



League of Women Voters of Monterey County



Celebrating the Merger of LWVMP & LWVSV since 2013 / April 2014, Volume 86, Number 7

Wednesday, April 9, 2014

“Sound Policies and Strong Advocacy Builds Healthy Communities: A LandWatch Overview”

This month's speaker **Amy White** is **Executive Director of LandWatch Monterey County**. She will review current challenges and future possibilities of land use in Monterey County with a focus on **Ferrini Ranch** (a proposed development to build 212 houses on 870 acres with four private roadways and a traffic light on Highway 68).

LandWatch Monterey County was founded in 1997 to promote sound land-use legislation (www.landwatch.org). Its founders were concerned about growth that fails to address resource constraints and its impacts on vital industries (tourism, agriculture, and our natural resources). Despite progress, concerns from 1997 are valid today, particularly in the face of proposed projects such as Ferrini Ranch and **Monterey Downs**.

Ms White joined LandWatch in 2009 after working as Campaign Coordinator for **Supervisor Jane Parker**. Ms White also currently serves as Vice President of the **Planning and Conservation League** (www.pcl.org). She is passionate about the economic and environmental health of Monterey County, and believes that good decisions about the land are the most direct way to ensure the health of the County. White has an MS in Public Policy (**Panetta Institute, California State University Monterey Bay**), and a BA in History and Political Science (**University of Northern Colorado**).

LWVMC April 9, 2014 Lunch & Learn Meeting

(Held on the second Wednesday of the month)

Lunch 12 noon / Presentation 12:30

\$15 per person for lunch

(salads, beverages, and dessert provided by Café Athena)

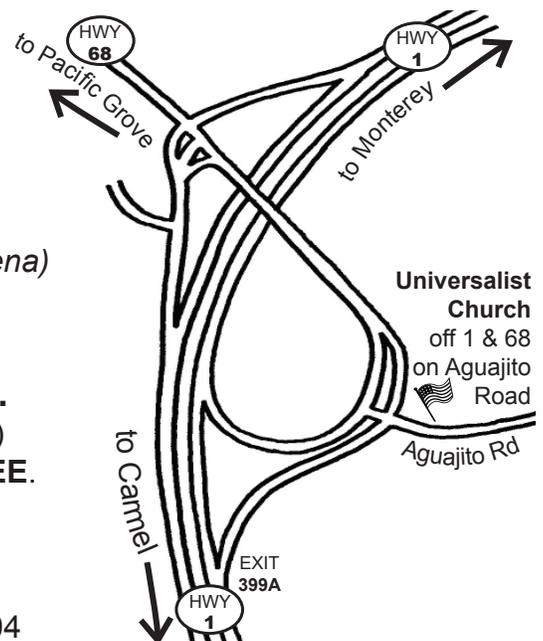
Reservations are a must for lunch!

Contact Lorita Fisher by Saturday, April 5.

(phone 375-8301 or e-mail GLFisher@redshift.com)

Pay at the door for lunch: meeting/presentation is **FREE**.

LWVMC Lunch & Learn Meetings are held at the
Unitarian Universalist Church <http://uucmp.org>
490 Aguajito Road / Carmel CA 93923 (831) 624-7404



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The PRESIDENT'S Message

I am pleased to report that the Board voted to support Ballot Measure O, based on our study: **Ownership of Water Distribution Systems**. The LWVMC will sign the ballot argument in support. The following commentary was released to the print media.



League of Women Voters of Monterey County Urges a Yes On Measure O

The LWVMC supports Measure O, the ballot initiative requiring the **Monterey Peninsula Water Management District (MPWMD)** to analyze the feasibility of purchasing **California American Water Company (Cal Am)** and to purchase it if it is found to be feasible. LWVMC support is based on our position that water is a necessary resource for human life and that it is a public resource, not a commodity.

The LWVMC studied ownership of water distribution systems in 2007. The study resulted in several criteria that an entity responsible for managing and distributing water should meet. Based on our evaluation of Cal Am's performance, we concluded that Cal Am has not satisfactorily met these criteria.

Cal Am has failed to maintain the viability of the resource and infrastructure.

As a result, the State issued a Cease and Desist Order in 1995 because of historical over-pumping of the Carmel River by Cal Am. During the last 17 years, Cal Am has failed to develop an alternative water supply. While it pursued the failed Regional Project, it did not maintain the San Clemente dam which is now being removed or the Los Padres dam, which could have added capacity if dredged.



