to and from schools with funding from TAMC and Caltrans from Measure X. There are currently limited funds for these projects as they will be allocated for all of Monterey County, which is not much. However, they may be additional funding. He encourages the Board to apply if they are interested in being part of this committee. He also attended the Castroville Coalition meeting, and they are supportive of the Castroville Midnighters who collaborated with North County Recreation and Park District to put on the Party in the Plaza, May 18, 2024. This event had a good turnout.

## GENERAL OPERATIONS

1. General Manager's Report – Compliance update, current projects update, meetings/seminars update, staff update, suggestive projects discussions
2. Operation's Report
  - a) Water – Pumpage & Usage Update, Water Testing Update, Current Installation
  - b) Water -Status Update, Current Contractor Work Update, Maintenance/Repair Update, Customer Service Update, Safety Issue



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- c) Sewer & Storm Drain – Jetting, Current Installation Status Update, Current Contractor Work Update, Maintenance/Repair Update, Customer Service Update, Safety Issues
- 3. Customer /Billing Reports – Water Sales, Water Usage, A/R Update, Customer Service Update
- 4. Financial Reports – Treasures L.A.I.F. Report, Internal Report, Administration Update

*General Operations Reports were accepted as presented*

**CHECK LIST** – April 2024. A motion was made by Glenn Oania and seconded by James Cochran to pay all bills presented. The motion carried by the following roll call votes:

AYES:	5	Directors:	Stefani, MacMillan, Cochran, Oania and Padilla
NOES:	0	Directors:	
ABSENT/NOT			
PARTICIPATING:	0	Directors:	

There being no further business, a motion was made by James Cochran and seconded by Glenn Oania to adjourn to the next scheduled Board meeting; the motion carried by the following roll call votes:

AYES:	5	Directors:	Stefani, MacMillan, Cochran, Oania and Padilla
NOES:	0	Directors:	
ABSENT/NOT			
PARTICIPATING:	0	Directors:	

The meeting was adjourned at 7:04 p.m.

Respectfully submitted by,

Approved by,

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Lidia Santos  
Secretary to the Board

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Cosme Padilla  
President



WATER RESOURCES AGENCY

MEMORANDUM

Monterey County

DATE: April 26, 2024

**TO: Joint Boards Leadership Committee**

**FROM: Ara Azhderian – General Manager**

**SUBJECT: GEMS Expansion**

Since the summer of 2023, the Agency and the Salinas Valley Basin Groundwater Sustainability Agency (SVB) have been meeting extensively to formulate a plan to provide for the necessary expansion of the Agency's Groundwater Extraction Monitoring System (GEMS) to support the SVB's work to comply with the Sustainable Groundwater Management Act. In addition, together, the Agency and SVB have met with numerous organized and individual stakeholders to hear perspectives about how to move forward and have presented options and recommendations jointly to the Boards of Directors of both the Agency and SVB, as well as the Agency's Board of Supervisors. Through the course of these discussions, the Agency and SVB have been able to formulate a proposed path forward that aims to leverage the Agency's institutional knowledge and experience in monitoring the Salinas Valley's groundwater basin by expanding the GEMS historical scope to align with the SVB's current jurisdictional boundaries, as defined by the California Department of Water Resources. For many in the existing GEMS program, expansion of the registration and reporting requirements will be status quo; however, for some, the expansion will bring new registration and reporting requirements. For all within the Salinas Groundwater Basin, a new fee will need to be developed to recover the necessary cost to implement this regulatory program.

The existing GEMS program was implemented by three separate ordinances adopted by the Agency in the early 1990s. Going forward, we propose to repeal these three ordinances and adopt one, new ordinance to affirm the Agency's authority and jurisdiction under its enabling legislation to perform groundwater monitoring and reporting duties, to enact well registration and groundwater extraction reporting requirements, and to establish a fee to recover the cost of this regulatory program. The Agency may develop well registration and extraction reporting requirements for its own purposes as well as provide service to other entities engaged in the management of groundwater resources within Monterey County. Currently, the SVB has requested such service from the Agency rather than establishing its own, parallel program.

The proposed ordinance is intended to provide broad and general authority to the Agency to perform groundwater monitoring and reporting work. We envision two other tiers of

documents being developed to fully implement the GEMS expansion. The second tier of documentation would be the specific deliverables being requested by the Agency, for its own purposes, or by another entity for its own regulatory compliance needs. As an example, included with this memorandum is a draft list developed by the SVB illustrating the work they would like the Agency to perform. Under this approach, this list would evolve into specific criteria and deliverables that would be periodically reviewed and revised as necessary and attached as an exhibit to a master service agreement, which would be the third tier of documentation. The aim is to minimize the administrative burden of implementing the GEMS expansion while providing opportunity and flexibility for other entities, besides the SVB, to request service from the Agency.

Looking forward, the Agency will be presenting the draft ordinance to its committees, Directors, and Supervisors for direction. Meanwhile, the SVB will be working with its committees and Directors to vet its draft list of requested deliverables. Together, the Agency and SVB will continue outreach to stakeholders to solicit feedback on these draft documents and proposed approach. We aim to have the ordinance and associated supporting documents finalized by late summer for implementation this coming November 1, 2024.

**Attachments:**

- A Draft Agency Ordinance
- The SVB Draft List of Requested Deliverables
- A Draft GEMS Expansion Implementation Timeline

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE MONTEREY COUNTY WATER RESOURCES AGENCY TO REPEAL ORDINANCE NUMBERS 3660, 3717, AND 3718, AND ADOPT WELL REGISTRATION AND EXTRACTION REPORTING REQUIREMENTS**

**County Counsel Summary**

*This Ordinance repeals Ordinance Numbers 3660, 3717, and 3718, which established Monterey County Water Resources Agency's ("Agency") well registration and extraction reporting regulations for certain areas of the Salinas Valley. This Ordinance adopts new Agency regulations to establish the authority to require well owners and operators within Monterey County to register wells with the Agency, and periodically report well extraction data if further action is taken by the Agency Board of Supervisors by resolution. This Ordinance also allows the Agency to enter into groundwater management support service agreements to provide groundwater monitoring and data reporting with requesting entities. The Ordinance also provides for Agency collection of a regulatory fee to be set by resolution of the Agency Board of Supervisors. Lastly, the Ordinance provides for a variance process, and establishes penalties for violations.*

The Board of Supervisors of the Monterey County Water Resources Agency ordains as follows:

**SECTION 1. Findings and purpose.**

A. Pursuant to authority granted to it by the Monterey County Water Resources Agency Act, California Water Code, Appendix Chapter 52, on January 26, 1993, the Board of Supervisors ("Board") of the Monterey County Water Resources Agency ("Agency") adopted Ordinance Number 3660, which enacted new registration provisions for groundwater extraction facilities with a discharge pipe having an inside diameter of at least three inches in Agency Zones 2, 2A, and 2B.

B. On February 2, 1993, the Agency Board adopted Ordinance Number 3663, which enacted groundwater extraction reporting requirements in Agency Zones 2, 2A and 2B in the Salinas Valley Groundwater Basin, commonly known as the Groundwater Extraction Reporting System ("GEMS").

C. On July 27, 1993, the Agency Board adopted Ordinance Number 3696, which amended portions of Ordinance Number 3663 to advance the time by which flow meters must be installed in certain areas.

D. On October 5, 1993, the Agency Board adopted Ordinance Numbers 3717 and 3718, repealing Ordinance Numbers 3663 and 3696, but reestablishing GEMS requirements in Agency Zones 2, 2A, 2B which encompass a portion of the Salinas Valley Groundwater Basin.

E. Since 1993, the Agency has been collecting GEMS data subject to the provisions of Ordinance Numbers 3717 and 3718, and has consistently produced annual reports thereafter, including ordinance mandated agricultural and urban water conservation plan reports.

F. In the fall of 2014, the California State Legislature adopted, and the Governor signed into law, three bills commonly known as the Sustainable Groundwater Management Act (“SGMA”) generally set forth in Water Code section 10720 *et seq.*

G. SGMA was signed into law mandating the sustainability of groundwater basins throughout the state by at least 2040 for “high priority basins in a critical state of overdraft”, and 2042 for “high priority” and “medium priority” basins, as determined by the Department of Water Resources (“DWR”).

H. SGMA assigns responsibility to the DWR for regulatory oversight through the evaluation and assessment of groundwater sustainability plans (“GSPs”), and the provision of ongoing assistance to local agencies through the development of best management practices, guidance, planning assistance, technical assistance, and financial assistance.

I. SGMA provides for the formation of local groundwater sustainability agencies (“GSAs”) to formulate and implement GSPs throughout the state, in lieu of county or state control.

J. DWR has identified five groundwater basins, and six subbasins, in Monterey County. There are six GSAs in Monterey County, all dependent upon groundwater data to inform, develop, implement, update, and demonstrate to the DWR progress of their GSPs towards sustainability, that may want to engage and leverage the existing institutional knowledge, data collection and reporting practices of the Agency.

K. The Agency Board hereby adopts this Ordinance to affirm the Agency’s roles and responsibilities with regard to the monitoring and reporting of groundwater status in Monterey County; to authorize well registration and extraction quantity reporting for its own purposes, and at the request of other entities with groundwater management responsibilities; to establish a regulatory fee to support implementation of this Ordinance; and to promote improved service to stakeholders dependent upon Monterey County’s groundwater resources.

L. This Ordinance is entitled to a categorical exemption of the California Environmental Quality Act (“CEQA”) pursuant to 14 California Code of Regulations section 15306, which exempts: “basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. These may be strictly for information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted, or funded.” This Ordinance will allow for continued and new groundwater extraction data reporting to aid the Agency and other entities engaged in the management and scientific investigation of groundwater resources within Monterey County. Specifically, the groundwater extraction data will provide information concerning groundwater level, usage, and quality. If any projects stem of the use of this data, such project will appropriately be evaluated under CEQA.

## **SECTION 2. Authority.**

A. The Agency's enabling legislation is located at California Water Code, Appendix Chapter 52, and the Agency's authority and jurisdiction derive from this legislation.

B. The Agency has jurisdiction over matters pertaining to water within the entire area of Monterey County, including both incorporated and unincorporated areas. The Agency has authority to carry on technical and other necessary investigations, make measurements, collect data, make analyses, studies, and inspections pertaining to water supply. For those purposes, the Agency has the right of access through its authorized representatives to all properties within the Agency and may enter upon those lands and make examinations, surveys, and maps thereof.

C. The Agency Board of Supervisors may adopt, by ordinance, reasonable procedures, rules, and regulations to implement the Agency Act, and may specify that a violation of an ordinance is an infraction. The Agency Board further has power to perform all other acts necessary or proper, including, as allowed by law, establishing fees, taxes, or assessments to be levied and collected, to accomplish the purposes of the Agency Act and this Ordinance.

## **SECTION 3. Repeal.**

The Board of Supervisors of the Monterey County Water Resources Agency hereby repeals Ordinance Numbers 3660, 3717, and 3718, which enacted similar but not identical provisions, and adopts this Ordinance as fully described herein.

## **SECTION 4. Definitions.**

A. "Agency" means the Monterey County Water Resources Agency.

B. "Agency Act" means the Monterey County Water Resources Agency Act, California Water Code, Appendix Chapter 52 (Stats. 1990, Chap. 1159).

C. "Board" means the Board of Supervisors of the Monterey County Water Resources Agency.

D. "County" means the County of Monterey.

E. "Monterey County" means the geographical area of Monterey County.

F. "Requesting Entity" means an entity engaged in the management of groundwater resources within Monterey County, either through the monitoring and reporting of groundwater level, usage, and/or quality data; scientific investigations; or in the administration and compliance of a regulatory program(s).

G. "Water Year" means the 12-month period between October 1, of any given year, through September 30, of the following year, as defined by the United States Geological Survey.

H. "Well" means any artificial excavation constructed by any method for the purpose of extracting water from, or injecting water into, the underground. "Well" includes abandoned wells, inactive wells, monitoring wells, and observation wells. For the purposes of this ordinance,

“well” does not include: (1) oil and gas wells, or geothermal wells constructed under the jurisdiction of the Department of Conservation, except those wells converted to use as water wells; (2) wells used for the purpose of dewatering excavation during construction, or stabilizing hillsides or earth embankments; (3) cathodic protection wells; or (4) test wells or dry wells.

I. “Well Operator” means a person or entity to whom the rights to occupy and control a property and the use of its resources, including groundwater, have been transferred by the Well Owner.

J. “Well Owner” means a landowner or landowners that have the legal right to possess, occupy, and control property and the use of its resources, including groundwater, and bear the ultimate responsibility for any Well subject to this Ordinance.

#### **SECTION 5. Provision of Services.**

Upon mutual agreement between the Agency and any Requesting Entity, the Agency may provide groundwater monitoring, data reporting, and groundwater management support services. Such action shall be taken by Board approval.

#### **SECTION 6. Well Registration.**

A. All permits, which are required to construct, repair, alter, or destroy a Well in Monterey County, are issued by the County pursuant to Monterey County Code Chapter 15.08. The Agency collaborates with the County during the application review process for many, but not all, Wells, and will rely upon information provided to the County to fulfill this Ordinance’s registration requirements, to the extent practicable, as determined solely by the Agency.

B. The Agency may, for its own purposes, require registration of Wells within Monterey County for the purposes of implementing this Ordinance or for any other authority under the Agency Act. Such action shall be taken through a Board resolution.

C. The Agency may require registration of Wells within Monterey County on behalf, and for the purpose of implementing a policy or program, of a Requesting Entity, pursuant to an executed agreement between the Agency and Requesting Entity. Such action shall be taken through a Board resolution.

D. No Well Owner or Well Operator may operate or maintain a Well that is subject to this Ordinance, unless the Well is first registered with the Agency.

E. A Well Owner or Well Operator must properly register within 30 days of a request by the Agency to do so, in a manner prescribed by the Agency, with such request being acceptably transmitted through direct written correspondence with the Well Owner or Well Operator.

F. The Agency may periodically require Well Owners or Well Operators to update registration information. No Well Owner or Well Operator may operate or maintain a Well that is subject to this Ordinance if the requested information has not been properly and timely provided to the Agency. Notwithstanding, Well Owners or Well Operators shall provide updated Well

registration information to the Agency within 30 days of a change to the Well Owner's name or contact information, the Well Operator's name or contact information, or upon completion of a change to the physical structure of the Well.

G. Upon proper completion of registration, the Agency will issue a certificate of registration to the Well Owner and the Well Operator, if applicable.

H. If a Well subject to this Ordinance is abandoned, the Well Owner or Well Operator shall report such abandonment to the Agency within 30 days of abandonment. The report shall indicate the steps taken to comply with all legal requirements regarding such abandonment.

#### **SECTION 7. Extraction Reporting.**

A. The Agency may, for its own purposes, require reporting of groundwater extraction quantities from Wells within Monterey County for the purposes of implementing this Ordinance or for any other authority under the Agency Act.

B. The Agency may require reporting of groundwater extraction quantities within Monterey County on behalf, and for the purpose of implementing a policy or program, of a Requesting Entity, pursuant to a written, executed agreement between the Agency and Requesting Entity. Such action shall be taken by Board approval.

C. The Agency, for its own purposes or on behalf of a Requesting Entity, may adopt and periodically revise, a Board resolution establishing acceptable standards and methods for measuring the extraction of groundwater. Every Well Owner or Well Operator required to report groundwater extractions shall meet the requirements of such resolution and request approval from the Agency of their measurement method, on a per Well basis.

D. Every Well Owner or Well Operator subject to reporting is required to keep records tallying the total monthly extraction of groundwater, per Well, and to report those extractions in a manner prescribed by the Agency. The annual reporting period shall be the Water Year.

E. Every Well Owner or Well Operator required to report groundwater extractions must do so no later than November 1, following each Water Year, in a manner prescribed by the Agency. Any Well Owner or Well Operator may report more frequently for convenience or if required by Agency Board resolution. In addition, the report shall include any information necessary to keep Well registration information current.

F. Every Well Owner or Well Operator required to report groundwater extractions must exercise due diligence to maintain and promptly repair all approved measuring equipment. In the event of a measuring method failure, the Well Owner or Well Operator shall immediately notify the Agency in writing to report the data gap and to determine if utilization of one of the alternate methods of measurement authorized by Agency policy is practicable, if restoration of the primary measuring method cannot be achieved within one week of failure. The Agency may impose an alternative measurement method if the Well Owner or Well Operator fails to address a measuring failure within two weeks. The Agency may calculate an unmeasured extraction value



by averaging usage from the month before and after to fill a data gap, or by averaging historical usage over the same period, if available. The Well Owner is ultimately responsible for the maintenance and prompt repair of all approved measuring equipment and any costs incurred by the Agency to impose an alternative measurement method will be billed to the Well Owner.

G. The Agency may, from time to time, test the accuracy of extraction measuring methods approved for Wells subject to this Ordinance, to ensure that measuring methods and equipment remain operational and in conformity with acceptable standards, as defined by the Agency. The Agency may, for its own purposes or on behalf of a Requesting Entity, develop policies and procedures through Board resolution, which may include random sampling, to ensure consistent and equitable measurement of extractions. If a measuring method is determined to be inaccurate, the Agency shall immediately notify the Well Owner or Well Operator in writing to determine if utilization of one of the alternate methods of measurement authorized by the Agency is practicable, if proper calibration of the primary measuring method cannot be achieved within one week. The cost to correct the calibration a measuring method shall be borne by the Well Owner or Well Operator. The Agency may impose an alternative measurement method if the Well Owner or Well Operator fails to address a measuring inaccuracy within two weeks. The Agency may recalculate an extraction value based upon the measured discrepancy and revise Well extraction data up to the beginning of the then current Water Year. The Well Owner is ultimately responsible for the maintenance and prompt repair of all approved measuring equipment and any costs incurred by the Agency to correct an inaccuracy or impose an alternative measurement method will be billed to the Well Owner.

H. The Agency may, from time to time, for its own purposes or on behalf of a Requesting Entity, require additional data pertaining to a particular well, extraction measuring method, or groundwater extraction. Any Well Owner or Well Operator receiving a written request by the Agency shall, within 30 days of receipt of the request, provide the information requested.

I. Extraction data obtained through this Ordinance shall be used only for purposes consistent and compatible with the authorities of the Agency. Access and distribution of personally identifiable information will be restricted to the fullest extent allowed by law.

#### **SECTION 8. Variance.**

A. Any Well Owner or Well Operator may, at any time, apply in writing for a variance from the strict application of this Ordinance. The application for the variance shall be filed with the Agency, on a form prescribed by the Agency. The Agency General Manager may dispense with the requirement of a written application upon finding that an emergency condition requires immediate action on the variance request.

B. The Well Owner or Well Operator shall submit an action plan within 30 days after the variance request is filed, describing how and when the Well Owner or Well Operator will comply with this Ordinance without the need for a variance. Compliance with this plan, as presented by the Well Owner or Well Operator, or as modified by the General Manager, shall be a condition of granting the variance.

C. The Agency General Manager may grant a variance to the terms of this Ordinance upon making both of the following written findings:

1. The strict application of this Ordinance would create an undue hardship, or an emergency condition requires that the variance be granted; and

2. Granting the variance will not cause a significant adverse effect on the water supply or on service to other water consumers and will not cause a significant loss in the accuracy or completeness of groundwater extraction provided to the Agency.

D. In granting a variance, the Agency General Manager may impose time limits and any other conditions in order to ensure that the variance is consistent with this Ordinance. The variance, and all time limits and other conditions attached to the variance, shall be set forth in writing, and a copy of the written variance shall be provided to the Well Owner or Well Operator. The decision of the Agency General Manager shall be final.

