

EXHIBIT 14-D**RESOLUTION NO. 2003-01****A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT  
OPPOSING ENACTEMENT OF SENATE BILL SB 149**

**WHEREAS**, the voters of the Monterey Peninsula ratified powers and functions for the Monterey Peninsula Water Management District at the election held in June, 1978, and

**WHEREAS**, the District governance approved by the voters calls for five of the seven members of the board of directors for the Monterey Peninsula Water Management District to be directly selected by the electorate; and

**WHEREAS**, each director so selected by the electorate represents an equi-populous resident voting division for the Monterey Peninsula Water Management District; and

**WHEREAS**, each resident voting division for the Monterey Peninsula Water Management District was created in compliance with the federal Voting Rights Act (42 U.S.C.1973, as amended), and in accord with data from the year 2000 census; and

**WHEREAS**, each resident voting division for the Monterey Peninsula Water Management District was created in compliance with section 22000 of the California Elections Code to guarantee equal representation of voters; and

**WHEREAS**, the form of governance for the Monterey Peninsula Water Management District is proposed to change from direct election of representatives to appointment; and

**WHEREAS**, the proposed change to the form of governance from direct election to appointment further deprives the voters of the District of the rights of initiative recall and referendum; and

**WHEREAS**, SB149 proposes to change existing law to delete voter approval for any District proposed water supply project, and to specifically delete the right of the voters to petition for referendum; and

**WHEREAS**, the language of SB149 further negatively affects current democratic process, the voters' rights, the Board's accountability, environmental protection, and other fundamental aspects of the Monterey Peninsula, the Water District, and the voters in the District; and

**WHEREAS**, the proposed change in governance is "retrogressive" when compared to the previous plan; and

**WHEREAS**, all voters of the Monterey Peninsula Water Management District, including minority voters, would be worse off with respect to the exercise of their franchise than they are under the existing plan; and such retrogressive effect is contrary to the federal voting rights mandates in accord with 28 CFR 51; and

**WHEREAS**, proposed modification of the form of governance for the Monterey Peninsula Water Management District runs contrary to "one person, one vote," as the proposed representational structure is not equal or fair; and

**WHEREAS**, the District has recently proposed a study of the environmental effects of a water supply project to solve the current water shortfall confronting the Monterey Peninsula and to provide

opportunity for future expansion that would be approved by the voters.

**NOW, THEREFORE, BE IT RESOLVED THAT:**

1. **OPPOSITION TO SB 149.** The board of directors of the Monterey Peninsula Water Management District opposes SB 149.
2. **OPPOSITION TO CHANGE FROM ELECTED DIRECTORS TO APPOINTED DIRECTORS.** The board of directors of the Monterey Peninsula Water Management District opposes any change to the governance of this district which modifies the form of governance from direct election to appointment and or which eliminates or diminishes voter approval of a water supply project.
3. **AUTHORIZATION TO CHAIR TO OPPOSE SB 149.** The board of directors of the Monterey Peninsula Water Management District authorizes the Chair or his designee to take appropriate action in opposition to SB 149 and in furtherance of this resolution. This action may include, but shall not be limited to, educating the legislature to the current proposed project being studied by the District and attending and making presentations to any committee of the Senate or Assembly, or any other organization in relation to SB 149.

On motion by Director Lehman, and seconded by Director Lindstrom, the foregoing resolution is duly adopted this 2<sup>nd</sup> day of May, 2003, by the following votes:

AYES: Directors Erickson, Henson, Lehman and Lindstrom  
NAYS: Director Pendergrass  
ABSENT: Directors Edwards and Potter

I, Fran Farina, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify that the foregoing is a full, true, and correct copy of a resolution duly adopted on the 2<sup>nd</sup> day of May, 2003.

Witness my hand and seal of the Board of Directors this 6th day of May, 2003.

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Fran Farina, Secretary to the Board

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