

Wrightwood Community
Services District
March 11, 2024
Regular
Board Meeting



WRIGHTWOOD COMMUNITY SERVICES DISTRICT

P.O. Box 218 Wrightwood, CA 92397

Regular Meeting of the Board of Directors
Monday, March 11, 2024 – 5:30pm
Wrightwood Community Building
1275 State Highway 2, Wrightwood, CA

Agenda

5:30 PM – Call to Order

1. Pledge of Allegiance
2. Roll Call
3. Agenda Approval
4. Public Comments: *Pursuant to Government Code Section 54954.2(a), any request for a disability-related modification or accommodation, including auxiliary aids or services, that is sought to participate in the above-agenized public meeting, should be directed to the Chair at any time prior to the meeting. Under this item, any member of the public wishing to directly address the Board on any item of interest that is not within the subject matter jurisdiction of the Board may do so now. However, the Board is prohibited by law from taking any action on any item not appearing on the agenda unless the action is otherwise authorized by the Brown Act. Any member of the public wishing to directly address the Board on any item listed on the agenda may do so when the item is being considered by the Board. Pursuant to Section 2.3.2 of Ordinance No 2021-1 adopted by the Board on March 2, 2021, the Chair may limit each speaker to a comment period of three (3) minutes or less.*
5. Agency Reports
6. Consent Calendar: February 20, 2024, Special Board Meeting Minutes
7. General Manager's Report
8. February 2024 Financials: Discussion and Possible Action
9. WWPOA/Village Trail Keepers Donation Request: Discussion and Possible Action
10. Vision Plan: Discussion and Possible Action
11. Park and Recreation Coordinator Position: Discussion and Possible Action
12. Stipend for Board Members: Discussion and Possible Action
13. Recess to Closed Session: Conference with Legal Counsel – Anticipated Litigation; Initiation of Litigation pursuant to Government Code Section 54956.9(d)(4): One Potential Case
14. Return to Open Session: Announcement of Closed Session Actions
15. Director's Comments
16. Future Board Meeting: Tuesday April 2, 2024 – 5:30pm
17. Adjournment

Wrightwood Community Services District

THE VISION

To empower our community to have local control by serving as a platform for community discussion, cohesion and action in the areas of parks and recreation, street lighting, solid waste and recycling and wastewater planning and engineering.

To promote and grow a vibrant parks and recreation department for our community.

To maintain and enhance our current infrastructure

To economize our solid waste process and maximize our efficiency in executing them

To protect our natural resources through evaluating community wastewater needs

To meet all these ends in a fiscally responsible manner

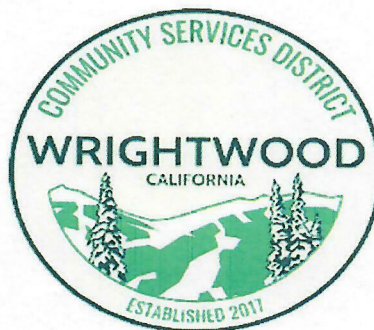
Wrightwood Community Services District

The Mission

To provide local governance in the areas of parks and recreation, street lighting, solid waste and recycling and waste water planning and engineering in a fiscally responsible manner.

Item # 6

February 20, 2024 Board Meeting Minutes



REGULAR BOARD MEETING

February 20, 2024

Wrightwood Community Building

1275 State Highway 2

Wrightwood, CA

MINUTES

Board Members:

Sadie Albers, President
Kristy Gerardo, Vice President
Natalie Lopiccolo, Member
Alexis Claiborne, Member
Chuck Franklin, Member

Staff Present:

Steven Kennedy, Attorney
Tamara Keen, General Manager
Angela Rovida, Administrative Assistant

Call to Order: President Albers called the meeting to order at 5:32 pm.

