

## EXHIBIT 2-C

*Adopted August 21, 2006 – Effective October 21, 2006*

### ORDINANCE NO. 126

#### **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 for meeting attendance, pursuant to Water Code §§ 20200 through 20207, and MPWMD Ordinance No. 113, at the rate of one hundred dollars (\$100) dollars per meeting, to a maximum of five (5) meetings per month. This level of compensation took effect in July, 2004.
3. Water Code Section § 20202 allows the Water Management District to set compensation of attendance of board members 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, not to exceed ten (10) days in any calendar month. This section also authorizes the rate of compensation to be increased by up to five (5%) percent each calendar year following the operative date of the last compensation adjustment.
4. This ordinance would set the rate of compensation for attendance at meetings of the board, or for each day's service rendered as a member of the board by request of the board, to one hundred ten dollars (\$110) dollars per meeting. This increase is less than five (5%) percent per calendar year since the operative date of the last compensation adjustment.
5. This ordinance would set the maximum number of days per month for which board members may be compensated at ten (10), in accord with Water Code Section § 20202.

NOW THEREFORE be it ordained as follows:

## **ORDINANCE**

**Section One:            Short Title**

This ordinance shall be known as the Board Member Compensation Ordinance of 2006 for the Monterey Peninsula Water Management District.

**Section Two:            Purpose**

This ordinance sets Board Member compensation in accord with the provisions of Water Code § 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 ten dollars (\$110) 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 ten (10) 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 Code<sup>1</sup>.

**Section Six:            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.

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<sup>1</sup> 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.]

**Section Seven:        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.

On motion by Director Edwards, and second by Director Foy, the foregoing ordinance is adopted upon this 21st day of August, 2006, by the following vote:

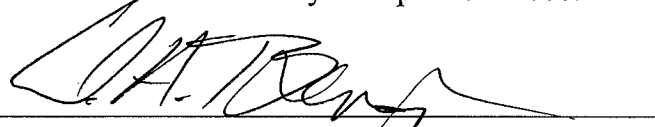
AYES:            Directors Edwards, Foy, Knight, Markey and Pendergrass

NAYS:            Directors Lehman and Potter

ABSENT:        None

I, David A. Berger, 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 21st day of August 2006.

Witness my hand and seal of the Board of Directors this 1st day of September 2006.



David A. Berger, Secretary to the Board