E. No Well Owner or Well Operator shall operate or maintain a Well for which a variance has been granted hereunder, or use water therefrom, in violation of any of the terms or conditions of the variance.

#### **SECTION 9. Recovery of Regulatory Program Costs.**

The Agency may, for its own purposes, allocate and recover costs associated with the development, implementation, update, enforcement, and perpetuation of regulatory groundwater management activities on a per-Well basis within Monterey County for the purposes of implementing this Ordinance. Such regulatory fees shall be as established by a resolution of the Board.

#### **SECTION 10. Enforcement and Penalties.**

A. No Well Owner or Well Operator shall operate or maintain a Well, or use water therefrom, in violation of this Ordinance.

B. Any Well Owner or Well Operator who violates any provision of this Ordinance is guilty of an infraction.

C. Any violation of this Ordinance is hereby declared to be a public nuisance. The Agency may commence civil proceedings to abate such nuisance and seek civil penalties which may be imposed by a court against persons found by the court to have committed the nuisance.

D. Any violation which occurs or continues to occur from one day to the next shall be deemed a separate violation for each day during which such violation occurs or continues to occur.

E. Any Well Owner or Well Operator who violates any provision of this Ordinance is guilty of an infraction and shall be assessed: (1) a fine not exceeding one hundred dollars (\$100) for a first violation; (2) a fine not exceeding two hundred dollars (\$200) for a second violation of

this Ordinance within one year of the first violation; (3) a fine not exceeding five hundred dollars (\$500) for each additional violation of this Ordinance within one year of the first violation.

F. Any Well Owner or Well Operator who violates this Ordinance shall be liable for the cost of enforcement, which shall include, but need not be limited to, the cost of investigation, court costs, attorney’s fees, and the cost of monitoring future compliance.

**SECTION 11. Severability.**

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Agency Board hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

**SECTION 12. Effective Date.**

This ordinance shall become effective on the thirty-first day following its adoption.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_ 2024, by the following vote:

AYES:  
NOES:  
ABSENT:

\_\_\_\_\_  
Glenn Church  
Chair, Monterey County Water Resources Agency  
Board of Supervisors

**A T T E S T:**

VALERIE RALPH  
Clerk of the Board of Supervisors

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM  
  
Kelly L. Donlon  
Assistant County Counsel

## Draft list of SVBGSA requests for MCWRA GEMS and Well Registration

- Initial agreement between SVBGSA and MCWRA with annual opportunities to update
- Scope of work will develop over the next 2 years

### Desired Deliverables:

- Comprehensive database of wells (location, type, depth, status) for SVBGSA's jurisdiction
- Accurate and reliable groundwater extraction data for SVBGSA's jurisdiction (non-de minimis users<sup>1</sup> for now)
- Data by well and reports by subbasin and basin
- Agricultural Wells: Summary of irrigated acres and subbasin
- Domestic Wells: Water system name, number of connections to water system and subbasin
- Data also reported to eWRIMS (to eliminate double counting)

### Groundwater Extraction Data

Timing (Changes to existing GEMS program will be phased in)

- Reporting period:
  - Water Year - October thru the following September of any given year.
- Reporting increment:
  - Monthly
- Data reporting timeframe:
  - Water Year data available by March the following year

### Data Collection

- Extraction by all non-de minimis users within SVBGSA's jurisdiction
  - agricultural users (WY25)
  - domestic users (15+ connections) (WY25)
  - domestic users (5-14 connections) (WY26)
- Method:
  - Well owners can report extractions based on flowmeters, electrical meters, or hour meters.
    - Develop outline of the process for SVBGSA to ask MCWRA for a different or specific data collection method
  - Calibration- To be developed further
    - Field calibration of flowmeters
      - Assessment of correct flowmeter placement and installation

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<sup>1</sup> "De minimis extractor" is defined in Water Code Section 10721 (e) to be "a person who extracts, for domestic purposes, two acre-feet or less per year."

- Use appropriate calibration equipment to compare flow measurements (example: Panametrics PT900)
- Develop meter standards
- Pump tests for calibration of electrical meter reporting

### Well Registration

Develop a shareable (inter-Agency) well database that contains the following fields:

- Well identification (Facility Code, State Well ID, and Owner Well ID)
- Well owner name and address
- Well operator name and address
- Well status (i.e. active, inactive, abandoned, standby, destroyed)
- APN
- Well location (Lat, Long)
- Groundwater basin
- Construction/Physical characteristics (driller, construction date, drilling method, depth, reference point elevation, depth of screens and seals)
- Primary water use (domestic, irrigation, municipal, commercial, other)
- Associated appurtenances (meter type and serial number, pumps, boosters)
- Geologic log (geologic descriptors based on well completion report and well completion report number) Link to Well Completion Report (if applicable)
- Program types (GEMS, groundwater level, groundwater quality)

Database already exists but additional data to be added to reflect all wells.

### Associated Workstreams:

- Outreach
- WRA Funding/Well Fees
- Database or data collection tool interface
- Data management (long-term)
- Investigating data gaps / field verification of wells
- Inter-agency coordination (EHB, Pres Inc)

	FY 2024 Jul-Sep Q3 2023	FY 2024 Oct-Dec Q4 2023	FY 2024 Jan-Mar Q1 2024	FY 2024 Apr-Jun Q2 2024	FY 2024 Jul-Sep Q3 2024	FY 2025 Oct-Dec Q4 2024	FY 2025 Jan-Mar Q1 2025	FY 2025 Apr-Jun Q2 2025	FY 2025 Jul-Sep Q3 2025	FY 2026 Oct-Dec Q4 2025	FY 2026 Jan-Mar Q1 2026	FY 2026 Apr-Jun Q2 2026	FY 2026 Jul-Sep Q3 2026	FY 2027 Oct-Dec Q4 2026	FY 2027 Jan-Mar Q1 2027	FY 2027 Apr-Jun Q2 2027
<b>Well Registration and GEMS Activities</b>																
Development of new ordinances, agreements and policies																
Stakeholder outreach (general information about ordinance and includes well registration general information) MCWRA's ordinance																
Adoption of new ordinance																
Development of agreements, policies																
Stakeholder outreach (agreement, what SVBGSA is asking for from MCWRA)																
Joint agency outreach																
Adoption of new agreement (between WRA and GSA)																
Adoption of a new policy (WRA) (same time as agreement)																
<b>GEMS Expansion</b>																
<b>Extraction Data Collection</b>																
GEMS Data Collection in Expansion Areas																
Contact Ag well owners (see steps in well reg)																
Contact water system managers (see steps in well reg)																
Collection of data for WY 2025 (1st GEMS collection year for expansion area)										SGM R2 D						
GEMS Expansion and Enhancement Feasibility Report																
Submission of data for WY 2025 (1st GEMS collection year)																
Collection of data for WY 2027 (1st GEMS collection year all areas)																
<b>Desktop Data Collection</b>																
Develop list of parcel/APNs by searching all existing databases																
Data Assessment																
SVBGSA sets goals on data acquisition targets without initial data (goes into agreement)																
Analyze data and data gaps: agricultural wells, wells with partial data, etc. WCR, small water systems, etc.					180/400											
Well Registration Program Report (includes SVBGSA's reassessment of goals on data acquisition targets - what is feasible how much with it cost)																
Data management scoping (portal, well registration, 3rd party option)																
Data Management Tool Development																
mapping / data collection tool																
stakeholder input (outreach or potential web based tools)																
<b>Outreach Activities and Data Solicitation</b>																
Develop outreach strategy for various audiences																
- Ag well owners																
- Water systems with 5-15 connections																
- De Minimis users less than 2 AF (single well owners and 2-4 connections)																
- Domestic (larger than 15), New Ag Wells																
Outreach to add extractors to current GEMS portal																
- Send letters (describe new ordinance, new requirements)																
- Field visits by staff (collect GPS Coordinates for well)																
- Create new record for each well, add to portal																
- Offer GEMS portal training																
- Offer GEMS portal training																
De Minimis Users (single well owners 2-4 connections)																
Workshop about Well Reg																
Outreach to confirm domestic well reg data with new or updated data management tool																
Small System Domestic Wells (less than 15 connections)																
Workshops about Well Reg and GEMS																
Outreach to confirm domestic well reg data with new or updated data management tool																
Outreach on extraction reporting 6-15 connections																

SGM R1: Sustainable Groundwater Management Round 1 Implementation Grant (End date for activities March 2025)  
 SGM R2: Sustainable Groundwater Management Round 1 Implementation Grant (End date for activities March 2026)  
 \*O\* - Grant Deliverable

L - Work related to outreach  
 M - Work related to WRA Ordinance, Agreements and Policies  
 E - Work related to data collection & analysis

L - Langley Aquifer Subbasin  
 M - Monterey Subbasin  
 E - Eastside Aquifer Subbasin  
 UV - Upper Valley Aquifer Subbasin  
 F - Forebay Aquifer Subbasin  
 180/400: 180/400 Foot Aquifer Subbasin

DRAFT



San Jerardo  
Cooperative,  
Inc.

*Department of Water Resources*

Karla Nemeth, Director

Paul Gosselin, Deputy Director of Statewide Groundwater Management

Bianca Sievers, Deputy Director for Special Initiatives

Bryce Matsumura, Salinas Valley Point of Contact

June X, 2024

**Re: Recommendations for Department of Water Resources Action Regarding the 180/400 ft Aquifer Subbasin Groundwater Sustainability Plan Update**

Dear Department of Water Resources,

The undersigned organizations respectfully submit this letter to the Department of Water Resources (Department) as the Department makes a determination for the Salinas Valley Basin Groundwater Sustainability Agency (SVB GSA) 180/400 ft Aquifer Subbasin Groundwater Sustainability Plan (GSP) Update. We want to thank the Department for your engagement with residents and organizations during the Central Coast Visit in June 2023. We also appreciate the Department’s review of the SVB GSA plans in the East Side Aquifer, Forebay Aquifer, Langley Area, Monterey, and Upper Valley Aquifer in April 2023. The Department’s recommendations on groundwater levels, water quality, and climate change impacts will help protect drinking water users and guide basins into compliance with the Sustainable Groundwater Management Act (SGMA), Human Right to Water, and other relevant state laws.

We track GSP updates at SVB GSA Board and committee meetings and hold separate meetings with SVB GSA staff. We regularly provide recommendations on drinking water impacts, community engagement and outreach, water quality agency coordination, and monitoring networks. Our past comment letters (November 2019, May 2022, and December 2022) highlighted recommendations that have still not been fully addressed by SVB GSA.<sup>1</sup>

<sup>1</sup> Our recommendations from past comment letters include:

- The Human Right to Water Must Be Upheld in SGMA Planning and Implementation.
- Existing Groundwater Pumping Practices Exacerbate Seawater Intrusion and Domestic Well Impacts, and Must Be Addressed Urgently.
- The Updated 180/400 ft Aquifer GSP Fails to Prevent Further Degradation of Water Quality, in Violation of SGMA.
- The Updated 180/400 ft Aquifer GSP’s Failure to Include Mitigation Measures for Seawater Intrusion and Contamination of Domestic Wells Violates the Human Right to Water.
- SVB GSA’s Inadequate Representative Monitoring in the 180/400 ft Aquifer Subbasin Does Not Capture All Beneficial Uses and Users in the Subbasin.

While we appreciate SVB GSA staff's efforts to work on the 2025 periodic evaluation, we found that the 180/400 ft Aquifer Subbasin GSP Update fails to adequately address urgent drinking water concerns and fails to make progress on implementation. **Given the multiple inadequacies, we urge the Department to issue updated recommended corrective actions reflective of best available information that fully address the undesirable results for all sustainability indicators. The Department must consider all beneficial users such as drinking water users and disadvantaged communities in its recommended corrective actions. If left unaddressed, the Department should deem the 180/400 ft Aquifer GSP insufficient in the next round of review.**

Specifically, the Department should require the SVB GSA to: 1) revise sustainability management criteria to be protective of all beneficial users, in particular drinking water users and disadvantaged communities, 2) expand their representative monitoring networks for all sustainability indicators, 3) implement projects and management actions, like demand management and drinking water mitigation programs, 4) develop an adaptive management trigger system that can inform the agency before minimum thresholds are exceeded, and 5) incorporate a comprehensive climate change analysis in all aspects of managing the 180/400 ft Aquifer Subbasin.

### **Impacted Communities Summary**

To highlight the high stakes of this determination and the residents who will be most impacted by this decision, we wanted to provide a summary of community-specific concerns. Residents in the 180/400 ft Aquifer Subbasin often have to pay twice for water by both paying their water bill and buying bottled water for basic use, due to toxic taps. Last year, there were significant flooding impacts throughout the Salinas Valley.

- Residents of Castroville (7,515) face seawater intrusion and declining groundwater levels. All wells at Castroville Community Services District (CSD) continue to be impacted and/or threatened by seawater intrusion. Castroville has had to disconnect one of their wells due to high levels of chloride in March 2021. Additionally, groundwater level declines are also a serious concern in Castroville, further exacerbating seawater intrusion. Since 1998, the Castroville Seawater Intrusion Project (CSIP) has supplied and delivered recycled water to agriculture in the Castroville area. However, overpumping of nearby wells, including CSIP wells, has contributed to groundwater level declines and seawater intrusion in Castroville. The Deep Aquifer Study also showed arsenic levels exceeding the Maximum Contaminant Level (MCL) and found a groundwater depression near Castroville.<sup>2</sup>
- Residents of Salinas (163,542), especially those reliant on domestic wells, face serious water quality contamination issues and potential seawater intrusion. Exposure to nitrates, arsenic, 1,2,3

- 
- The GSP Contains an Incomplete Incorporation of Climate Change Models that Renders the Water Budget Unreliable and Threatens a Path to Sustainability.

<sup>2</sup> Deep Aquifer Study. Available at:

[https://svbgsa.org/wp-content/uploads/2024/05/Deep-Aquifers-Study-Report\\_no-appendices\\_compressed.pdf](https://svbgsa.org/wp-content/uploads/2024/05/Deep-Aquifers-Study-Report_no-appendices_compressed.pdf)



Trichloropropane, and other constituents of concern through groundwater can be harmful and sometimes deadly. The Deep Aquifer Study also found a groundwater depression west of the City of Salinas.<sup>3</sup>

### Deep Aquifer Study

In May 2024, the SVB GSA Board of Directors presented the Deep Aquifer Study, which describes the aquifer system below the 400 ft Aquifer. The Deep Aquifer area is divided into three regions: Northern, Seaside, and Southeastern regions. The 180/400 ft Aquifer falls in the Northern and Southeastern regions. The study showed that with the installation of new wells, groundwater extraction increased and has thus resulted in declining groundwater levels since the 1980s. The majority of the pumping, especially in the Northern and Southeastern regions, is from agricultural use. The Deep Aquifer Study also highlights how declining groundwater levels puts the area at risk for further seawater intrusion, land subsidence, and water quality degradation.<sup>4</sup>

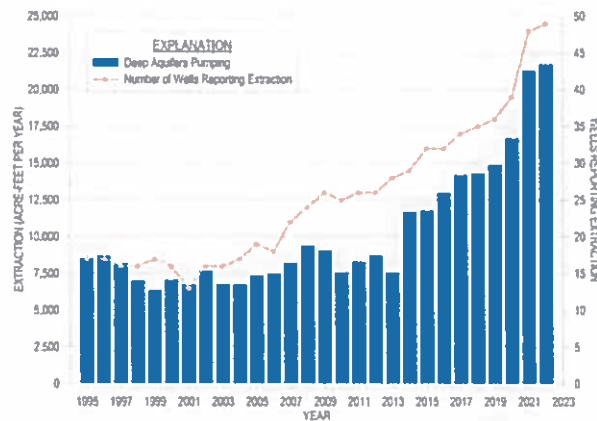
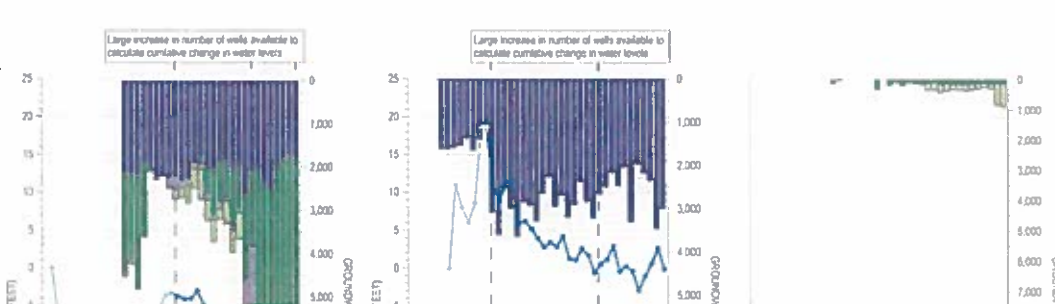


Figure 1-2 Total Deep Aquifers Extraction with Count of Wells Reporting Extraction

The Department’s recommendations must fully incorporate the best available information shared in this study and address the potential impacts to beneficial users, such as drinking water users and disadvantaged communities. In particular, the increase of permitted wells in this subbasin despite declining groundwater levels is very concerning. SVB GSA must coordinate with Monterey County to regulate groundwater pumping and evaluate the sustainability and feasibility of issuing new well permits. In line with previous recommendations, the Department should require the SVB GSA to 1) revise sustainability management criteria for all sustainability indicators, 2) expand their representative monitoring networks for all sustainability indicators, 3) implement projects and management actions, like demand management and drinking water mitigation programs, 4) develop an adaptive management trigger system that can inform the agency before minimum thresholds are exceeded, and 5) incorporate a comprehensive climate change analysis in all aspects of the management for the Deep Aquifer. SVB GSA must coordinate revisions for the Deep Aquifer with the revisions for the 180 ft and 400 ft Aquifers and neighboring subbasins.

<sup>3</sup> Ibid.  
<sup>4</sup> Ibid. P.



### **Annual Reports Analysis**

As the Department makes a determination for the 180/400 ft Aquifer GSP Update and pilots reviewing Annual Reports, the Department must consider how and if the SVB GSA is making progress towards sustainability and is complying with SGMA. The Annual Report is a “progress tracking tool” for SGMA implementation, and the Department “shall review information contained in the annual report to determine whether the Plan is being implemented in a manner that will likely achieve the sustainability goal for the basin.”<sup>5</sup> The Department should find that the 180/400 ft Aquifer is not likely to achieve the sustainability goal because the SVB GSA has failed to take management actions, such as regulating pumping, when undesirable results have occurred for the past five years. The SVB GSA’s lack of urgency to address impacts to beneficial users, especially drinking water users, violates SGMA requirements and the Human Right to Water.

We analyzed the 180/400 ft Aquifer Annual Reports from Water Year (WY) 2019-2023, focusing on four sustainability indicators: 1) groundwater levels, 2) seawater intrusion, 3) groundwater storage, and 4) groundwater quality (attached).<sup>6</sup> So far, the SVB GSA has not found subsidence impacts and had limited data on interconnected surface waters. The SVB GSA has set sustainable management criteria

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<sup>5</sup> Department of Water Resources. Groundwater Sustainability Plan Implementation: A Guide to Annual Reports, Periodic Evaluations, & Plan Amendments. P. 6-16. Available at: <https://water.ca.gov/-/media/DWR-Website/Web-Pages/Programs/Groundwater-Management/Sustainable-Groundwater-Management/Best-Management-Practices-and-Guidance-Documents/Files/GSP-Implementation-Guidance-Report.pdf>.

