

## ORDINANCE 35

AN ORDINANCE OF THE BOARD OF DIRECTORS OF  
THE MONTE VISTA WATER DISTRICT,  
COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA,  
SETTING COMPENSATION POLICIES FOR THE BOARD OF DIRECTORS

---

**WHEREAS**, the Monte Vista Water District is a public agency formed and operating under the County Water District Law pursuant to California Water Code Section 30000 et seq; and

**WHEREAS**, the Monte Vista Water District is governed by the Board of Directors, and the Board of Directors are elected public officials who should not be considered employees of the Monte Vista Water District for the purpose of generating income for the directors; and

**WHEREAS**, each member of the Board of Directors expends a considerable amount of time and effort serving on committees and attending meetings, including but not limited to meetings of the Board of Directors; and

**WHEREAS**, in consideration for the directors' expenditure of time and effort, it is appropriate to provide reasonable compensation and to authorize reimbursement of expenses for the Board of Directors pursuant to California Water Code Section 30507; and

**WHEREAS**, California Water Code Section 20202 provides that the Board of Directors may adopt an ordinance authorizing compensation for directors for a total of not more than ten (10) days in any calendar month and in an amount in excess of \$100 per day, which may be adjusted each year; and

**WHEREAS**, this ordinance establishes the scope of, and process to determine, reasonable and just compensation for the time and effort expended by the members of the Board of Directors.

**NOW, THEREFORE**, the Board of Directors of the Monte Vista Water District does hereby ordain:

### **Section 1: Recitals**

The above recitals are true and correct.

### **Section 2: Compensation**

- a. The Board of Directors shall establish the daily rate of compensation for directors' attendance at meetings, conferences, and other specified events each fiscal year at the time of adoption of the Monte Vista Water District's annual budget.
- b. Subject to the limitation of Section 3 of this ordinance, each member of the Board of Directors shall be compensated for attending:
  - i. Regular, special, emergency, and adjourned meetings of the Board of Directors.

- ii. Regular, special, emergency, and adjourned meetings of a committee of the Board of Directors, or a committee to which the director has been assigned by the president of the Board of Directors, provided that attendance is as a member or alternate member of that committee. If the director has been assigned to an outside committee or board which also pays compensation to its committee or board members, then that compensation shall be accepted by the director first and, if the compensation paid by the outside committee or board is less than the compensation set forth, the Monte Vista Water District shall pay the difference.
  - iii. Conferences related to the business of the Monte Vista Water District, provided that such compensation shall not exceed the duration of the conference plus one day travel time to the conference and one day travel time from the conference.
  - iv. Meetings with the general manager or designee concerning the operations of the Monte Vista Water District.
  - v. Meetings with legal counsel for the Monte Vista Water District related to the director's service as a member of the Board of Directors.
  - vi. City council meetings, water agency meetings, community meetings, meetings with local state or federal elected officials or their staff members, and court hearings or other legal proceedings where the director is requested to attend by the Board of Directors, the president of the Board of Directors, or the general manager.
  - vii. Training sessions mandated by state or federal law, including but not limited to ethics training and harassment training, and any other relevant training.
- c. The Board of Directors, the president of the Board of Directors, or the general manager may approve compensation for a director's attendance at any meeting or event retroactively.
  - d. Directors shall not be compensated for attending social gatherings, picnics, award banquets, holiday events, retirement dinners, and similar functions unless approved by the Board of Directors, the president of the Board of Directors, or the general manager.

### **Section 3: Compensation Limits**

- a. The maximum increase in compensation over the existing year shall be five percent (5%) per year from the last compensation adjustment, as provided by California Water Code Section 20202.
- b. Attendance shall mean that the director is present during not less than seventy-five percent (75%) of the duration of the meeting, conference, or other specified event.

**Section 4: Review of Compensation**

The board auditor shall, as a part of the monthly review of financial transactions, examine the directors' compensation records. A summary of meetings attended by directors shall be provided to the Board of Directors as a part of the monthly financial reports.

**Section 4: Expense Reimbursement Rates**

As provided for in California Government Code 53232.2, the Monte Vista Water District will reimburse directors for actual and necessary expenses incurred in the performance of official duties in accordance with the provisions of administrative policies and procedures adopted by the Board of Directors.

**Section 5: Validity**

If any section, subsection, clause, phrase, or portion of this ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of remaining portions of this ordinance.

**Section 6: Effective Date**

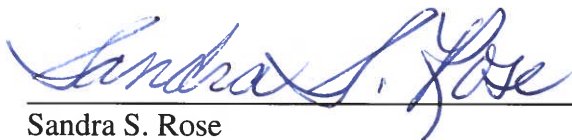
This ordinance shall be effective immediately after its final passage or on November 18, 2020, upon publication in any newspaper of general circulation and distributed within the boundaries of the Monte Vista Water District as required by law.

**Section 7: Repeal and Rescind**

Upon adoption of this ordinance, Ordinance 30 and Resolution 600-06 are hereby repealed and rescinded in their entirety.

The president of the Board of Directors shall sign this ordinance and the secretary shall attest to the same. The secretary shall cause this ordinance to be published within ten (10) days after its adoption at least once in a newspaper of general circulation which is distributed within the boundaries of the Monte Vista Water District.

ADOPTED THIS 18<sup>th</sup> day of November 2020.



Sandra S. Rose  
President of the Board of Directors  
MONTE VISTA WATER DISTRICT

ATTEST:

  
Justin M. Scott-Coe  
Secretary to the Board of Directors  
MONTE VISTA WATER DISTRICT