

**WEST VALLEY WATER DISTRICT
NOTICE OF BOARD OF DIRECTORS
PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Board of Directors of the West Valley Water District will conduct a public hearing to consider the following:

To adopt Ordinance No. 85, an ordinance of the Board of Directors of the West Valley Water District amending Ordinance No. 84 with respect to compensation and policies related to board activities. This ordinance will increase the compensation of the Board of Directors for board activities pursuant to California Water Code §§20200-20207.

DATE AND TIME: Thursday, August 16, 2018 at 6:00 P.M.

OF HEARING: or as soon thereafter as possible

LOCATION OF HEARING:

West Valley Water District, Board Room
855 W. Baseline Rd.
Rialto, CA 92376

INVITATION TO BE HEARD: All interested persons will be given an opportunity to comment on this item at the public hearing. Those desiring to object to Ordinance No. 85, will be given an opportunity to do so during such hearing or written comments may be submitted to the Board of Directors by August 8, 2018 prior to the hearing, mailed to 855 W. Baseline Rd., Rialto, CA 92376, Attention: Crystal Escalera, Board Secretary. Please reference hearing title and date of hearing in any correspondence. If you wish to challenge the above in court, the challenge will be limited only to those issues you or someone else raised at the public hearing or in written correspondence delivered to the Board Secretary at, or prior to, the public hearing described in this notice.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this hearing, you should contact Crystal Escalera at (909) 875-1804 ext. 704. Notification of at least seven (7) working days prior to the hearing will enable the West Valley Water District to make reasonable arrangements to assure accessibility to this meeting.

Ordinance No. 85 will be available for public review on or before July 31, 2018, during normal business hours at the West Valley Water District's Administrative Office located at 855 W. Baseline Rd., Rialto, CA 92376. An electronic version will be accessible at West Valley Water District's Website (www.wvwd.org). Additionally, the agenda report for this item will be available August 13, 2018 and a copy may be obtained on at www.wvwd.org.

Upon conclusion of the public hearing, the Board of Directors of the West Valley Water District may revise, change, modify, and/or adopt Ordinance No. 85. Questions regarding the public hearing or Ordinance No. 85 should be directed to Crystal Escalera at (909) 875-1804 ext. 704.

/s/ Crystal Escalera
CRYSTAL ESCALERA, BOARD SECRETARY
West Valley Water District

ORDINANCE NO. 85

**AN ORDINANCE OF THE BOARD OF DIRECTORS
OF THE WEST VALEY WATER DISTRICT AMENDING ORDINANCE NO. 85
WITH RESPECT TO COMPENSATION AND POLICIES RELATED TO BOARD
ACTIVITIES**

Whereas, Section 20202 of Division 10 of the California Water Code states that compensation to be received by members of the governing board of a water district may be increased each calendar year in an amount equal to 5 percent following the operative date of the last adjustment;

Whereas, the governing board of the West Valley Water District (“District”) increased its compensation pursuant to Water Code Section 20200 et seq. on October 1st, 2016; and

Whereas, the District held a duly noticed Public Hearing concerning the increase of compensation to One Hundred Sixty-One Dollars and Seventy Cents (\$161.70) on August 2, 2018; and

Whereas, the increase in compensation to the governing board of the District shall increase automatically by 5 percent each calendar year on October 15th of each year.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE WEST VALLEY WATER DISTRICT DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Superseding of Previous Enactments.

Ordinance No. 84 and all other previously enacted ordinances providing for Board of Directors compensation are hereby superseded by this Ordinance.

ARTICLE 100. MEETINGS

101. REGULAR BOARD MEETINGS. The regular meeting of the Board of Directors of West Valley Water District (“Board of Directors”) shall be held at 6:00 p.m. on the first and third Thursday of each month. Business shall be conducted in accordance with Division 12 of the Water Code of the State of California and Section 54954 of the Government Code of the State of California and all other codes pertaining thereto, as well as any proceedings adopted by the Board of Directors not inconsistent therewith.

102. SPECIAL BOARD MEETINGS. Special meetings of the Board of Directors may be called in accordance with Government Code Section 54956 of the State of California.