<sup>6</sup> SVB GSA 180/400-Foot Aquifer Subbasin Water Year 2019 Annual Report  
SVB GSA 180/400-Foot Aquifer Subbasin Water Year 2020 Annual Report  
SVB GSA 180/400-Foot Aquifer Subbasin Water Year 2021 Annual Report  
SVB GSA 180/400-Foot Aquifer Subbasin Water Year 2022 Annual Report  
SVB GSA 180/400-Foot Aquifer Subbasin Water Year 2023 Annual Report

for each aquifer (180 ft, 400 ft, and Deep) for groundwater levels, seawater intrusion, and groundwater storage. We found very limited data for the Deep Aquifer. We also found different information and data was presented in sections “Data and Subbasin Conditions” and “Annual Progress Toward Implementation of the GSP,” making it difficult to evaluate if an undesirable result has occurred.

Despite the above limited and inconsistent information, in May 2024 the SVB GSA summarized the undesirable results for the 180/400 ft Aquifer Subbasin from WY 2019-2023 and presented the [WY 2023 Annual Report](#). As shown below, undesirable results in groundwater levels, seawater intrusion, groundwater storage, and depletion of interconnected surface waters have occurred in this subbasin during the past 5-year period.

**2 Undesirable Results in WY 2023**

X = Undesirable Result  
√ = No Undesirable Result

	Groundwater Levels	Seawater Intrusion	Groundwater Storage	Groundwater Quality	Land Subsidence	Depletion of ISW
WY 2019	X	X	√	√	√	√
WY 2020	X	X	√	√	√	√
WY 2021	X	X	X	√	√	√
WY 2022	X	X	X	√	√	X
WY 2023	X	X	√	√	√	√



Upon further review, we found that the SVB GSA 180/400 ft Aquifer Subbasin also had undesirable results in groundwater quality from WY 2019-2023. We found MCL exceedances for several contaminants over this period. In the 180/400 ft Aquifer Subbasin GSP, the SVB GSA incorrectly concluded that they were not responsible for exacerbation of water quality degradation because they have not implemented any projects or management actions to date and have refrained from regulating groundwater pumping.<sup>7</sup> This means that SVB GSA has failed to consider how their lack of action could exacerbate existing conditions, in violation of SGMA. As discussed in past comment letters and the Department’s determination of other SVB GSA GSPs, the SVB GSA must revise their GSP to prevent degradation of groundwater quality and take responsibility when MCL exceedances occur.

**In summary, the SVB GSA 180/400 ft Aquifer Subbasin had undesirable results in 3-5 sustainability indicators from WY 2019-2023. The impacts to beneficial users, in particular drinking water users and disadvantaged communities, are unacceptable.**

**The SVB GSA must address these undesirable results for all sustainability indicators by revising sustainability management criteria, expanding representative monitoring networks,**

<sup>7</sup> See 180/400ft Aquifer GSP Update, Section 8.9.4.1.

**and implementing projects and management actions that consider all beneficial users and uses such as drinking water users and disadvantaged communities. Communities need concrete action now.**

### **Conclusion**

We recommend the Department provide updated recommended corrective actions to the 180/400 ft Aquifer Subbasin GSP that uphold the Human Right to Water by considering impacts to drinking water users. We welcome the opportunity to discuss our concerns with the Department. We hope to successfully work with communities, SVB GSA, and the Department to ensure that groundwater management is equitable and sufficiently protective of vital drinking water resources.

Sincerely,

Tien Tran  
Senior Policy Advocate  
Community Water Center

Chelsea H. Tu  
Executive Director  
Monterey Waterkeeper

Rosa Carillo  
General Manager  
San Jerardo Cooperative

CC:

*State Water Resources Control Board*  
E. Joaquin Esquivel, SWRCB Board Chair  
Dorene D'Adamo, SWRCB Board Member  
Nicole Morgan, SWRCB Board Member  
Sean Maguire, SWRCB Board Member  
Laurel Firestone, SWRCB Board Member  
Natalie Stork, Chief of Groundwater Management Program

# Mine Fields

A comprehensive study of unsustainable groundwater pumping in the county is cause for alarm.

By David Schmalz

**O**n May 9, staff from the Salinas Valley Basin Groundwater Sustainability Agency presented its board a long-awaited study about the so-called Deep Aquifers, which have been increasingly mined in recent years as seawater intrusion marches inland toward the city of Salinas.

The problem is, those aquifers—which in the report are defined as being below a layer of clay separating them from the 400-foot deep aquifer—aren't recharging.

The report states: "Isotopic analysis indicates the areas sampled have received no recharge [from surface] water since at least 1953."

Taken as a whole, the nearly 150-page report is a bombshell.

**"The areas received no recharge water since at least 1953."**

"Despite chronic groundwater elevation declines in most Deep Aquifers wells, well installations continued." It goes on to conclude that "groundwater conditions of the Deep Aquifers continue to degrade," and that "seawater intrusion and subsidence pose severe economic risk if declining groundwater elevation trends are not reversed."

Even though the risks had long been known, or least suspected, the County of Monterey for years approved new agricultural wells ministerially, and only in 2018 did the Board of Supervisors pass a moratorium on drilling new wells into the Deep Aquifers for agriculture, with the exception of replacement wells.

That came after growers drilled deep wells on the former Armstrong Ranch property north of Marina and have since been pumping all they need



DANIEL DREIFUSS

Armstrong Ranch, just north of Marina, was pasture for decades. Since it was sold in 2017, growers have mined the Deep Aquifers that local residents rely on for municipal water supply.

from the finite water resource that is also a critical water supply source for Marina Coast Water District's service area, which extends as far south as some parts of Seaside and even Del Rey Oaks, and as far east as East Garrison.

The SVBGSA was created in response to the state's Sustainable Groundwater Management Act passed in 2014. The law requires that sustainability be achieved by 2042.

Sarah Hardgrave, SVBGSA's deputy general manager, says the study provides the "scientific basis" to inform decision makers, and that right now, the agency is working mainly on two potential plans to bring the northern valley's aquifers into balance: One is extracting brackish water near the coast and treating it, and the other is creating additional diversions from the Salinas River and injecting water in an aquifer storage and recovery project like the one the Monterey Peninsula Water Management District pioneered locally in the 2000s—essentially, an underground reservoir.

Who will pay for all of that? That's a question the SVBGSA is now wrestling with, and if history is a teacher, it will be argued about for years to come.

Landwatch Monterey County, an anti-sprawl nonprofit that often weighs in on water issues, sent a letter to the Board of Supervisors May 6 stating, "In view of the GSA's dilatory approach to taking needed action, especially if that action limits new wells or pumping, the County can and should use its authority over well permitting and its authority to regulate groundwater pumping to implement the no net increase rule, immediately." ✪

[www.montereycountynow.com](http://www.montereycountynow.com)



Lance Tennis

**OBITUARY**

**Western Canal Mourns Founding Board Member**

Lance Tennis, a founding member of the Western Canal Water District Board of Directors, passed away on Feb. 29. He was 82.

Tennis also served as a leader within the rice farming and water community in Northern California. In addition to helping found the Western Canal Water District during the early 1980s, Tennis was active within the Butte County Farm Bureau, Northern California Water Association, Rice Growers Association of California, Butte County Rice Growers Association and the California Rice Research Board.

“Lance Tennis was a force in California’s water and agricultural policy arena,” said Western Canal Water District Vice President Eric Larrabee. “His absence will leave a void in all who benefited from his advice, wisdom and influence.” ♦



Ron Duncan

**RETIREMENT**

**Duncan Retiring from Soquel Creek Water District**

Soquel Creek Water District General Manager Ron Duncan has announced plans to retire after 20 years with the district. His last day will be Sept. 30.

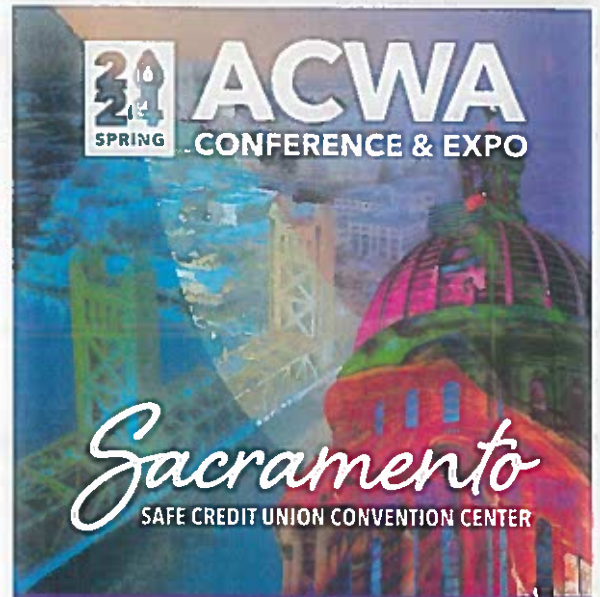
The district’s Board of Directors unanimously selected Melanie Mow Schumacher to replace Duncan. She is currently the district’s Special Projects-Communications Manager/Assistant General Manager and will assume duties as General Manager Oct. 1.

Duncan joined the district in 2003 as its Water Conservation Coordinator and was then promoted to Conservation Manager before becoming General Manager in 2016. His leadership enabled the development of Pure Water Soquel, which when completed will provide a supplemental water supply, replenish the groundwater basin and prevent seawater contamination of the sole source of water for the district.

Schumacher started at the district in 1995 as a junior engineer. She received a civil engineering degree from Cal Poly, San Luis Obispo and has a master’s degree in public administration from Golden Gate University in San Francisco. ♦



Melanie Mow Schumacher



**SPEAKERS**



KEYNOTE SPEAKER

**WED, MAY 8**

**Wade Crowfoot**  
California Natural Resources Secretary



KEYNOTE SPEAKER

**THUR, MAY 9**

**Tani Cantil-Sakauye**  
President and CEO, Public Policy Institute of California



WATER TALK SPEAKER

**WED, MAY 8**

Fluid Intelligence: Shaping the Future of Water with Data and AI

**Amber Ivey**  
Principal, Ivey Collective LLC

## What is Water Demand Management?

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A common characteristic of water demand in urban areas worldwide is its relentless rise over many years, and projections of continuous growth over coming decades. The chief influencing factors are population growth, together with changes in lifestyle, demographic structure and the possible effects of climate change. The detailed implications of climate change are not yet clear, and anyway will depend on global location, but must at least increase the uncertainty in security of supply. This is compounded by rapid development, creeping urbanisation and, in some places, rising standards of living.

Meeting this increasing demand from existing resources is self-evidently an uphill struggle, particularly in water stressed or water scarce regions, in the developed and developing world alike. There are typically two potential responses; either 'supply-side', meeting demand with new resources or 'demand side', managing consumptive demand itself to postpone or avoid the need to develop new resources. Worldwide there is considerable pressure from the general public, regulatory agencies, and some governments to minimise the impacts of new supply projects (e.g. building new reservoirs or inter-regional transfer schemes), implying the emphasis should be shifted towards managing water demand by best utilising the water that is already available.

The limited and costly options of developing new water resources for the Pacific urban areas has already made many governments adopt to the approach of water conservation. Water demand management involves the adoption of policies or investment by a water utility to achieve efficient water use by all members of the community. A demand management plan may involve a wide range of demand management measures including:

- \* cost-reflective pricing;
- \* universal customer metering;
- \* reticulation leakage detection and repair programs and pressure reduction;
- \* a communication strategy, including a community education campaign;
- \* customer advisory services, the use of incentives for installation and/or retrofitting of water efficient equipment;
- \* reduction of water use by the water utility;
- \* regulation of the efficiency of water using appliances, especially in new buildings;
- \* use of reclaimed water (e.g. waste water/grey water) to reduce the need for fresh water supplies;
- \* water use restrictions, either on a temporary or permanent basis.



Demand management measures can be short or long term depending on the needs of the community served by the water utility. Measures which have a short lead-time are for instance restrictions, drought pricing and retrofitting programs. Others such as pricing structure reform, leakage detection and repair and regulation of the water efficiency of new buildings are longer-term measures.

Strategic planning is a key aspect of a successful demand management strategy. This means understanding the constraints, analyzing how much water is used, when, by whom, for what purpose

and at what level of efficiency; determining the potential reduction in water use that can occur through improvements to water-using equipment and behavior and developing programs to achieve these improvements.

Economic evaluation of demand management measures is important to ensure that cost-effective measures are implemented. The sequence in which measures are implemented is also important. For instance it is not possible to establish a fair and efficient pricing system for water unless all customers are metered.

*References: Butler, D. and Fayyaz M., Eds (2006): Water Demand Management, IWA Publishing, London, - & White, S., Ed. (1998): Wise Water Management: A Demand Management Manual for Water Utilities, (WSA Research Report No. 86), Water Services Association of Australia*

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## Communication at Castroville CSD: Talking with a Purpose

## Agenda

1. Areas and issues where planned communication is a key part of the solution
2. Identify possible paths and personnel to deliver desired communications



## What We've Heard So Far...

- Nobody knows what we do.....and we do GREAT things!
- When they occur, we want to fill vacancies with outstanding people.....who need to hear about us.
- We want our community engaged in the work we do....informed about specific projects, to provide feedback and identify needs—and as possible Board members.
- We'd love to develop a locally-based workforce—people who live here need to know about the great jobs and careers available in Castroville CSD.
- Our admin team needs a boost with producing community-informing staff reports and presentations for Board meetings—and with the work of running hybrid meetings so more of the community can engage.



## Possible Paths...

- Nobody knows what we do.....and we do GREAT things!
- We want our community engaged in the work we do...informed about specific projects, to provide feedback and identify needs—and as possible Board members.
  
- **Approaches for broad and ongoing topics of interest or use to the community are often delivered in periodic newsletters or GM briefings.....**
- **Timing may be monthly or quarterly...**
- **Production can be handled by communications consultants—or staff if you have both capacity and skills in the same employee!**



## Possible Paths...

- When they occur, we want to fill vacancies with outstanding people.....who need to hear about us.
- We'd love to develop a locally-based workforce—people who live here need to know about the great jobs and careers available in Castroville CSD.
  
- **Outreach about a specific job opportunity is, of course, a recruitment.**
- **Either consultants or staff or both can conduct recruitments—and RGS recommends a consultant for executive level search.**
- **Workforce development as a program relies on both community outreach and internal skills development capacity. RGS recommends a consultant to help develop a program like this.**



## Possible Paths...

- Our admin team needs a boost with producing community-informing staff reports and presentations for Board meetings—and with the work of running hybrid meetings so more of the community can engage.
- **Work of this sort is best performed by an informed staff person with capacity to meet the timelines required. Other duties could be added that are flexible and adapt to the meeting schedules.**



## How can we help you?

### **RGS offers consulting services in:**

- Communication & Engagement
- Recruitment
- HR Administration
- Training & Staff Development
- And more.....



**TO:** Castroville CSD Board of Directors

**FROM:** J. Eric Tynan, General Manager

**MEETING DATE:** June 18, 2024

**SUBJECT:** A Resolution of the Board of Directors of the Castroville Community Services District to Consider Adopting Resolution No. 24-04, the Report Proposing to Have Sewer Fees and Charges for the Moss Landing Service Area Collected on the Tax Roll for Fiscal Year 2024-25 and Directing the Secretary to the Board to File a Copy of Said Report with the Monterey County Auditor to Place Said Fees on the Tax Roll

**CEQA:** Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

**RECOMMENDATION**

Consider Adopting A Resolution, Resolution No. 24-04 of the Board of Directors of the Castroville Community services District Adopting the Report Proposing to have Sewer Fees and Charges for the Moss Landing Service Area Collected on the Tax Roll for Fiscal Year 2024-25 and Directing the Secretary to the Board to File a Copy of Said Report with the Monterey County Auditor to Place Said Fees on the Tax Roll by No later than August 1, 2024.

**DISCUSSION**

The purpose of this item is to transfer the collection of its wastewater fees for the community of Moss Landing to the County of Monterey (“County”).

Wastewater (sewer) services are provided by two agencies: the Castroville CSD (“District”) and Monterey One Water (“MIW”).

The District is responsible for maintaining and improving the wastewater collection system for the community of Moss Landing. Untreated wastewater is collected in this system and sent to MIW’s regional conveyance system where it is pumped to MIW’s facility for treatment before safely being reintroduced into the environment. The District charges customers for collecting wastewater in accordance with service rates approved by the Monterey County Board of Supervisors for the Moss Landing County Sanitation District (“MLCSD”). When MLCSD was dissolved, the wastewater collections services provided by MLCSD were consolidated into the District.

MIW charges for its conveyance and treatment service in accordance with rates approved by its Board of Directors. For years, MIW has collected the District’s charges on the District’s behalf along with MIW’s conveyance/treatment costs every two months. Recently, MIW decided to move the collection of their charges to Monterey County (“County”) to be collected along with property tax.

At its District board meeting held on June 20, 2023, the District received a presentation from MIW regarding its intent to change their billing to an annual fee to be included on a parcel’s property tax bill. On October 30, 2023, the MIW Board of Directors voted to change the billing process from bi-



monthly direct billing to property tax billing within the M1W service area, citing the following advantages:

- Shifting from the current billing process to the County property tax bill would eliminate the need to address limitations in M1W's accounting software. The software used to maintain M1W's billing will be replaced, and eliminating the need to handle billing will increase their efficiency.
- Shifting from direct billing to property tax billing would likely reduce the number of late and delinquent accounts.
- M1W will save approximately \$400,000 resulting from this change, e.g., decrease in third party vendor expenses and an increase in revenue collections.

With M1W moving its billing for wastewater service to the County, it is worthwhile for the District to consider doing the same for the Moss Landing community. A few of the reasons for consideration:

- It would resolve a potential issue of customers in Moss Landing receiving two separate billings for sewer service, one on the tax bill and one from the District.
- In the event the District decides not to transfer the billing to the County, the District would have to implement a separate system to collect billing which would add costs, which have not been estimated at this point.
- The District's share of the billing would remain the same. A Proposition 218 process adopting the current rate structure was conducted by the County in 2006 and current customers/property owners in Moss Landing would not see an increase in their District sewer fee resulting from this transfer.
- For those customers wishing to pay sewer-related costs on a more frequent basis, the County has contracted with a third-party vendor, Easy Smart Pay, to pay a parcel's property tax bill, and any subsequent fees like wastewater, on a monthly basis through ACH or credit card.

