



MEETING RULES
OF THE
MONTEREY PENINSULA
WATER MANAGEMENT DISTRICT

August 2022

PART 1: GENERAL RULES

RULE 1: OPEN MEETINGS

Meetings of the Board of Directors of the MPWMD and subcommittees of the Board shall be held as provided by the MPWMD Law and shall comply with the open meeting requirements of the Ralph M. Brown Act.

RULE 2: ELECTION OF BOARD OFFICERS

At the first meeting in the month of December of each year, the Board of Directors shall elect a Chair, Vice-Chair, a Treasurer, and a Secretary. The agenda for the December meeting will list the election of Board officers as the last item for consideration that evening. The newly elected officers will assume their positions immediately following adjournment of the meeting at which they were elected. At the first meeting after a vacancy occurs in any office, an election shall be conducted to fill that vacancy. If both the Chair and Vice-Chair are absent, the directors in attendance shall select a presiding officer to conduct that meeting.

RULE 2.5: ROTATION OF VICECHAIR INTO THE POSITION OF CHAIR

The Board shall rotate its leadership among the seven (7) members. To encourage rotation of the Chair, each December when the annual election of Board officers is conducted, or when a vacancy in the position of Chair occurs, the Vice-Chair shall be elected as Chair. Beginning in December 2016, the following rotation shall be used to select the next Vice-Chair.

- Division 2 Director
- Mayoral Representative
- Division 3 Director
- Division 1 Director
- Division 4 Director
- Monterey County Board of Supervisors Representative
- Division 5 Director

Thereafter, the rotation shall return to the top of this list.

Should the current Vice-Chair decline to serve as incoming Chair, the Board shall select the Director next in rotation to serve as Chair. Should the Director next in rotation for the position of Vice-Chair decline to serve in that capacity, the Board shall select the next Director in rotation to serve as Vice-Chair. The declining Director shall have an opportunity to serve once the entire rotation schedule is complete and has returned to the Division that opted-out. If the Chair has served

less than 12 months at the time the annual December election of Board officers is conducted, the Board shall, by majority vote, elect a Chair to serve for that year, and thereafter the Chair rotation shall return to where it had left off.

RULE 3: PRESIDING OFFICER

The Chair shall preside at all meetings of the Board. The Vice-Chair shall preside at all meetings of the Board in the absence of the Chair.

RULE 4: DUTIES OF PRESIDING OFFICER

The presiding officer of the Board shall preserve order and decorum and shall decide questions of order subject to appeal to the Board.

RULE 5: DUTIES OF THE GENERAL MANAGER

The General Manager shall prepare and deliver to each member of the Board on or before Friday preceding the regular meeting, a meeting agenda and staff notes, together with a copy of the minutes of the previous meeting. The General Manager shall perform those duties as delegated by the Board of Directors.

RULE 6: SPOKESPERSON

Only the Chair, another Board member designated by the Chair, or the General Manager shall be the spokesperson for the District when expressing District policy and position. Public statements by Board Members in the name of the District shall be first reviewed and approved by the Board. Except for this circumstance, only the Chair, the General Manager, and employees designated by the General Manager shall sign correspondence on District stationery. Board Members shall clarify that they are speaking as an individual and not on behalf of the Board when they make oral or written statements regarding District matters.

RULE 7: COMMITTEES

A. Standing Committees

The Board of Directors may create such standing committees, as it may deem necessary. The members of said committees and their chair shall be appointed by the Chair of the Board and approved by the Board. A charge for each standing committee shall be attached to the Meeting Rules.

The charges for two standing committees that specify an

alternate method for committee membership and selection of the Chair are provided as Attachment 1, Policy Advisory Committee; and, Attachment 2 Technical Advisory Committee.

B. Finance and Administration Committee

The Finance and Administration Committee shall consist of the three Directors appointed by the Chair and approved by the Board. Its purpose shall be to advise the Board on financial and administrative matters. The Board of Directors shall not fix the meeting schedule of this committee. The committee may meet on the call of the chair or as decided by the members. Action taken by the Finance and Administration Committee shall be subject to final Board approval. The Finance and Administration Committee meets the definition of a “legislative body” as defined by the Brown Act; therefore, all meetings shall be noticed and open to the public in compliance with the Brown Act. A charge for the Finance and Administration Committee shall be attached to the Meeting Rules (Attachment 3).