103. EMERGENCY MEETINGS. Emergency meetings of the Board of Directors may be called in accordance with Government Code Section 54956.5 of the State of California.

104. COMMITTEE MEETINGS. To assist the Board of Directors in its deliberations for establishing policies of West Valley Water District (“District”), it is deemed beneficial to have standing committees or ad hoc committees of the Board of Directors made up of not more than two (2) members of the Board of Directors, who shall develop recommendations to be considered by the Board of Directors for establishing policy by working independently or with staff. The committee chairperson shall be appointed by the President of the Board with the consent of the full Board of Directors.

105. OUTSIDE MEETINGS. Members of the Board of Directors (singularly, “Director” and collectively, “Directors”) may attend outside meetings to educate and inform such Directors regarding issues affecting the District and the water industry and to make others aware of the activities concerning the District. Periodically the Board President and/or the Board of Directors may ask a Director to represent the District at an outside meeting or perform another duty for the District. For purposes of this Ordinance, the term “Outside Meeting(s)” shall mean any meeting, activity, conference, seminar, workshop, facility tour and other like or similar events, including webinars and conference calls, except for the meetings listed in Sections 101 through 104. Except as provided in Section 106, a Director may attend any Outside Meeting. However, the District shall compensate a Director for only those Outside Meetings approved in Section 203.

106. PRESIDENT OF THE BOARD. It is in the best interests of the District for the President of the Board of Directors to periodically meet with District staff and represent the District at Outside Meetings with other elected officials of other public agencies, as well as other functions pertaining to the District or the water industry. The President is authorized to attend all Outside Meetings pertaining to the water industry that is in the good faith belief of the President of the Board of Directors to be in the best interests or of benefit to the District.

ARTICLE 200. DIRECTOR COMPENSATION

Each Director shall be compensated for attending District related meetings and functions as follows:

201. BOARD MEETINGS. Each Director shall receive One Hundred Sixty-One Dollars and Seventy Cents (\$161.70) for attending a regular board meeting of the Board of Directors, a special board meeting of the Board of Directors, an emergency meeting of the Board of Directors or an adjourned regular, emergency or special meeting of the Board of Directors. Compensation shall be increased 5% every year on October 15th.

202. COMMITTEE MEETINGS. In the event a committee is established pursuant to Section 104, each Director appointed to such committee (“Committee Member”) shall receive One Hundred Sixty-One Dollars and Seventy Cents (\$161.70) for attending a meeting. For purposes of this Ordinance, “travel time” is computed to and from the Director’s main residence or place of employment, whichever is applicable for attendance at any District function.

203. OUTSIDE MEETINGS. Directors shall be compensated for Outside Meetings as follows:

- (a) Attached hereto as Schedule “A” is a list of Outside Meetings any Director may attend. If a Director attends an Outside Meeting listed on Schedule “A” such Director shall be compensated in accordance with subsection (d) below.
- (b) Attached hereto as Schedule “B” is a list of Standing Committee Meetings of the Board of Directors and the designated Directors for each Committee. Attached hereto as Schedule “C” is a list of Outside Meetings of the Board of Directors and the designated Director for each Meeting. Each Outside Meeting listed on Schedule “C” sets forth a primary representative and alternate representative.
- (c) Except as set forth in Section 204, Directors shall not represent the Board of Directors at any functions of organizations not listed on Schedule “A”, “B” without the prior approval of the Board President.
- (d) In the event a Director attends an Outside Meeting pursuant to subsections (a), (b), or (c), above, the Director shall receive: One Hundred Sixty-One Dollars and Seventy Cents (\$161.70) and in addition to the foregoing, to accommodate a reasonable travel time to and from authorized Outside Meetings, a Director may be compensated for up to one (1) day of travel, the day before all Meetings are to occur and up to one (1) day after the Meeting is concluded, provided that the Meeting is greater than forty (40) miles from the District’s headquarters.

204. Board of Directors will be reimbursed for any expenses incurred during the course of conducting District business with other elected officials, District employees and consultants.