During the May 21, 2024 District Board meeting, representatives from M1W provided a presentation to acquaint the Board and the public with the procedure necessary to accomplish the transfer. It is staff's understanding that this process is governed through the California Health and Safety Code. To effectuate the transfer, the District Board would need to direct staff to prepare a written report containing a description of each parcel receiving service in Moss Landing and the amount of sewer charge for each year ("Annual Rate Report"). M1W assisted with this report, and noticing of the public hearing, which will be held June 18, 2024. At the public hearing, the Board will consider any protests or objections to the Annual Rate Report and adoption of a resolution approving the Annual Rate Report and directing collection of the District's sewer service charges for the community of Moss Landing on the County tax roll. In accordance with the Health and Safety Code, adoption must occur annually and with a 2/3 vote of the Board. In addition, a revised collection agreement with M1W and possibly a separate agreement with the County would come before the Board for approval. Staff is suggesting the following order for this item:

Receive Staff Report  
Approve Annual Rate Report 2024/25  
Adopt Resolution No. 24-04



Parcel No.	Account	Customer No.	Annual Charge Units	Category Description	Owner Name/Location Description	Mailing Address	Mailing City State Zip	Business Name / Service Address	Business Location
133-194-033-000	98-001173	00063231	531.00	1 Moss Landing 3	STOFFEY SAID BARBARA	111 W 14TH ST PO BOX 733	CASPER WY 82601-4238	10943 POTRERO RD	10943 POTRERO RD
133-194-031-000	98-001174	00063047	531.00	1 Moss Landing 3	DISMUKES JAMES L & MARILYN L	11187 SARA DR PO BOX 654	MOSS LANDING CA 95039-0733 MARINA CA 93933-2713	10939 POTRERO RD	8705 LAGUNA PL
133-194-032-000	98-001175	00064999	531.00	1 Moss Landing 3	HINTSALA CYNTHIA F & BETTY J	289 PARK CIR 210 N 4TH ST FL 4	MOSS LANDING CA 95039-0654 SAN JOSE CA 95112-5569	SANCTUARY STAINLESS	8202 MOSS LANDING RD
133-194-033-000	98-001177	00063395	531.00	1 Moss Landing 3	JABLONSKI DAVID & GAELY	210 N 4TH ST FL 4 210 N 4TH ST FL 4	SAN JOSE CA 95112-5569 SAN JOSE CA 95112-5569	8202 MOSS LANDING RD	8222 MOSS LANDING RD
133-201-001-000	98-001178	00062814	531.00	1 Moss Landing 3	SAN JOSE STATE UNIVERSITY	PO BOX 722	CASTROVILLE CA 95012-0722	8442 MOSS LANDING RD	8272 MOSS LANDING RD
133-201-003-000	98-001179	00062726	531.00	1 Moss Landing 3	SAN JOSE STATE UNIVERSITY	138 SAN JUAN RD	WATSONVILLE CA 95076-5237	8272 MOSS LANDING RD	8272 MOSS LANDING RD
133-201-004-000	98-001180	00062265	265.50	1 Moss Landing 2	CASTROVILLE CEMETERY DISTRICT	13759 GREEN MOUNTAIN TRL	REDDING CA 96003-9685	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-201-018-000	98-001185	00065221	265.50	1 Moss Landing 2	PAJARO SUNNY MESA COMMUNITY	PO BOX 308	MOSS LANDING CA 95039-0308	7891 MOSS LANDING RD	8011 MOSS LANDING RD
133-201-020-000	98-001184	00064511	531.00	1 Moss Landing 2	STATE OF CALIFORNIA BY & THR	111 E BROADWAY #250	SALT LAKE CITY UT	NOT LISTED	NOT LISTED
133-201-021-000	98-001182	00065165	531.00	1 Moss Landing 2	FRASE CHELSEY ROSE	10700 MERRITT ST	CASTROVILLE CA 95012-3403	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-211-001-000	98-001186	00065810	2,957.70	1 Moss Landing 18	JELAVICH WILLIAM ROONEY	7051 MOSS LANDING RD	MOSS LANDING CA 95039-9685	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-211-003-000	98-001187	00063958	1,805.40	1 Moss Landing 18	JELAVICH WILLIAM ROONEY	509 ENCINO DR	MOSS LANDING CA 95039-9676	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-211-004-000	98-001194	00069004	2,655.50	1 Moss Landing 2	VICONDO VIVIAN TR	PO BOX 42	MONTEREY CA 93942-2350	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-211-005-000	98-001198	00069402	531.00	1 Moss Landing 3	DI GIROLAMO PHILIP V & JUDY	7602 SANDHOLDT RD	MONTEREY CA 93942-2350	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-211-007-000	98-001202	00069465	531.00	1 Moss Landing 3	COLLIER ROBERT & FABIANNE	8042 MOSS LANDING RD	MOSS LANDING CA 95039-9651	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-211-008-000	98-001203	00068759	531.00	1 Moss Landing 3	BARBER KEITH & JUDY TRS	3423 7TH AVE	CARMEL CA 93923-8217	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-211-011-000	98-001407	00069855	531.00	1 Moss Landing 3	SAWYER ENTERPRISES LLC	1702 MERIDIAN AVE #131	MONTEREY CA 93940-8107	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-211-012-000	98-001189	00068478	531.00	1 Moss Landing 3	PHAT LLC	1240 MUNRAS AVE	MONTEREY CA 93940-8107	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-212-001-000	98-001204	00063040	4,343.98	1 Moss Landing 20	HAUT PROPERTIES LLC	8142 MOSS LANDING RD	MOSS LANDING CA 95039-9617	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-212-002-000	98-001211	00069203	1,082.00	1 Moss Landing 12	BOMIO LEWIS ET AL	734 THE ALAMEDA	SAN JOSE CA 95126-3154	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-212-003-000	98-001212	00070315	531.00	1 Moss Landing 3	LOPEZ SYLVIA ANNA	871 CASS ST 200	MONTEREY CA 93940-2917	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-212-004-000	98-001213	00070559	531.00	1 Moss Landing 3	CRON TRAMI ET AL	871 CASS ST 200	MONTEREY CA 93940-2917	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-212-005-000	98-001214	00071568	265.50	1 Moss Landing 2	UDAY NAYAN LLC	PO BOX 287	MOSS LANDING CA 95039-9287	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-212-007-000	98-001216	00069077	1,593.00	1 Moss Landing 15	UDAY NAYAN LLC	7700 SANDHOLDT RD	MOSS LANDING CA 95039-9644	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-212-007-000	98-001218	00069077	265.50	1 Moss Landing 2	CENTRAL COAST RENEWABLES	7700 SANDHOLDT RD	MOSS LANDING CA 95039-9644	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-212-008-000	98-001217	00070639	531.00	1 Moss Landing 3	KEITH FAMILY INVESTMENTS LLC	210 N 4TH ST FL 4	SAN JOSE CA 95112-5569	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-212-011-000	98-001219	00069302	7,513.68	1 Moss Landing 23	MOSS LANDING HERITAGE LLC	2211 GARDEN RD	MONTEREY CA 93940-5317	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-221-006-000	98-001617	00071455	10,949.22	30 Moss Landing 3	MOSS LANDING HERITAGE LLC	7700 SANDHOLDT RD	MONTEREY CA 93940-5317	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-221-008-000	98-001618	00071455	573.48	1 Moss Landing 3	MOSS LANDING HERITAGE LLC	2211 GARDEN RD	MONTEREY CA 93940-5317	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-221-009-000	98-001227	00067589	265.50	1 Moss Landing 2	ELKHORN SLOUGH FOUNDATION	7501 SANDHOLDT RD	MOSS LANDING CA 95039-9874	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-221-001-000	98-001228	00067981	531.00	1 Moss Landing 3	MONTEREY BAY AQUARIUM RESEAR	7501 SANDHOLDT RD	MOSS LANDING CA 95039-9874	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-231-012-000	98-001229	00068589	531.00	1 Moss Landing 3	MONTEREY BAY AQUARIUM RESEAR	7700 SANDHOLDT RD	MOSS LANDING CA 95039-9644	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-231-013-000	98-001233	000706917	531.00	1 Moss Landing 3	MONTEREY BAY AQUARIUM RESEAR	210 N 4TH ST FL 4	SAN JOSE CA 95112-5569	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-232-006-000	98-001244	00067983	265.50	1 Moss Landing 2	STATE OF CALIFORNIA	2211 GARDEN RD	MONTEREY CA 93940-5317	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-232-008-000	98-001246	00069199	265.50	1 Moss Landing 2	STATE OF CALIFORNIA	7700 SANDHOLDT RD	MONTEREY CA 93940-5317	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-232-011-000	98-001236	00068569	8,857.08	1 Moss Landing 25	STATE OF CALIFORNIA	2211 GARDEN RD	MONTEREY CA 93940-5317	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-241-001-000	98-001248	00067651	265.50	1 Moss Landing 2	QUIN DELTA LLC	7501 SANDHOLDT RD	MOSS LANDING CA 95039-9874	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-241-002-000	98-001249	00068005	531.00	1 Moss Landing 3	QUIN DELTA LLC	7501 SANDHOLDT RD	MOSS LANDING CA 95039-9874	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-241-003-000	98-001253	000697738	265.50	1 Moss Landing 2	MOSS LANDING HARBOR DIST	7881 SANDHOLDT RD	MOSS LANDING CA 95039-9818	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-241-003-000	98-001254	00069810	265.50	1 Moss Landing 2	MOSS LANDING HARBOR DIST	7881 SANDHOLDT RD	MOSS LANDING CA 95039-9818	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-241-003-000	98-001256	00070592	265.50	1 Moss Landing 2	MOSS LANDING HARBOR DIST	7881 SANDHOLDT RD	MOSS LANDING CA 95039-9818	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-241-005-000	98-001258	000697767	265.50	1 Moss Landing 2	MOSS LANDING HARBOR DIST	7881 SANDHOLDT RD	MOSS LANDING CA 95039-9818	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-241-007-000	98-001281	00068430	265.50	1 Moss Landing 2	DUKE ENERGY MOSS LANDING LLC	PO BOX 690	MOSS LANDING CA 95039-9690	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-241-009-000	98-001282	000697701	265.50	1 Moss Landing 2	DUKE ENERGY MOSS LANDING LLC	PO BOX 690	MOSS LANDING CA 95039-9690	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-241-010-000	98-001283	000697701	578.88	1 Moss Landing 6	SAN JOSE STATE UNIVERSITY	210 N 4TH ST FL 4	SAN JOSE CA 95112-5569	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-241-011-000	98-001284	00069186	265.50	1 Moss Landing 2	SAN JOSE STATE UNIVERSITY	210 N 4TH ST FL 4	SAN JOSE CA 95112-5569	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-241-013-000	98-001285	00069699	265.50	1 Moss Landing 2	SAN JOSE STATE UNIVERSITY	210 N 4TH ST FL 4	SAN JOSE CA 95112-5569	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-241-014-000	98-001286	00070599	265.50	1 Moss Landing 2	SAN JOSE STATE UNIVERSITY	210 N 4TH ST FL 4	SAN JOSE CA 95112-5569	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-241-015-000	98-001287	00069397	531.00	1 Moss Landing 3	SAN JOSE STATE UNIVERSITY	210 N 4TH ST FL 4	SAN JOSE CA 95112-5569	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-241-017-000	98-001271	00069446	265.50	1 Moss Landing 2	MOSS LANDING HARBOR DIST	7881 SANDHOLDT RD	MOSS LANDING CA 95039-9818	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-241-018-000	98-001272	00069446	531.00	1 Moss Landing 2	MOSS LANDING HARBOR DIST	7881 SANDHOLDT RD	MOSS LANDING CA 95039-9818	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-241-019-000	98-001273	00069446	265.50	1 Moss Landing 2	MOSS LANDING HARBOR DIST	7881 SANDHOLDT RD	MOSS LANDING CA 95039-9818	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-242-001-000	98-001275	00069678	265.50	1 Moss Landing 2	MOSS LANDING HARBOR DIST	7881 SANDHOLDT RD	MOSS LANDING CA 95039-9818	7891 MOSS LANDING RD	7891 MOSS LANDING RD
133-242-002-000	98-001277	00069683	531.00	1 Moss Landing 3	DEYERLE RICHARD & DANIEL S	568 FOAM ST	MONTEREY CA 93940-1441	7454 SANDHOLDT RD	7454 SANDHOLDT RD
133-242-008-000	98-000002	00069686	265.50	1 Moss Landing 2	MONTEREY BAY AQUARIUM RESEAR	7700 SANDHOLDT RD	MOSS LANDING CA 95039-9844	7454 SANDHOLDT RD	7454 SANDHOLDT RD
133-242-010-000	98-001279	00069398	718.88	1 Moss Landing 7	MONTEREY BAY AQUARIUM RESEAR	210 N 4TH ST FL 4	SAN JOSE CA 95112-5569	7550 - 7552 SANDHOLDT RD	7550 - 7552 SANDHOLDT RD
133-242-011-000	98-001280	00069504	1,062.00	2 Moss Landing 2	MANIN LAWRENCE & ANGELA	2114 N KEY DR	BOCA RATON FL 33496-4542	7550 - 7552 SANDHOLDT RD	7550 - 7552 SANDHOLDT RD
133-251-004-000	98-001283	00063500	531.00	1 Moss Landing 3	GRAVELLE RONALD F & SYLVIA A	22302 CAPOETE DR	SAUNAS CA 93908-1007	7501 SANDHOLDT RD	7501 SANDHOLDT RD
133-251-005-000	98-001287	00071386	531.00	1 Moss Landing 3	DELTA QUINN LLC	7501 SANDHOLDT RD	MOSS LANDING CA 95039-9874	10932 CLAM WAY	10932 CLAM WAY

Parcel No.	Account	Customer No.	Annual Charge Units	Category Description	Owner Name/Location Description	Mailing Address	Mailing City State Zip	Business Name / Service Address	Business Location
135-251-006-000	99-001288	00066480	265.50	1 Moss Landing 2	GRAVELLE RONALD F & SYLVIA A	22302 CAPOTE DR LAND	SALINAS CA 93906-1007		NOT LISTED
135-251-008-000	99-001289	00066425	265.50	1 Moss Landing 2	QUIN DELTA LLC	7501 SANDHOLDT RD LAND	MOSS LANDING CA 95039-9874		10828 CLAM WAY
133-251-009-000	99-001290	00066515	265.50	1 Moss Landing 3	QUIN DELTA LLC	7401 SANDHOLDT RD LAND	MOSS LANDING CA 95039-9874		1 SALMON WY 7401 SANDHOLDT RD
133-251-012-000	99-000003	00066490	531.00	1 Moss Landing 3	MONTEREY BAY AQUARIUM RESEAR	7700 SANDHOLDT RD LAND	MOSS LANDING CA 95039-9844		7500 SANDHOLDT RD
133-252-001-000	99-001291	00068550	265.50	1 Moss Landing 2	GILBERTSON JAMES TR	11366 COMMERCIAL PKWY LAND	CASTROVILLE CA 95012-3203		1960 SALINAS RD
413-013-002-000	99-001296	00062508	531.00	1 Moss Landing 3	GILBERTSON JAMES TR	11366 COMMERCIAL PKWY LAND	CASTROVILLE CA 95012-3203		1956 HIGHWAY 1
413-013-003-000	99-001299	00062678	531.00	1 Moss Landing 3	GILBERTSON JAMES TR	7881 SANDHOLDT RD LAND	MOSS LANDING CA 95039-9816		2360 HIGHWAY 1
413-022-002-000	99-001300	00063402	541.62	1 Moss Landing 4	MOSS LANDING HARBOR DISTRICT	7881 SANDHOLDT RD LAND	MOSS LANDING CA 95039-9816		2420 HIGHWAY 1
413-022-003-000	99-001301	00063402	5,678.36	1 Moss Landing 22	MOSS LANDING HARBOR DISTRICT	7881 SANDHOLDT RD LAND	NO HARBOR LAUNCH RAMP/PRESTO		2370 HIGHWAY 1
413-022-004-000	99-001309	00062827	531.00	2 Moss Landing 3	ELKHORN YACHT CLUB	2370 HIGHWAY 1 LAND	MOSS LANDING CA 95039-9842		2370 HIGHWAY 1
413-022-006-000	99-001308	00061866	8,225.16	1 Moss Landing 24	MOSS LANDING HARBOR DIST	7881 SANDHOLDT RD LAND	MOSS LANDING CA 95039-9816		NOT LISTED
413-022-010-000	99-001313	00062151	265.50	1 Moss Landing 2	STATE OF CALIFORNIA	1234 EAST SHAW AVE PO BOX 685	FRESNO CA 93710		2375 HWY 1
413-023-005-000	99-001314	00061981	552.24	1 Moss Landing 5	EASTMAN LISA TR	122 STRUVE RD PO BOX 1832	WATSONVILLE CA 95077-1832		1900 SALINAS RD
413-051-017-000	99-001319	00063160	42,832.08	1 Moss Landing 27	ROCHA RAMIRO & ROSA	122 STRUVE RD PO BOX 436	MOSS LANDING CA 95039-9839		122 STRUVE RD
413-081-002-000	99-001342	00063391	531.00	1 Moss Landing 3	DUQUE JORGE A	538 MAIN ST 9 STRUVE RD	WATSONVILLE CA 95076-0538		120 STRUVE RD
413-081-004-000	99-001343	00064842	1,218.02	3 Moss Landing 13	PENIDO JOHN W & LAURA L	9 STRUVE RD 11 STRUVE RD	MOSS LANDING CA 95039-9836		7 STRUVE RD 9 STRUVE RD
413-081-005-000	99-001344	00065031	531.00	1 Moss Landing 3	RUIZ GERARDO & ELOISA	11 STRUVE RD 3108 CRESCENT AVE 7	MOSS LANDING CA 95039-9838		11 STRUVE RD 15 STRUVE RD
413-081-005-000	99-001345	00064177	531.00	1 Moss Landing 3	NAKAMURA RUBY *	11 STRUVE RD 588 DOWNING AVE	MOSS LANDING CA 95039-9838		11 STRUVE RD 17 STRUVE RD
413-081-008-000	99-001346	00063077	531.00	1 Moss Landing 3	SALDVAR CARLOS & ANA	3108 CRESCENT AVE 7 PO BOX 1832	MARINA CA 93933-3101		15 STRUVE RD 19 STRUVE RD
413-081-007-000	99-001347	00063180	531.00	1 Moss Landing 3	HU RAYMOND	588 DOWNING AVE PO BOX 436	SAN JOSE CA 95128-3469		17 STRUVE RD 23 STRUVE RD
413-081-008-000	99-001348	00065098	531.00	1 Moss Landing 3	HO VU	25 STRUVE RD 27 STRUVE RD	WATSONVILLE CA 95077-1832		23 STRUVE RD 25 STRUVE RD
413-081-009-000	99-001349	00063570	531.00	1 Moss Landing 3	NAKAMURA MATTHEW & CHRISTINA	716 STANFORD AVE 206 JUNE CT	WATSONVILLE CA 95076-8114		31 STRUVE RD 33 STRUVE RD
413-081-010-000	99-001350	00063187	531.00	1 Moss Landing 3	CAPURRO PROPERTIES LLC	33 STRUVE RD 35 STRUVE RD	MOSS LANDING CA 95039-9836		33 STRUVE RD 35 STRUVE RD
413-081-011-000	99-001351	00066669	265.50	1 Moss Landing 2	MACIEL OSCAR	37 STRUVE RD 39 STRUVE RD	MOSS LANDING CA 95039-9836		37 STRUVE RD 39 STRUVE RD
413-081-012-000	99-001352	00065122	531.00	1 Moss Landing 3	BARAJAS FRANCISCO ET AL	41 STRUVE RD 45 STRUVE RD	MOSS LANDING CA 95039-9838		41 STRUVE RD 45 STRUVE RD
413-081-013-000	99-001353	00063527	531.00	1 Moss Landing 3	MORALES OLGA PATRICIA C ET AL	45 STRUVE RD 49 STRUVE RD	MOSS LANDING CA 95039-9837		49 STRUVE RD 51 STRUVE RD
413-081-014-000	99-001354	00063779	531.00	1 Moss Landing 3	FIGUEROA JOSE G & MARIA E	49 STRUVE RD 1842 MAIN ST	MOSS LANDING CA 95039-9837		51 STRUVE RD 101 LAGUNA PL
413-081-015-000	99-001355	00063267	531.00	1 Moss Landing 3	QUINTERO EVERARDO & TERESA	57 STRUVE RD 587 CASSERLY RD	MOSS LANDING CA 95039-9838		57 STRUVE RD 59 STRUVE RD
413-081-016-000	99-001356	00068784	531.00	1 Moss Landing 3	SILVA MANUEL P & MARIA I F	61 STRUVE RD 63 STRUVE RD	MOSS LANDING CA 95039-9838		61 STRUVE RD 63 STRUVE RD
413-081-017-000	99-001357	00063588	531.00	1 Moss Landing 3	AVILA JUAN GABRIEL ESPINOZA ET	1754 6TH AVE 67 STRUVE RD	MOSS LANDING CA 95039-9836		65 STRUVE RD 67 STRUVE RD
413-081-018-000	99-001358	00064928	531.00	1 Moss Landing 3	CASTRO FRANCISCO M & ROSANA	734 E LAKE AVE 0 1940 HWY 1	MOSS LANDING CA 95039-9838		1840 HWY 1 124 STRUVE RD
413-081-019-000	99-001359	00063659	531.00	1 Moss Landing 3	CANO RAMON	734 E LAKE AVE 0 128 STRUVE RD	MOSS LANDING CA 95039-9838		124 STRUVE RD
413-081-020-000	99-001360	00064858	531.00	1 Moss Landing 3	JAUREGUI GREGORIO & MARIA F		MOSS LANDING CA 95039-9836		NOT LISTED
413-081-021-000	99-001361	00063399	531.00	1 Moss Landing 3	NAKAMURA LARRY S & KATHLEEN		MOSS LANDING CA 95039-9837		NOT LISTED
413-081-022-000	99-001362	00063198	265.50	1 Moss Landing 2	NAKAMURA LARRY S & KATHLEEN		MOSS LANDING CA 95039-9837		45 STRUVE RD
413-081-023-000	99-001363	00062385	531.00	1 Moss Landing 3	HILL ANDREW *		MOSS LANDING CA 95039-9838		49 STRUVE RD
413-081-025-000	99-001364	00065215	531.00	1 Moss Landing 3	RUIZ DOMINGO & LYDIA		MOSS LANDING CA 95039-0296		51 STRUVE RD
413-081-026-000	99-001365	00065244	531.00	1 Moss Landing 3	PETERSON JOHN L TR ET AL		HUNTINGTON BEACH CA 92648-1		LAND
413-081-027-000	99-001366	00071590	531.00	1 Moss Landing 3	CANO RAMON		MOSS LANDING CA 95039-9838		55 STRUVE RD
413-081-028-000	99-001367	00071552	531.00	1 Moss Landing 3	VALENCIA PEDRO PAZ		MOSS LANDING CA 95039-9838		57 STRUVE RD
413-081-029-000	99-001368	00068874	531.00	1 Moss Landing 3	PARK JONG & JULIE		WATSONVILLE CA 95076-9772		59 STRUVE RD
413-081-030-000	99-001369	00069052	531.00	1 Moss Landing 3	GALARZA CRESCENCIO & JESUS		MOSS LANDING CA 95039-9838		61 STRUVE RD
413-081-031-000	99-001370	00069208	531.00	1 Moss Landing 3	ESCALANTE JESUS MALDONADO		MOSS LANDING CA 95039-9838		61 STRUVE RD
413-081-032-000	99-001371	00070917	531.00	1 Moss Landing 3	MONROY LUIS & A RUBALCABA		CORNING CA 96021-3034		85 STRUVE RD
413-081-033-000	99-001372	00068423	531.00	1 Moss Landing 3	GONZALEZ NICOLAS & ANA		MOSS LANDING CA 95039-9838		87 STRUVE RD
413-081-034-000	99-001373	00069808	531.00	1 Moss Landing 3	SHAWKI DEYN PROPERTIES LLC		MOSS LANDING CA 95039-9838		87 STRUVE RD
413-081-036-000	99-001374	00069810	265.50	1 Moss Landing 2	7 ELEVEN INC		WATSONVILLE CA 95076-3570		NOT LISTED
413-081-037-000	99-001375	000698030	531.00	1 Moss Landing 3	ROMERO JORGE & ROSA		MOSS LANDING CA 95039-9838		1840 HWY 1
413-081-042-000	99-001378	00068681	934.96	2 Moss Landing 10			MOSS LANDING CA 95039-9838		124 STRUVE RD

