

STAFF REPORT

TO: Board of Trustees
FROM: Kathleen Jurasky, District Manager
Steve Quintanilla, General Counsel
DATE: April 14, 2016
RE: Board Meeting Compensation

RECOMMENDATION:

That the Board of Trustees introduce and adopt the attached ordinance increasing each Trustees' compensation from \$100.00 to \$179.59 per Board meeting.

BACKGROUND:

Health & Safety Code Section 903 (a) provides that trustees may receive compensation in an amount not to exceed one hundred dollars (\$100) for attending each board meeting, up to four meetings a month.

Board meetings include "any congregation of a majority of the board members at the same time and location to hear discuss, deliberate or take action on any item within the subject matter jurisdiction of the board" such as: (1) regular board meetings, (2) special board meetings, (3) closed sessions, (4) emergency board meetings, (5) board field trips, (6) District public hearings, (7) board committee meetings. Incidentally, trustees are not entitled to traveling and incidental expenses for attending board meetings.

Health & Safety Code Section 9031 (b) provides that trustees, by ordinance adopted pursuant to "Water Code" may increase the amount of compensation received for attending board meetings. The amount of compensation per board meeting may be increased above \$100 per board meeting, but the increase may not exceed 5 percent, for each calendar year following the operative date of the last adjustment.

Increases may only be made by an ordinance adopted pursuant to Water Code Section 20200, et seq. A public hearing is required and notice of the public hearing must be published in a newspaper of general circulation (i.e., The Desert Sun Newspaper) pursuant to Government Code section 60660. The notice of the April 14 public hearing was published in The Desert Sun Newspaper pursuant to Section 60660.

The ordinance can only take effect 60 days after the ordinance is adopted. The ordinance is subject to referendum by voters. If petitions protesting adoption of ordinance is presented prior to effective date of ordinance, the ordinance shall be suspended and the board shall reconsider the ordinance. If the board does not repeal ordinance, then the board must put ordinance up for a vote at a special or general election.

The attached ordinance proposes to increase the trustees' compensation for attending board meetings to \$179.59, which reflects a 5 percent increase, for each calendar year following the operative date of the last adjustment, which was \$100.00. This is the maximum amount allowed under applicable law. Of course, the Board has the discretion to decrease the amount.

ATTACHMENTS:

- Proposed Ordinance
- Public Hearing Notice