

**DRAFT ORDINANCE NO.
GSA-2020-001**

**ORDINANCE OF THE BOARD OF DIRECTORS OF
THE CARPINTERIA GROUNDWATER SUSTAINABILITY AGENCY.
COMPENSATION OF DIRECTORS OF THE BOARD PURSUANT
TO WATER CODE §§ 20200 THROUGH 20207**

WHEREAS, Water Code §§ 20200 through 20207 provide for an alternate method by which members of the Governing Board may be compensated for their work and services in carrying out their duties as Directors and in carrying out the business of the GSA; and

WHEREAS, the GSA desires to provide fair compensation and future increases for its Board of Directors for the time and service; and

WHEREAS compensation may be adopted by ordinance in accordance with the requirements of Water Code §§ 20200 through 20207; and

WHEREAS, the public hearing on the adoption of the Ordinance was held on October 28, 2020, prior to the adoption of this Ordinance as required by Water Code §20203.

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of Carpinteria Groundwater Sustainability Agency as follows:

1. For each subsequent calendar year following calendar year 2020, the compensation set forth herein may be increased upon the adoption of a resolution by the Board of Directors authorizing an increase in the compensation paid to each Director in an amount not to exceed 5% (five percent) for each calendar year following the last adjustment;

2. Per Diem Compensation/Day of Service. Pursuant to Water Code §20201, each Director shall receive compensation from the GSA in the amount of One Hundred Dollars (\$100) per day, whether sitting on the Board or acting pursuant to its orders, for:

A. Attendance at regular, special or adjourned meetings of the Board of Directors.

B. Attendance at conferences or organized educational activities of the following organizations of which the GSA is a member; the Board hereby determines that such attendance has a significant and meaningful link to the purposes, policies and interests of the GSA and is therefore beneficial to the GSA, except where attending on behalf of another agency:

1. Association of California Water Agencies (ACWA);
2. ACWA Joint Powers Insurance Authority;
3. Groundwater Resources Agency (GRA)

Each director shall receive compensation from the GSA in the amount of One Hundred Dollars (\$100) per day, whether sitting on the Board or acting pursuant to its orders, for the following:

- A. Attendance at any Board committee meeting, with compensation limited to two Directors serving on the committee.
- B. Attendance at meetings providing ethics training in accordance with Government Code § 53232.1, except where attending on behalf of another agency.
- C. Other meetings or conferences which the Board approves at an agenda item at a regular meeting not more than 30 days after said meeting or conference, that serves as a benefit to the GSA and constitute the performance of official duties.
- D. Independent study in connection with training matters connected with being a board member of the GSA and to expand a director's knowledge and interest in Groundwater Sustainability. To receive payment for independent study a board member shall obtain prior approval at a public meeting of the Board of Directors and make a presentation to the Board of Directors after the independent study is completed. In the event prior board approval cannot be obtained, the Board member shall submit a request to approve the independent study program within thirty (30) days of the program to receive payment. Payment for independent study is limited to three (3) meetings per fiscal year.

The number of days per diem compensation of any Director in any calendar month shall not exceed ten (10).

3. Reimbursement of Expenses.

A. Each Director shall be entitled to reimbursement for actual and necessary expenses incurred in the performance of official duties, including those expenses relating to travel, meals, lodging and other actual necessary expenses, for attendance at meetings and conferences or organizations listed in Section 1, or as otherwise approved by the Board as an agenda item pursuant to Section 1.D. In accordance with Government Code section 53232.2(c), the GSA shall use the IRS rates for reimbursement of such expenses as established in Publication 463 or any necessary publication thereto.

B. If the lodging expenses are in connection with a conference or organized educational activity, including but not limited to ethics training, conducted by the Association of California Water Agencies of the California Special District Association, or as otherwise approved by the Board in accordance with Section 1, the cost shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available to the Director at the time of booking. If the group rate is not available, the Director shall use comparable lodging that is consistent with the requirements of this policy. A Director shall use government and group rates offered by a provider of transportation or lodging service for travel and lodging when available.

C. Any expenses which do not fall within this policy or the IRS reimbursable rates shall be approved by the Board in a public meeting prior to the Director incurring such expense, except where a group rate is not available for lodging as set forth above.

D. The following expenses will not be reimbursed:

1. Alcoholic beverages.
2. Parking or traffic violations.
3. In-room movies.
4. Laundry services.
5. Entertainment.
6. Expenses incurred on behalf of a spouse, dependent or traveling companion.

4. Expense Reports.

A. Within thirty (30) days after attendance at a meeting, conference, or event at which authorized or pre-approved reimbursable expenses were incurred, a Director shall submit a signed expense reimbursement request on a form approved by the Board of Directors, together with valid receipts documenting each expense.

B. The Board secretary shall produce and distribute a quarterly report containing the expense reimbursements of the Directors. The report shall be presented to the Board on a quarterly basis.

5. Board Member Reports. All Board members, either verbally or in writing, shall briefly report on meetings, conferences, or events attended at GSA expense at the next regularly scheduled Board meeting following such meeting, conference or event for which the reimbursement is received.

6. Ethics Training. In accordance with Government Code section 53234, Directors and any designated employees shall receive at least two (2) hours of training in general ethics principles and ethics laws relevant to his or her public service every two (2) years. Certificate of completion of ethics training shall be maintained by the GSA for at least five (5) years.

7. This Ordinance repeals and supersedes any prior Ordinance or Resolution providing for compensation of Directors as of the effective date of this ordinance.

8. This Ordinance shall be effective November 16 th, 2020.

9. This Ordinance shall be published one time within ten (10) days following its adoption.

10. If any section of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining sections of this ordinance. The Board of Directors hereby declares that it would have adopted this ordinance, irrespective of the fact that any one or more sections be declared invalid or unconstitutional.

PASSED AND ADOPTED by the Board of Directors of the Carpinteria Groundwater Sustainability Agency this 28th day of October, 2020 by the following roll call vote:

AYES: Johnson, Holcombe, Capozza, Van Wingerden, Roberts

NOES: None

ABSENT: None

ABSTAIN: None

APPROVED:

DocuSigned by:
Matthew Roberts
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Matthew Roberts, President

ATTEST:

DocuSigned by:
Ursula Santana
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Ursula Santana, Board Secretary