Construction of the proposed desalination plant is years away and it may never be built because of potential litigation and permitting issues.

Cal Am admits the plant will not meet the State's deadline for a new water source by 2017, and it currently estimates a completion date of mid- to late- 2018. The CPUC is not scheduled to act until later this year. Permits from the Coastal Commission may be delayed significantly since the staff has indicated that up to 3 years of test well data may be needed.

The LWVMC believes that the Initiative will not delay the proposed water supply project.

If the Initiative passes, the MPWMD will hire an independent consulting firm to undertake a study. Findings will be presented to the District Board where the final decision will be made in an open and transparent process.

In the meantime, Cal Am must continue to perform under the State's Cease and Desist Order. The Initiative and water supply projects will proceed on parallel tracks, led by different organizations.

LWVMC supports fair and responsible rates and transparent decision making. Currently, rates are set by the California Public Utilities Commission (CPUC), a State appointed body. The rate setting process is complex, frequently requiring legal counsel. Ratepayers have limited access to CPUC hearings which are held in San Francisco.

Recommendations of the Office of Ratepayer Advocates intended to protect ratepayers are frequently ignored. The result is that we are paying rates that are among the highest in the country.

Costs passed onto ratepayers over the years include \$3 million for failed plans for a "new" San Clemente Dam; \$12 million for the abandoned Moss Landing desalination pilot plant; \$20 million for the failed regional desalination plant; \$30 million for under-collection of water charges reassigned to all customers; \$77 million for removal of San Clemente Dam with Cal Am allowed to collect "investment" income. Additionally, Cal Am wants ratepayers to pay the \$3 million settlement of a lawsuit with Monterey County.

The LWVMC supports an efficient and well run local office. Cal Am's complaint/call centers are in Illinois and Florida. Staff at these centers are not familiar with local details. Recent spikes in water bills have resulted in a public outcry, and Cal Am did not respond in a timely manner. Anecdotal evidence indicates that some spiked bills were the results of extended billing periods putting some ratepayers into higher tiered rate categories.

Finally, the League's 2007 study concluded that if a significant number of these criteria were not met, then public purchase should be considered. To assure transparency, open government and local control, we think that any agency overseeing the water system should have a publicly elected governing board.

In addition to receiving written responses from Cal Am and Public Water Now on the League's criteria, we also held a forum with representatives from the two groups on January 8, 2014. The complete video of this debate can be seen on our website: lwvmryco.org.



We urge Monterey Peninsula voters to Vote with the League on June 3rd: **Vote Yes on Measure O.**

Beverly G. Bean beverlygb@gmail.com



LWVMC AGRICULTURE STUDY CONSENSUS MEETING SATURDAY APRIL 5TH, 9AM TO 12 NOON



The concluding meeting of the **LWVMC Agricultural Study** will be held at the home of **Nancy McInnis**, 55 Corral de Tierra Road, Corral de Tierra, CA 93908 (0.3 miles off Hwy 68). Come early to enjoy coffee, munchies and a little social time from 8:30 to 9:00am. Check the "Ag Study" page on the LWVMC website for summaries of the different topics, links to background papers, and consensus questions (<http://lwvmryco.org>). You can also find the LWV Ag Study background and consensus questions at: <http://forum.lwv.org/category/member-resources/our-work/agriculture-update>.

The last Ag Study Committee meeting is April 1st (no fooling!) at 4:30pm, Executive Dining Room, Villa Serra, 1320 Padre Drive, Salinas 93901. All meetings are open to all League members.

Contacts: **Patti Fashing**, Agricultural Study Chair, pfash101@comcast.net
Lynn Santos, Salinas Valley Unit Director, LULY236@aol.com

"LITTLE COMFORTS FOR HOMELESS WOMEN" PROJECT

Thanks to the generosity of LWVMC members we have collected a great number and variety of items to bring comfort to homeless women in Monterey County. **Social Policy Committee** member **Sheila Clark**, along with committee members and LWVMC Board members **Diane Cotton** and **Kemay Eoyang** took the items donated as of the February meeting to the **Shelter Outreach Plus, Hamilton Shelter, Seaside** for distribution (<http://shelteroutreachplus.org>, (831) 422-2201).

