ORDINANCE NO. 62-2022

AN ORDINANCE AMENDING POLICY FOR COMPENSATION AND EXPENSE REIMBURSEMENT FOR BOARD MEMBERS

NORTH COAST COUNTY WATER DISTRICT

WHEREAS, California Water Code Sections 30507 and 20200 et seq., and California Government Code Sections 53232-53232.4 provide the statutory framework for Board member compensation and expense reimbursement for the North Coast County Water District;

WHEREAS, by Resolution No. 796, the Board of Directors established a policy for compensation of Board members and reimbursement of expenses incurred by Board members in the service of the District, which policy was last amended by Resolution No. 1071;

WHEREAS, the Board desires to amend the policy to increase the maximum number of days in a calendar month that a Director may be compensated for to 10 days per month; update the expense reimbursement policy; expand the list of meetings, conferences, and educational seminars that are deemed service rendered at the request of the Board; and add a process for approval by the Board President of a meeting, conference, or event that will occur before the next Board meeting when that meeting, conference, or event is not included on the preapproved list, but is on a topic related to the water industry, water policy, or other issue that could impact the District. The Board is not considering an increase in the per day compensation amount.

WHEREAS, pursuant to California Water Code Sections 20200 et seq., the District has called a public hearing, and published and posted notice of, and held a public hearing providing the public an opportunity to comment on this Ordinance, including the modifications to the Policy for Compensation and Expense Reimbursement for Board Members.

NOW, THEREFORE, BE IT ORDAINED by the North Coast County Water District Board of Directors as follows:

Section 1. Policy

The Board of Directors of North Coast County Water District hereby adopts the amended policy attached and labeled as Exhibit A, the Policy for Compensation and Expense Reimbursement for Board Members.

Section 2. Effective Date

All provisions of this Ordinance shall become effective 60 days after the adoption of this Ordinance. The voters of the District have the right, pursuant to California Water Code Section 20204 to petition for referendum on the Ordinance. Any such petition must be presented to the Board prior to the effective date of the Ordinance pursuant to California Water Code Section 20205.

Section 3. Publication

District staff is hereby directed to arrange for this Ordinance to be published once in a newspaper of general circulation in the District and to be posted on the District's website within ten days after its adoption.

PASSED AND ADOPTED this 16th day of November 2022, by the following vote:

AYES: Directors Ash, Burgett, Cosgrove, De Jarnatt and Piccolotti

NOES: None

ABSENT: None

President, Board of Directors
North Coast County Water District

ATTEST:

Secretary of the District

EXHIBIT A

NORTH COAST COUNTY WATER DISTRICT

POLICY FOR COMPENSATION AND EXPENSE REIMBURSEMENT FOR BOARD MEMBERS

(Adopted by Ordinance 62-2022 on November 16, 2022)

The following is the policy for compensation and expense reimbursement for Board members as adopted by the Board of Directors:

1. Compensation.

A. Each member of the Board is authorized to receive compensation in the amount of One Hundred Dollars ($100.00) per day for each day on which he or she attends a regular or special meeting of the Board, a standing or advisory committee meeting of the Board, and for each day of other service rendered as a director at the request of the Board. The maximum compensation payable to a director pursuant to this Section 1 is limited to $100 per day, regardless of the number of meetings of the Board or committee of the Board a director attends or other services a director renders at the request of the Board on any one day, and to a total of $1,000 (10 days maximum) per calendar month, irrespective of the number of days which a director attends meetings of the Board or committees of the Board or otherwise provides service as a director at the request of the Board.

B. Attendance at meetings, conferences or educational seminars listed on Exhibit A to this policy is service rendered at the request of the Board and shall be compensated. Additionally, if a director is authorized by the Board to participate, join or serve as a District representative to any other agency or association to further the interests of the District, attendance by that director at all future meetings, conferences, and educational seminars of that agency or association shall be service rendered at the request of the Board and shall be compensated.

C. All activities other than meetings, conferences, and educational seminars set forth in Sections I.A and I.B above must be approved by the Board in advance in order to be considered service rendered at the request of the Board, except as provided in Section 3.

2. Reimbursement of Expenses.

A. Each member of the Board shall be reimbursed for travel, lodging, meal, and other expenses actually and reasonably incurred in the performance of service rendered at the

request of the Board, other than attending meetings of the Board or committees of the Board. All activities for which expense reimbursement is sought must be approved in advance by the Board, except as otherwise provided in Sections 1 and 3.

