



# Proposed Revisions to Board Compensation Policy

April 25, 2024



# Purpose and Goals

- **Review revised Board Compensation Policy**
  - Legal Requirements
  - Overview of Current Board Compensation Policy
  - Comparable Agencies
  - Review highlights of proposed changes (will consider compensation amount at a future date)
- **Refer revised policy to a regular board meeting for approval**

# Legal Requirements

- California Water Code - §§71255 and 20200 et seq. – *Amount of Compensation:*
  - Compensation must be per diem (no monthly stipend allowed)
  - Increase in compensation must be approved by Ordinance adopted at a public hearing (special notice requirements)
  - Become Effective 60 days following adoption
  - Increase per Calendar year not more than 5%
  - Number of days cannot exceed 10 per month
- **California Government Code - §53232.1 – Compensation For:**
  - **Meeting of the Legislative Body (Board Meetings and Special Board Meetings)**
  - **Meeting of an Advisory Body (Committee Meetings or other agency advisory meetings)**
  - **Conferences or Training**
  - **Other Occurrences if Adopted in Board Policy**

# Current Board Compensation

- Board Policy No. 42 – Compensation of Elected or Appointed Officials, Last approved 2006
- Purpose – Establish Consistent Policy for compensating Directors for Meetings and other District Business
- District Code §2.10.060 – Compensation – In 2016 adopted \$200 for Each Day of Service Rendered, Not to Exceed 10 Days per Month
- Policy sets forth a list of meetings eligible for compensation (**though outdated**)
- “Or District business as authorized by the General Manager”



# Current Board Policy - authorizes payment for:

- Attending Board meetings and the following committee meetings:
  - District Operations Committee
  - Watershed Committee
  - Citizen's Advisory Committee – Water Conservation and Monitoring
  - [Communications & Water Efficiency Committee]
  - [Finance & Administration Committee]

# Current Board Policy - authorizes payment for:

- In addition, members designated as principal liaison, or alternate to the principal, if the principal does not attend, for attendance at the following meetings or other District business as authorized by the General Manager:
  - Technical Advisory Committee – Lagunitas Creek
  - North Bay Watershed Association
  - Tomales Bay Watershed Council
  - Sonoma County Water Advisory Committee
  - Bay Area Water Agency Forum
  - Las Gallinas Valley Sanitary District Contract
  - Marin Stables Lease
  - Bay Area Water Forum
  - Fishing Advisory Team
  - CMSA Desalination Subcommittee

# Comparable Agencies - Service Eligible for Per Diem Compensation

- Board, Committee, Ad Hoc and outside agency advisory meetings – All Water Agencies (consistent with Govt. Code §53232.1)
- Other Types of Meetings/Events – All Water Agencies with varying degree of specificity (except EBMUD)
  - Alameda Water District – Attachment A
  - West Basin Water District – “reasonably necessary to further the interests of the District”
- Other with Prior Board Approval – Most Water Agencies
- List of Excluded Events – One agency (Eastern Municipal)

# Proposed Revisions - Board Compensation Policy

- Deletes specific references to committees and advisory bodies
- Instead, includes a reference to state law, which covers these meetings:
- Government Code §53232.1(a) When compensation is otherwise authorized by statute, a local agency may pay compensation to members of a legislative body for attendance at the following occurrences:
  - (1) *A meeting of the legislative body.*
  - (2) *A meeting of an advisory body.*
  - (3) *A conference or organized educational activity conducted in compliance with subdivision (c) of Section 54952.2, including, but not limited to, ethics training required by Article 2.4 (commencing with Section 53234).*



# Proposed Revisions – Board Compensation Policy

- The Policy works in concert with District Code §2.10.060\*  
Compensation, which provides:

*Each director shall receive as compensation two hundred dollars per day for each day's attendance at meetings of the board or for each day's service rendered as a member of the board by request of the board. No director may receive compensation for more than 10 days in any calendar month.*

\*Any change to compensation amount must be done via ordinance at a public hearing of the Board of Directors.

# Proposed Revisions – Board Compensation Policy

Other events eligible for Compensation:

1. Official attendance at meetings of other public agencies and nonprofits on topics related to the water industry or other work of the District that could impact the District or provide relevant information for the benefit of the District;
2. Attendance at trainings or executive staff briefings;
3. Attendance at community, ceremonial or public outreach events held by or supported by District staff;
4. Attendance at meetings, conferences, seminars, educational events and webinars on topics related to the water industry, water policy, or other issues that could impact the District; and
5. Other District business with prior authorization by the Board of Directors

# Proposed Revisions – Board Compensation Policy

- Special rules for travel time:
- Only if attendance at the meeting or activity would require travel outside the hours of 7:00 a.m. to 8:00 p.m. on the actual beginning or ending days of the activity.
- not be eligible for compensation for more than one travel day before the beginning, nor more than one travel day after the end of the activity attended, respectively.

# Proposed Revisions – Board Compensation Policy

- Process:
  - Directors will notify the Board Secretary on a monthly basis
  - Board Secretary will compile the compensation report and verify its accuracy with each of the Directors
  - The General Manager shall review and approve

# Board Compensation Policy - Revised

- **Recommend that the Committee refer the revised Board Compensation Policy to a regularly scheduled Board meeting for approval**