Julia Arze, Lead Case Worker who spoke on behalf of Shelter Outreach Plus at our February Lunch & Learn meeting, provided a tour.

Our members noted the care and attention provided to clients and also observed a great need for more volunteers, funding, time and talent. There is a two-month waiting list for the homeless

to get into the shelter. The spaces and decor also need some loving attention.

All items donated by LWVMC members were greatly appreciated. Special thanks to **Sheila Clark** for storing the items at her home (which she said was beginning to look like a Target store).

With encouragement from **President Beverly Bean**, the Board voted to make a donation of \$200.00 to Shelter Outreach Plus. All speakers at our February meeting donated their time so no speaker fees were incurred.

This has been a heart-warming project: we are grateful to all those who participated. The Little Comforts Project ends at this month's meeting

Resa Foss, Director Social Policy Committee
resa.foss@sbcglobal.net

Little Comforts for Homeless Women

This month's LWVMC Lunch and Learn will be the last one at which we will collect items for homeless women in Monterey County.

Your donations will be packed in one gallon baggies for distribution.

We suggest travel-size hand lotion, toothpaste, soap, hand sanitizer, shampoo, combs, mouthwash, and kleenex, and regular-sized tooth brushes, lip balm, warm socks, mittens, granola bars, crackers, bandaids, hand wipes, and gum.

Original idea suggested in a letter to the *Monterey County Herald* by Elaine Giampietro.

Contact: **Resa Foss**, Director Social Policy, resa.foss@sbcglobal.net

LWVMC SUPERIOR COURT JUDGE CANDIDATE'S FORUM

WEDNESDAY 7 MAY, 7 PM

Monterey College of Law,
100 Colonel Durham Street, Seaside, CA 93955
(room number to be announced)

Candidates running for Judge in **Superior Court Office 3 (Andrew Liu and Steve Somers)** and **Superior Court Office 10 (Heidi Whilden and Luma Serrano Williams)** will debate the issues in this forum moderated by the League. (Note: 10 Superior Court Judgeships are up for election this June, however eight seats are unopposed).

MaryEllen Dick, MEvolst@sbcglobal.net

INCLUSIONARY HOUSING IN MONTEREY COUNTY

Let's pretend you are a developer. Let's pretend you found a nice piece of land, and you (or your partner) bought it for a reasonable price. Let's pretend that you think you can put three or more new units on this piece of land. Let's pretend you don't care if the units will be for sale or rent, you just want to turn a profit. The next step is the Monterey County Planning Department where you find out that your project must include "inclusionary" housing.

Why Require Inclusionary Housing?

Monterey County hopes that this will increase the supply of affordable housing and market rate housing. It also hopes that it will increase greater economic and racial integration, as well as ease traffic congestion when home and work are closer together. In areas of rapid growth and strong demand for housing, inclusionary housing is thought to be effective.



What is Inclusionary Housing?

Inclusionary housing is typically a county or city government requirement. When market-rate housing is built, a specific percent of new housing units is reserved for very low, low, and moderate income households. In 2013, an individual earning \$25,000/year maximum was defined as "very low income." A family of four earning \$35,650/year maximum is defined as very low income. An individual earning \$39,950/year maximum is defined as "low income." A family of four earning \$57,050/year maximum is defined as low income. An individual earning \$57,700/year maximum is defined as "moderate income." A family of four earning \$82,450/year is defined as moderate income (*Note: moderate income is 20 percent higher than the median income in Monterey County*).

Inclusionary housing requirements can be mandatory or voluntary. Mandatory programs are regulated by zoning laws. Developers are required to enter into a development agreement outlining the number of affordable housing units or

a percentage of the total units to be constructed. The County of Monterey, City of Monterey, and City of Salinas have mandatory policies. Voluntary inclusionary housing programs usually require developers to negotiate with public officials. No specific number or percentage of affordable housing units is mandated. For example, the city of Gonzales has a voluntary program (www.co.monterey.ca.us/EconomicDevelopment/pdf/HAC%20Uploads/Public%20Review%20Draft%20AI%20-%20Monterey%20County.pdf).

Requirements vary slightly across Monterey County. The Inclusionary Housing Program for Monterey County serves as a model for the cities in the county. The information that follows is based on Monterey County's Inclusionary Housing Program (www.co.monterey.ca.us/EconomicDevelopment/pdf/Administrative%20Manual%20Final%20Adopted%20clean%207-12-11.pdf).

