Presented at 6-15-2015 Board, Meeting

ITEM: CONSENT CALENDAR

4. REVISED 6/12/2015 -- CONSIDER ADOPTION OF RESOLUTION 2015-11 -- REVISION TO MEETING RULE NO. 7.D. SEASIDE GROUNDWATER BASIN WATERMASTER

**Meeting Date:** 

June 15, 2015

**Budgeted:** 

N/A

From:

David J. Stoldt,

Program/

N/A

General Manager

Line Item No.:

Prepared By:

Arlene Tavani

**Cost Estimate:** 

N/A

General Counsel Review: N/A

Committee Recommendation: The Rules and Regulations Review Committee, at its May 21, 2015 meeting, voted 2 to 0 to amend Rule 7.D as stated in the Recommendation section below.

CEQA Compliance: N/A

**SUMMARY:** Section 4.1 of the Rules and Regulations of the Seaside Groundwater Basin Watermaster specifies that every two years, member agencies must appoint a representative and alternate to the Watermaster for a two-year term. However, the District has changed the representative annually and notified the Watermaster each year. The District has a rotation schedule that has not been working because the Supervisors' and Mayors' appointees already serve on the Watermaster board. Further, the rotation schedule as adopted by the District has a flaw in the way dates were set.

The Rules and Regulations Review Committee reviewed this issue on May 21, 2015, and recommended that Rule 7.D be amended to read: "Beginning in January 2016, the District's representative and alternate on the Seaside Groundwater Basin Watermaster shall be annually appointed biennially by the Chair of the Board, each for a two-year term, and the appointments approved by the Board."

**RECOMMENDATION:** The Board should adopt Resolution No. 2015-11 (**Exhibit 4-A**) that would amend Rule 7.D of the MPWMD Meeting Rules to read: "Beginning in January 2016, the District's representative and alternate on the Seaside Groundwater Basin Watermaster shall be annually appointed **biennially** by the Chair of the Board, each for a two-year term, and the appointments approved by the Board." If the Board instead decides to keep the rotation schedule intact, then it is recommended that the dates in the table in Rule 7.D be edited to reflect all January dates and be revised and adopted beginning 2016.

**BACKGROUND**: The District's Board of Directors adopted Meeting Rule 7.D in August 2010 that established an annual rotation schedule for appointment of representatives to the Watermaster (see below); therefore, in 2012 Director Potter would be appointed to the position of representative, and Director Pendergrass would serve as alternate. However, Director

Potter serves as the County of Monterey representative to the Watermaster, and he could not represent both agencies concurrently. The next person in rotation was Director Pendergrass, who also had a conflict because he serves as the City of Sand City representative to the Watermaster. As a result, in 2012 and 2103 the District's Watermaster representative was appointed by the Chair and confirmed by the Board. This practice was continued in 2014 and 2015.

The current text of Rule 7.D is as follows:

# D. <u>Seaside Groundwater Basin Watermaster</u>

Representation on the Seaside Groundwater Basin Watermaster shall be determined as follows. Annual rotation of Directors into the position of representative and alternate to the Watermaster will begin in 2011 with Voter Division 5. If the Director rotating in declines to accept the position, the next Director in the rotation will be eligible to participate. If the Director rotating into the position represents another jurisdiction on the Watermaster, that Director must decide to represent either the MPWMD or the other jurisdiction.

Rotation Schedule for Watermaster Representative and Alternate				
Year	Representative	Alternate		
January 2011	Division 5	Board of Supervisors Rep.		
October 2012	Board of Supervisors Rep.	Mayoral Representative		
January 2013	Mayoral Representative	Division 1		
October 2014	Division 1	Division 2		
January 2015	Division 2	Division 3		
October 2016	Division 3	Division 4		
January 2017	Division 4	Division 5		

The proposed revised text is contained in the Recommendation section of this staff report.

### **EXHIBITS**

**4-A** Draft MPWMD Resolution No. 2015-11 – Revision to Meeting Rule 7.D – Seaside Groundwater Basin Watermaster



# EXHIBIT 4-A

### **REVISED RESOLUTION 2015-11**

# A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA WATER MANAGEMENT DISTRICT AMENDING MPWMD MEETING RULE 7.D SEASIDE BASIN WATERMASTER

**WHEREAS**, the Water Management District is a member of the Seaside Groundwater Basin Watermaster. The Rules and Regulations of the Watermaster specify that every two years, member agencies must appoint a representative and alternate to the Watermaster for a two-year term, and

**WHEREAS**, Monterey Peninsula Water Management District Meeting Rule No. 7.D specifies a rotation schedule for appointment of Directors to the Watermaster, and

**WHEREAS**, the Board of Directors has determined that the rotation schedule should be revised;

**NOW, THEREFORE, BE IT RESOLVED**, that Rule 7.D shall be modified as shown below with language to be deleted shown in strikethrough text and language to be added shown in bold italics.

# D. Seaside Groundwater Basin Watermaster

Representation on the Seaside Groundwater Basin Watermaster shall be determined as follows. Annual rotation of Directors into the position of representative and alternate to the Watermaster will begin in 2011 with Voter Division 5. If the Director rotating in declines to accept the position, the next Director in the rotation will be eligible to participate. If the Director rotating into the position represents another jurisdiction on the Watermaster, that Director must decide to represent either the MPWMD or the other jurisdiction. Beginning in January 2016, the District's representative and alternate on the Seaside Groundwater Basin Watermaster shall be annually appointed biennially by the Chair of the Board, each for a two-year term, and the appointments approved by the Board.

Rotation Schedule for Watermaster Representative and Alternate			
Year	Representative	Alternate	
January 2011	Division 5	Board of Supervisors Rep.	
October 2012	Board of Supervisors Rep.	Mayoral Representative	
January 2013	Mayoral Representative	Division 1	

October 2014	Division 1	Division 2	
January 2015	Division-2	Division 3	
October 2016	Division-3	Division 4	
January 2017	Division 4	Division 5	

	On motion of Director, and s	econd by Director, the foregoing
resolution is du	uly adopted this 15 <sup>th</sup> day of June 2015 b	y the following votes:
	AYES:	
	NAYS:	
	ABSENT:	
	I, David J. Stoldt, Secretary to the Boa	ard of Directors of the Monterey Peninsula
Water Manage	ement District, hereby certify that the fo	regoing is a resolution duly adopted on the
15 <sup>th</sup> day of Jun	ne 2015.	
	Witness my hand and seal of the Board	of Directors this day of June 2015.
		# · · · · ·
		vid J. Stoldt,
	Sec	retary to the Board

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