- 1. Pledge of Allegiance:** Stan Sauders led the Pledge of Allegiance.
- 2. Roll Call:** Director Franklin and Counsel Kennedy are absent. Director Claiborne arrived at 5:48pm.
- 3. Agenda Approval:** Director Lopiccolo motioned to approve the agenda with Vice President Gerardo seconding the motion. All in favor. Motion carries.
- 4. Public Comment:** Strech Suba with Wrightwood CERT announced that CERT is sponsoring the upcoming HAM Radio class scheduled to be held in May. Interested individuals should contact certwrightwood@gmail.com for more information. Jill Payne from the Timberline Lion's Club announced that members from the Lion's Club were present for agenda items 10, 11 and 12.
- 5. Agency Reports:** Sergeant Mark Rios, San Bernardino County Sheriff's Department, reported that their system is still down. Call volumes and arrest reports are still unavailable. Sergeant Rios was patrolling Wrightwood the last two weekends and plans to be in the Wrightwood area this upcoming weekend with additional deputies. There were only a few calls reporting snow players on private property and he believes this is due to the additional sheriff's personnel. Christina Beringer, Snowline Joint Unified School District, reported schools were closed for one day due to snow and road conditions. The Wrightwood Elementary School Golden Raccoon program received notoriety in several local media outlets. The program connects students to senior citizens in the community.
- 6. Consent Calendar: January 8, 2024:** Director Lopiccolo motioned to approve the agenda with Vice President Gerardo seconding the motion. All in favor. Motion carries.

7. **General Manager's Report:** General Manager Keen thanked the Wrightwood Property Owners for their donation match to the Parks and Recreation children's dance program. Adult softball registration is now open for spring season which begins on March 10th. The team captain's meeting will be held March 5th at 6:30pm in the Community Building. The Community Building painting project has been completed along with new baseboards. A faulty outlet was discovered during the project and was since repaired. GM Keen is working to gather quotes for security camera installations. The Reserve for Operations fund has been Otransferred to an interest-bearing account. GM Keen was able to attend a couple webinar training courses regarding communication and special district grant funding. The remainder of the CA State Parks grant money should be arriving within four weeks. A special Valentine's senior lunch will be held on February 14th in the Community Building. As a reminder, Senator Ochoa-Bogh will be hosting their mobile office hours at the Community Building on Thursday February 15th from 11am to 1pm.
8. **December 2023 and January 2024 Financials:** No reportable action.
9. **CERT Variance Request:** Director Lopiccolo motioned to approve the variance with President Albers seconding the motion. All in favor. Motion carries.
10. **Lions Club Easter Breakfast Variance Request:** Director Lopiccolo motioned to approve the total cost of the event fees with Vice President Gerardo seconding the motion. All in favor. Motion carries.
11. **Lions Club General Meeting Variance Request:** Director Claiborne motioned to approve the variance with Vice President Gerardo seconding the motion. All in favor. Motion carries.
12. **Lions Club Fitness in the Forest Variance Request:** Director Lopiccolo motioned to approve the total cost of all rental fees with Director Claiborne seconding the motion. All in favor. Motion carries.
13. **Purchase Desktop Computer for Office:** The Board advised staff to look into a monitor and docking station as an alternative to a new computer.
14. **Replacement of Baseball Field Netting Quote:** Director Lopiccolo motioned to approve the total cost of the baseball field netting, not to exceed \$2,600, with Vice President Gerardo seconding the motion. All in favor. Motion carries.
15. **Vision Plan:** Tabled to the March board meeting.
16. **Rescheduling March 2024 Regular Board Meeting:** Director Lopiccolo motioned to reschedule the March board meeting to March 11th, 2024, with Director Claiborne seconding the motion. All in favor. Motion carries.
17. **Directors Comments:** Director Claiborne apologized for being late, thanked the community members for their attendance at the meeting and expressed her excitement for supporting the community with the awarded variances. Vice President Gerardo thanked General Manager Keen for working on the wastewater grant and thanked staff for all their efforts. Director Lopiccolo thanked the staff for all their patience and hard work, she thanked the community for being active at the Board meetings and thanked her fellow Board members. President Albers thanked the community for their patience as the February meeting was re-scheduled,

she expressed her appreciation for all the community involvement, she thanked the public agencies for their help during the snowstorms and she thanked staff for their work.

