



EXHIBIT 16-E

FINAL MINUTES
**Technical Advisory Committee of the
Monterey Peninsula Water Management District**
January 17, 2013

Call to Order

The meeting was called to order at 9:34 a.m. in the District Conference room.

Committee Members Present

City of Carmel-by-Sea	Marc Wiener
City of Monterey	Todd Bennett, Vice Chair
City of Pacific Grove	Sarah Hardgrave, Chair
City of Seaside	Tim O'Halloran
Monterey Peninsula Airport District	Desmond Johnston

Committee Members Absent:

City of Del Rey Oaks	Daniel Dawson
City of Sand City	Steve Matarazzo
County of Monterey	Rob Johnson

District Staff Members Present:

David J. Stoldt, General Manager
Stephanie Pintar, Water Demand Manager
Arlene Tavani, Executive Assistant

District Counsel Present:

David Laredo

Comments from the Public:

No comments.

Action Items

1. Consider Adoption of Minutes of the October 9, 2012 Committee Meeting

On a motion of Bennett and second by Johnston, the minutes were approved on a unanimous vote of 5 – 0. Wiener, Bennett, Hardgrave, O'Halloran and Johnston voted in favor of the motion. Dawson, Matarazzo and Johnson were absent.

Discussion Items

2. Discuss Policy on outdoor Restaurant Seating

Pintar gave a presentation that offered suggestions for permitting outdoor restaurant seating. A summary of her presentation is on file at the District office and can be viewed on the MPWMD website. The committee provided the following comments. (a) Outdoor seating will be utilized on a seasonal basis, so a factor of .01 could be assigned for each seat. (b) The amount of water used for outdoor seating is minimal, and the water credit offered for removal of those seats would be minimal so adding a new rule will have little effect. (c) Water utilized for outdoor restaurant

seating may not be minimal and could affect the community's ability to remain within water production limits. (d) Cleanliness is an issue, storm water regulations prohibit hosing off sidewalk areas. (e) Opposed to creation of new regulations. The permitting process for commercial projects is rigorous without considering outdoor seating. (f) If rationing were implemented, this would be a moot point because restaurants would be required to keep water use at a specific level. (g) The additional workload and enforcement required for such a small benefit is not warranted when there are more important issues to be addressed. (h) Enforcement would be accomplished on evenings and weekends which would be a significant expense for the MPWMD. (i) The factor for outdoor seating should be significantly less than .01 per seat. (j) Suggest that if seating is increased by 50% or more, then a water permit would be required. (k) The MPWMD should reevaluate its current restaurant seat factor.

Status Reports

3. Update on California Public Utilities Commission (CPUC) Proceedings on Water Supply Project

Stoldt reported that a plan for a Monterey Peninsula Water Supply Project governance committee is under development by three parties that would form the committee: MPWMD, Monterey Peninsula Regional Water Authority, County of Monterey and Cal-Am. The concept of a public contribution of funds to buy-down the cost of the desalination project is under discussion. If a public contribution were funded by bonds, a vote is required; if certificates of participation are the vehicle, the MPWMD would be required to own the water briefly and then sell it back to Cal-Am.

4. Update on Status of Cease and Desist Order (CDO)

Stoldt reported that the MPWMD has adopted a regulation that extends water use credits until after the CDO is lifted. The MPWMD is considering an extension of water credits that had been held by redevelopment agency projects. The MPWMD is also looking at ways to allow water meters to be set in mixed-use developments. Cal-Am interprets the CDO to prohibit setting of meters when a use at a site changes from commercial to residential/commercial. The MPWMD is also considering expansion of aquifer storage and recovery, and sponsorship of small water projects in the jurisdictions. The District plans to initiate dialogue with the State Water Resources Control Board to achieve modifications to the CDO administratively, instead of through litigation.

Adjourn

The meeting was adjourned at 10:30 am.