What are County of Monterey Requirements?

If a project has three or four units, developers can pay an "in-lieu" fee. If the project includes five or more units, then 20 percent must be inclusionary units. The exterior appearance (but not interior finishes) of inclusionary units are required to be the same as the market rate units. The County would like the inclusionary units to be scattered among the market rate units, but they may be clustered together if that meets the objectives of the inclusionary program. The inclusionary units must be built before or along with the market rate units. They cannot be built after.

If the inclusionary units are built "off-site," rental units are priced to be affordable to very low income households. If the off-site units are for sale, they are priced to be affordable to low income households.

Interestingly, if the project comprises three or four new units and one is occupied by an owner/developer, the project is exempt from inclusionary

housing requirements. The owner must be the owner of record when the final map is recorded or a use permit is approved. The owner must sign an agreement with the County, sign a promissory note for the “in-lieu” fee, and sign a deed of trust with the deed restriction. The owner must live in the unit for one year after the unit is completed, and have proof of residency. The owner can use the exemption once every 10 years.

What About Rentals?

Inclusionary housing can be rental apartments and townhouses. Rents are determined by the **Monterey County Economic Development Department**. They are based on a percentage of median income in the County each year, including a utility allowance. Renters are notified of increases in rent each year. Priority goes to households who live or work in Monterey County. The renter obtains a rental unit based on the size of their household. If the household increases in size above the maximum allowed for that income level, the renter may choose to remain in that unit. Renters may not sublet or assign the unit to an unqualified tenant. If renter’s incomes increase over the maximum for their income category, they can stay in their unit but have to pay the rent of next higher category.

After construction is completed and the project is rented, the County monitors the tenant income and payment of rent, reviews the lease terms, and overall number of units in each income category. The rental units must continue to be affordable and occupied by an eligible household in perpetuity. The developer agrees to these conditions prior to entitlement of the project.

What are Eligibility Requirements for Rentals?

For a rental, very low income, low income, and moderate income households are eligible. The income levels are based on median income in Monterey County and are adjusted annually. In addition, the County limits the amount of assets (i.e., cash in savings, personal property, etc.) that the renter has. Generally, retirement accounts, life insurance policies, business assets are excluded.

Can Inclusionary Housing be Sold?

Inclusionary housing (townhouses or houses) can be sold at below-market rate. Once such houses are sold, the developer’s responsibility ends.

The homebuyer must make the inclusionary house their primary residence for at least 10 months out of the year. In an emergency, the homebuyer can rent the unit for a maximum of a year with the County’s approval at the same affordability level as the owner. Once an inclusionary house is purchased, the buyer can make improvements, which would increase the maximum resale price by an additional 10 percent (irrespective of the actual amount spent on improvements).

The homebuyer signs an Inclusionary Housing Agreement acknowledging that at the time of resale, the house is subject to resale restrictions. The new homebuyer must meet the same income eligibility requirements as the seller. The new owner signs a new Inclusionary Housing Agreement with a new affordability period. The maximum resale price is based upon a percentage increase in median income in the County from the time the house was bought to when it is sold, not the increase in market value. This makes the house affordable for future owners and allows the homeowner to make some profit. Interestingly, the resale restriction applies for 30 years from the original purchase date if the Inclusionary Housing Agreement was signed before May 23, 2003. For any agreement signed after that date, the resale restriction applies in perpetuity.

If all the owners of an inclusionary unit die, then their child or stepchild may inherit without repurchasing the unit. The restrictions of income would not apply. But the child or stepchild would be required to live in the house, sign a new inclusionary housing agreement, and be subject to the same resale restrictions.

Who is Eligible to Buy Inclusionary Housing?

To buy an inclusionary house, a household must



be low or moderate income. In addition, the household may have a limited amount of assets. There is a preference for households who have lived in Monterey County at least one year or worked in the County for at least six months.

The sale price of an inclusionary house depends on the median income in Monterey County. It is not determined by the developer.

Buying an inclusionary house is literally winning the lottery: there is a County lottery list. When a unit is ready for sale, the County announces the availability first to those on the lottery list and then to those on the wait list.

Where Will Inclusionary Housing Be Built?