18. Future Board Meeting: Monday, March 11, 2024, at 5:30pm.

19. Adjournment: President Albers adjourned the meeting at 6:19pm

Minutes Approved: _____ Date: _____
President Albers

Item # 7

General Manager's Report



General Manager's Report

Now that spring is here the porta-pots will be removed on March 29th, just in time for the Easter activities. The public bathrooms will be power washed and disinfected prior to opening them to the public.

Mark with Wrightwood Arbor Tree Service will be out to trim the trees at the Hollis Stewart Childrens Park on Wed. March 13th. A little over a year ago I was authorized with a budget by the Board of \$1500. to have the trees trimmed. The budget does not allow for all the trees to be trimmed so after assessing the condition of the trees it was decided to prioritize the trees in the immediate play area of the park. A bid will be submitted for the picnic area and towards the trail. The price includes trimming off the dead branches, clean-up and hauling away the dead branches. Since Mark will already be up in the trees, he will be installing some motion sensor solar lights to help light up the park at night. The camera bids for the park are taking longer than expected. I hope to have some answers by the April Board meeting.

Davison Electric is scheduled on Tuesday March 12th to replace all the electrical outlets in the main portion of the Community Bldg. and a light ballast that has gone bad that was discovered while we were changing out light bulbs.

Our winter children's dance program is coming to an end and the children are excited to perform in a dance recital on Saturday March 9th at 10:30am at the Community Building. Nine teams signed up for spring adult softball and the first game will be on Sunday March 10th at Wrightwood Elementary. This month's free Senior lunch will be held on March 13th from 11:30am to 1pm with a St Patrick's Day theme, so don't forget to wear your green. Come enjoy a lunch of corned beef and cabbage prepared by a wonderful group of volunteers. This month's lunches will be served by students from Wrightwood Elementary School.

I am in the process of completing a class to obtain a CA Food Manager Certificate since we have decided to add Sr. Activities and lunches to our Parks and Rec program. Per California Health and Safety code -113947: "All food facilities that prepare, handle or serve unpackaged food are required to have at least 1 Certified

Food Manager (CFM) or person in charge; either owner or employee, who has successfully passed an approved and accredited food safety certification...

Chritine Jenkins, Bruce La Claire and I have met several times regarding a few grants that we are working on. One of them being a USDA Rural Development Water and Wastewater Disposal grant program along with another being an Adaptation Planning grant program. I am still waiting for a response from Lahontan Water Board regarding their funding options.

Victor Hernandez with Senator Ochoa-Bohg's office will be hosting another mobile office on March 21st from 11am to 1pm at the Community Building. This is a great opportunity for our community. Mountain Hardware will be hosting the annual Wildfire Awareness Day on Saturday May 11th from 10am to 3pm. The WCSD will have a table at the event promoting our Parks and Recreation programs. I encourage everyone to join us for a free day of fun for the entire family.