C. Ad Hoc Committees

The Chair and Vice Chair may meet as an ad hoc committee of the Board when needed to provide guidance to the General Manager on setting agendas and other procedural matters, to review the need for creating or making assignments to ad hoc committees, and to discuss other ways and means of providing service to the Board and staff. The Chair may create such additional ad hoc committees as may be necessary. The members of said committees and their chairs shall be appointed by the Board Chair and approved by the Board. A charge for each ad-hoc committee shall be attached to the Meeting Rules. The charge shall be removed when the committee has completed its task and has been disbanded. Ad hoc committee charges attached are: Attachment 4, Water Demand Committee; Attachment 5, Public Outreach Committee; Attachment 6, Legislative Advocacy Committee; and Attachment 7, Water Supply Planning Committee.

A Board policy adopted on 1/29/04 determined that notice of ad hoc meetings should ordinarily be given in substantially the same manner as required by the Brown Act for legislative bodies. Despite this policy, ad hoc committees are exempt from the Brown Act by Gov. Code section 54952(b) provided there are no more than three committee members, the members are comprised solely of board members, and further provided the committee does not exercise continuing subject matter jurisdiction over any topic. Due to this exemption, an ad hoc committee may discuss matters not on the agenda, and is not required by law to permit non-committee members to attend.

D. Seaside Groundwater Basin Watermaster

Representation on the Seaside Groundwater Basin Watermaster shall be determined as follows. Beginning in January 2016, the District's representative and alternate on the Seaside Groundwater Basin Watermaster shall be appointed biennially by the Chair of the Board, each for a two-year term, and the appointments approved by the Board.

RULE 8: DUTIES OF DISTRICT COUNSEL

Any question of law shall be referred to the District Counsel for an opinion.

RULE 9: REIMBURSEMENT OF EXPENSES

Directors of the District are eligible to receive reimbursements for travel, meals, lodging and other reasonable and necessary expenses incurred while conducting authorized District business as endorsed by the MPWMD Board Expense Reimbursement Policy (Attachment 8), as it may be amended from time to time.

RULE 10: BOARD MEMBERS EXPENSES

Rule deleted by Board action on April 17, 2006.

RULE 11: SUSPENSION, ALTERATION, AMENDMENT OR REPEAL OF THE RULES

Any rule not required by law may be suspended, altered, amended, or repealed at any time by a majority vote of the Board.

PART II: CONDUCT OF BUSINESS

RULE 12: OPEN MEETING REQUIREMENTS

The provisions of the Ralph M. Brown Act require all meetings of the Board of Directors to be open and public. Regular District Board meetings shall commence at 6:00 p.m. on the third Monday of each month, and shall be held at the main office of the Water Management District, 5 Harris Court, Building G, Monterey, CA. Any change to a regular meeting date or location shall be noticed in accord with the Brown Act. Every meeting shall have public notice and a binding agenda as required by law. The time and place for special meetings shall set forth on the

notice and the agenda for that special meeting. The notice and agenda for each meeting shall be prominently posted outside the District's main office. Except as allowed by law, no action or discussion shall take place on any item not on the posted agenda. Brief responses to questions or comments not on the agenda, however, may occur. Each Board member may place no more than one non-emergency item on the agenda by submitting to the General Manager, at least seventeen (17) days before the meeting, a written request for consideration of an issue. Said request shall explain the issue and provide a recommendation for Board action. This Rule shall not prohibit the addition of emergency matters to the agenda as provided by law.

RULE 13: ADJOURNED MEETING

The Board of Directors may adjourn any regular, adjourned regular, special, or adjourned special meeting to a time and place specified in the order of adjournment. Less than a quorum may adjourn a meeting. If all members are absent, the General Manager may declare the meeting adjourned to a stated time and place, and shall cause a written notice of the adjournment to be given in the same manner provided herein for special meetings. A copy of the notice of adjournment shall be conspicuously posted on or near the door of the place where the meeting was held within twenty-four (24) hours after the time of adjournment. When a regular or adjourned regular meeting is adjourned, the resulting adjourned regular meeting is a regular meeting for all purposes. When an order of adjournment fails to state the hour at which the adjourned meeting is to be held, it shall be held at 7:00 p.m.

