



Supplement to 1/23/2019 MPWMD Board Packet

Attached are copies of letters received between December 11, 2018 and January 14, 2019. These letters are listed in the January 23, 2019 Board packet under Letters Received.

Author	Addressee	Date	Topic
Hideko Inouye Graves	David Stoldt	11/24/18	Request for Discretionary Exemption
John Narigi and Bob McKenzie	MPWMD Board	1/1/2019	MPWMD's Motion to Correct Captions
Loris Langdon	MPWMD	1/8/2019	Unusually high water bill
John Narigi and Bob McKenzie	MPWMD Board	1/14/2019	Response of David Laredo to Coalition of Peninsula Businesses letter of January 1, 2019

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MPWMD

HIDEKO INOUYE GRAVES

ATTORNEY AT LAW
196 DEL MONTE BOULEVARD
PACIFIC GROVE, CA 93950

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EMAIL: HIDEKOG@GMAIL.COM

November 24, 2018

Mr. David Stoldt
Monterey Peninsula Water Management District
5 Harris Court, Building G
Monterey CA 93940

Re: Request for Discretionary Exemption - In Lieu Compliance for 198 Del Monte Boulevard and 906 Lighthouse Avenue, Pacific Grove CA 93950

Dear Mr. Stoldt:

I am the owner and manager of five rental units at 198 Del Monte Boulevard and 906 Lighthouse Avenue, Pacific Grove CA 93950. Over the years of ownership we've made a number of improvements to the units including improvements for conservation of water.

1. Ultra-low flush (ULF) (none more than 1.6 gallon per flush) toilets were installed in each unit.
2. A commercial clothes washer with a 6.85 water factor was installed in April 2015.
3. Compliant hose nozzles, faucet aerators and shower heads have been or will be installed by December 31, 2018.
4. Four rain barrels have been installed.
5. All units are separately metered.

The commercial clothes washer is metered separately (account No. 14245377) and the current washer's water usage has historically been well under 500 gallons per month. Monies from the coin box suggest that current usage is on the order of 5 loads per week. Ordinance No. 178 Findings 9 and 10 note, respectively, "While an in-home machine averages only 4 to 6 loads per week, common area machines often wash 20 to 50 loads per week per Clothes Washer" and "Newer water efficient models have a Water Factor rating of 4 to 8 . . ."

Based on current and past performance and the findings noted, this 3.5 year old commercial washer is a newer water efficient model with a water factor slightly above the 5.0 that will be required by January 1, 2019, and with a usage more reflective of residential rather than commercial use.

Each of the units is equipped with the most water-efficient toilet available at the time, none

November 24, 2018

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using more than 1.6 gallons per flush.

I have inquired of the equipment provider and my plumber as to whether there may be any way to retrofit our clothes washer but I am informed that our only option is to buy a new machine, at a cost of approximately \$2,000.

Given that we used the most water-efficient equipment available when the replacements were made, and the exceedingly low water usage of our commercial clothes washer both currently and in the past years, we hereby request an exemption to the clothes washer 5.0 water factor and the high efficiency toilet requirements under Ordinance 178 under the discretionary power contained therein. We commit that all future replacements will conform to the ordinance and that any remaining units will be brought into compliance prior to closing any future property transfer.

I would be happy to meet with you at your office to discuss the particulars in more detail, if that would be helpful.

Thank you for your attention.

Very truly yours,

HIDEKO INOUYE GRAVES

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Coalition of Peninsula Businesses

A coalition to resolve the Peninsula water challenge to
comply with the CDO at a reasonable cost

*Members Include: Monterey County Hospitality Association, Monterey Commercial Property Owners' Association,
Monterey Peninsula Chamber of Commerce, Carmel Chamber of Commerce, Pacific Grove Chamber of Commerce,
Monterey County Association of Realtors, Associated General Contractors-Monterey Division,
Community Hospital of the Monterey Peninsula*

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MPWMD

January 1, 2019

Molly Evans, Chair, and Members
Board of Directors, Monterey Peninsula Water Management District
Dave Stoldt, MPWMD General Manager
P.O. Box 85
Monterey, California 93942

Transmitted by fax to: Fax: (831) 644-9560

Re: MPWMD's Motion to Correct Captions Or, Alternatively, to Intervene... filed October 24, 2018 (hereinafter Motion) and Answer of Proposed Real Party In Interest/Intervenor Monterey Peninsula Water Management District To Petitions of Review filed November 16, 2018 (hereinafter Answer)

Dear Chair Evans, Board Members and General Manager Stoldt:

The Motion and Answer you filed with the California Supreme Court on October 24th and November 16th, captioned above, came as a shock to the Coalition of Peninsula Businesses, at both the procedural and policy level.