Item # 8

February 2024 Financials



Feb-24		DISBURSEMENTS AND DEPOSITS			
Check Number	Amount	Disbursement Date	Cleared Date	Payee	Account
2574	\$176.39	10/19/2023	2/16/2024	Stacy Beadle	Dance Shirts
2606	\$150.00	1/18/2024	2/14/2024	Mariah Shirley	Refund Dep
2607	\$150.00	1/24/2024	2/14/2024	Robroy Quinn	Refund Dep
2608	\$171.00	1/24/2024	2/8/2024	Davison Electric	Bldg Elec
2609	\$2,242.01	1/24/2024	2/6/2024	SB County-Solid Waste	Solid Waste
2610	\$516.32	1/24/2024	2/10/2024	Mountain Hardware	Supplies
2611	\$43.68	1/25/2024	2/12/2024	Vicky Rinek	Sr. Meal Reim
2612	VOID			VOID	
2613	\$22.00	2/2/2024	2/15/2024	Robin Crouch	Food Permit
2614	\$34.17	2/2/2024	2/13/2024	Michelle Hannon	Mile Reim
2615	\$75.00	2/2/2024	2/27/2024	Hayley K	Refund Dance
2616	\$1,037.50	2/12/2024	2/23/2024	Brunick,McElhaney,Kenne	Legal Fees
2617	\$9,259.97	2/12/2024	2/21/2024	CR&R	Solid Waste
2618	\$1,287.28	2/12/2024	2/21/2024	EDD	PR Taxes
2619	\$795.00	2/16/2024	2/27/2024	Doran Construction	Snow Plow
2620	\$558.03	2/16/2024	2/16/2024	Waxie	Supplies
2621	\$2,693.92	2/20/2024	2/29/2024	SB County-Solid Waste	Solid Waste
2622	\$700.00	2/20/2024	2/27/2024	Eadie & Payne	Audit
2623	\$96.06	2/20/2024	2/26/2024	Waxie	Supplies
Debit	\$51.15	2/2/2024	2/2/2024	Amazon	Paper Towels
Debit	\$167.89	2/5/2024	2/5/2024	Golden State Water	Comm Bldg
Debit	\$31.43	2/5/2024	2/5/2024	Golden State Water	Museum
Debit	\$144.35	2/5/2024	2/5/2024	So CA Gas	Museum
Debit	\$30.00	2/6/2024	2/6/2024	Amazon	Toilet Paper
Debit	\$5.84	2/7/2024	2/7/2024	So CA Edison	Elec Panel
Debit	\$445.25	2/7/2024	2/7/2024	So CA Edison	Comm Bldg
Debit	\$81.35	2/7/2024	2/7/2024	So CA Edison	Museum
Debit	\$26.92	2/8/2024	2/8/2024	Amazon	Dance/Stars
Debit	\$69.21	2/9/2024	2/9/2024	APD	Payroll Fees
Debit	\$146.33	2/13/2024	2/13/2024	Diamond Environmental	Park Porta Pot
Debit	\$511.78	2/14/2024	2/14/2024	So CA Edison	Street Lights
Debit	\$1,170.58	2/21/2024	2/21/2024	Diamond Environmental	Porta Pots
Debit	\$170.06	2/23/2024	2/23/2024	ADP	PR Fees
Debit	\$17.16	2/23/2024	2/23/2024	Amazon	Tissue
Debit	\$12.89	2/23/2024	2/23/2024	Amazon	Dance/Drop
Debit	\$71.48	2/23/2024	2/23/2024	Amazon	Dance/Signs
Debit	\$33.77	2/26/2024	2/26/2024	Amazon	Toilet Paper
Debit	\$586.27	2/27/2024	2/27/2024	So CA Gas	Comm Bldg
TOTAL	\$23,782.04				

	Payroll
2/15 Payroll	\$3,899.43
2/15 Taxes	\$1,320.01
2/29 Payroll	\$4,046.66
2/29 Taxes	\$1,340.69
TOTAL	\$10,606.79

	Deposits	
Date	Amount	Name
2/2/2023	\$522.00	Rent/Dance
2/13/2024	\$44.16	Amazon Rfd
2/16/2024	\$783.75	Rent
2/16/2024	\$450.00	Softball
2/16/2024	\$7,697.72	SBProp Tax
2/16/2024	\$656.00	LA Prop Tax
TOTAL	\$10,153.63	

DEPOSITS AND DISBURSEMENTS FISCAL YEA						23/24
Month	Beginning Balance	Deposit	Total Disbursements	Payroll	Gross	
Jul-23	\$336,382.97	\$15,418.08	\$114,680.18	\$4,589.04	\$232,531.83	
Aug-23	\$237,120.87	\$13,075.91	\$20,242.55	\$17,249.34	\$212,704.89	
Sep-23	\$212,704.89	\$20,183.15	\$13,200.02	\$4,921.25	\$214,766.77	
Oct-23	\$214,766.77	\$10,371.64	\$30,559.37	\$16,853.69	\$177,725.35	
Nov-23	\$177,725.35	\$79,731.02	\$51,946.04	\$6,039.85	\$199,470.48	
Dec-23	\$199,470.48	\$170,922.11	\$25,922.28	\$11,713.68	\$332,756.63	
Jan-24	\$332,756.63	\$19,812.45	\$23,863.77	\$15,761.90	\$312,943.41	
Feb-24	\$312,943.41	\$10,153.63	\$23,782.04	\$10,606.79	\$288,708.21	
Mar-24					\$0.00	
Apr-24					\$0.00	
May-24					\$0.00	
Jun-24					\$0.00	

