



EXHIBIT 21-C

FINAL MINUTES Water Demand Committee of the Monterey Peninsula Water Management District *January 20, 2015*

Call to Order

The meeting was called to order at 1:30 pm in the MPWMD conference room.

Committee members present: Kristi Markey, Chair
Jeanne Byrne
Brenda Lewis

Staff members present: David J. Stoldt, General Manager
Stephanie Locke, Water Demand Division Manager
Arlene Tavani, Executive Assistant

Comments from the Public: No comments.

Action Items

- 1. Consider Adoption of December 5, 2014 Committee Meeting Minutes**
On a motion by Byrne and second of Lewis, the committee approved the December 5, 2014 minutes on a vote of 3 – 0 by Byrne, Lewis and Markey.
- 2. Develop Recommendation to the Board on Water Permit Requirements for Outdoor Seating**
On a motion by Markey and second of Byrne, the committee voted to take no action on the draft, and requested that staff develop a list of questions and issues to discuss with representatives from the Monterey County Hospitality Association and the Coalition of Peninsula Businesses, and to then contact representatives from Save Our Carmel River and possibly the State Water Resources Control Board with a goal of developing an ordinance that seems fair to all parties. The motion was adopted unanimously on a vote of 3 – 0 by Markey, Byrne and Lewis.

Public comment. (a) **John Narigi**, Co-Chair of the Coalition of Peninsula Businesses, requested that action on the ordinance be postponed, and stated Coalition representatives could meet with Water Management District staff within the next 30 days to discuss their concerns. He asked if there was a sufficient number of staff to administer the ordinance. He noted the Coalition has provided information that shows restaurant water use is well below the water use capacity that was paid for when water permits were issued. (b) **Sam Teal**, Co-Chair of Government Affairs for the Monterey County Hospitality Association, requested a 30-day review period so that staff and the Coalition could discuss the

ordinance. That would provide time for Coalition representatives to report back to their members on the proposed rules and respond to their questions and concerns.

Committee discussion. (a) Finding 5 could be removed. (b) Could remove the reference to Rappa's Restaurant in Finding 4. (c) Disagreed with phrase "warrants a change in policy" in Finding 3. The need is to clarify the policy, this does not propose to change the rules regarding outdoor seating. The Board has never determined that outdoor seating should not be associated with water use. (d) Definition of "Exterior Restaurant Seat" should specify "no wind breaks and no heat lamps." (e) Finding 3, words "change in policy" should be replaced with "clarify administrative practice." (f) The word "mostly" in definition of Interior Restaurant Seat is not a sufficient description. (g) The State Water Resources Control Board is focused on water use on a site by site basis, but the foundation of this ordinance is that adding outdoor restaurant seats does not increase water use among restaurants collectively.

3. Consider Ordinance No. 163 Replacing Urgency Ordinance No. 159 Regarding Rebate Program Amendments and Amendments to the Expanded Water Conservation and Standby Rationing Plan (Regulation XV)

Locke reviewed changes to the Rebate Program proposed in the ordinance. It was noted that in Section 5.B.2, the number "27,807" will be removed and replaced with a reference to Table XV-4 that specifies "usable storage" on an annual basis. This would also be appropriate in Section Six.B.1, where the strike-out text could remain but the number "27,807" could be replaced with a reference to Table XV-4. It was also suggested that the definition of "public" facilities should be reviewed for further refinement. Staff stated that the requested amendments would be incorporated into the draft ordinance, and submitted for first reading at the February 18, 2015, Board meeting.

Set Next Meeting Date

The next meeting was scheduled for February 12, 2015 at 2 pm.

Adjournment

The meeting was adjourned at 3:05 pm.