

SAN GORGONIO PASS WATER AGENCY

ORDINANCE NO. 15

AN ORDINANCE INCREASING THE NUMBER OF DAYS PER MONTH WHICH WILL BE ELIGIBLE FOR DIRECTOR COMPENSATION, RESTATING THE CURRENT AMOUNT OF COMPENSATION, AND UPDATING COMPENSATION GUIDELINES

WHEREAS, the San Gorgonio Pass Water Agency (“Agency”) is a State Water Project (“SWP”) Contractor and wholesale water agency organized and operating under the Chapter 101 of the San Gorgonio Pass Water Agency Law set forth in the Water Code Appendix (“Law”). Section 12 of the Law provides authorization for Director compensation and the amount of days in a month for which compensation may be paid; and

WHEREAS, Water Code Section 20200 et seq. sets forth the authority and procedure for establishing compensation for the board of directors of “water districts,” which are defined as including, but not limited to, “water agencies.” The Water Code provides that despite any other provision of California law, such as the Law defined above, the Board may adopt an ordinance to authorize compensation for no more than 10 days in a calendar month and may otherwise adopt future ordinances regarding compensation under the authority set forth in Water Code Section 20200 et seq.; and

WHEREAS, on May 18, 1998, the Board adopted Ordinance No. 7 which provides for the amount of compensation which will be paid to Directors, sets the maximum number of days per month for which a Director may receive compensation at 5 days, and provides that each day’s service shall be as defined by resolution; and

WHEREAS, the Board of Directors desires to increase the number of days per month which will be eligible for compensation, restate the current formula for calculating the amount of compensation, and update compensation guidelines; and

WHEREAS, in accordance with Section 20203 of the California Water Code and Section 6066 of the California Government Code, a public hearing was held on _____, 2017, at 1:30 p.m., or soon thereafter as practicable, at the meeting room of the Board of Directors of the Agency at 1210 Beaumont Avenue, Beaumont, CA 92223 and a notice of said hearing was duly published in the _____, a newspaper of general circulation, once a week for two weeks as follows: on _____, 2017 and _____ 2017.

NOW THEREFORE, THE BOARD OF DIRECTORS OF THE SAN GORGONIO PASS WATER AGENCY DOES HEREBY ORDAIN AS FOLLOWS:

Section 1 The compensation to the Directors of the San Gorgonio Pass Water Agency presently in effect has been increased to the maximum amount allowed and does automatically increase each year on January 1 by the maximum amount permitted by statute.

Section 2 The maximum number of days for which a Director of the San Gorgonio Pass Water Agency may receive compensation for each day’s service rendered as a member of the Board of Directors shall not exceed eight (8) in any calendar month.

Section 3 Each day's paid service may be defined, from time to time, by way of the adoption of a resolution. Unless or until such a future resolution is adopted, the definition of a day of service shall be as follows:

(a) Attendance at any meeting of the San Gorgonio Pass Water Agency that requires public notice in accordance with the Brown Act.

(b) Attendance at any meeting of a San Gorgonio Pass Water Agency ad hoc committee, that committee having been established by the President of the Board.

(c) Attendance at regular, special or committee meetings of any organization in which the San Gorgonio Pass Water Agency is a member.

(d) Attendance at Beaumont Basin Watermaster meetings.

(e) Attendance at events, programs, or symposiums (not to exceed 1 day) or conferences (not to exceed 3 days) for the following organizations:

1. Association of California Water Agencies
2. Special Districts Association of Riverside County
3. State Water Contractors
4. Water Education Foundation
5. Special Districts Board Management Institute
6. Riverside County Water Symposium
7. American Water Works Association
8. Association of Ground Water Agencies

(f) Attendance at any meeting related to or informing the Board members on matters within the jurisdiction of the statutory powers of the Agency, provided that such meetings deal with substantive issues and consume more than a minor amount of the Board member's time.

(g) Attendance at any meeting submitted for consideration and approved as a day of service by the Board, provided that such meetings deal with substantive issues and consume more than a minor amount of the Board member's time.

Section 4 The Finance and Budget Committee of the Agency shall determine by examination and vote, that the meetings submitted for payment of Director's fees are in accordance with these guidelines. The Directors shall have the right to appeal the decision of the Finance and Budget Committee to the Board of Directors.

Section 5 All ordinances, resolutions, or administrative actions by the Board of Directors, or parts thereof, that are inconsistent with any provision of this Ordinance are hereby superseded only to the extent of such inconsistency. For example, and not by way of limitation, the applicable provisions of Ordinance No. 7 and Resolution No. 2008-03 are hereby superseded and shall be of no further force or effect.

Section 8 If any section, subsection, clause or phrase in this Ordinance is for any reason held invalid, the validity of the remainder of this Ordinance shall not be affected thereby. The Board hereby declares that it would have passed this Ordinance and each section,

subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases or the application thereof be held invalid.

Section 9 All of the foregoing Recitals are true and correct and the Board so finds and determines. The Recitals set forth above are incorporated herein and made an operative part of this Ordinance.

Section 10 The President of the Board of Directors shall sign this Ordinance and the Secretary of the Board of Directors shall attest thereto, and pursuant to Section 20204 of the California Water Code, this Ordinance shall take effect sixty (60) days from the date of adoption.

ADOPTED this ____ day of _____, 2017, by the Board of Directors of the San Geronio Pass Water Agency.

David Fenn,
President of the Board of Directors

ATTEST:

Jeffrey Davis,
Secretary of the Board of Directors