

SANTA YNEZ COMMUNITY SERVICES DISTRICT

MEMORANDUM

TO: Board of Directors
FROM: Loch Dreizler, General Manager
DATE: June 21, 2023
SUBJECT: Board of Director's Compensation Increase

Proposed Motion / Recommendation

Adopt Resolution No. 23-310, amending Section 20 of the Board Policy Manual to make it consistent with the ordinance approved in April.

Recognize that from and including Wednesday, April 19, 2023, to but **not** including Wednesday, June 21, 2023, **the** result is 63 – no petition was filed, and the ordinance takes effect.

Policy Implications

The Community Services District Act provides at Government Code Section 61047 that the Board of Directors of a community services district may provide, by ordinance or resolution, that each of its members may receive compensation in an amount not to exceed \$100 for each day of service, up to a maximum of six days of service per month. Section 61047 also provides that the Board may increase the amount of such compensation (but not the number of meetings) by an ordinance adopted pursuant to Chapter 2 (commencing with Section 20200) of Division 10 of the Water Code.

Water Code Section 20200 defines the term "water district" as community services districts. Water Code Section 20201 authorizes water districts, by ordinance, to provide compensation to Board members in an amount not to exceed \$100 per day for each day's attendance at meetings of the Board or for each day's service rendered as a Board member by request of the Board. Section 20201 further authorizes water districts, by ordinance, to increase the compensation received by Board members above the amount of \$100 per day. Under Section 20202, 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.

Fiscal Implications

The financial implications will be minimal.

Alternatives Considered

Do not increase Board compensation.

Discussion

Under Water Code Section 20203, an ordinance setting or increasing Board member compensation can only be adopted following a public hearing. Notice of the hearing was published in a newspaper of general circulation pursuant to Section 6066 of the Government Code. Water Code Section 20204 provides that the ordinance becomes effective 60 days from the date of its final passage.

Below is a table showing the steps the District has taken to approve an increase in Director compensation per the above-mentioned requirements.

LAW	ACTION
Water Code §20203; Gov't Code §6066	<ul style="list-style-type: none"> • Prior to adopting an ordinance increasing Director compensation, the District must schedule a public hearing and publish notice of the hearing once a week for two successive weeks. Two publications in a newspaper published once a week or oftener, with at least five days intervening between the respective publication dates, not counting such publication dates, are sufficient. The notice period commences upon the first day of publication and terminates at the end of the fourteenth day, including therein the first day.
Water Code §§20202 and 20203; Gov't Code §§6066 and 25121	<ul style="list-style-type: none"> • Not less than 15 days after the commencement of the publication of the notice, the Board conducts a public hearing and adopts an ordinance increasing Director compensation. • The ordinance should address compensation for regular meetings, special meetings, committee meetings, and other Director activities. • The increases may not exceed an amount equal to 5 percent for each calendar year following the operative date of the last adjustment. • The ordinance is signed by the President and attested by the Secretary
No Applicable Law	<ul style="list-style-type: none"> • Board adopts a resolution amending Section 20 of the Board Policy Manual to make it consistent with the ordinance.
Gov't Code §§25122 and 25124	<ul style="list-style-type: none"> • The passage of the ordinance and votes are entered in the District's minutes, and the full ordinance is entered in the District's ordinance book. • Within 15 days after passage, the ordinance is published once, with the names of the members voting for and against the ordinance, in a newspaper published in the county.
Water Code §20204	<ul style="list-style-type: none"> • The ordinance takes effect sixty (60) days from its adoption unless a petition protesting the adoption of the ordinance is signed by at least 10 percent of the voters and presented to the District before the ordinance's effective date.

Attachment(s):

1. Resolution 23-310