

FINAL MINUTES
Rules and Regulations Review Committee
of the
Monterey Peninsula Water Management District
October 4, 2007

Call To Order

The meeting was called to order at 10 AM in the District conference room.

Committee members present:

Judi Lehman, Chair

David Pendergrass

Alvin Edwards, Alternate

Committee members absent:

Larry Foy

Staff members present:

David A. Berger, General Manager

Stephanie Pintar, Water Demand Manager

Arlene Tavani, Executive Assistant

District Counsel present:

David C. Laredo

Comments from Public

No members of the public were in attendance.

Action Items

1. Receive Minutes of August 7, 2007 Committee Meeting

On a motion by Director Lehman and second by Director Pendergrass, the minutes were received on a vote of 3 – 0.

2. Review and Develop a Recommendation to the Board on the First Reading Version of an Ordinance to Amend the Process by which the District Enforces its Rules and Regulations

The consensus of the Committee members was to submit the ordinance to the Board of Directors for first reading at the October 15, 2007 meeting. On a vote of 2 – 1 (Director Lehman dissenting) the committee requested that the ordinance specify formation of a Hearing Officer Panel comprised of seven community members. Each of the seven Directors would appoint a member to the Hearing Officer Panel. The committee members agreed that the staff report transmitting the draft ordinance to the Board should outline the three hearing officer alternatives that have been proposed: Administrative Law Judges; MPWMD Directors acting as hearing officers on a rotating basis; and a volunteer Hearing Plan appointed by Directors. If the Board decided upon first reading

of the ordinance that a volunteer Hearing Officer Panel appointed by Directors was not the preferred option, an amended ordinance would be submitted for first reading at a subsequent meeting of the Board.

During the discussion, committee members also requested that the draft ordinance include: (1) the hearing panel appointments would be confirmed by the Board; (2) specify that the hearing officers would be provided training; (3) clarify whether or not the hearings are considered a gathering of a legislative body/ clarify the difference between a public meeting and a meeting of a legislative body. The committee also requested that District Counsel compare the proposed ordinance language to the 1990 Final Report of the Rationing Review Committee, to be sure the ordinance addresses the concerns outlined in the report.

Other Items

Adjournment

The meeting was adjourned at 10:55 AM.