Many projects approved in the County have remained unbuilt for years due to problems with financing and market conditions. The Monterey County Annual Housing Report for 2011 noted that in 2010 no new inclusionary housing units were produced.

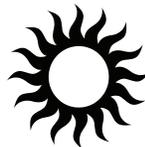
At present the largest number of possible inclusionary housing will be on the former Fort Ord. Other large projects have been approved in King City, Soledad, Salinas, and Gonzales. Smaller projects have been approved in Carmel Valley, Monterey, and Seaside.

Summary

A developer has many hurdles to surmount before completing a large project in Monterey County. Fulfilling the inclusionary housing requirements is a small part of getting approval from the planning commission and/or Board of Superiors or city councils. A developer still has to have financing, water, the right market conditions, approval from other agencies, knowledge of green technologies, the ability to realign existing roads (if required as a condition), a good contractor, and a good lawyer!

Kemay Eoyang, ckeoyang@msn.com
with contributions from

Jane Barr (Economic Development Department,
County of Monterey),
Janet Brennan, and **Lynn Santos**



BRING SUNSHINE TO CAMPAIGNS! 2013-2014 MONEY IN POLITICS BILLS



California's good campaign disclosure laws need to be strengthened so that voters get the information they need when it matters most.

- Voters should be able to easily "follow the money" to see who is funding political activity.
- Because of the US Supreme Court's Citizens United decision, improved disclosure is the only way for the public to know who is paying for political campaigns.
- The LWVC sponsors the Sunshine in Campaigns Act bills and supports others to take a comprehensive approach to improving California's disclosure laws.

SB 27 (Correa) closes the loophole that allows nonprofits to contribute huge sums in California elections without disclosure. SB 27 will:

- Clarify the law about who must disclose donors. Campaigns must not be able to launder funds through nonprofit corporations without disclosing the true source of the money;
- Require the top contributors to a campaign be listed on the Internet.

Status: Awaiting its final floor vote in the Senate (concurrence in Assembly amendments) before going to the Governor for his signature.

AB 800 (Gordon) gives the **Fair Political Practices Commission** important tools to investigate suspected violations. AB 800 will:

- Give the FPPC audit and injunctive relief power to investigate suspected violations prior to Election Day or to the date of a required filing;
- Streamline the process of disclosure, reporting, and enforcement for greater efficiency and cost saving.

Status: On the way to the Governor's desk, requesting his signature.

SB 2 (Lieu and Yee) increases transparency by strengthening enforcement and improving the information provided to voters about campaign

funding. SB 2 will:

- Increase the penalties for violating campaign laws so fines are not simply chalked up as the cost of doing business;
- Require state candidates to “Stand by Your Ad,” as federal candidates have done for more than a decade;
- Toughen slate mailer disclosure. The notice to voters will be required to appear in the same languages as the mailer, and voters will be alerted when slate mailer ads are purchased by third parties or independent expenditures.

Status: Awaiting its final floor vote in the Assembly, its second house.

SB 52 (Leno) will require the three largest funders of political ads to be clearly and legibly identified on the ads themselves. SB 52:

- Applies to all kinds of political ads, including television, radio, print advertising, and websites.
- Status:** Awaiting hearing in Assembly Elections and Redistricting Committee.

League of Women Voters of California

www.lwvc.org

LWVMC EDUCATION AND SCHOLARSHIP FUNDS

The **League of Women Voters of Monterey County** is proud to have two opportunities for its members to help support its activities. We hope that you will consider donating to one or both of these funds.



The Education Fund supports various voter education programs: the first supports voter services which builds citizen participation in the democratic process. It also conducts citizen education activities by studying key community issues at all governmental levels in an unbiased manner. The second program helps people seeking positive solutions to public policy issues through education and conflict management.

Note: Donations to the Education Fund are fully tax-deductible as it is a 501(c)3 corporation. Please make donation checks out to “LWVMC Education Fund.”

The Florence Curlee Scholarship Fund was named after **Florence Curlee** who was the President of the League of Women Voters of the Salinas Valley in 1986-87. It is a memorial to Florence, who believed passionately in the work of the League and making it accessible to all.