Estimate Cash Flow Statement		MONTHLY HOURS						MONTH
		GM	PARK	OFFICE	PARK/REC			
Current Bank Balance	\$288,708.21							
Savings Account	\$159,372.31							
Reserve for Operations	\$93,820.97	151.75	66.5	158.25	0		Jul-23	
Reserve for Capital	\$4,231.53	166	71.5	149	0		Aug-23	
Reserve for Replacements	\$30,060.12	142.25	74.25	138.75	0		Sep-23	
Total Estimate Revenue	\$593,178.55	156.5	87.5	161	0		Oct-23	
		168	99.5	157.5	0		Nov-23	
Accounts Payable	Outstanding	133	66	148	0		Dec-23	
		158.75	107.5	161.75	0		Jan-24	
		136.75	101	138	0		Feb-24	
					0		Mar-24	
					0		Apr-24	
					0		May-24	
					0		Jun-24	
Total Estimated Expense	\$0.00							
Balance	\$593,178.55							

Wrightwood Community Services District

Profit and Loss by Class

February 2024

	PARKS / LIGHTING	SOLID WASTE	NOT SPECIFIED	TOTAL
Income				
4000 Facility Rental				\$0.00
4000.2 Kitchen Fees	41.14			\$41.14
4000.3 Old Firehouse / Museum	232.75			\$232.75
4000.8 WW Community Bldg	395.86			\$395.86
Total 4000 Facility Rental	669.75			\$669.75
4100 Property Tax	5,609.77			\$5,609.77
4300 Solid Waste Fees		2,743.95		\$2,743.95
4400 Parks and Recreation				\$0.00
4400.2A Softball	450.00			\$450.00
4400.2E Dance Class	90.00			\$90.00
4400.2F Senior Activites	291.72			\$291.72
Total 4400 Parks and Recreation	831.72			\$831.72
Discounts given			-150.00	\$ -150.00
Unapplied Cash Payment Income			-40.00	\$ -40.00
Total Income	\$7,111.24	\$2,743.95	\$ -190.00	\$9,665.19
GROSS PROFIT	\$7,111.24	\$2,743.95	\$ -190.00	\$9,665.19
Expenses				
5090 Office Admin				\$0.00
5090.5 Supplies	51.15			\$51.15
Total 5090 Office Admin	51.15			\$51.15
5100 Payroll Expenses				\$0.00
5100.1 Administrative Staff	2,623.40	655.85		\$3,279.25
5100.2 GM Salaries	2,276.89	2,276.89		\$4,553.78
5100.3 Park Maintenance	2,020.00			\$2,020.00
Total 5100 Payroll Expenses	6,920.29	2,932.74		\$9,853.03
5110 Payroll Tax Expense				\$0.00
5110.1 Federal Payroll Taxes	376.89	376.87		\$753.76
5110.2 State Payroll Taxes	1,029.82	257.46		\$1,287.28
Total 5110 Payroll Tax Expense	1,406.71	634.33		\$2,041.04
5130 Professional Services				\$0.00
5130.2 Audit	350.00	350.00		\$700.00
5130.3 Legal Services	518.75	518.75		\$1,037.50
5130.5 Payroll Processing	119.63	119.64		\$239.27
Total 5130 Professional Services	988.38	988.39		\$1,976.77
5140 Rent & Lease				\$0.00
5140.1 Porta Potty	1,053.52	263.39		\$1,316.91
Total 5140 Rent & Lease	1,053.52	263.39		\$1,316.91

