

CIBCSO ORDINANCE NO. 94

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE CHANNEL ISLANDS BEACH COMMUNITY SERVICE DISTRICT SETTING BOARD MEMBER COMPENSATION AND REIMBURSEMENT OF CERTAIN DISTRICT-RELATED EXPENSES

WHEREAS, Government Code § 61047(a) authorizes and establishes that the District's Board of Directors may receive a default compensation for their service as a Director for the Board, in an amount not to exceed one hundred (\$100.00) and limited to no more than six days of service in a calendar month; and

WHEREAS, Government Code § 61047(b) grants the District's Board of Directors discretion to increase said compensation, pursuant to the process provided in Chapter 2 of Division 10 of the Water Code; and

WHEREAS, in 1989, the District's Board of Directors first adopted and established board member compensation in Resolution 89-10, setting compensation at \$100.00 per day of service; and

WHEREAS, Board compensation has not increased since the adoption of Resolution 89-10 despite increases in the cost of living and inflation; and

WHEREAS, Government Code § 60147(c) authorizes a Board of Directors to receive their actual and necessary traveling and incidental expenses incurred while conducting District-related business; and

WHEREAS, the District's Board of Directors adopted and established a policy for both Directors and District staff to receive reimbursement for their actual and necessary traveling and incidental expenses by adopting Resolution 14-04; and

WHEREAS, the reimbursement policy established in Resolution 14-04 is incorporated into this Ordinance to continue providing reimbursement for said expenses; and

WHEREAS, the Board of Directors seeks to exercise their discretion and increase Board Member compensation, as authorized by Government Code § 61047(b) and pursuant to the process provided in Chapter 2 of Division 10 of the Water Code, with the hope that the increase in Director compensation incentivizes the next generation of community leaders to participate in the District's governance and become members of the District's Board of Directors.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED by the Board of Directors of the Channel Islands Beach Community Services District as follows:

1. **REPEAL OF CONFLICTING PROVISIONS.** All existing policies governing Board Member compensation payments and the reimbursement to Directors and/or District staff for expenses incident to their performance of official District business which conflict with the provisions of this Ordinance, including but not limited to, Resolution No. 03-04 and Resolution No. 14-04, are hereby repealed.
2. **BOARD MEMBER COMPENSATION PAYMENTS.**
 - a. *Board Meetings.* Each Director shall be eligible to receive compensation in an amount not to exceed [One Hundred Forty-One dollars] (\$141.00) for each regular, special, and/or emergency meeting of the Board of Directors attended.

- b. *Committee Meetings.* Except as provided in Section 3(b) of this Ordinance, each Director shall be eligible to receive compensation in an amount not to exceed [One Hundred dollars] (\$100.00) for each Ad-Hoc Committee meeting attended.
- c. *Day of Service.* Except as provided in Section 3(b) of this Ordinance, each Director shall be eligible to receive compensation in an amount not to exceed [One Hundred dollars] (\$100) for any other “day of service”, as that term is defined by Government Code § 61047(e), rendered by a Director or whenever service is expressly requested by the Board. A “day of service” shall also include a Director’s attendance at any conference where the subject matter of the conference is directly and substantively related to District Business and/or the Director has been appointed by the District’s Board to serve on a District committee where the Director’s attendance at the conference is required.

3. LIMITATION ON BOARD MEMBER COMPENSATION.

- a. No Director shall receive compensation for more than [10] meetings or “days of service” in any calendar month.
- b. *Other Compensation.* If a Director receives any type of compensation from any other public agency and/or public body for their attendance at any meeting other than a District Board Meeting, any committee meeting, any conference, and/or for any other “day of service” (“Other Compensation”) the Director forfeits and shall not receive compensation under Section 2 of this Ordinance. In no circumstance may a Director collect compensation from the District and another public agency for any single “day of service.”

4. FUTURE ADJUSTMENTS TO BOARD COMPENSATION. The Board may increase Board Member compensation by an amount not to exceed more than five percent (5%) each calendar year following the operative date of this Ordinance.

5. REIMBURSEMENT OF CERTAIN EXPENSES. Each member of the Board of Directors, the General Manager, and each staff member authorized by the General Manager, shall be entitled to have reasonable expenses that are incident to attendance at meetings, conferences, seminars, or other District business, paid by the District in accordance with the following limitations:

- a. *Registration Fees, Transportation & Lodging Expenses.* Advance payments for conference/seminar registration fees, common carrier transportation charges and lodging expenses may be prepaid by the District upon request.
 - i. The General Manager shall approve all District Employee requests for such payments whenever such requests are directly related to District business.
 - ii. Director requests are subject to the following:
 - 1. If the Director is attending a conference or meeting for which the Director’s attendance at the conference or meeting is required due to their appointment by the District’s Board to serve on a District committee requiring such attendance, the Director shall be reimbursed by the District for all related expenses, including mileage, food, combined travel expenses, conference, meeting, and/or seminar registration fees, and any other reasonable expense that are incident to attendance at such conferences and/or meetings. The Director may incur such costs and expenses without notice to the Board and without Board approval.
 - 2. Any request by a Director for pre-payment of reimbursement of lodging, meals, travel, or mileage in connection with the Director’s attendance at

any meeting or conference directly related to District business but where the Director's attendance is not required for service on a District committee, where mileage reimbursement, food, or combined travel expenses exceed five-hundred dollars (\$500.00) total, the Director shall notify the Board, and request and obtain the approval from the Board of Directors during a duly noticed regular board meeting prior to incurring any such expenses.