This fund offers financial help with membership dues to members and prospective members. Persons who wish to donate to the Fund can send donations with checks made out to “LWVMC” with a footnote: “**Donation to the Florence Curlee Scholarship Fund.**”

New and current League members who wish to avail themselves of the scholarship fund may complete a membership application (see page 9) and check the “scholarship requested” box. Applicants can include a check for the amount they can afford, or include a note requesting a full scholarship. All information regarding scholarship assistance to individual members is confidential.

Note: Donations to the Florence Curlee Scholarship Fund are not tax deductible.

For additional information, contact **Judy Lind, LWVMC Treasurer**, DandJ@montereybay.com, 375-2549. Mail donations and applications to LWVMC PO Box 1995, Monterey CA 93942-1995.

Kemay Eoyang ckeoyang@msn.com

MEMBERSHIP MEMO

Here are updates for your
"LWVMC 2013-2014 Handbook":

Welcome New Member

Harvey Billig
PO Box 1414
Carmel, CA 93921-1414



New E-Mail

Stephanie Loose joy@stephanieloose.com

Virginia Chomat monixinsf@sbcglobal.net

Also ... Thanks to Our Donors

\$100 Level Renewal: Doris Auerbach

\$100 Donation to the League Education Fund:
Kemay and Carson Eoyang

Lisa Hoivik LHoivik@comcast

The Voter: League of Women Voters of Monterey County

Published monthly September to May

New writers welcome!



Send articles related to current or historic
League issues, positions and priorities,
updates and suggestions to:

Regina Doyle, Newsletter Editor

ReginaDoyle@aol.com

(831) 375-4496

PO Box 1995 Monterey, CA 93942-1995



Join the
**League of Women Voters
of Monterey County**



Please Renew

If your membership has lapsed use the form
below or go to <http://lwvmryco.org>.

New Members Welcome:

*If you know someone who might be interested
in becoming a member, bring them along as a
guest to the next Lunch & Learn meeting.
Then give them a copy of this application!*

Use the form below or contact:

Lisa Hoivik, Membership Director
LHoivik@comcast.net or 375-7765

Checks payable to **LWVMC**
Mail to: **LWVMC, PO Box 1995,**
Monterey, CA 93942

Membership Levels

- \$250+ Carrie Chapman Catt
- \$200 Sojourner Truth
- \$150 Elizabeth Cady Stanton
- \$100 Susan B. Anthony
- \$ 90 Household (2 persons, 1 address)
- \$ 60 Single membership
- Scholarship needed to pay for all/part of
my membership fees

Name(s)

Address

City

State

Zip Code

Phone

e-mail

- Send e-mail reminders for luncheons
- Call to remind me of luncheons
- Scholarship requested

*Because we lobby on public policy issues,
membership dues & contributions to LWVMC
are not tax deductible. However, donations
to the League of Women Voters of California
Education Fund (LWVCEF) are tax deductible.*



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RETURN SERVICE REQUESTED



**Lunch & Learn
 with the League**

Upcoming Programs 2014
 to be announced



**LWVMC Annual
 Meeting & Brunch Buffet**
Saturday, May 10, 10am to Noon
 Salinas Valley Health Care System
 Building, 5 Lower Ragsdale Drive,
 Ryan Ranch, Monterey 93940
(same location as last year)

We need a quorum to conduct
 League business, including
 election of officers and directors,
 budget, local program issues
 for emphasis, and updates to
 positions.

RSVP Brunch by May 8
 Lorita Fisher phone 375-8301 or
 e-mail GLFisher@redshift.com

Contact: Beverly Beane
BeverlyGB@gmail.com



**April 2014
 Meeting Calendar**



Final Agricultural Study Committee Meeting
Tuesday, 1st April, 1 to 4:30pm
 Villa Serra, Executive Dining Room, 1320 Padre Drive,
 Salinas, Contact: Lynn Santos, (831) 449-3466
LULY236@aol.com

LWVMC Agricultural Study Consensus Meeting
Saturday April 5th, 9am to 12 noon
(see details on page 3)

LWVMC Board Meeting
Monday, 14 April, 5pm
 Mariposa Hall, 801 Lighthouse, Monterey
 Contact: Beverly Bean, 484-2451
BeverlyGB@gmail.com

Natural Resources Committee Meeting
Thursday, 10 April, noon to 1:30pm
 Mariposa Hall, 801 Lighthouse, Monterey
 Contact: Janet Brennan, 659-2090
JanetB@montereybay.com