197,861.04



Castroville Community  
Services District  
PO Box 1065  
Castroville, CA, 95012

**NOTICE OF PUBLIC HEARING  
AND PROTEST INFORMATION  
ENCLOSED**

Questions? Please contact the  
General Manager at (831) 633-2560

**AVISO DE AUDIENCIA PÚBLICA  
Y INFORMACIÓN SOBRE  
PROTESTAS ESTA ADJUNTO**

¿Preguntas? Por favor, póngase en contacto  
con Gerente General al (831) 633-2560

For service provided on and after July 1, 2024, you will no longer receive a bi-monthly bill from Monterey One Water for wastewater collection (District fee) and conveyance/treatment (Monterey One Water fee). The District is proposing that fees for wastewater collection will be collected on the property tax bill for each parcel.

A partir del 1 de Julio de 2024, ya no recibirá una factura bimensual de Monterey One Water por la recolección de aguas residuales (tarifa del Distrito) y el transporte/tratamiento (tarifa de Monterey One Water). El Distrito propone que las tarifas para la recolección de aguas residuales se cobren en la factura del impuesto a la propiedad para cada parcela.



Notice is hereby given that the Castroville Community Services District's Annual Rate Report for Fiscal Year 2024-2025 has been prepared and filed with the District Clerk. The Report is also available at: [www.castrovillecsd.org/files/140179458.pdf](http://www.castrovillecsd.org/files/140179458.pdf)

The Annual Rate Report details each parcel within the District with a wastewater collection fee and the annual fee for wastewater collection for that parcel.

## **NOTICE OF PUBLIC HEARING**

**June 18, 2024 at 4:30 pm** • Castroville CSD Boardroom: 11499 Geil Street, Castroville, CA

Notice is further hereby given that the Castroville Community Services District will hold a public hearing on June 18, 2024 at 4:30 pm to consider adoption of a resolution approving the District's 2024-2025 Annual Rate Report for Wastewater Collection and directing collection of the charges detailed in the Report on the Monterey County tax roll.

**Protest Option:** The owner of any parcel subject to the fees and charges detailed in the Report may submit a written protest prior to the close of the public hearing. If a majority of property owners submit a written protest, the District will be prohibited from collecting the fees set forth in the Report on the Monterey County tax roll. A valid written protest must include your name, the parcel number at which you receive wastewater collection service from the Castroville Community Services District, and a statement of protest. Written protests can be submitted at the public meeting or via mail or drop off before the meeting at: District Clerk, Att: Annual Rate Report Protest  
11499 Geil Street, Castroville, CA 95012

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## **RECOLECCIÓN DE AGUAS RESIDUALES**

Por la presente se notifica que el Informe Anual de Tarifas del Distrito de Servicios Comunitarios de Castroville para el año fiscal 2024-2025 ha sido preparado y presentado ante el Secretario del Distrito. El informe también está disponible en: [www.castrovillecsd.org/files/140179458.pdf](http://www.castrovillecsd.org/files/140179458.pdf)

El Informe Anual de Tarifas detalla cada parcela dentro del Distrito y la tarifa anual para la recolección de aguas residuales para esa parcela.

## **AVISO DE AUDIENCIA PUBLICA**

**Junio 18, de 2024 a 4:30 pm** • Castroville CSD Boardroom: 11499 Geil Street, Castroville, CA

Además, se notifica que el Distrito de Servicios Comunitarios de Castroville celebrará una audiencia pública el 18 de Junio de 2024 a las 4:30 pm para considerar la adopción de una resolución que apruebe el Informe de Tarifas Anuales 2024-2025 del Distrito para la Recolección de Aguas Residuales y ordene el cobro de los cargos detallados en el Informe en la lista de impuestos del Condado de Monterey.

**Opción de Protesta:** El propietario de cualquier parcela sujeta a las tarifas y cargos detallados en el Informe puede presentar una protesta por escrito antes del cierre de la audiencia pública. Si la mayoría de los propietarios presentan una protesta por escrito, se le prohibirá al Distrito cobrar las tarifas establecidas en el Informe en la lista de impuestos del Condado de Monterey. Una protesta válida por escrito debe incluir su nombre, el número de parcela en el que recibe el servicio de recolección de aguas residuales del Distrito de Servicios Comunitarios de Castroville y una declaración de protesta. Las protestas por escrito se pueden presentar en la reunión pública o por correo o entregarse antes de la reunión en: District Clerk, Att: Annual Rate Report Protest  
11499 Geil Street, Castroville, CA 95012

MONTEREY COUNTY  
**WEEKLY**

668 Williams Ave  
(831) 394-5656  
Seaside, CA 93955

**Proof of publication**

State of California  
County of Monterey

I am a citizen of the  
United States and a resident of  
the State of California. I am  
over the age of 18 years and  
not party to or interested in the  
above-entitled matter.

I am the principal clerk of  
*Monterey County Weekly*,  
a newspaper of general  
circulation, published weekly by  
Milestone Communications, Inc.  
in the City of Seaside,  
County of Monterey,  
and which newspaper has been  
adjudicated a newspaper of  
general circulation by the  
Superior Court of the County  
of Monterey, State of  
California; that the notice of  
which the annexed is a printed  
copy has been published in  
each regular and entire issue of  
said newspaper and not in any  
supplement thereof on the  
following dates to wit.

May 30, June 6, 2024

I certify (or declare) under  
penalty of perjury that the  
foregoing is true and correct.

Name.....Linda S. Maccira

Signature



Dated June 6, 2024, Monterey, California

**NOTICE OF A PUBLIC HEARING OF THE CASTROVILLE COMMUNITY SERVICES DISTRICT IN CONNECTION WITH THE FILING OF A REPORT REGARDING THE DISTRICT'S ANNUAL SEWER SERVICE CHARGES FOR FISCAL YEAR 2024-2025, THE CONSIDERATION BY THE DISTRICT BOARD OF DIRECTORS OF THE ADOPTION OF THE REPORT, AND THE ELECTION TO COLLECT SUCH CHARGES ON THE MONTEREY COUNTY TAX ROLL**

NOTICE IS HEREBY GIVEN, pursuant to California Health and Safety Code section 5473 et seq., that Castroville Community Services District ("District") has caused a written report to be filed with the Clerk of the Board of Directors ("Board") describing each parcel of real property receiving sewer services from the District and the amount of the sewer service charges to be imposed on each parcel for Fiscal Year 2024 - 2025, computed in accordance with service rates approved by the Monterey County Board of Supervisors, acting as the Board of Directors for the Moss Landing County Sanitation District ("MLCSD"), and any delinquencies due and owing for such charges for each affected parcel. When MLCSD was dissolved, the wastewater collections services provided by MLCSD were consolidated into the District. A copy of the written report is available at the District Office located at 11499 Geil Street, Castroville, California 95012, and may be reviewed there by any interested person. An email request for a copy of the written report may be submitted to [fdia@castrovillecsd.org](mailto:fdia@castrovillecsd.org) and a copy of the written report is also available on the District's website: [www.castrovillecsd.org/files/140179458.pdf](http://www.castrovillecsd.org/files/140179458.pdf). The service charges are not changing; only the method of billing and collection.

NOTICE IS FURTHER GIVEN that a public hearing has been scheduled for June 18, 2024, at 4:30 pm, or as soon thereafter as the matter may be heard, in the regular meeting place of the Board, being the District Office located at 11499 Geil Street, Castroville, California 95012, at which time and place any and all interested persons may appear and be heard thereon.

Members of the public may also provide written comments, objections, and protests in person or via mail, which must be received prior to the close of the public hearing, to the following address as applicable: District Clerk, Attn: Annual Rate Report Protest, 11499 Geil Street, Castroville, CA 95012.

At the public hearing, the Board will hear and consider all evidence, testimony, objections, or protests, if any, to the written report by all interested persons, and may continue the hearing from time to time. Upon conclusion of the hearing, the Board may: (1) adopt, revise, change, reduce or modify any charge or overrule any or all objections and make its determination upon each charge as described in said report which determination shall be final; (2) adopt the report as presented or modified by the Board; and (3) direct the Clerk of the Board, or designee, to file a copy of the report as presented or modified with the Monterey County Auditor-Controller for the purpose of placing the Fiscal Year 2024 - 2025 sewer service charges and any delinquencies on the tax roll. If the Board finds that protest is made by the owners of a majority of separate parcels of property described in the report, then the report shall not be adopted and the charges shall be collected separately from the tax roll and shall not constitute a lien against any parcel or parcels of land.

Dated: May 30, 2024

**RESOLUTION NO. 24-04**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CASTROVILLE COMMUNITY SERVICES DISTRICT ADOPTING THE REPORT PROPOSING TO HAVE SEWER FEES AND CHARGES FOR THE MOSS LANDING SERVICE AREA COLLECTED ON THE TAX ROLL FOR FISCAL YEAR 2024-25 AND DIRECTING THE SECRETARY TO THE BOARD TO FILE A COPY OF SAID REPORT WITH THE MONTEREY COUNTY AUDITOR TO PLACE SAID FEES ON THE TAX ROLL**

**WHEREAS**, Castroville Community Service District (“District”) is a Community Services District organized and operated pursuant to California Government Code Sections 61000 - 61226.5 to serve the Castroville Community. Community Services District law authorizes the District to provide sewer collection services, among other services; and

**WHEREAS**, pursuant to Section 5473 of the California Health and Safety Code, the District is authorized to place sewer fees and charges on the property tax roll, which have been adopted by resolution or ordinance approved by at least two-thirds of its Board of Directors; and

**WHEREAS**, on or about March 14, 2006, the Monterey County (“County”) Board of Supervisors, acting as the Moss Landing County Sanitation District (“MLCSD”), adopted Ordinance No. 5019 approving sewer fees and charges to be imposed on each parcel of real property receiving sewer services within the Moss Landing service area; and

**WHEREAS**, on or about November 19, 2013, the District Board of Directors (“Board”) approved Resolution No. 13-9, consolidating MLCSD with the District, with the District as the successor agency; and

**WHEREAS**, pursuant to such consolidation, the District took responsibility for the services and facilities formerly provided by MLCSD, together with all assets and allocation of future property tax revenues; and

**WHEREAS**, the District has not made any changes to the amount of sewer fees and charges imposed by the County in 2006 for the Moss Landing service area; and

**WHEREAS**, District Staff has prepared and filed a written report (“Report”) with the Secretary to the Board containing a description of each parcel of real property within the Moss Landing service area receiving the services and facilities from the District and the amount of the sewer fees and charges (“Fees”) for each parcel for Fiscal Year 2024-2025 computed in accordance with sewer fees and charges approved by the County in 2006, and any delinquencies due and owing for such Fees for each affected parcel; and

**WHEREAS**, the amount of the Fees for the parcels are not changing; only the method of billing and collecting such Fees; and

**WHEREAS**, the Secretary to of the Board filed the Report and caused a notice of the time and place of the public hearing to be published all in accordance with California Health and Safety Code section 5473.1; and



**WHEREAS**, the Secretary to the Board also caused a written notice of the filing of the Report and the date, time, and location of the public hearing, to be mailed to each person to whom any parcel or parcels of real property described in the Report to the address shown on the last equalized assessment roll available on the date the Report is prepared, or as known to the Clerk of the Board; and

**WHEREAS**, a copy of the Report has been made available at the District Office located at 11499 Geil Street, Castroville, California 95012, and may be reviewed there by any interested person. An email request for a copy of the Report may be submitted to [lidia@castrovillecsd.org](mailto:lidia@castrovillecsd.org). The Report has also been made also available on the District's website: [www.castrovillecsd.org](http://www.castrovillecsd.org); and

**WHEREAS**, on June 18, 2024, at 4:30 p.m. or as soon thereafter as it may be heard, the District Board of Directors conducted the public hearing on the Report and heard and considered all objections or protests thereto; and

**WHEREAS**, the District Board determined that protests were not made by a majority of the owners of property described in the Report; and

**WHEREAS**, the District Board has determined to adopt the Report and to collect the Fees on the tax roll of Monterey County, which such Fees shall constitute a lien against the parcel or parcels of land described in the Report in accordance with California Health and Safety Code sections 5473 et seq.; and

**WHEREAS**, the District has determined that the proposed action is not a project as defined by the California Environmental Quality Act ("CEQA") (CCR, Title 14, Chapter 3 (CEQA Guidelines), Article 20, Section 15378. In addition, CEQA Guidelines Section 15061 includes the general rule that CEQA applies only to activities that have the potential to cause a significant effect on the environment. Where it can be seen with certainty that there is no possibility the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed action has no potential to cause any effect on the environment, and because it falls within a category of activities excluded as projects pursuant to CEQA Guidelines section 15378, this matter is not a project. Because the matter does not cause a direct or any reasonably foreseeable indirect physical change on or in the environment, this matter is not a project.

**NOW, THEREFORE, BE IT RESOLVED** by the District Board of Directors that:

1. The District Board of Directors hereby finds and determines that the Recitals as set forth herein are adopted by the Board as findings and that they are true and correct and are incorporated herein by this reference.
2. The Report filed with the District Secretary to the Board contains a description of the real property parcels subject to the Fees and the amount of said Fees for Fiscal Year 2024-25 to be imposed thereon, and the Report is therefore approved and adopted.
3. The Report for the Fiscal Year 2024-25 shall be forwarded to the Monterey County Auditor/Controller and the Fees contained therein shall be collected on the tax roll in the

same manner, by the same person, at the same time, together with and not separate from the general taxes.

4. On or before August 1, 2024, the District Secretary to the Board is hereby directed to file a copy of the Report with the Monterey County Auditor/Controller, with a statement endorsed thereon over her signature that this has been fully adopted by the District Board of Directors, together with a certified copy of this Resolution, and shall request that the Fees be collected on the tax bills for the taxable parcels identified in the Report along with the ordinary ad valorem taxes to be levied on and collected from owners of said parcels.
5. If any section, subsection, subdivision, sentence, clause, or phrase in this Resolution or any part thereof is for any reason held to be unconstitutional or invalid, ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Resolution or any part thereof. The Board of Directors hereby declares that it would have adopted each section irrespective of the fact that any one or more subsections, subdivisions, sentences, clauses, or phrases be declared unconstitutional, invalid, or ineffective.
6. This Resolution shall take effective immediately upon adoption.
7. The General Manager or designee is hereby authorized to take all actions necessary to implement this Resolution.
8. The Secretary to the Board shall certify to the passage and adoption of this Resolution.

PASSED, APPROVED AND ADOPTED this 18th day of June, 2024.

\_\_\_\_\_, seconded by \_\_\_\_\_,  
and carried by the following vote, to wit:

AYES:

NOES:

ABSENT:

APPROVED:

\_\_\_\_\_  
President Cosme Padilla

ATTEST:

\_\_\_\_\_  
Lidia Santos, Secretary

**RESOLUTION NO. 24-05**

**RESOLUTION CERTIFYING COMPLIANCE WITH STATE LAW WITH RESPECT TO THE LEVYING OF GENERAL AND SPECIAL TAXES, ASSESSMENTS, AND PROPERTY-RELATED FEES AND CHARGES**

WHEREAS, the Castroville Community Services District requests that the Monterey County Auditor- Controller enter those general or special taxes, assessments, or property-related Fees or charges identified in Exhibit "A" on the tax roll for collection and distribution by the Monterey County Treasurer-Tax Collector commencing with the property tax bills for fiscal year 2024-25.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Castroville Community Services District hereby certifies that it has, without limitation, complied with all legal procedures and requirements necessary for the levying and imposition of the general or special taxes, assessments, or property-related fees or charges identified in Exhibit "A", regardless of whether those procedures and requirements are set forth in the Constitution of the State of California, in State statutes, or in the applicable decisional law of the State of California.

