

***Mendocino County Russian River Flood Control &
Water Conservation Improvement District***

STAFF REPORT

**Agenda Items 4: Ordinance 24-01 Establishing Regulations and Rules
For Board of Trustee Compensation
Monday, September 9, 2024**

The Strategic Plan relevant priority is **Administration** through engaged, diverse, and knowledgeable Board leadership and sound and sustainable management of District Finances.

Background

AB 2329 (Obernolte), the purpose of which was to provide Board members with enhanced latitude in increasing the number of compensable meetings and the per meeting compensation amount went into effect on January 1, 2019, enabling Board members to increase the per meeting compensation by up to 5% annually. The ordinance must be adopted pursuant to the procedure used by water districts (Water Code section 20200 *et seq*) that includes multiple opportunities for the public to provide input through a public hearing and a petition process. The procedure for adopting a compensation increase is:

1. Publish a notice of the public hearing in the local newspaper once per week for two consecutive weeks.
2. Hold a public hearing (first reading), and adopt the ordinance at a subsequent meeting (second reading)
3. Within 60 days after adoption, the public may petition for reconsideration of the ordinance. In this case, the Board must reconsider the ordinance before enacting it.

If approved by the Board, the Ordinance will undergo a second reading at the September 9, 2024 meeting. If adopted upon second reading, the Ordinance will go into effect 60 days after adoption.

See the **attached** memo from District Legal Counsel Jeanne Zolezzi for further information.

Public Notice

Public notice of the Ordinance was published in the newspaper once a week for two weeks leading up to the first reading in accordance with Public Resources Code section 5536 and Water Code section 20203. Public notice was also posted on the website and at the District office. The notice and proof of publications were provided in the August 5, 2024 meeting material found on the District website.

PUBLIC HEARING

The Board held a public hearing to introduce and waive reading of the proposed Ordinance #24-01 Establishing Regulations and Rules for Board of Trustee Compensation by the Mendocino County Russian River Flood Control & Water Conservation Improvement District on August 5, 2024. No public comment was offered and the Board approved scheduling the required second reading of Ordinance #24-01.

The Board will hold a second public hearing to waive reading and adopt Ordinance #24-01.

(Continued...)

Recommendation:

- Waive Reading and move to adopt proposed Ordinance #24-01 Establishing Regulations and Rules for Board of Trustee Compensation by The Mendocino County Russian River Flood Control & Water Conservation Improvement District; and

Attachments:

- Proposed Ordinance #24-01 Establishing Regulations and Rules for Board of Trustee Compensation by the Mendocino County Russian River Flood Control & Water Conservation Improvement District.

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Prepared and submitted to the Board of Trustees by: *Elizabeth Salomone, General Manager*

ORDINANCE NO. 24-01

An Ordinance Establishing Regulations and Rules for Board of Trustee Compensation by the Mendocino County Russian River Flood Control & Water Conservation Improvement District

This Ordinance is adopted with reference to the following facts and circumstances:

1. The Board of Trustees (“**Board**”) of the Mendocino County Russian River Flood Control and Water Conservation Improvement District (“**District**”) previously adopted Policy #17-01 adjusting the amount of Trustee compensation.
2. The Board now desires, in accordance with Government Code section 53232 *et seq.* and Water Code section 20200 *et seq.*, to clarify the occasions, other than those listed in Government Code section 53232.1 and Water Code section 20201, that constitute the performance of official duties for which a Director of the Board may receive compensation and the rate of such compensation.
3. The Board, pursuant to California Water Code Section 20200 *et seq.*, has called and held a public hearing regarding the planned change compensation method, notice of which was published in a newspaper of general circulation pursuant to California Government Code Section 6066.

NOW, THEREFORE, the Board of Trustees of the Mendocino County Russian River Flood Control and Water Conservation Improvement District does ordain as follows:

Section 1. Trustee compensation shall be \$100 per day for four (4) or more hours and \$50 for less than four (4) hours of services rendered on behalf of the District. Services provided include attendance at:

- Any Regular, Special, Emergency, or Committee meeting of the District Board;
- Any Regular, Special, Emergency, or Committee meeting of a Joint Powers Agency of which the District is a member, and the Trustee has been appointed to represent the District;
- Any Regular, Special, Emergency, or Standing Committee meeting of an organization to which the Trustee has been liaised by the Board;
- Trainings, conferences, and educational activities that are related to the business of the District and/or service as a Trustee.
- Meetings, field visits, tours, or other events representing the District as requested by the Board or the General Manager and/or acting as an Officer of the Board or Trustee Advisor to the General Manager as assigned by the Board.

Section 2. The maximum number of days for which a Trustee may receive compensation shall not exceed ten (10) days in a calendar month, irrespective of the number of days which the Trustee attends meetings of the Board, other meets as appointed by the Board, or otherwise provides service as a Trustee at the request of the Board or the General Manager, as designated by the Board.

Section 3. In addition to the amount a Trustee may receive as daily compensation, Trustees shall also be reimbursed in accordance with the District's Expense Reimbursement Policy, as amended from time to time.

Section 5. On December 2nd of each year the per diem compensation shall increase by five percent (5%) consistent with Water Code Section 20202. The Board shall make a determination annually during the Fiscal Year Budget approval if it wishes to accept the annual increase in per diem compensation.

Section 6. This Ordinance shall become effective sixty (60) days from the date of its adoption.

PASS AND ADOPTED by the Board of Trustees of the Mendocino County Russian River Flood Control & Water Conservation Improvement District on 5th day of August, 2024.

John Reardan	Yes / No / Abstain / Absent
Tyler Rodrigue	Yes / No / Abstain / Absent
John Bailey	Yes / No / Abstain / Absent
Christopher Watt	Yes / No / Abstain / Absent
Dave Koball	Yes / No / Abstain / Absent

Signed: _____

Christopher Watt, President

Attest: _____

Elizabeth Salomone, General Manager