3. Directors desiring to attend any conference or meeting directly related to District business but where the Director's attendance is not required for service on a District committee, where the registration fees will exceed five-hundred dollars (\$500.00) shall notify the Board and request and obtain the approval from the Board of Directors during a duly noticed regular board meeting prior to incurring any such expense.
 4. If a Director fails to make a request in advance of incurring such expenses for their attendance at any meeting or conference directly related to District business but where the Director's attendance is not required for service on a District committee, then any such request for reimbursement shall be made no later than the next regularly scheduled board meeting immediately following the meeting/event for which the Director desires to receive the reimbursement payment.
 5. The General Manager may authorize travel, lodging, meal, and mileage reimbursement requests not exceeding five-hundred dollars (\$500.00) and payment of registration fees not exceeding five-hundred dollars (\$500.00).
 6. Reimbursement claims for additional expenses above the prepaid amounts shall only be paid upon the submission of a signed claim form accompanied by paid receipts.
- b. *Per Diem Allowances/Meal Expenses.* A "per diem" allowance for meals will be provided by the District at seventy-five dollars (\$75.00) per day, with no receipts required. For partial days, meal allowances shall be at the rate of twenty dollars (\$20.00) for breakfast, twenty dollars (\$20.00) for lunch, and thirty-five dollars (\$35.00) for dinner. Actual costs of meals in excess of these amounts shall only be reimbursed on submission of a signed claim form accompanied by proof of purchase and receipts. All claim forms shall be subject to the approval of the General Manager. The District shall not reimburse any Director and/or District employee for any purchase of alcoholic beverage.
- c. *Incidental Expenses.* All other incidental expenses, including but not limited to, local travel, baggage handling, taxi, ride share, etc., shall be reimbursed on submission of a signed claim form. Proof of purchase and receipt is required for each expenditure item that exceeds ten dollars (\$10). All incidental expenses shall be subject to the approval of the General Manager.
- d. *Private Vehicle Mileage.* Use of Directors' and/or District Employees' private vehicles required during the course of official District business shall be eligible for reimbursement payments from the District. Reimbursement for private vehicle mileage shall be at the mileage rate determined annually by the Internal Revenue Service (IRS). Any claim for reimbursement of private vehicle mileage shall be made by submitting a signed claim form setting forth the mileage and brief description of the reason why the individual's private

vehicle was required for use in the conduct of the District's business, subject to the approval of the General Manager.

6. **SPOUSAL EXPENSE EXCLUSION.** Spouses of Directors and/or District employees who accompany the Director or District employee to any meeting, seminar, conference, dinner, or other official event designated as "day of service" shall not be eligible, nor shall they receive any compensation payments or reimbursement of expenses incurred by the spouse resulting from their attendance at that seminar, conference, dinner, or other official event.
7. **EXPENSE CLAIM SUBMITTALS.** Each Director and/or District Employee shall submit their monthly request for expense reimbursements to the District by the last regular business day of the calendar month. Payments shall be processed by District staff by the second regular business day of the succeeding calendar month.
8. **EFFECTIVE DATE:** This Ordinance shall become effective sixty (60) days after the date of adoption unless a petition protesting this Ordinance is presented to the Board of Directors. Any such petition shall bear the signatures of at least ten percent (10%) of the constituents within the territory of the District, as determined by the total number of votes cast in the 2018 gubernatorial election.
9. **RIGHT TO PETITION.** The constituents of the District shall have the right to petition for referendum of this Ordinance [at any time] after its adoption. If a petition for referendum is submitted to the Board of Directors that contains the signatures of at least ten percent (10%) of the constituents within the territory of the District, the Ordinance shall be suspended and reconsidered. Any ordinance proposed within one (1) year thereafter shall be submitted to the District's constituents for a vote either a regular or special election and shall not become effective unless and until a majority of votes cast in the election are in favor of the proposed ordinance.
10. **NOTICE.** The Clerk and the Board of Directors shall certify the passage of this Ordinance and cause the same to be posted and published in accordance with the law.

PASSED, APPROVED and ADOPTED by the Channel Islands Beach Community Services District Board of Directors on this 13th day of April 2021, by the following vote:

AYES: Debley, Bouchard, Brewer, Marcus, Nast

NOES: None

ABSENT: None



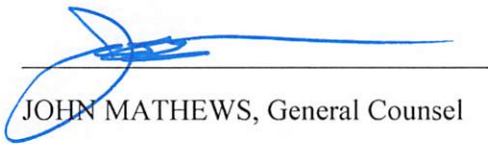
[Sean Debley], President

ATTEST:



PETE MARTINEZ, General Manager

APPROVED AS TO FORM:



JOHN MATHEWS, General Counsel