2. The Castroville Community Services District further certifies that, except for the sole negligence or misconduct of the County of Monterey, its officers, employees, and agents, with regards to the handling of the CD or electronic file identified as Exhibit "A", the Castroville Community Services District shall be solely liable and responsible for defending, at its sole expense, cost, and risk, each and every action, suit, or other proceeding brought against the County of Monterey, its officers, employees, and agents for every claim, demand, or challenge to the levying or imposition of the general or special taxes, assessments, or property-related fees or charges identified in Exhibit "A" and that it shall pay or satisfy any judgments rendered against the County of Monterey, its officers, employees, and agents on every such action, suit, or other proceeding, including all claims for refunds and interest thereon, legal fees and court costs, and administrative expenses of the County of Monterey to correct the tax rolls.

PASSED AND ADOPTED this 18th<sup>day</sup> of June 2024, upon motion of

\_\_\_\_\_, seconded by \_\_\_\_\_,  
and carried by the following vote, to wit:

AYES:

NOES:

ABSENT:

APPROVED:

\_\_\_\_\_  
President Cosme Padilla

ATTEST:

\_\_\_\_\_  
Lidia Santos, Secretary

EXHIBIT "A"  
TO  
RESOLUTION CERTIFYING COMPLIANCE WITH STATE LAW WITH RESPECT  
TO THE LEVYING OF GENERAL AND SPECIAL TAXES, ASSESSMENTS, AND  
PROPERTY-RELATED FEES AND CHARGES

FISCAL YEAR 2024-2025

GENERAL TAXES:

SPECIAL TAXES:

ASSESSMENTS:

PROPERTY-RELATED FEES AND CHARGES: **"County Service Area No. 14  
(Assessments) – Tax Codes "75301, 73701, & 74701" and Moss Landing Sewer-Fees Tax  
Code 74401**

AGREEMENT FOR COLLECTION OF SPECIAL TAXES,  
FEES, AND ASSESSMENTS

THIS AGREEMENT is made and entered into this 18 day of June, 2024, by and between the COUNTY OF MONTEREY, a political subdivision of the State of California, hereinafter referred to as "County" and the Castroville Community Services District, a Special District of the State of California, hereinafter referred to as "District".

WITNESSETH:

WHEREAS, Government Code Sections 29304 and 51800 authorize the County to recoup its collection costs when the County collects taxes, fees, or assessments for any School District, Special District, zone, or improvement District thereof; and

WHEREAS, when requested by District, it is in the public interest that the County collect on the County tax rolls the special taxes, fees, and assessments for District.

NOW, THEREFORE, IT IS AGREED by and between the parties hereto as follows:

1. County agrees, when requested by District as hereinafter provided, or as required by law, to collect on the County tax rolls the special taxes, fees, and assessments of or owing to the District, and of each zone or improvement District thereof.
2. When County is to collect special taxes, fees, and assessments owing to Districts, District agrees to notify the Auditor-Controller of the County on or before the 1<sup>st</sup> day of August of each fiscal year of the Assessor's parcel numbers and the amount of each special tax, fee, or assessment to the County, and including, but not limited to, any act of omission or assessment to be so collected. Provided, however, to be effective, the notice must be received by the Auditor-Controller by said date.
3. County may charge the sum of 0.25% of the Original Charge for each special tax, fee, or assessment that is to be collected on the County tax rolls by the County for the District.
4. District warrants that the taxes, fees, or assessments collected pursuant to this Agreement comply with all requirements of state law, including but not limited to Articles XIIC and XIID of the California Constitution (Proposition 218). District has requested, on County's behalf, an opinion from their legal advisor stating that the tax, fee, or assessment complies with state law, and specifically analyzing compliance with Proposition 218 and any other applicable law. Said opinion is attached hereto as "Exhibit A" and incorporated by reference into this Agreement. District also agrees to reaffirm the validity of the tax, fee, or assessment each time it requests the County to collect such tax, fee, or assessment pursuant to this Agreement.

5. District hereby releases and forever discharges County and its officers, agents, and employees from any and all claims, demands, liabilities, costs and expenses, damages, causes of action, and judgments, in any manner arising out of District's responsibility under this agreement, or other action taken by District in establishing a special tax, fee, or assessment and implementing collection of special taxes, fees, or assessments as contemplated in this Agreement.
6. District agrees to and shall defend, indemnify and save harmless County and its officers, agents and employees ("indemnified parties") from any and all claims, demands, liabilities, costs and expenses, damages, causes of action, and judgments, in any manner arising out of any of District's responsibility under this agreement, or other action taken by District in establishing a special tax, fee, or assessment and implementing collection of special taxes, fees, or assessments as contemplated in this Agreement. If any judgment is entered against any indemnified party as a result of action taken to implement this Agreement, District agrees that County may, in its sole discretion, offset the amount of any costs, expenses or judgment paid by County or by any indemnified party from any monies collected by County on District's behalf, including property taxes, special taxes, fees, or assessment. County may, but is not required to, notify District of its intent to implement any offset authorized by this paragraph. District also agrees that the County may require that some or all of any costs, expenses or judgments required to be paid by the County because of any judgment relating to the assessment or collection of special taxes, fees or assessments contemplated by this Agreement be paid directly by the District and not by way of offset.
7. District agrees that its officers, agents, and employees will cooperate with County by answering inquiries made to District by any person concerning the special tax, fee, or assessment, and District agrees that its officers, agents, and employees will not refer such individuals making inquiries to County officers or employees for response.
8. District shall not assign or transfer this Agreement or any interest herein and any such assignment or transfer or attempted assignment or transfer of this agreement or any interest herein by District shall be void and shall immediately and automatically terminate this Agreement.
9. This Agreement shall be effective for the [2024-25] fiscal year and shall be automatically renewed for each fiscal year thereafter unless terminated as hereinafter provided.
10. Either party may terminate this Agreement for any reason for any ensuing fiscal year by giving written notice thereof to the other party prior to May 1<sup>st</sup> of the preceding fiscal year.

11. County's waiver of breach of any one term, covenant, or other provision of this Agreement is not a waiver of breach of any other term, nor subsequent breach of the term or provision waived.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

DISTRICT: Castroville Community Services District

By: \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
District Counsel

COUNTY OF MONTEREY

By: \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
Office of County Counsel

June 11, 2024

Exhibit A

*Stephen W. Pearson*

*Anne K. Secker*

*Randy Meyenberg*

*Christine G. Kemp*

*Timothy J. Baldwin*

\* *Charles Des Roches*

\* *Robert D. Simpson*

*Ana C. Toledo*

\* *Leslie E. Finnegan*

*Lindsey Berg-James*

*Heidi A. Quinn*

*Daniel J. Little*

*Sharilyn R. Payne*

*Anne Frassetto Olsen*

\* *Yvonne A. Ascher*

*William H. Falor III*

*Geraldine A. Villa*

*Charles Mullaney*

*Chiara Veronesi*

*Stacey Cheatham Wilson*

*Michael Masuda*  
*(Of Counsel)*

*Harry L. Noland*  
*(1904-1991)*

*Paul M. Hamerly*  
*(1920-2000)*

*Myron E. Etienne, Jr.*  
*(1924-2016)*

*Peter T. Hoss*  
*(1934-2018)*

\* CERTIFIED SPECIALIST IN  
PROBATE, ESTATE PLANNING,  
AND TRUST LAW BY  
THE CALIFORNIA BOARD OF  
LEGAL SPECIALIZATION  
STATE BAR OF CALIFORNIA

**VIA E-MAIL AUDPTAX@CO.MONTEREY.CA.US**

County of Monterey Auditor – Controller  
Attn: Rogelio Martinez-Pio  
P.O. Box 390  
Salinas, CA 93902

Re: Assessments Imposed by Castroville Community Services District

Dear County Auditor:

I provide this opinion pending the Community Services District (“District”) Board of Directors’ approval of the Agreement with the County of Monterey (“County”) related to fees and assessments, to be submitted to the District Board at its June 18, 2024 meeting.

The District currently collects on the tax roll several property-related fees, which were originally imposed and collected by the County through approval of Resolution No. 05-163, approved July 12, 2005, and pursuant to the Health and Safety Code. See Resolution attached as **Exhibit 1**.

On October 4, 2005, the County adopted Resolution No. 05-257, transferring sewer collections and storm water services, together with facilities and assets to provide such services for Castroville Service Area No. 14 (CSA 14) to the District, which was formerly Castroville Water District. A copy of the Resolution is attached as **Exhibit 2**.

Accordingly, the District collects the following property-related fees on the tax rolls, which were originally imposed by the County:

- Tax Code 73701. This applies to 178 Parcels in the Moro Cojo subdivision for Open Space, Streetlighting, Street Assessment and Sanitation Fees. This assessment was imposed by the County on July 13, 2005, Tax Code 73700, and transferred to the District fiscal year 2006/2007.



- Tax Code 74701. This applies to two (2) parcels in Monte De Lago Mobile Park and NMCHS for sanitation services. This assessment was imposed by the County on July 13, 2005, Tax Code 74700, and transferred to the District in fiscal year 2006/2007. The District has not changed the rates following transfer from the County.
- Tax Code 75301. This applies to 1,263 parcels in the township of Castroville for storm drain and street lighting fees. This assessment was imposed by the County on July 13, 2005, Tax Code 75300, and transferred to the District fiscal year 2006/2007. The District has not changed the rates following transfer from the County.

It is our opinion, enactment and collection of such fees by the County was a lawful act, and within the County's exercise of discretion to impose such fees.

Through adoption of Ordinance No. 67 on July 19, 2016, to establish a rate schedule for sewer service in Castroville Zone 2 service area (Moro Coho, NMCS and Monte Lago Mobile Home Park), the District increased sewer rates for fiscal years 2016/2017 through 2020/2021. Ordinance No. 67 and the authorized increase to sewer rates for fiscal years 2016/2017 through 2020/2021 were adopted by the District Board on July 19, 2016.

It is our opinion that enactment of Ordinance 67 was a lawful act and, and within the District's exercise of discretion to increase the rates, which complies in all respects with applicable state laws, specifically Propositions 218 and 26, for the reasons set forth in the staff report. Our opinion is based on the District staff report supporting the enactment of Ordinance 67 that addresses the legality of the rates, which is attached as **Exhibit 3** and incorporated by reference.

The County Board of Supervisors, acting as the Moss Landing County Sanitation District ("MLCSD"), established rates for sewer service on approximately 167 parcels per Ordinance No. 5019 on March 14, 2006. A copy of Ordinance No. 5019 is attached as **Exhibit 4**. On November 19, 2013, the District Board approved Resolution No. 13-9 requesting consolidation of MLCSD with the District, with the District as the successor agency, which consolidation was approved by LAFCO and became effective July 1, 2014. A copy of Resolution No. 13-9 is attached as **Exhibit 5**. Under such consolidation, the District took responsibility for the services formerly provided by MLCSD, together with all assets and allocation of future property tax revenues. The District has not changed the County's rates since consolidation, and has been collecting the amounts established by the County in 2006.

Monterey County Auditor - Controller  
June 11, 2024  
Page 3

At its June 18, 2024 meeting, the Board will consider approval of Resolution 24-04 to place sewer fees and charges for Moss Landing on the County tax roll under Tax Code 74401.

Best regards,

NOLAND, HAMERLY, ETIENNE & HOSS  
A Professional Corporation

*Heidi A. Quinn*

Heidi A. Quinn  
Attorney

HAQ:tsg

cc: Castroville Community Services District

Before the Board of Supervisors in and for the County of Monterey, State of California

Resolution No. 05-163

Approve final Written Report on Service Charges to be levied in the Moro Cojo Zone of County Service Area No. 14 (CSA 14) - Castroville..... )

RECEIVED

JUL 13 2005

PUBLIC WORKS - ADMIN

WHEREAS:

- A. California County Service Area Law, Government Code Secs. 25210.1, et seq., authorizes the establishment of County Service Areas (CSAs) for the provision of extended services, including street lighting, street maintenance, storm drain maintenance, surface water disposal, sewage disposal, and open space maintenance, and Government Code Sec. 25210.77a sets forth procedures for the levy and collection of service charges to pay for the provision of such extended services; and Government Code Sec. 25210.8 provides for the establishment of zones in a CSA, within which service charges may vary with the extent of benefit to each zone or with the availability of other funds within a zone. Pursuant to said law, Monterey County has established County Service Area No.14 (CSA 14) – Castroville to provide and pay for extended street lighting, storm drain maintenance, surface water disposal, sewage disposal, open space maintenance, and other extended services in that CSA and has established, within CSA 14, Zone 4 to provide and pay for some or all such services in those zones in the Moro Cojo area.
3. To implement the foregoing provisions of the Government Code, Chapter 15.28 of the Monterey County Code provides for the collection of service charges for street lighting, street maintenance, storm drain maintenance, surface water disposal, sewage disposal, open space maintenance, and other extended services in CSAs and establishes the procedures to be followed in levying the service charges. Pursuant to said provisions, the County has, in the past, levied service charges to fund the extended services provided in CSA 14 – Zone 4 and proposes to continue to levy such service charges.
C. On September 30, 1997, the Monterey County Board of Supervisors approved an agreement with the Community Housing Improvement Systems and Planning Association. The agreement authorized CSA 14 to levy an annual fee or charge in an amount not to exceed \$1,100 per lot for provision of property-related services to the single family residential lots within the Rancho Moro Cojo Subdivision. The agreement was intended by the signatory parties to be the full and complete compliance with the procedures and limitations set forth in Proposition 218 and its implementing legislation with respect to the adoption, implementation, and imposition of fees and charges set forth in that agreement. That agreement allows CSA 14 to raise service chares to a level not to exceed \$1,100 with provisions for increasing that maximum in accordance with the Consumer Price Index. The proposed service charges in Fiscal Year 2004-05 for CSA 14 for the Moro Cojo subdivision do not exceed \$1,100.
D. Pursuant to Monterey County Code Secs. 15.28.040 and 15.28.050, a written report has been prepared by the Interim Public Works Director for Fiscal Year 2005-06 and filed with the Clerk to the Board of Supervisors, setting forth a description of each Assessor's parcel of real property receiving the street lighting, street maintenance, storm drain maintenance, surface water disposal, sewage disposal, open space maintenance, and other extended services, the basic rate for the service charge to be levied in the Moro

Cojo Zone within CSA 14, and the estimated amount of the overall CSA 14 service charge and the zone charge for the fiscal year.

E. Pursuant to Monterey County Code Sec. 15.28.070, the matter of the adoption of CSA 14 service charges came on regularly for hearing on July 12, 2005, the time and place fixed for said hearing. All written protests and other written communications were presented to the Board of Supervisors at said meeting, all persons desiring to be heard were given an opportunity to present testimony to the Board, the Board heard and considered the evidence presented to it, and by Resolution the Board confirmed the report, overruled all protests and approved the charges as proposed to be levied in CSA 14.

F. Based on the evidence before the Board, the Board finds that the service charges proposed to be imposed herein are apportioned by a formula or method which fairly distributes the charges among all Assessor's parcels subject to the charges in proportion to the estimated benefits to be received by each such parcel from the extended street lighting, street maintenance, storm drain maintenance, surface water disposal, sewage disposal, and open space maintenance services.

G. On November 5, 1996, the voters of the State of California passed Proposition 218, which added Articles 13C and 13D to the California Constitution. Article 13D enacts rules that are applicable to the imposition of service charges. The Board finds that this Resolution imposes service charges by extending charges that existed before the passage of Proposition 218, or have been mutually agreed to by CSA 14 and the Community Housing Improvement Systems and Planning Association, and that the charges imposed herein are properly imposed under California Constitution, Article 13D, Sec 6(b), as follows:

1. Revenues derived from the service charges shall not exceed the funds required to provide the property-related service.
2. Revenues derived from the service charges shall not be used for any purpose other than that for which the service charge was imposed, namely street lighting.
3. The amount of the service charge imposed upon any parcel as an incident of property ownership shall not exceed the proportional cost of the service attributable to the parcel.
4. No service charge may be imposed for a service unless that service is actually used by, or immediately available to, the owner of the property in question. Services based on potential or future use of a service are not permitted. Standby charges, whether characterized as charges or assessments, shall be classified as assessments and shall not be imposed without compliance with Section 4 of this Article.
5. No service charge may be imposed for general governmental services including, but not limited to, police, fire, ambulance or library services where the service is available to the public at large in substantially the same manner as it is to property owners.

Resolution Levying Service Charges for CSA 14

July 12, 2005

Page 3 of 3

- H. Service charges are being raised as allowed in accordance with the approved property owner agreement with the Community Housing Improvement Systems and Planning Association.
- I. The Board further finds that because the charges imposed have been specifically authorized by agreement these charges are exempt from the notice, protest, and election requirements specified in the California Constitution, Article 13D, Sec. 6(a) and 6(c).

NOW, THEREFORE, BE IT RESOLVED BY THE MONTEREY COUNTY BOARD OF SUPERVISORS AS FOLLOWS:

1. The Written Report of Service Charges filed herein for CSA 14 is hereby confirmed as the final report, with the following changes:

None, except only for such changes to such report as shall be necessary to be made by the Interim Public Works Director to bring the report into conformity with the changes to the Monterey County Assessment Roll prior to the moment at which the Monterey County Assessment Roll for Fiscal Year 2005-06 becomes final.

The estimated service charges set forth in the Written Report of Service Charges confirmed hereinabove are hereby levied in CSA 14 and in the CSA 14 zones for Fiscal Year 2005-06, with the following changes:

None, except for changes made necessary by changes to the final report as specified in paragraph 2, above.

PASSED AND ADOPTED on this 12th day of July 2005, by the following vote, to-wit:

AYES: Supervisors: Lindley, Smith, Armenta, Potter and Calcagno

NOES: 0

ABSENT: 0

I, LEW C. BALMAN, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof at page \_\_\_ of Minute Book 72, on July 12, 2005.