205. COMPENSATION LIMITATIONS. Section 20202 of Division 10 of the California Water Code states:

“In any ordinance adopted pursuant to this chapter to increase the amount of compensation which may be received by members of the governing board of a water district above the amount of one hundred dollars (\$100.00) per day, the increase may not exceed an amount equal to 5 percent, for each calendar year following the operative date of the last adjustment, of the compensation which is received when the ordinance is adopted.

No ordinance adopted pursuant to this chapter shall authorize compensation for more than a total of ten (10) days in any calendar month.” There shall be no compensation for attending meetings or performing other duties for the District on the same day as Board of Directors meetings.

The compensation to the governing board of the West Valley Water District shall automatically increase by 5 percent each calendar year on October 15th.

The Board of Directors assigns the Board President or his designee to monitor, review, deny or recommend approval to the Board of Directors, all compensation requests by Directors according to the following criteria:

- (a) Each Director may be compensated for attending meetings, as defined in Sections 201 to Section 204 and Schedule “A”, Schedule “B” and Schedule “C” and other meetings approved by the Board of Directors.
- (b) In addition to (a), each Director may incur or be reimbursed for travel expenses as defined in Article 300, Sections 301 and 302, up to but not in excess of actual expenses per fiscal year.

206. ETHICS TRAINING. Pursuant to Government Code Sections 53234, et al., of the State of California each Director shall attend at least two (2) hours of ethics training every two (2) years at the expense of the District. Such ethics training must be approved or authorized by the California Attorney General’s Office and the Fair Political Practices Commission. Written proof of such ethics training must be filed by each Director with the District and the District shall retain records of such ethics training for at least five (5) years after the Director receives such training.

207. ETHICS POLICY. Each January, following a regular election cycle, the Board of Directors will approve an Ethics Policy presented by the Human Resources Department. The policy will support the issues covered by the ethics training required in Section 206, as well as any other issues specific to the District.

208. OTHER TRAINING. Each January, following an election year, Directors are required to attend Sexual Harassment Training approved and or administered by the Human Resources Department.

ARTICLE 300. EXPENSES

AUTHORIZATION

- (a) Directors are authorized to incur expenses arising out of and in connection with the meetings set forth in Sections 201, 202, 203 (a) and 203 (b) and Outside Meetings approved pursuant to Section 203 (c), with the approval of the Board of Directors:
- (b) Board of Directors will communicate their interest in attending an event to the Board Secretary to be added to the “Master Calendar of Events,” which lists a description of the event, date, location, and Board member(s) who will attend.
- (c) After attending a District event, Board members are required to submit an Expense Report. Each Board Member shall report on meetings attended at the District’s expense.

- (d) Board members will be reimbursed for any expenses incurred during the course of conducting District business with other elected officials, District employees and consultants.
- (e) The District shall reimburse each Director for expenses while conducting District business as outlined below.
- (f) Each Director shall be responsible for turning in appropriate District related Expenses for the month, including receipts or other documentation, to the Board Secretary's office by the last business day of the month. It is to each Director's benefit, as well as that of the District, that all itemized expenses be turned in to the Board Secretary's office in a timely manner for proper accounting.

301. LODGING, MEALS, AND OTHER EXPENSES. The District shall reimburse each Director for itemized expenses while conducting District business, including, but not limited to, payment of registration fees for conferences, workshops, seminars, lodging, meals, and other related expenses while attending or traveling to/from District related functions.

The following restrictions shall apply to District paid expenses:

- (a) District paid air travel shall be by coach class at the most economical fare available based on the itinerary of the Director. A Director may elect to voluntarily stay longer than necessary to discharge his or her duties as long as there is no additional expense to the District.
- (b) In the event a Director is required to rent a vehicle to attend an authorized Outside Meeting, the District shall reimburse the Director for the cost of such rental vehicle, provided that the cost shall not exceed the cost of a mid-sized vehicle, regularly charged by such rental company for same day rentals. Any contractual agreements between the District and car rental agencies shall be considered first for booking of rental vehicles.
- (c) The following are not reimbursable expenses: political contributions, alcoholic beverages, tips greater than eighteen (18) percent, parking or traffic violation fines, laundry services, child care, and entertainment expenses such as tickets to sporting events or theaters, in-room movies and access to Wi-Fi for personal use, and first class airfare travel.
- (d) Whenever appropriate, lodging and meals will be prepaid by the District or paid for by District staff. When making prepayment of reservations for travel, meals, lodging or other related expenses, it may be beneficial to the District to include payment for spouses. Each Director shall reimburse the District for any prepayment of costs for his/her spouse except as otherwise set forth in this Ordinance. Directors shall clearly identify expenses for his/her spouse, or may choose to pay for expenses for his/her spouse on a separate ticket or sales slip at the time of purchase.