Wrightwood Community Services District

Profit and Loss by Class

February 2024

	PARKS / LIGHTING	SOLID WASTE	NOT SPECIFIED	TOTAL
5150 Repairs & Maintenance				\$0.00
5150.2 Facility Maintenance	866.48			\$866.48
5150.3 Job Supplies	1,579.58	130.81		\$1,710.39
Total 5150 Repairs & Maintenance	2,446.06	130.81		\$2,576.87
5180 Services				\$0.00
5180.2 Sports League				\$0.00
5180.2F Dance	230.65			\$230.65
Total 5180.2 Sports League	230.65			\$230.65
Total 5180 Services	230.65			\$230.65
5190 Solid Waste Disposal Fees		11,572.88		\$11,572.88
5210 Telephone				\$0.00
5210.3 Office Phone	55.14	55.14		\$110.28
Total 5210 Telephone	55.14	55.14		\$110.28
5220 Travel	34.17			\$34.17
5240 Utilities				\$0.00
5240.1 Electric				\$0.00
5240.1A Community Center	445.25			\$445.25
5240.1B Museum	81.35			\$81.35
5240.1C Street Lights	511.78			\$511.78
5240.1D Electrical Panel	5.84			\$5.84
Total 5240.1 Electric	1,044.22			\$1,044.22
5240.2 Gas		117.26		\$117.26
5240.2A Community Center	469.01			\$469.01
5240.2B Museum	144.35			\$144.35
Total 5240.2 Gas	613.36	117.26		\$730.62
5240.3 Trash				\$0.00
5240.3A Community Center	304.81	76.20		\$381.01
Total 5240.3 Trash	304.81	76.20		\$381.01
5240.4 Water				\$0.00
5240.4A Community Center	134.32	33.57		\$167.89
5240.4B Museum	31.43			\$31.43
Total 5240.4 Water	165.75	33.57		\$199.32
Total 5240 Utilities	2,128.14	227.03		\$2,355.17
Total Expenses	\$15,314.21	\$16,804.71	\$0.00	\$32,118.92
NET OPERATING INCOME	\$ -8,202.97	\$ -14,060.76	\$ -190.00	\$ -22,453.73
Other Income				
4600 Interest Income	868.05			\$868.05
Total Other Income	\$868.05	\$0.00	\$0.00	\$868.05
NET OTHER INCOME	\$868.05	\$0.00	\$0.00	\$868.05
NET INCOME	\$ -7,334.92	\$ -14,060.76	\$ -190.00	\$ -21,585.68

Item # 9

WWPOA/Village Trail Keepers Donation Request

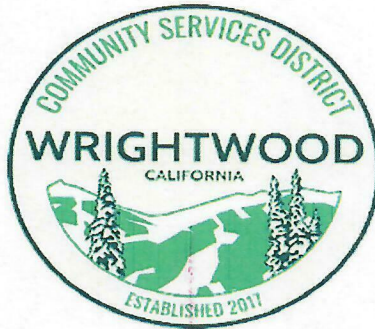


WWPOA/Village Trail Keepers Request for Donation for Village Trail

Carol Pettegrew Standel, representing the Village Trail Keepers and the WPOA to report on the trail activity and request a donation to help with resurfacing the trail.

Item # 10

Vision Plan

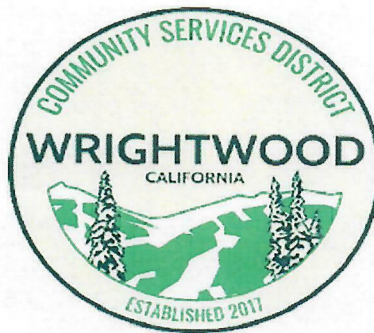


Vision Plan

An update will be given at the Board meeting.

Item # 11

Park and Recreation Coordinator Position



Park and Recreation Coordinator Position

With the growth of our Parks and Recreation Program I feel that it is necessary to hire a part time Parks and Recreation Coordinator for approximately 10 to 15 hours a week with hours increasing along with the program.