Dated July 12, 2005

LEW C. BALMAN, Clerk of the Board of Supervisors, County of Monterey, State of California

By 

Deputy

Before the Board of Supervisors in and for the County of Monterey, State of California

Resolution No. 05-257

- a. Adopt a Resolution of the Monterey County Board of Supervisors transferring sewer collection and storm water collection services, together with the facilities and assets to provide such services, from County Service Area No. 14 - Castroville (CSA 14) to the Castroville Water District (CWD); )
- b. Authorize the appropriate allocation of tax revenues between CSA 14 and Castroville Water District to fund the sewer and storm water services being transferred and to continue to provide all other services retained by CSA 14; and )
- c. Authorize submittal of application to the Local Agency Formation Commission to obtain approval for the proposed realignment and transfer of services..... )

This Resolution is made with regard to the following facts and findings:

- A. CSA 14 is a County Service Area organized and operating to provide services to the Castroville area of Monterey County pursuant to the County Service Area Law, Sections 25210.1, and following, of the California Government Code. Among other miscellaneous and miscellaneous extended services, CSA 14 provides maintenance of storm drain facilities and sewer lines on a non-contractual basis.
- B. The Castroville Water District (CWD) is a County Water District organized and operating under the County Water District Law, Sections 30000, and following, of the California Water Code to serve Castroville. Among other authorized services, Water District Law authorizes CWD to provide water and sewer services, fire protection service, recreational facilities, sanitation service, and to provide, generate and deliver electric power for its own purposes. Historically, CWD has provided only water service.
- C. CSA 14 is the successor to the Castroville County Sanitation District, which was formed in 1946 to provide sanitary sewer service to the unincorporated community of Castroville. The original sewer system and treatment plant were constructed in 1948. Since that time, the treatment plant has been decommissioned and wastewater flows are now pumped to the Monterey Regional Water Pollution Control Agency (MRWPCA) for treatment, disposal and reuse. All CSA 14 wastewater from its local collection system flows to a single pump station owned and operated by the MRWPCA for conveyance to the MRPWCA Regional Treatment Plant.
- D. CSA 14's wastewater collection consists of four lift stations, various siphons and diversion sewers and approximately 17.4 miles of pipeline ranging in size from 6 to 18-inches in diameter. Pipelines are primarily vitrified clay. A 6-inch and 10-inch sewer pipeline conveys wastewater across Highway 156 to the east. An 18-inch diameter main transmission pipeline extends along Geil Street from Pajaro Street, down Washington

- E. Street to Merritt Street, crosses Highway 1 from Highway 183, and continues to the MRWPCA Castroville Regional Pump Station.
- F. Six small storm drainage systems serve Castroville. In addition to these well-defined systems, other areas drain directly to one of the two sloughs or discharge through small private drainage systems. There are individual storm drain lines located at the intersections of Tembladera and Sanchez and of Tembladera and Preston that discharge runoff from low points along Tembladera Street to Tembladera Slough.
- G. CSA 14 receives property tax revenues from taxes that pre-date Proposition 13. These tax revenues are allocated as needed to fund the services provided by CSA 14.
- H. CSA 14 has on deposit with the Monterey County Treasurer designated reserve funds in the amount of \$4,499,315 as of June 30, 2004. This amount includes funds from the sale of the sewer lift station to the MRWPCA. Those funds are restricted to providing sewer and storm drain service.
- I. CSA 14 currently does not charge a sewage collection fee, except in the Moro Cojo zone.
- J. The CSA 14 Advisory Committee has studied and received competent, professional engineering, and financial advice on transferring to CWD all responsibility for the sewer and storm water services now provided by CSA 14, together with all assets currently held by CSA 14 to provide those services, and allocating a portion of the property tax revenue to CWD to fund the services. After due consideration, the Advisory Committee recommends that transfer of sewer and storm water service to CWD is in the best interest of the public and all persons served by CSA 14.
- K. The Advisory Committee has met jointly with the CWD Board of Directors and determined that CWD is willing to accept the transfer of all responsibility for the sewer and storm water services now provided by CSA 14, together with all assets currently held by CSA 14 to provide those services, and allocating a portion of the property tax revenue to CWD to fund the services.

NOW, THEREFORE, BE IT RESOLVED BY THE MONTEREY COUNTY BOARD OF SUPERVISORS AS FOLLOWS:

- 1. That the Monterey County Board of Supervisors, acting on behalf CSA 14, take all appropriate action to transfer to CWD as soon as possible, but not later than June 30, 2006, all responsibility for the sewer and storm water services now provided by CSA 14, together with all assets currently held by CSA 14 to provide those services, and allocating a portion of the property tax revenue to CWD to fund the services.
- 2. That County staff be authorized and directed to inform the CSA 14 Advisory Committee and the Board of Supervisors on the appropriate allocation of tax revenues between CSA 14 and CWD to fund the sewer and storm water services being transferred and allow CSA 14 to continue providing all other services to be retained by CSA 14.

3. The Monterey County Board of Supervisors, acting on behalf of CSA 14, requests such approval as may be required from the Monterey County Local Agency Formation Commission for the proposed realignment and transfer of services.

PASSED AND ADOPTED on this 4<sup>th</sup> day of October, 2005, upon motion of Supervisor Calcagno, seconded by Supervisor Smith, by the following vote to-wit:

AYES: Supervisors Armenta, Calcagno, Lindley, Smith and Potter

NOES: None

ABSENT: None

I, Lew C. Bauman, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof Minute Book 72, on October 4, 2005.

Dated: October 5, 2005

Lew C. Bauman, Clerk of the Board of Supervisors,  
County of Monterey, State of California.

By

  
Cynthia Juarez, Deputy

APPROVED AS TO FORM:

LEROY W. BLANKENSHIP  
Assistant County Counsel



ORDINANCE NO. 67

AN ORDINANCE AMENDING SECTION 1, SECTION 2, SECTION 3, SECTION 4, SECTION 7, SECTION 8, AND SECTION 9 OF AMENDED ORDINANCE NO. 61, TO ESTABLISH A RATE SCHEDULE FOR SEWER SERVICE FOR CASTROVILLE ZONE 2 SERVICE AREA (MORO COJO, NMCHS AND MONTE DEL LAGO MOBILE HOME PARK) BY THE CASTROVILLE COMMUNITY SERVICES DISTRICT FOR FISCAL YEARS 2016/17 through 2020/21

The Board of Directors of the Castroville Community Services District ordains as follows:

**Section 1. Authority.** This Ordinance is enacted pursuant to Sections 61100(b) and following of the California Government Code, Article 4, Chapter 6, Part 3, Division 5 of the Health and Safety Code and Section 6 of Article XIII D of the California Constitution.

**Section 2. Findings.**

- A. This ordinance is considered for action by the Board of Directors at a regularly scheduled and noticed meeting. The agenda was posted in accordance with law with opportunity for public review in advance of the meeting and public comment during consideration of the ordinance by the Board. The District has complied with publication, notice and hearing requirements of Section 6 of Article XIII D of the California Constitution and Sections 25124 and 66016 of the California Government Code.
- B. Sections 1, 2, 4, 7, 8 and 9 of this Ordinance 67 of the Castroville Community Services District, last amended on October 21, 2008 by District Ordinance No. 61, establish rates for sewer service. Based on the recommendations of the District's General Manager and engineering and financial advisors and the 2016 rate study by Harris Associates, formally received and approved by the Board of Directors at their meetings on April 19, 2016 and May 17, 2016, revised rates and charges are necessary to meet operating and capital expenses for sound operation of the District and to enable the District to provide continued sewer service within existing service areas.
- C. The Board of Directors held a first reading of Ordinance 67 at a regularly scheduled meeting on June 21, 2016, and held a public hearing on July 19, 2016, in accordance with Section 6 of Article XIII D of the California Constitution to receive and consider any protests to the changes in rates and charges proposed to be enacted by Ordinance 67. At the conclusion of the public hearing, the District's Secretary, acting as an impartial person designated by the Board of Directors, tabulated the protests received by the District and reported to the Board that there were not protests by a majority of owners of identified parcels upon which the rates and charges are proposed for imposition. The Board received the report and declared the absence of a majority protest and the Board adopted Resolution No. 16-6 declaring that the total numbers of valid protests timely received by the District do not constitute a majority of owners of the identified parcels upon which the rates and charges are proposed for imposition. The Board thereafter heard a second reading of Ordinance No. 67.
- D. The district's legal counsel advises, and the Board finds, that adoption of this ordinance is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Public Resources Code Section 21080(b)(8) and Section 15273 of the State CEQA Guidelines codified at 14 CCR §15273.

E. The rates, fees and charges adopted by this ordinance will not exceed the estimated reasonable costs of providing the services for which the rates, fees or charges are imposed and will not exceed the proportional cost of the service attributable to the customers on whom the charges are imposed.

F. No written requests are on file with the district for mailed notice of meetings on new or increased fees or service charges pursuant to Government Code Section 66016. At least 10 days prior to the meeting, the District made available to the public data indicating the amount of cost, or estimated cost, required to provide the service for which the fee or service charge is levied and the revenue sources anticipated to provide the service.

**Section 3. Purpose of Ordinance; Changes in Fees and Charges.** The purpose of this Ordinance is to revise charges for sewer services. This Ordinance amends Sections 1, 2, 3, 4, 7, 8 and 9 of Ordinance 61 of the Castroville Community Services District for service area Castroville Zone 2 (Moro Cojo, NMCHS and Monte Del Lago Mobile Home Park, as last amended on October 21, 2008 by District Ordinance No. 67.

The following fees and charges are hereby adopted for wastewater service and will be in effect from August 18, 2016 through June 30, 2017, pro-rated from August 18, 2016, and include an annual escalator for each subsequent fiscal year, not to exceed 4 percent annually. The charges for each fiscal year after fiscal year 2016/17 will be in effect, respectively, from July 1, 2017 through June 30, 2018, from July 1, 2018 through June 30, 2019, from July 1, 2019 through June 30, 2020 and from July 1, 2020 through June 30, 2021, unless the Board determines by resolution that the amount for a fiscal year will not become effective or will be some lesser amount than the amount approved.

**RATE SCHEDULE FOR FISCAL YEARS 2016/17 THROUGH 2020/21 FOR CASTROVILLE ZONE 2 SERVICE AREA (MORO COJO, NMCHS AND MONTE DEL LAGO MOBILE HOME PARK).**

Sewer Accounts	Units	Equiv. Connections	Current Revenue	FY 2015/16 Rate per Equiv. Connection	Proposed FY 2016/17 Rate per Equiv. Connection	Total Estimated Revenue
Mojo Cojo	175 residence 90 MFR	265.0	\$ 51,274.50	\$ 193.49	\$ 212.84	\$ 56,402.60
North County Park & Rec	1 connect	1.0	193.49	\$ 193.49	\$ 212.84	\$ 212.84
NMC High School	1,100 students	53.6	\$ 4,400.00	\$ 82.13	\$ 212.84	\$ 11,402.14
Monte De Lago Mobile Park	311 sites	311.0	\$ 30,160.00	\$ 96.98	\$ 212.84	\$ 66,193.24
		630.6	\$ 86,027.99			\$ 134,210.82

USER FEES-ZONE 2	FY 2016/17	FY 2017/18	FY 2018/19	FY 2019/20	FY 2020/21
1. Single-family residence, per dwelling unit	\$212.84	\$221.35	\$230.20	\$239.41	\$248.99
2. Multiple-family residence, per dwelling unit	\$212.84	\$221.35	\$230.20	\$239.41	\$248.99
3. Mobile home residence:					
a. Single-width trailers, per trailer (connected)	\$212.84	\$221.35	\$230.20	\$239.41	\$248.99
b. Double-width trailers, per trailer (connected)	\$212.84	\$221.35	\$230.20	\$239.41	\$248.99
c. Mobile home park office & meeting room	\$212.84	\$221.35	\$230.20	\$239.41	\$248.99
4. Industrial discharge per million gallons	N/A	N/A	N/A	N/A	N/A
5. North Monterey High School, per student	\$10.36	\$10.77	\$11.20	\$11.65	\$12.12

<b>CONNECTION FEES</b>	<b><u>Zone 2</u></b>	
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1. Per Equivalency Dwelling Unit	\$3,168.00	Each
2. Commercial, institutional, & industrial	3,168.00	Per EDU
a. Minimum charge per parcel to be connected,	3,168.00	Per EDU
b. North Monterey H. S. & Monte Del Lago Trailer Park	Waived	

<b>ANNEXATION FEES</b>	<b><u>Zone 2</u></b>	
------------------------	----------------------	--

1. a. Per acre or fraction thereof	\$2,000.00	
b. Minimum fee	500.00	
2. Deposit by annexation proponents for a study and for a preparation of documents necessary to initiate and/or complete annexation proceedings	1,000.00	
3. A separate zone annexing to Castroville CSD pursuant to agreement	816.50	Each/Quarter

<b>OTHER FEES</b>	<b><u>Zone 2</u></b>	
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1. Inspection Fee	\$ 65.00	Per Hour
2. Deposit for preparation of a reimbursement agreement	1,000.00	Each
3. Copies of Ordinance	.10	Per Page
4. Sewer Permit Fee	50.00	Each

**Section 4. Requirements for Rates, Fees and Charges.** The rates, fees and charges adopted by this ordinance shall not exceed the estimated reasonable costs of providing the service for which the rates, fees or charges are imposed.

**Section 5. Severability.** If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, or superseded by some other provision of law, such provisions shall be severed from and shall not affect the validity of the remaining provisions of this ordinance. The Board hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any other part thereof be unconstitutional or invalid, or superseded by some other provision of law. The parts of this ordinance which are not unconstitutional, invalid, or superseded shall remain in full force and effect and shall be enforced according to their terms.

**Section 6. Interpretation.** Words and Phrases used in this Ordinance shall be read conjunctively with and shall have the same meaning as in prior District ordinances, unless specifically changed by this Ordinance or unless the context requires some other construction. If

there is any inconsistency between this Ordinance and prior provisions, this ordinance shall control.

**Section 7. Effective Date.** This Ordinance shall take effect thirty days after adoption, in accordance with Government Code Section 25123.

**Section 8. Publication and Posting.** Within 15 days after adoption, the District shall publish, in a newspaper published in Monterey County and circulated within the District, a summary of this ordinance with the names of those directors voting for and against adoption, and shall post in the District office a certified copy of the full text of this Ordinance as adopted along with the names of those directors voting for and against adoption.

**Section 9. Notice of Exemption.** The Secretary is authorized and directed to give due notice of exemption of this Ordinance from the provisions of CEQA, pursuant to Title 14, California Code of Regulations, section 15062.

**Section 10. Existing Charges.** Existing rates, fees and charges in effect when this Ordinance is adopted shall remain in effect unless specifically changed by this Ordinance.

PASSED AND ADOPTED on July 19, 2016 by the Board of Directors of the Castroville Community Services District by the following vote, to wit:

AYES: MacMillan, Melgoza & Stefani

NOES: Ø

ABSTAIN: Ø

ABSENT : Montejano

APPROVED:

Ron Stefani  
Ron Stefani, President

ATTEST:

Lidia Santos  
Lidia Santos, Secretary

(seal)

Exhibit 4

FILED

This space is for the County Clerk's Filing Stamp  
MAY 31 3 59 PM '06

DEAN J. EDGAR  
CLERK  
DEPUTY

**PROOF OF PUBLICATION**  
(2015.5 C.C.P.)

STATE OF CALIFORNIA

County of Monterey

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of *The Salinas Californian*, a newspaper of general circulation, printed and published daily except Sunday in the City of Salinas, County of Monterey and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Monterey, State of California; that the notice, of which the annexed is a printed copy (set in type no smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

March 21, 2006

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Executed on March 21, 2006

at Salinas, California.

*Charlene Clark*  
Signature

**ORDINANCE NO. 5019**

**ORDINANCE NO. 8019  
AN ORDINANCE RELATING TO WASTEWATER FACILITIES  
AT THE MOSS LANDING COUNTY SANITATION DISTRICT**

This ordinance amends Section 16 of Ordinance No. 1, as amended, which relates to the use of sewer service charges for parcels designated as "non-service parcels" which are exempt from sewer service charges for all other uses.

The Monterey County Board of Supervisors, acting as the Board of Directors of the Monterey County Sanitation District, ordains as follows:

**SECTION 16. SEWER SERVICE CHARGES**

- a) Any person owning parcels containing buildings or plumbing fixtures shall pay to the District a charge as set forth below Schedule of Rates.
- b) Notwithstanding anything to the contrary in this ordinance, the monthly rate for any parcel connected or to be connected to the District sewer system shall be no less than the monthly rate shown per dwelling unit for a Single Family parcel having a connection, but for which a specific classification to the District has not been set forth in this Section, the Board shall set and change charges in its sole discretion it deems applicable for the type of use being made in relation to the uses already classified and the rate in this ordinance fixed in uses.
- c) District shall collect, by means of a monthly billing, sewer service charges for parcels containing buildings or plumbing fixtures owned by a person owning a parcel or parcels containing buildings or plumbing fixtures or plumbing fixtures from which discharges are made to the District sewer system. Any person owning a parcel or parcels containing buildings or plumbing fixtures shall be liable to pay to the District a monthly service charge. The monthly rate shall be as follows:
  - i) All sewer service charges shall be billed in advance on a quarterly basis as determined by the Monterey County Public Works Director.
  - ii) All sewer service charges shall be combined with statements for other services, and may be billed for other utilities. All billings for sewer service charges shall be in the name of the owner of the property being served, as reflected on the assessment roll for the County of Monterey or as reflected in any deed or other evidence of change of ownership, recorded with the County Recorder and the last equalized assessment roll, upon presentation of such evidence to the Director for such purposes, or (2) if a billing service of some other utility, in either name of the respective customer-addressee of such other utility. In either case, the party ultimately responsible for the payment of sewer service charges shall be the party ultimately responsible for such sewer service charges.
- d) Any sewer service charges established and adopted by District pursuant to the terms of the ordinance establishing same, and delinquent charges accrued thereon, shall be collected pursuant to Section 5473a of the California Health and Safety Code, that is, on the same manner, by the same persons; and at the same time as, together with the general taxes of the County. District shall prepare separately from the general taxes of the County, a report which shall contain a description of each parcel of real property in the County, and the amount of sewer service charges, and the amount of delinquent charges, and the amount of charges accrued in accordance with this ordinance. District shall give notice of such charges to the owner of the property.

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Executed on March 21, 2006

at Salinas, California.

*Charlene Clark*

Signature

parcels having a connection, but for which a specific classification for sewer service charges has not been set forth in this Section, the Board shall set and change in its sole discretion it deems applicable for this type of use being made of the relation to the uses already classified and the rate in this ordinance fixed for all uses.

c) District shall collect, by means of a monthly billing, sewer service charges person owning a parcel or parcels containing buildings or plumbing fixtures discharges are made to the District sewer system. Any person owning parcels buildings or plumbing fixtures from which discharges are made to the District shall pay to the District a monthly service charge. The monthly rate shall be set on a quarterly basis as determined by the Monterey County Public Works Director. A statement may be combined with statements for other services, and may be on behalf of the owner of the property being served, as reflected on the last assessment roll for the County of Monterey or as reflected in any deed or other evidence of change of ownership, recorded with the County Recorder since the last qualified assessment roll, upon presentation of such evidence to the Public Director for such purposes, or (2) if a billing service of some other utility is the name of the respective customer-addressee of such other utility. In either event, owner of the property served shall be the party ultimately responsible for the sewer service charges.

d) Any sewer service charges established and adopted by District which delinquent pursuant to the terms of this ordinance establishing same, and all subsequent charges accrued thereon, shall be collected pursuant to Section 5473a of the California Health and Safety Code, that is, on the County of the same manner, by the same persons, and at the same time as, together with separately from the general taxes of the County. District shall prepare and file a report, which shall contain a description of each parcel of real property the owner is responsible for payment of delinquent charges, and the amount of such charges accrued in accordance with this ordinance. District shall give notice of hearing only as to such delinquencies.

e) Industrial waste dischargers shall, in addition to the monthly rate domestic wastes as listed below, compute and pay to the District quarterly a sum equal to \$2,000 per million gallons of industrial wastes discharged during the calendar quarter. Such payments are due and payable within 30 calendar days the calendar quarter in which they are incurred. The calendar quarter shall come the first days of January, April, July, and October. If any quarterly payment is when it is due and payable, it shall become delinquent thereafter, and a penalty shall be attached to the total service charges then due.

f) The monthly rate for a parcel with access to the sewer system by improvements thereon and not connected to the sewer system is \$16.00.

g) (1) The following designated "non-service parcel" as shown on the 1998-99 equalized tax rolls will be exempt from the rate as provided in subsection g) of this section:

Assessors Parcel No.  
 133-162-001  
 133-162-003  
 133-162-004  
 133-231-008133-261-001  
 413-051-026

(2) The following designated "non-service parcel" as shown on the 1998-99 equalized tax rolls will be exempt from the rate as provided in subsection g) of this section beginning January 1, 2006.

413-023-010  
 133-201-010  
 133-231-007  
 133-231-010  
 133-241-018  
 413-022-009

(3) The following designated "non-service parcel" as shown on the 2004-2005 tax rolls will be exempt from the rate as provided in subsection g) of this section beginning January 1, 2006.

