

MONTEREY COUNTY

WATER RESOURCES AGENCY

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April 29, 2025

Christopher B. Burton
State of California
Fair Political Practices Commission
1102 Q Street, Suite 3050
Sacramento, CA 95811
Via Email at vgreer@fppc.ca.gov

Re: FPPC Complaint No. COM-04222025-01091; Matt Simas, Michael Scattini, John Baillie, Monterey County Water Resources Agency, Monterey County Water Resources Agency

Dear Mr. Burton,

This letter is in response to your correspondence of April 25, 2025, concerning FPPC Complaint No. COM-04222025-01091 ("Complaint"). I write this letter to provide you information relevant to your deliberation on the Complaint.

First, as a foundational matter, the Monterey County Water Resources Agency's ("MCWRA") enabling legislation entitled the *Monterey County Water Resources Agency Act* ("Agency Act") located in Appendix 52 of the California Water Code controls the composition of the MCWRA Board of Directors.¹ Specifically, Section 49 of the Agency Act requires that the MCWRA Board of Supervisors appoint four Directors from the following groups: Monterey County Farm Bureau, Grower-Shipper Vegetable Association of Central California, the Mayor's Select Committee, and the Monterey County Agricultural Advisory Committee. As such, the Agency Act expressly requires that certain appointees have a representative interest in a particular industry, trade, or profession.

Second, the decisions of the Board of Directors that are the subject of the Complaint were advisory decisions. This is true for all budgetary matters, including ratesetting. The ultimate decision making authority on adoption of a water delivery charge rests solely with the MCWRA Board of Supervisors (See Agency Act section 70). In both instances, the item for consideration before the Board of Directors was whether to *recommend* the Board of Supervisors adopt a fee increase.

Lastly, it is important to note that the MCWRA Board of Directors is current on its AB 1234 ethics training. Just recently, on March 17, 2025, MCWRA's General Counsel gave an AB 1234 training to the Board of Directors at its regular meeting.²

¹ Agency Act: <https://www.countyofmonterey.gov/home/showdocument?id=19488>

² March 17, 2025 agenda and video: <https://monterey.legistar.com/Calendar.aspx>

The Water Resources Agency manages water resources sustainably while minimizing impacts from flooding for present and future generations.

The MCWRA respects the Commission's important role to administer and enforce the Political Reform Act and we await your determination regarding next steps in this particular matter. If you need additional information or have concerns or questions, please do not hesitate to contact me.

Sincerely,

DocuSigned by:
Ara Azhderian
By: 1F182FFB49A2435
Ara Azhderian, General Manager
Monterey County Water Resources Agency

cc:

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