Please provide us written answers to the following detailed questions.

Our procedural questions are as follows.

- When and where was the discussion of and decision made to hire special counsel to write and file the Motion and Answer (and any other filings)?
- Why was there no public discussion of hiring special counsel or no public report of the actions taken that led to the Motion and the Answer?
- What was the budget for this work and was the decision unanimous to spend this money?
- When and where was the discussion of the policy implications of filing the Motion and the Answer?

- Why was there no public discussion of, or report on, the policy implications of filing the Motion to Correct and the Answer?

Our policy questions are as follows.

In light of 1) the fact the District signed the 'comprehensive settlement agreement' (and never withdrew from it), 2) the District signed the 'return water settlement agreement' (now adopted as part of the California Public Utilities Commission [CPUC] Decision D.18-09-017 approving the Monterey Peninsula Water Supply Project), and 3) the District did not raise any of the issues it argues in its Answer in either its response to the CPUC's proposed decision nor in its comments on the Final Environmental Impact Statement, please describe for us the policy discussions and decisions, including the related votes, that led to the following assertions in the Motion and the Answer:

- MPWMD does not support the 6.4 mgd portion of the Monterey Peninsula Water Supply Project (MPWSP) approved in D.18-09-017;
- MPWMD does not believe the MPWSP EIR should have been certified;
- MPWMD does not believe Cal Am can perfect rights to water produced by MPWSP; and
- MPWMD does not believe that MPWSP is legally tenable.

As an additional matter, please provide a written answer to this policy-related and logic-related question: how can MPWMD argue that it should be included as a real party in interest in the Marina Coast Water District and City of Marina petitions because of its support of a position adverse to the petitioners (presumably support of MPWSP) and at the same time argue for the policies enumerated above (which contradict support for MPWSP and essentially support the petitioners opposition to MPWSP).

Thank you for your prompt attention to these questions.

Sincerely,



John Narigi, Chair



Bob McKenzie, Consultant

Monterey Peninsula Water Management District
PO Box 85
Monterey, California

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MPWMD

On December 24th I received a bill from California American Water in the amount of \$608.42 (copy enclosed). Usage was said to be 14,202 gallons from Nov 16 to Dec17

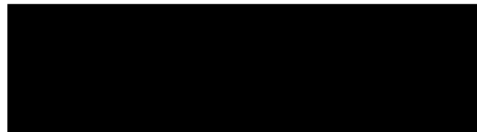
444.13 gallons each and every day. I immediately called their toll free number and the representative arranged to have the meter read the morning of Dec.26th.

She suggested I send a token payment which I have done in the amount of November's bill of \$50.68.

The meter reader found there were no leaks. I called again on Dec.27th and was told I would be contacted within 30days.

I have every hope this will be taken care of. I certainly never had this water. At 90 years old I have lived in this house for 60years. I'm glad to hear you will be having public hearings soon although I don't feel up to attending.

Yours truly, Loris Langdon



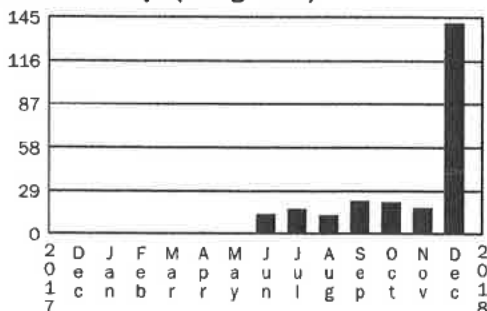
BILLING PERIOD AND METER READINGS

- Billing date: December 19, 2018
- Due Date: **January 10, 2019**
- Billing period: Nov 16 to Dec 17 (32 Days)
- Next reading on or about: Jan 16, 2019
- Customer Type: Residential

Meter No.	██████████
Size of meter	5/8"
Current Read	4,392 (Actual)
Previous Read	4,202 (Actual)
Total water used this billing period	190 units (14,212 gallons)

