

**FINAL
ORDINANCE NO. 113**

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
SETTING COMPENSATION FOR BOARD MEMBERS**

FINDINGS

1. The Water Management District is charged under the Monterey Peninsula Water Management District Law with the integrated management of the ground and surface water resources in the Monterey Peninsula area. The Board of Directors for the District consists of seven members; five are elected by the qualified voters of the District, one is a member of the Monterey County Board of Supervisors, and one is a city council official appointed by the City Selection Committee.
2. The Water Management District Board Members are presently compensated solely for meeting attendance, pursuant to Water Code Appendix section 118-206, at the rate of thirty dollars (\$30) dollars per meeting, to a maximum of three (3) meetings per month. This level of compensation has not changed since it took effect in 1978.
3. The law governing Water Management District Board Member compensation is now set by Water Code section 20200, et seq. These provisions of the Water Code were made applicable to the District in 1988, superseding prior law on this topic.
4. Water Section §20201 allows Water Management District Board Member compensation to be at one hundred dollars (\$100) per day for each day's attendance at meetings of the Board, or for each day's service rendered as a member of the Board by request of the Board. Director compensation cannot be paid for more than ten (10) days in any calendar month.
5. An ordinance needs to be adopted by the Water Management District pursuant to the Water Code to invoke these compensation provisions for Board Members.

NOW THEREFORE be it ordained as follows:

ORDINANCE

Section One: Short Title

This ordinance shall be known as the Board Member Compensation Ordinance of 2004 for the Monterey Peninsula Water Management District.

Section Two: **Purpose**

This ordinance revises Board Member compensation in accord with the provisions of Water Code section 20200, et seq.

Section Three: **Board Member Compensation**

Each Board Member of the Monterey Peninsula Water Management District shall receive compensation at the rate of one hundred dollars (\$100) per day for each day's attendance at meetings of the Board, or for each day's service rendered as a member of the Board by request of the Board. Such a request shall include Board Member attendance at committee meetings, or attendance at other meetings at the direction of the Board or Board Chair. Director compensation shall not exceed a total of five (5) days in any calendar month.

Section Four: **Notice and Publication**

Notice of the public hearing on this ordinance shall be published in a newspaper of general circulation pursuant to Section 6066 of the Government Code¹.

Section Five: **Effective Date and Sunset**

This ordinance shall take effect at 12:01 a.m. on the 61st day after it has been enacted on second reading, in accord with Water Code § 20204.

Section Six: **Severability**

If any subdivision, paragraph, sentence, clause or phrase of this ordinance is, for any reason, held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity shall not affect the validity or enforcement of the remaining portions of this ordinance, or of any other provisions of the Monterey Peninsula Water Management District Rules and Regulations. It is the District's express intent that each remaining portion would have been adopted irrespective of the fact that one or more subdivisions, paragraphs, sentences, clauses, or phrases be declared invalid or unenforceable.

¹ Government Code § 6066 provides: "Publication of notice pursuant to this section shall be once a week for two successive weeks. Two publications in a newspaper published once a week or oftener, with at least five days intervening between the respective publication dates not counting such publication dates, are sufficient. The period of notice commences upon the first day of publication and terminates at the end of the fourteenth day, including therein the first day." [This footnote is provided for convenience, but shall not be construed to be a part of the Ordinance as enacted.]

On motion by Director Foy, and second by Director Markey, the foregoing ordinance is adopted upon this 5th day of May 2004, by the following vote:

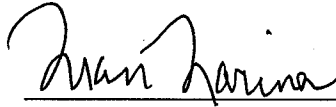
AYES: Directors Edwards, Foy, Knight, Markey, and Pendergrass

NAYS: Directors Lehman and Potter

ABSENT: None

I, Fran Farina, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify the foregoing is a full, true and correct copy of an ordinance duly adopted on the 5th day of May 2004.

Witness my hand and seal of the Board of Directors this 2nd day of June 2004.



Fran Farina, Secretary to the Board