302. MILEAGE. Whenever a Director uses his/her personal vehicle for transportation on District business or to/from District related functions, the District shall reimburse the Director the same rate per mile as approved by the Internal Revenue Service at the time the mileage is incurred. No mileage reimbursement shall be made for attending Board of Directors meetings held at the District headquarters.

303. INSURANCE. In California, automobile insurance coverage follows the vehicle. Therefore, when a Director attends functions on behalf of the District in his/her personal vehicle, the Director's insurance is primary.

If a claim exceeds the limits of a Director's personal insurance, then the District's liability insurance shall pick up the excess. Therefore, each Director should make sure his/her insurance covers his/her District activities.

304. MONTHLY SUBMITTAL OF EXPENSE REPORTS – PAYMENT REQUESTS. For receiving compensation for attendance at or participating at appropriate meetings, a Board member shall submit to the District Board Secretary a payment request in the form of an expense report for the calendar month, at which time the Board will consider approval, including the President. A report of all expenses, including but not limited to, compensation requested pursuant to Article 300, to the Board Secretary no later than the last business day of each month. Each submittal shall be signed by the Director. Adequate documentation of actual costs shall include an identification of the official duty, a detailed receipt from the vendor listing the items purchased, and proof that the expense was paid by the Director such as the credit card receipt or cancelled check

ARTICLE 400. BENEFITS

401. HEALTH PLAN. All Directors are eligible to participate in the District's group health plan, along with their spouses and dependent children (as that term is defined in Government Code Section 53205.1 of the California Government Code, "Dependent Children"). If a Director chooses not to participate in the health plan he/she must notify the General Manager in writing of his or her election not to participate.

- (a) The District's health plan is administered by the Association of California Water Agencies.
- (b) The District shall pay one hundred percent (100%) of the premium for the Director, spouse and Dependent Children.

402. BENEFITS AFTER RETIREMENT OR DEATH. A retired Director and spouse, or the spouse of a deceased Director or retiree may continue his/her medical, dental, life and vision insurance at the District's expense on the basis of the following:

The Director is a minimum of fifty (50) years of age with a minimum of twelve (12) years of total service and was elected prior to January 1, 1995. If the spouse of a deceased Director, or retiree,

remarries and becomes eligible for health benefits under his/her new spouse's health plan, all District benefits shall be terminated.

403. VISION CARE PLAN. Coverage is mandatory for all Directors, their spouse and Dependent Children.

- (a) The Vision Service Plan is administered by the Association of California Water Agencies.
- (b) The District shall pay one hundred percent (100%) of the premium, including Director, spouse and Dependent Children.

404. DENTAL PLAN. Coverage is mandatory for all Directors, their spouse and Dependent Children.

- (a) The Delta Dental Plan is administered by the Association of California Water Agencies.
- (b) The District shall pay one hundred percent (100%) of the premium for the Director, spouse, and Dependent Children.

405. RETIREMENT PLAN. Only the Directors elected or appointed prior to July 1, 1994 are eligible to participate in the District's retirement plan.

- (a) The retirement plan is administered by the California Public Employees Retirement System.
- (b) The District shall pay all costs, which include the District's and the eligible Director's share.

406. LIFE AND DISABILITY PLANS. All Directors are eligible to participate in the District's standard life insurance plans, standard accidental death and dismemberment insurance, standard dependent life insurance, standard insurance long term disability plan and employee assistance program (collectively, "Life and Disability Plans"), along with their spouses and dependent children. If a Director chooses not to participate in the District's Life and Disability Plans he/she must notify the General Manager in writing of his or her election not to participate. Unless a Director chooses not to participate in the District's Life and Disability Plans, the District shall pay 100% of the premium for such Life and Disability Plans for the Director, his/her spouse and his/her dependent children.