Parks and Recreation Coordinator

SCOPE OF WORK

Position: Part-Time (10-15 hours per week depending on programs in progress)

Pay Range: \$20.00-\$22.00

Coordinator will oversee the District's recreation programs including but not limited to:

Recreational Programs, Sports Leagues and Events. He or she will have the knowledge of varying district rules and regulations for sports, games, arts and crafts; ability to maintain effective working relationships with children, teens and/or adults and the general public.

In addition to the duties described, the coordinator will work directly with Facility Reservations, Contract Classes, Senior Programs, Community Excursions, Youth Programs, Youth and Adult Sports and Special Events. Must be able to work assigned schedules that include weekdays, evenings and/or holidays.

- Create new potential Parks and Recreation programs
- Surveys community to gauge interest in future possible programs
- Research similar programs in other areas
- Coordinate with local groups to facilitate new programs
- Write comprehensive proposals for Board's review monthly at regular Board meetings to receive approval of proposed programs
- Works with staff to schedule programs
- Assist with organization and scheduling of frontline staff, sports activities, arts and crafts, games and play activities for youth and adults
- Assist in the supervision and development of sports leagues, playgrounds, community buildings, meeting rooms, park areas and ensure the safety of participants through the proper use of equipment and the enforcement of rules and regulations.
- Complete written reports including facility checks, attendance reports and incident and accident reports.
- Monitor the operation and public activity during the hours of operation when needed.

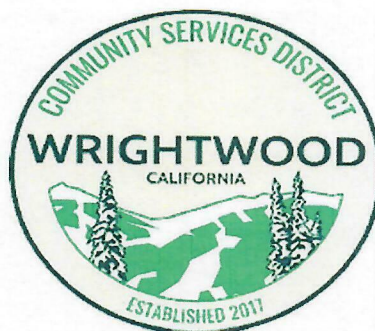
Prerequisites

- Must have a High School Diploma
- Previous experience in developing Parks and Recreation programs a plus
- A valid Class C California driver license and acceptable driving record throughout the course of employment and must carry auto insurance coverage
- Self-Starter who can take initiative
- Ability to accomplish tasks with little to-no-direction
- Above-average communications skills
- Writing skills
- Word processing skills
- Conflict resolution skills
- Be able to coordinate District events and activities, work in conjunction with paid staff, and coordinate and supervise volunteer staff.
- Ability to work flexible hours

- Organizational Skills
- Customer Service
- Volunteer Experience

Item # 12

Stipend For Board Members



BRUNICK, MCELHANEY & KENNEDY

PROFESSIONAL LAW CORPORATION

1839 COMMERCENTER WEST

SAN BERNARDINO, CALIFORNIA 92408

TELEPHONE: (909) 889-8301

FAX: (909) 388-1889

WILLIAM J. BRUNICK
LELAND P. MCELHANEY
STEVEN M. KENNEDY

MAILING ADDRESS:

POST OFFICE BOX 13130

SAN BERNARDINO, CALIFORNIA 92423-3130

March 8, 2024

TO: Board of Directors
WRIGHTWOOD COMMUNITY SERVICES DISTRICT

FROM: Steven M. Kennedy, General Counsel

RE: Directors' Compensation, Reimbursement, and Ethics Training

The purpose of this memorandum is to provide the Board with information concerning various legal requirements applicable to the above-referenced matter.

Compensation

The District is a public agency organized and operating under the Community Services District Law, Government Code Section 61000 et seq. Pursuant to Government Code 61047(a), the Board "may provide, by *ordinance or resolution*, that each of its members may receive compensation in an amount not to exceed one hundred dollars (\$100) for each day of service. A member of the board of directors shall not receive compensation for more than *six days of service* in a month." (Emphasis added.)