RULE 14: SPECIAL MEETINGS

An emergency or special meeting may be called at any time by the Chair of the Board, or by a majority of the members of the Board, by following the notice and agenda requirements set by Government Code sections 54956 or 54956.5. No other business shall be considered at such meetings by the Board.

RULE 15: ORDER OF BUSINESS

The regular order of business of the Board shall be:

- Roll Call
- Pledge of Allegiance to the Flag
- Oral Communications from the Public
- Consent Calendar
- Board/Staff Reports
- Special Presentations
- Public Hearings

Action Items
Informational Items

Adjournment

This regular order of business may be changed by the Chair upon approval by the Board. Closed Session items, if needed, may be scheduled before or after the regular order of business.

RULE 16: PROCESS FOR PUBLIC COMMENT IN PUBLIC HEARINGS

After review of any public hearing item by the General Manager and/or District staff and prior to discussion by Board Members, the Chair shall seek public input. If there is an applicant, the Chair shall first call upon the applicant to comment on the staff recommendations and to present additional information concerning the application. The Chair shall then ask for comments from the public. Any person desiring to address the Board, may, when recognized by the Chair, step to the rostrum and give their name and city or county area of residence. At the conclusion of the public comment, the applicant shall be given the opportunity to respond to the comments received. The Chair may, in the interest of facilitating the business of the Board, and avoidance of repetition, limit the amount of time a person may use to address the Board. The Chair may close public comment at any time restricting further discussion to the Board level unless a majority of the Board wishes to hear from other persons. All questions of staff from the public and Board shall be addressed to the Chair. Responses shall ordinarily be made only after the hearing has been closed to the public.

RULE 17: PROCESS FOR PUBLIC COMMENT ON ACTION ITEMS NOT LISTED AS PUBLIC HEARINGS

At each meeting, the Chair shall afford individuals wishing to address the Board on any Action Item the opportunity to speak for not more than three (3) minutes at the time that matter is called. The Chair may, in the interest of facilitating the business of the Board, and avoidance of repetition, limit the amount of time for individuals to address the Board. The Chair may close public comment at any time restricting further discussion to the Board level unless a majority of the Board wishes to hear from other persons. All questions of staff from the public and Board shall be addressed to the Chair. Responses shall ordinarily be made only after the matter has been closed to the public.

RULE 18: PROCESS FOR PUBLIC COMMENT ON MATTERS NOT LISTED ON THE AGENDA, CONSENT CALENDAR ITEMS AND INFORMATION ITEMS

At each meeting (during the period provided for Oral Communications only) the Chair shall afford individuals the opportunity to speak for not more than three (3) minutes on (1) any matter not listed on the agenda, (2) any matter on the agenda listed on the consent calendar, and (3) any matter on the agenda listed as an informational item or staff report. The Chair may, in the interest of facilitating the business of the Board, and avoidance of repetition, limit the amount of time for individuals to address the Board. The Chair may close public comment at any time restricting further discussion to the Board level unless a majority of the Board wishes to hear from other persons. All questions of staff from the public and Board shall be addressed to the Chair. Responses shall ordinarily be made only after the matter has been closed to the public.

Any item will be pulled from the Consent Calendar for separate consideration at the request of a member of the public, or a member of the Board. Following adoption of the remaining Consent Calendar items, staff will give a brief presentation on the pulled item. The person who requested that the item be pulled may then speak briefly to the issue. The public will also be allowed to comment. If controversy develops, the item may be deferred to the end of the meeting or to a future meeting.