B. If the lodging is in connection with a conference, seminar, or other organized educational activity, the lodging may not exceed the maximum group rate published by the conference, seminar, or activity sponsor. For transportation and lodging services, members of the Board shall ask for and use government and group rates when available. If the government or group rate is not available, the rate paid may be 25% higher than the government or group rate. Except as provided above, each member of the Board will be reimbursed at rates that do not exceed the rates established in the then-current Internal Revenue Service (IRS) Publications 463 and 1542, or any successor publications, for travel, lodging, meals, and other expenses actually and reasonably incurred in the performance of service rendered at the request of the Board. For example, the IRS Publications specify a per diem rate for meals and incidental expenses; however, Board members of the District will not receive a per diem rate. The Board members of the District will receive reimbursement for meals and incidental expenses actually and reasonably incurred in the performance of service rendered at the request of the Board up to a total amount per day that does not exceed the per diem rate for the locality specified in the IRS Publications.

C. The method of transportation to activities within 100 miles of the District office shall be by automobile. If a director's personal automobile is used, costs will be reimbursed at the rate specified by current Internal Revenue Service policy. The most economical mode and class of transportation reasonably consistent with safety, scheduling needs, and cargo space requirements must be taken, utilizing the most direct and time-efficient route.

D. Each Board member seeking reimbursement pursuant to this Policy must file, within a reasonable time after incurring the expense, an expense reimbursement statement with the General Manager. The statement must be filed on the District's expense reimbursement form and must be accompanied by receipts documenting each expense. Expense reimbursement statements and related documents are public records under State law.

3. <u>Emergency and Other Exceptions</u>

A. Notwithstanding the foregoing rules, if an emergency arises and a Board member is required to incur travel, lodging or other expenses to engage in District business, a Board

member may incur such expenses upon the approval of the President of the Board or, if the President is unavailable, the Vice President or, if the Vice President is unavailable, another Board member.

B. Such approval will be subject to ratification of the full Board at the next regularly scheduled Board meeting.

C. An "emergency" shall constitute a meeting, hearing, event or function (1) at which a Board member's attendance or participation is deemed essential to further the interests of the District, and (2) which takes place prior to the next regularly scheduled Board meeting.

D. If a Director becomes aware of a conference, meeting, or event that requires Board approval after the conclusion of the most recent Board meeting and the conference, meeting, or event is taking place prior to the next Board meeting, the Director may only be compensated and have expenses reimbursed for attendance at the conference, meeting, or event with the approval of the Board President based on a determination that attendance furthers the interests of the District and is on a topic related to water industry, water policy, or other issue that could impact the District. Approval under this section will be subject to ratification of the full Board at the next regularly scheduled Board meeting.

4. Reports. Board members returning from meetings, conferences, seminars, and other activities for which compensation has been paid or expenses reimbursed shall submit a brief oral or written report to the Board.

EXHIBIT A

The Board of Directors of the North Coast County Water District has determined that the attendance by a Board member at the meetings, conferences, or educational seminars listed below that take place within the State of California is pre-approved service rendered at the request of the Board and for which the Board member shall be compensated:

1. Association of California Water Agencies/Joint Powers Insurance Authority Board (ACWA/JPIA) meetings.
2. Association of California Water Agencies (ACWA) meetings, conferences, and educational seminars.
3. San Mateo County Chapter - California Special District's Association meetings.
4. ACWA Region 5 meetings.
5. San Mateo County Local Agency Formation Commission (San Mateo County LAFCO) meetings.
6. Bay Area Water Supply and Conservation Agency (BAWSCA) meetings, except attendance at a BAWSCA meeting by the District's authorized representative because the authorized representative is compensated by BAWSCA.
7. Pacifica Joint Articulation meetings (representatives of City of Pacifica, North Coast County Water District, Jefferson Unified High School District, Pacifica School District)
8. All committee or subcommittee meetings of the agencies or associations identified in items 1-7 above by the Board member appointed as the representative of that agency or association (or his or her alternate or designee).
9. California Special District's Association conferences, seminars, or events.
10. California Special District Leadership Foundation or Academy seminars, trainings, or events.
11. Ethics, sexual harassment prevention, and other trainings and seminars Board members are required to attend by law.
12. WateReuse Association meetings, conferences, or events.
13. Water Education Foundation seminars, conferences, or events.
14. American Water Works Association meetings, conferences, or educational seminars.
15. CalDesal meetings, conferences or educational seminars.
16. California Water Efficiency Partnership meetings, conferences or educational seminars.
17. California Water Policy Conference.
18. Water Education for Latino Leaders (WELL) meetings, conferences, or educational seminars.
19. WaterNow Alliance meetings, conferences or educational seminars.
20. City of Pacifica Council and Commission meetings at which the City has agendized business that involves the District.
21. SFPUC meetings at which the SFPUC has agendized business that involves the District.
22. State Water Resources Control Board meetings at which the agency has agendized business that involves the District.
23. Regional Water Quality Control Board meetings at which the agency has agendized business that involves the District.