

MEMORANDUM

TO: Board of Directors

FROM: Legal Counsel

RE: For Information And Discussion Purposes Only - Potential Changes To Board Of Directors Compensation Policy

DATE: September 13, 2021

Summary:

A Director recently requested that the Board consider increasing the number of days per month for which Board members may receive per diem compensation. The Water Code provides that before the Board can consider taking any action on compensation policies, a public hearing notice must be published once a week for 2 weeks prior to conducting a public hearing.

The Agency's compensation policies are currently located in a few different documents including Ordinance No. 7 and Resolutions 2008-03 and 2013-04.

Recommendation:

Before preparing the notice, scheduling a public hearing, and drafting a proposed policy, Staff recommends that the Board consider what, if any, additional topics they would like to address along with potentially increasing the number of days of service. No action can be taken today. Nothing the Board members discuss today will be binding unless or until formal action is taken following a publication of a notice, a public hearing and then potential Board action.

Detailed Report:

Water Code Section 20200 et seq. sets forth the procedure for establishing per diem compensation for attendance at meetings of the Board and for each day of service rendered as a Board member. The Water Code limits the total compensation that may be received to a maximum of 10 days per calendar month.

Manner/Amount Of Compensation

Current Agency Policy – The per diem compensation increases each year in an amount equal to any cost-of-living adjustment granted to Agency employees.

For Discussion - Keep the current procedure in place or consider a policy which provides that no further increase shall take place unless or until the Board adopts a subsequent ordinance.

Maximum Number Of Days Per Month

Current Agency Policy - The maximum number of days for which a Board member may receive per diem compensation shall not exceed 5 days in any calendar month.

For Discussion – Keep the current number of days in place or select an increased number from 6 up to 10.

Definition Of Meetings/Days Of Service

Current Agency Policy - The definition of a day of service includes the following:

- (a) Attendance at any Agency meeting that requires Brown Act compliance.
- (b) Attendance at any meeting of an Agency ad hoc committee.
- (c) Attendance at regular, special or committee meetings of any organization in which the Agency is a member.
- (d) Attendance at Beaumont Basin Watermaster meetings, San Timoteo Watershed Management Authority Commission meetings, Santa Ana Watershed Project Authority Commission meetings and Regional Coordination Conferences of Pass Water Officials Serving Pass Area Communities.

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

- (i) Association of California Water Agencies
- (ii) Special District Association of Riverside County
- (iii) State Water Contractors
- (iv) Water Education Foundation
- (v) Special District's Board Management Institute
- (vi) Riverside County Water Symposium
- (vii) American Water Works Association
- (viii) 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 of any meeting submitted for consideration and approved as a day of service by the Agency's Board of Directors.

For Discussion – Update/revise/streamline the list of meetings and organizations which are no longer in existence and/or have evolved over the years.