Category	Monthly Rate	Category	Monthly Rate
Single-family residences, per dwelling unit	33.25	Mobile home park residences (More than one)	25.40
Multiple-family residences, per dwelling unit	44.1	Single width trailers, per trailer (connected)	25.40
Mobile home park residences	33.8	Double width trailers, per trailer (connected)	25.40
Hotels and Motels, per overnight guest room	33.6	Travel trailers, per trailer (connected)	18.63
Day schools, per student ADA year preceding Secondary 7-12	22.1	Hoteles and Motels, per overnight guest room	6.65
Elementary grades K-6, including preschool & nursery	8.6	Day schools, per student ADA year preceding Secondary 7-12	1.33
Add for cafeteria	1.7	Add for athletic shower facilities	1.02
Add for athletic shower facilities	1.3	Fire Stations	2.29
Day staff, per person	1.3	Overnight staff, per person	7.88
Cafe or restaurants, per seat	0.67	Bars or taverns, per seat	4.39
Service stations	1.02	Laundromats, per washer	1.33
Car wash self-service, per wash station	1.3		12.50
			39.90
			53.1

## MEMORANDUM OF UNDERSTANDING

THIS Memorandum of Understanding is made this \_\_\_\_ day of \_\_\_\_\_, by and between MONTEREY ONE WATER, a Joint Power Agency (hereinafter "Agency"), and Castroville Community Services District, a community services district, organized under the laws of the State of California (hereinafter "Member Entity").

### RECITALS

WHEREAS, Member Entity desires to collect local sewer use fees ("Local Fees") imposed on parcels of real property receiving the services and facilities within its service areas on the tax roll in the same manner, by the same persons, and at the same time as, together with and not separately from general taxes pursuant to sections 5471 *et seq.* of the Health & Safety Code;

WHEREAS, Agency is willing to work with the Member Entity to assist in placing the Local Fees on the Monterey County ("County") tax roll;

**NOW, THEREFORE**, the Parties commit to undertake the following actions with respect to preparing the report required by Section 5473 *et seq.* of the Health & Safety Code and noticing the public hearing(s) required by Section 5473 *et seq.* of the Health & Safety Code:

1. For each year Member Entity decides to pursue placing the Local Fees on the tax roll, the Agency will work with Member Entity to place said fees on the tax roll.
2. To meet the deadline set forth in Section 5473.4 of the Health & Safety Code, each year, Member Entity shall endeavor to comply with the following deadlines:
  - a. **On or before the 1<sup>st</sup> of July each year, Member Entity** shall provide Agency with an Annual Report, which includes a description of each parcel of real property receiving the services and facilities and the amount of the Local Fees for each parcel for the respective year, computed in conformance with the ordinance or resolution adopting the fees. The Member Entity is responsible for the accuracy of the information contained in the Annual Report and any data that is submitted to the County, including ensuring that the data is submitted in the format specified by the County for placement on the tax roll and is submitted with the Member Entity's County Tax Code;
  - b. **On or before July 1<sup>st</sup> of each year, Member Entity** shall provide Agency with a copy of the adopted resolution or ordinance approving the final Annual Report and the Local Fees by category to be in effect for the fiscal year, adopted by 2/3 vote of legislative body of the Member Entity in compliance with the requirements of Sections 5473.1 *et seq.* of the Health & Safety Code. In addition the Member Entity shall provide the Agency with an executed copy of the Agreement with the County for the collection of special taxes, fees, and assessments on the tax roll;
  - c. **On or before August 1<sup>st</sup> of each year, Member Entity** shall provide Agency with a copy of the final Annual Report, along with a statement endorsed on the Report that the Report has

been adopted by the legislative body of the Member Entity, and has been filed with and accepted by the County Auditor of the County of Monterey in the format specified by the County on or before August 1<sup>st</sup> for each year in compliance with the requirements of Section 5473.4 of the Health & Safety Code.

- d. The Member Entity must promptly notify the Agency within one business day if it is notified by the County that there are any error(s) in the data contained in the Annual Report that is submitted to the County. If requested by the Member Entity, Agency staff will assist the Member Entity in correcting the error(s) so that the Member Entity can resubmit the data to the County for placement on the tax roll prior to the August 1<sup>st</sup> deadline.
3. If requested by the Member Entity, Agency Staff will assist the Member Entity to prepare the Annual Rate Report containing a description of each parcel of real property receiving services and the amount of the charge to be assessed to each parcel for the fiscal year computed in conformance with the ordinance or resolution adopting the fees.
4. If requested by the Member Entity, Agency Staff will assist the Secretary of the Member Entity with mailing the notice required by Section 5473.1 of the Health & Safety Code to the owners of the parcels described in the initial Annual Report. The notice must be mailed to the address shown on the last equalized assessment roll available on the date the Report is prepared, or as known to the Secretary.
5. If requested by the Member Entity, Agency Staff will assist the Secretary of the Member Entity to file the Report and cause a notice of the public hearing to be published in accordance with California Government Code Section 6066 in a newspaper published once a week or more often as required by Section 5473 et seq. of the Health & Safety Code (publication must be prior to the public hearing, once a week for two successive weeks, with at least five days intervening between the respective publication dates).
6. If requested by the Member Entity, Agency Staff will assist the Secretary of the Member Entity to prepare for and hold the public hearing required by Section 5473.2 et seq. of the Health & Safety Code, including assisting with the preparation of staff report(s) and related resolutions or ordinances for consideration by the legislative body of the Member Entity.
7. If requested by the Member Entity, Agency Staff will assist the Secretary of the Member Entity in filing a copy of the adopted final Report, along with a statement endorsed on the Report that the Report has been finally adopted by the legislative body of the Member Entity, on or before August 1<sup>st</sup> of each year, with the County Auditor of the County of Monterey.
8. The Agency will continue to do a limited number of annual inspection services, as needed or requested, of local businesses and/or other field related services to determine if there have been changes in use such as Accessory Dwelling Units, Change in Business type, New Connections to the regional sewer system and other changes that might impact sewer service rates as time permits of Agency staff. Agency will track the number of inspections conducted in the first year and inform Member Entity of any changes in use observed during its inspections.



9. The Agency will also continue to provide for the Member Entity annual database management. This process will entail updating any change of ownership to the parcel, correcting any changes per field inspections, and working with Member Entity staff for updating the revised rates for the Annual Rate Report.
10. The Agency will work with the Member Entity to develop a Billing Adjustment Policy to address any billing adjustments for parcel owners within the Member Entity's boundaries during the first year of transition to the tax rolls.
11. As consideration for these services noted above, Member Entity agrees to pay Agency \$1,269.84 each Fiscal Year (the service fee is the same amount paid in Fiscal Year 2022-23). The fee will be adjusted annually for the change in the Bay Area Consumer Price Index as of February of each year. This amount will be reduced by the 0.25% fee assessed by the County for collection of the Local Fees for Member Entity. This fee may be adjusted in future years based upon the costs of services provided to Member Entity.
12. In connection with the Report required by Section 5473 *et seq.* of the Health & Safety Code, Member Entity will not issue a building permit until they are in receipt of a permit or waiver from Agency. In addition, for any new residential permits the Member Entity needs to provide jurisdictional approval on the Agency residential application. Agency requests the Member Entity to provide the Agency with a monthly report containing all issued and final building permits, including their parcel number, address, and description of the project.
13. Indemnification

Each Party (Agency and Member Entity) shall indemnify, defend, and hold harmless the other Party and their respective officers, directors, employees, consultants, contractors, representatives, and agents (the "Indemnified Parties") from and against any and all causes of action, claims, liabilities, obligations, judgments, or damages, including reasonable attorneys' fees and costs of litigation ("claims"), arising out of or caused by the performance of the obligations in this MOU or related to any challenge to the rates that are the subject of the Annual Reports, including the claims based upon the Party's active or passive negligence, except for such loss or damage arising from the sole negligence or willful misconduct of the other Party. In the event the Indemnified Parties are made a party to any action, lawsuit, or other adversarial proceeding arising from the other Party's performance of this MOU, the other Party shall provide a defense to the Indemnified Parties or at the other Party's option reimburse the Indemnified Parties for their costs of defense, including reasonable attorneys' fees, incurred in defense of such claims. If it is finally determined that liability is caused by the comparative active negligence or willful misconduct of an Indemnified Party, the indemnification obligation shall be reduced in proportion to the established comparative liability of the Indemnified Party.

14. Governing Law and Venue. This MOU is governed by the laws of the State of California. The venue for any action arising in connection with this MOU will be in the Superior Court of the State of California sitting in Monterey County and the Parties hereby consent to the jurisdiction of such court.

15. Counterparts. This MOU may be executed and delivered in counterparts or by a method of digital signature consistent with the laws of the State of California. Counterparts that are delivered with original signatures, by PDF or by digital signature, when taken together, will constitute a binding and enforceable document.
  
16. Notices. All notices delivered pursuant to this MOU may be made in person, via commercial overnight delivery or by electronic mail, provided that any notice delivered by electronic mail will only be effective upon actual confirmation of receipt of the recipient by return electronic mail (not an automated response). All notices will be addressed as set forth below each Party's signature.
  
17. This MOU shall be effective upon the signature of both Parties. It shall be in force and effect from the date of execution until June 30, 2025, or can be terminated by either Party upon thirty (30) days written notice to the other Party.

IN WITNESS WHEREOF, the Parties have executed this MOU as of the date first set forth above.

**Signatures and dates**

Dated:	Dated:
Castroville Community Services District	Monterey One Water
By: _____ Name: Eric Tynan Title: General Manager _____	By: _____ Paul A. Sciuto General Manager

**CASTROVILLE COMMUNITY SERVICES DISTRICT  
INVESTMENT AND DEPOSIT POLICY**

**BACKGROUND AND PURPOSE**

State law requires that the District’s Treasurer submit to the Board an annual statement of Investment Policy and periodic reports regarding investments and deposits. This document is the Annual Statement of Investment Policy for FY 2024/2025.

Pursuant to California Government Code Sections 61050(c) and 61053 (b) the Board of Directors (“Board”) has appointed the General Manager to be the District Treasurer. Pursuant to Government Code Section 61053(a), the Board has established an alternative depository, other than the County of Monterey, for the District’s funds.

Pursuant to California Government Code Section 53646(a)(2), regarding investments and deposits of District funds, the District deposits and investments shall be made by the District in accordance with this policy.

**I. OVERALL POLICY**

When investing, re-investing, purchasing, acquiring, exchanging, selling or managing public funds, the primary objective of the District shall be to safeguard the principal of the funds under its control. The secondary objective shall be to meet the liquidity needs of the District. The third objective shall be to achieve a return on the funds under the District’s control. When depositing funds pursuant to Section 53630 et seq., the District’s primary objective shall be to realize maximum return, consistent with prudent financial management.

The District shall maintain an operating fund with enough reserve to avoid borrowing because of routine disruptions in revenue. The District shall maintain a replacement fund with a reserve fund for the replacement of facilities which will avoid all or part of the cost of borrowing. A reserve fund element should be calculated for each physical asset. The District shall maintain a reserve fund to replace facilities lost due to catastrophic events and to pay for the defense of claims often associated with such losses.

**II. APPLICABLE LAW**

All references to code sections in this Statement, unless otherwise specified, are from the California Government Code. The District’s investment policy is based on provisions of the California Government Code commencing with Section 53600 governing the investments of local agency funds and deposits of public monies. All references to code sections in this Statement, unless otherwise specified, are from the California Government Code.

The District's investment policy is based on provisions of the Section 53600 and following governing the investments of local agency funds and public monies. The District's deposit policy is based on the provisions Section 53630 and following governing the deposit of local agency funds and public monies.

All District funds will be invested in compliance with governing provisions of law Government Code Sections 53600 et seq. and this policy. All District deposits will be made in compliance with Sections 53630 and following and this policy. If there is any inconsistency or conflict between the applicable state laws and the policies expressed in this Statement, the statutory provision shall be the policy of the District.

In accordance with Section 53600.3, the District intends to invest prudently in order to safeguard the invested principal and maintain adequate cash availability for the anticipated needs of the District. In accordance with Section 53637, the District intends to make its deposits with the objective of realizing maximum return, consistent with prudent financial management. With respect to deposits made by the District, such deposits shall be made with As far as possible, all money belonging to or in the custody of the District, including money paid to the Treasurer or other official to pay the principal, interest, or penalties of bonds, shall be deposited for safekeeping in an institution as described in Section 53635.2.

### III. AVAILABILITY OF FUNDS

A. Funds For Immediate Expenditure. An amount approximately equal to the total of all District expenditures for an average three-month period shall be maintained in active deposits, as defined by Section 53644(a), such as the State Treasurer's Local Agency Investment Fund (LAIF). All Deposits (both active and inactive) shall be managed in accordance with Sections 53630 through 53686.

B. Funds Not Required for Immediate Expenditure. All funds in excess of the amount needed for immediate expenditure as described in paragraph A, shall either be a deposited as set forth in Section V, below with the objective of realizing maximum return, or invested in acceptable investment instruments as described in Section IV, below. Periodic analysis of cash flow during the fiscal year shall serve as the basis for determining when such funds should be made available for expenditure, so that an appropriate maturity date of deposits or investments may be fixed accordingly.

C. Earned Interest. In accordance with Section 53647, interest earned on all money deposited belongs to, and shall be paid quarterly into the general fund of, the District, unless otherwise directed by law. Notwithstanding this provision, the Board may direct such interest to be paid to the fund which contains the principal on which the interest accrued.

IV. ACCEPTABLE INVESTMENT INSTRUMENTS

The District's investment portfolio may include the following instruments subject to state law and subject to the constraints herein stated:

A. Negotiable certificates of deposits, subject to the limitations set forth in Section 53601(h) and Section 53638. Purchases of certificates of deposits shall not exceed thirty percent (30%) of the District's idle funds;

B. Deposits in the Local Agency Investment Fund (LAIF), subject to the provisions governing deposits which are set forth in Sections 53630 through 53686. No investment with the Local Agency Investment Fund may, by state regulation, exceed fifty million dollars (\$50,000,000);

C. Passbook savings accounts, subject to the provisions governing deposits which are set forth in Sections 53630 through 53686. In accordance with Section 53637, no funds shall be deposited into a credit union if a member of the Board or a District employee also serves on the board of directors or any committee of the credit union;

D. *Bonds and other evidences of indebtedness as set forth in Section 53601(a)-(e);*

E. Obligations issued by banks, and other participations and instruments as described in Section 53601(f);

F. Bankers acceptances as described in Section 53601(g);

G. Any other security or investment authorized by Section 53601(a)-(p).

V. DEPOSITS

A. All deposits shall be made in accordance with state law and are subject to the constraints stated herein:

1. The depository has received an overall rating of not less than "satisfactory" in its most recent evaluation by the appropriate federal financial supervisory agency in accordance with Section 53635.2;

2. The funds are available for withdrawal in accordance with Section 53644;

3. Security is provided for the deposits in accordance with Section 53652;

4. The deposits do not exceed the maximum deposit limitations set forth in Section 53638 and 53635.8;

5. The contract for deposit complies with Section 53649; and
6. All other requirements of state law are met.

B. Types of deposits authorized are:

1. Deposits in the Local Agency Investment Fund (LAIF), subject to the provisions governing deposits which are set forth in Sections 53630 through 53686. No investment with the Local Agency Investment Fund may, by state regulation, exceed fifty million dollars (\$50,000,000);

2. Passbook savings accounts, subject to the provisions governing deposits which are set forth in Sections 53630 through 53686. In accordance with Section 53637, no funds shall be deposited into a credit union if a member of the Board or a District employee also serves on the board of directors or any committee of the credit union;

3. Time deposits (sometimes referred to as non-negotiable certificates of deposit);  
and

4. Any other deposits allowed by law.

VI. INVESTMENT AUTHORITY AND REPORTING REQUIREMENTS

A. District Treasurer. The District General Manager shall perform the duties of "treasurer" under Sections 53630 through Sections 53686. District funds deposited in any account are deemed to be in the treasury of the District, pursuant to Section 53636. The District Treasurer is responsible for the safekeeping of money in his or her custody and shall enter into any contract with a depository relating to any deposit which in his or her judgment is to the public advantage, as provided by Section 53649. The District Treasurer is responsible for compliance with all state laws governing the day-to-day management of deposits as set forth in Sections 53630 through 53686.

B. Borrowing funds. In making any decision that involves borrowing in the amount of one hundred thousand (\$100,000) or more, the Board shall discuss, consider, and deliberate each decision as a separate item of business on the agenda of its meeting as prescribed in the Government Code, commencing at Section 54950.

C. Investment Committee. The Board Investment Committee shall meet periodically to review the cash flow requirements of the District and the compliance of its deposits and investments with this Statement.

D. Monthly report. As required by Section 53646, the District's Treasurer shall render a monthly report to the Board, the chief executive officer and the internal auditor, including the following information about each of the District's deposits and investments:

1. The type of deposit or investment, issuer, date of maturity par;

2. The total dollar amount invested in all securities, investments and moneys held by the District;
3. Description of any of the District's funds, investments or programs that are under the management of contracted parties, including lending programs. With respect to all of the District's securities that are under management of any outside party that is not also a local agency or LAIF, the report shall also include a current market value as of the date of the report, and shall include the source of this same valuation.
4. A statement of compliance of the portfolio to this Statement of Investment Policy, or, if the portfolio or any portion of it is not invested in accordance with this Statement of Investment, a clear and concise statement identifying the manner in which the portfolio is out of compliance with this Statement of Investment.
5. A statement denoting the ability of the District to meet its expenditures for the next six months, or provide an explanation as to why sufficient money shall, or may not be available.
6. A subsidiary ledger of deposits and investments may be used in the report in accordance with accepted accounting practices.
7. Whatever additional information the Board may require.

E. In-Lieu Statements. For District deposits and investments placed in the Local Agency Investment Fund, created by Section 16429.1, in National Credit Union Share Insurance Fund-insured accounts in a credit union, in accounts insured or guaranteed pursuant to Section 14858 of the Financial Code, or in Federal Deposit Insurance Corporation-insured accounts in a bank or savings and loan association, in a county investment pool, or any combination of these, the Treasurer may supply the most recent statement or statements received by the District from these institutions in lieu of the information required by paragraph D(1)-(7) above.

F. Annual Board Review. The Board shall meet annually to review the District Investment portfolio, monthly reports prepared pursuant to Section 53646 of the Government Code, and any other relevant information regarding anticipated cash requirements for the purpose of selecting deposit or investment instruments for District funds.



# CASTROVILLE COMMUNITY SERVICES DISTRICT

From the desk of  
J. Eric Tynan – General Manager

**TO:** CCSD Board of Directors  
**DATE:** June 18, 2024

**RE:** Retirement from Castroville CSD

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## Dear Chairman Padilla

I'd Like to thank you, the Directors, the Staff and community for allowing me to be the General Manager of the Castroville Water District and now the Castroville Community Services District for the past 23 + years.

The experience has been very gratifying to me and nothing made me prouder than to say I was the General Manager of such a fine and well-respected organization.

The support from the Directors and Staff has allowed the District to make some great improvements, including providing many new services and tripling the size of the District to include Moss Landing, Monte Del Lago and Moro Cojo, all the while keeping costs affordable in a vibrant but economically challenged community.

Any accolades I've received are due to the hard work and integrity of my Staff and the unwavering support from the Board of Directors .

While very proud of the Districts accomplishments I feel after 24 years the organization would be best served by a New General Manager who could bring a fresh perspective taking the District to a new level both operationally and professionally.

Therefore, with much reluctance, I wish to inform the Board that I plan to retire October 31, 2024 which will be my 24<sup>th</sup> anniversary with the District.

If requested by the Board, I will make myself available to help with the transition both before and after the new General Manager is hired.

As a resident of this community that has given me so much, I plan to contribute in every way possible, to continue to make this an even better place to live, play and work

Much Appreciated

J. Eric Tynan



# CASTROVILLE WELL LEVELS 2018-2024