407. LONG TERM CARE. Coverage is mandatory for all Directors, their spouse and Dependent Children.

- (a) The Long Term Care Plan, administered by the CalPERS Long Term Care (LTC) program, is recommended.

- (b) The District shall pay one hundred percent (100%) of the premium for the Director, spouse, and Dependent Children.

Section 2. Amendment of Schedules

Schedules “A”, “B” & “C” may be amended from time to time by a duly adopted resolution of the Board.

Section 3. Publication

District Board Secretary shall certify to adoption of this Ordinance and cause it, or summary of it, to be published once within fourteen (14) days of adoption and once within seven (7) days of adoption by newspaper of general circulation, printed and published within the West Valley Water District service area, and shall post a copy of this Ordinance, including the vote, for and against the same, in the office of the Board Secretary in accordance with California Water Code Section 20200 *et seq.*

Section 4. Effective Date

This Ordinance shall become effective sixty (60) days from its adoption and Board committee assignments on the adopted schedules shall begin, October 15, 2018.

ADOPTED, SIGNED AND APPROVED THIS 16th DAY OF AUGUST, 2018.

**AYES: DIRECTORS:
NOES: DIRECTORS:
ABSENT: DIRECTORS:
ABSTAIN: DIRECTORS:**

**Dr. Clifford O. Young, Sr. President
of the Board of Directors of the
West Valley Water District**

ATTEST:

**Crystal L. Escalera
Board Secretary**

SCHEDULE "A"

OUTSIDE MEETINGS

<u>ORGANIZATION</u>	<u>DESIGNATED REPRESENTATIVE</u>
ACWA Fall Conference	Any Board Member
ACWA Washington, D.C. Conference	Any Board Member
ACWA Spring Conference	Any Board Member
ACWA Legislative Symposium and Day at the Capitol	Any Board Member
Association of San Bernardino County Special Districts	Any Board Member
California Special Districts Association	Any Board Member
California Special Districts Association Legislative Days	Any Board Member
Water Education Foundation Tours	Any Board Member

**Expenses for conferences listed above are allocated to the Administration Department Conference Budget.*

SCHEDULE “B”

STANDING COMMITTEES

ORGANIZATION

**DESIGNATED
REPRESENTATIVE**

Executive Committee

Dr. Clifford O. Young, Sr.
Gregory Young

Engineering/Planning Committee

Gregory Young
Kyle Crowther

External Affairs Committee

Dr. Clifford O. Young, Sr.
Gregory Young

Finance Committee

Dr. Clifford O. Young, Sr.
Dr. Michael Taylor

Human Resources Committee

Kyle Crowther
Dr. Michael Taylor

Safety and Technology Committee

Dr. Michael Taylor
Kyle Crowther

**First position is the Chairperson.*

SCHEDULE "C"

OUTSIDE MEETINGS

ACWA/JPIA
Mansell

Dr. Clifford O. Young, Sr.

Clarence

Bloomington Municipal
Advisory Committee (MAC)

Gregory Young

Kyle Crowther

San Bernardino Valley Municipal
Water District

Dr. Clifford O. Young, Sr.

Western Coalition of Arid States

Dr. Clifford O. Young, Sr.

Gregory Young

CERTIFICATION

STATE OF CALIFORNIA)
) ss
COUNTY OF SAN BERNARDINO)

I, **CRYSTAL ESCALERA**, Secretary of the Board of Directors of **THE WEST VALLEY WATER DISTRICT**, DO HEREBY CERTIFY that the foregoing ORDINANCE NO. 85 was duly adopted by the Board of Directors of said District at a Regular meeting thereof, held the 16th day of August, 2018, a full quorum present and acting through, by the following vote to wit:

AYES: DIRECTORS:
NOES: DIRECTORS: NONE
ABSENT: DIRECTORS: NONE
ABSTAIN: DIRECTORS: NONE

DATE: 08/16/18

Crystal L. Escalera
Board Secretary