RULE 19: LIMITATIONS ON BOARD/STAFF REPORTS

Presentations by Board or staff shall be made under the Board/Staff Report portion of each regular meeting agenda only for matters, which have been specified in advance on, that published meeting notice. No more than two (2) reports by the same Board member shall be placed on a single meeting agenda without prior consent of the Chair. Unless authorized by the Chair, Board presentations shall not exceed five (5) minutes. The Chair, with consensus of the Board, may defer some or all specified Board reports until after the Board has considered Action Items in the interest of facilitating the business of the Board, or as a courtesy to members of the public desiring to participate in Public Hearings or other Action Items which are also on the meeting agenda.

RULE 20: REFERRALS

Any matter coming before the Board may, if deemed necessary, be referred by the Chair, without Board action, to the General Manager, District Counsel, or to any standing or special committee of the District.

RULE 21: PARLIAMENTARY PROCEDURE

A. Rules of Order

The presiding officer shall preserve order and decorum and shall decide questions of order subject to appeal to the Board. General Counsel shall

advise the Chair as Parliamentarian, guided (but not bound) by Robert's Rules of Order and these meeting rules.

B. Call for Question

The "call for question" shall be deemed a non-binding request that the presiding officer close debate and bring an issue to an immediate vote. The presiding officer may choose to continue discussion of the issue irrespective of a "call for question."

C. Motion to Close Debate

The "motion to close debate", if seconded, shall be a non-debatable motion, and shall have precedence over any other motion except for a parliamentary inquiry, or a motion to adjourn. Should the "motion to close debate" pass by majority vote, the presiding officer shall thereafter immediately call the question on the principal motion.

D. Non-Roll Call Votes

Following any non-roll call vote, the Chair shall announce the results of the vote.

E. Roll Call Votes

After a motion has been made and duly seconded, any board member may call for a roll call vote. Additionally, all ordinances shall be adopted by roll call vote. The order of the roll call shall rotate among directors for each vote, but the Chair shall at all times be called last. The Chair shall announce the results of the vote.

RULE 22: URGENCY ORDINANCE

Adoption of an Urgency Ordinance shall require five (5) affirmative votes on a roll call tally (two-thirds of seven member Board). Urgency Ordinances shall be reviewed by the Board and the Board shall determine whether the ordinance should remain in effect without change, be amended, or be repealed. Said review shall be conducted no later than one year from the effective date of the Urgency Ordinance.

RULE 23: RECONSIDERATION

At the meeting succeeding that on which a final vote on any question has been taken, said vote may be reconsidered on the motion of member of the Board who voted on the prevailing side. A motion to reconsider shall be in order only if that item had been timely placed on that agenda. It shall not be in order for any member to move reconsideration at the meeting at which such final vote was taken. Said motion of reconsideration shall have precedence over every other motion.

RULE 24: ABSTENTION

No member shall abstain from voting except when that member has a disabling conflict of interest. In the presence of a declared disabling conflict of interest, the affected director shall enter the declaration in the Board minutes, shall not participate in discussing that agenda item and shall recuse him or herself from the vote. If the Board member is not personally involved in the matter before the Board, that director shall leave the room. The minutes shall record an absence for any circumstance where a Board member is not in the room at the time of a vote.

(Orig. 1/87 Rev. 4/13/87, 7/13/87)(Rev. 3/14/87)Rev.6/12/89)
(Rev.2/28/91)(Rev.08/10/93)(Rev.06/28/94)(Rev.08/15/94)
(Rev.11/30/94)(Rev.2/20/97)(Rev.12/99)(Rev.6/2000)
(Rev.7/26/2000/Rev5/31/01 format only)(Rev.1/29/04/)
(Rev. 5/8/2007—modify Rule 2, addition of Rule 2.5
The Board adopted revisions on 01/29/04, 11/21/05, 12/12/05, 4/17/06,
4/16/07, 1/24/08, 8/16/2010, 11/18/2013, 01/28/15, 06/15/15, 02/17/16,
12/11/17, 09/16/19, 06/20/2022 and 08/16/2022.

Board clerk added or removed a committee charge on 4/08, 11/08,
2/09, 8/09
Board clerk added revised Attachment 8 on 12/20/17
Board Clerk in consultation with District Counsel and General
Manager made non-substantive edits to the Meeting Rules on
08/09/2022