Total Water Use Comparison (in 100 gallons)

- Current billing period 2018: 142.12 CGL
- Same billing period 2017: 0.00 CGL

Billed Use Graph (100 gallons)**BILLING SUMMARY****For Service To:** ██████████**For Account:** ██████████**Prior Balance**

- Balance from last bill 50.68
- Payments as of Nov26. Thank you! -50.68

Balance Forward**0.00****Current Water Service**

- Water Service Charge 16.80
- Water Usage Charge (\$0.72870000 x 29.90) 21.79
- (\$1.50390000 x 29.90) 44.97
- (\$3.50910000 x 44.90) 157.56
- (\$6.76060000 x 37.42) 252.98

Total Water Service Related Charges**494.10****Other Charges**

- Consolidated Expense Balancing Account (\$0.06820000 x 142.12) 9.69
- MPWMD User Fee 41.13
- 2015 WRAM/MCBA Surcharge 25.92
- Payment Assistance Surcharge Water 1.21
- Pre-2015 WRAM Surcharge 10.08
- Seaside Basin BA Surcharge 0.37
- **Total Other Charges** **88.40**

Taxes

- City Franchise Fees 6.12
- Utility User Tax 11.65
- Commission Surcharge 8.15
- **Total Taxes** **25.92**

TOTAL CURRENT CHARGES**608.42****TOTAL AMOUNT DUE** ➔**\$608.42****Important messages from California American Water**

- AVERAGE DAILY USE FOR BILLING PERIOD = 444.13 GALLONS
- Tiered Consumption Amount (CGL)
- Tier 1 - 29.90 | Tier 2 - 29.90 | Tier 3 - 44.90 | Tier 4 - 67.30 | Tier5 - All Other Usage
- ***IMPORTANT WATER QUALITY MESSAGE: Your annual Water Quality Report can be viewed electronically at www.amwater.com/ccr/monterey.pdf If you prefer a paper copy to be sent to you, please contact our Customer Service Center at 888-237-1333.
- Su informe anual de la calidad de agua puede consultarse electrónicamente en www.amwater.com/ccr/monterey.pdf Si prefiere una copia, por favor pongase en contacto al cliente con nuestro centro de servicio en 888-237-1333.
- Contact California American Water's local conservation department at 831.646.3205 to take advantage of rebates, water wise house calls and more. For more information visit www.montereywaterinfo.org.

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Coalition of Peninsula Businesses

A coalition to resolve the Peninsula water challenge to comply with the CDO at a reasonable cost

Members Include: Monterey County Hospitality Association, Monterey Commercial Property Owners' Association, Monterey Peninsula Chamber of Commerce, Carmel Chamber of Commerce, Pacific Grove Chamber of Commerce, Monterey County Association of Realtors, Associated General Contractors-Monterey Division, Community Hospital of the Monterey Peninsula

January 14, 2019

Molly Evans, Chair, and Members
Board of Directors, Monterey Peninsula Water Management District
David Stoldt, MPWMD General Manager
David C. Laredo, MPWMD General Counsel
P. O. Box 85
Monterey, California 93942

Transmitted by fax to (831) 644-9560 and (831) 646-0377

Re: Response of David Laredo to Coalition of Peninsula Businesses letter of January 1, 2019

Dear Chair Evans, General Manager Stoldt, and General Counsel Laredo:

Thank you for your letter of response dated January 4 to our January 1 letter posing questions about Monterey Peninsula Water Management District's Motion and Answer filed with the California Supreme Court.

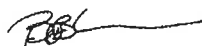
We reviewed the available minutes (minutes of the December 17, 2018 are not yet available) for record of Closed Session reports. The reports are not informative, and Mr. Laredo's response does not substantively respond to our questions. For instance, the closed session report in the October 15, 2018 states the Board voted to "intervene" in Supreme Court Case S251935 but does not explain how the intervention was to be framed, why intervention was thought necessary, or how intervention was to be accomplished (that is, spending district funds on a special counsel).

The Coalition remains quite concerned about transparency of District actions and concerned about the District keeping the public it serves adequately informed of its actions and attitude about the CPUC-approved water supply project. This is critical and essential to maintaining public trust in the District.

Sincerely,



John Narigi, Chair



Bob McKenzie, Consultant