For purposes of the above provision, the term "day of service" means any of the following pursuant to Government Code Section 61047(e):

- (1) A meeting conducted pursuant to the Brown Act;
- (2) Representation of the District at a public event, provided that the Board has previously approved the director's representation at a Board meeting and the director delivers a written report to the Board regarding the director's representation at the next Board meeting following the public event;
- (3) Representation of the District at a public meeting or public hearing conducted by another public agency, provided that the Board has previously approved the director's representation at a Board meeting and the director delivers a written report to the Board regarding the director's representation at the next Board meeting following the public meeting or public hearing;

- (4) Representation of the District at a meeting of a public benefit nonprofit corporation on whose Board the District has membership, provided that the Board has previously approved the director's representation at a Board meeting and the director delivers a written report to the Board regarding the director's representation at the next Board meeting following the corporation's meeting; and
- (5) Participation in a training program on a topic that is directly related to the District, provided that the Board has previously approved the director's representation at a Board meeting and the director delivers a written report to the Board regarding the director's participation at the next Board meeting following the training program.

Additionally, Government Code Section 61047(b) provides that the Board may, by ordinance, provide compensation to its 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 member of the Board by request of the Board, pursuant to Water Code Section 20201. Under that provision, the Board is permitted to increase its compensation above the \$100 amount in a sum not to exceed five percent (5%) for each calendar year following the operative date of the last adjustment in accordance with Water Code Section 20202. However, a director may not be compensated for more than a total of 10 days in any calendar month. Water Code Section 20202.

Therefore, if the Board wishes to furnish compensation to its directors for more than six (but not to exceed ten) compensable days of service per month, it may do so only by adoption of an ordinance following a public hearing. Water Code Sections 20201 and 20202. Notice of the hearing must be published in a newspaper of general circulation once a week for two successive weeks prior to the hearing. Water Code Section 20203; Government Code Section 6066. After adoption, the ordinance does not become effective until 60 days after its passage and is subject to repeal by referendum. Water Code Sections 20204, 20205-20207.

Additionally, Government Code Section 53232.1 establishes additional criteria for the types of "meetings" for which Board members would be entitled to receive such compensation from the District, including in pertinent part the following:

- “(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).

“(b) A local agency may pay compensation for attendance at occurrences not specified in subdivision (a) only if the governing body has adopted, in a public meeting, a written policy specifying other types of occasions that constitute the performance of official duties for which a member of the legislative body may receive payment.”

Consequently, if the Board wishes to establish a monetary stipend for its directors, it is recommended that the Board (1) approve an amount no greater than \$100 for each day of service rendered on behalf of the District, (2) specify the types of occasions [beyond those set forth in Government Code Sections 61047(e) and/or 53232.1(a)] that constitute the performance of official duties for which a Board member may receive payment for each day’s service rendered on behalf of the District, and (3) determine the number of compensable days of service (not to exceed ten per month) that would qualify for compensation.

Reimbursement

In addition, if the Board also wishes to provide reimbursement for expenses to members of its legislative body, the Board must first adopt a written policy concerning the type of occurrences that would qualify a member to receive reimbursement of expenses for travel, meals, and lodging, and would impose related requirements, including the filing of expense reports, which would be public records.

Specifically, Government Code Sections 53232.2 - 53232.4 provide as follows:

- * When reimbursement is otherwise authorized by statute, the District may reimburse members of the Board for actual and necessary expenses incurred in the performance of official duties, including, but not limited to, activities related to ethics training [Government Code Section 53232.2(a)].
- * If the District reimburses members of the Board for actual and necessary expenses incurred in the performance of official duties, then the Board must adopt a written policy, in a public meeting, specifying the types of occurrences that qualify a member of the Board to receive reimbursement of expenses relating to travel, meals, lodging, and other actual and necessary expenses [Government Code Section 53232.2(b)].

This policy may also specify the reasonable reimbursement rates for travel, meals, and lodging, and other actual and necessary expenses. If it does not, the District must use the Internal Revenue Service rates for reimbursement of travel, meals, lodging, and other actual and necessary expenses as established in Publication 463, or any successor publication [Government Code Section 53232.2(c)].

If the lodging is in connection with an accepted conference or organized educational activity, lodging costs must not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available to the member of the Board at the time of booking. If the group rate is not available, the member of the Board must use comparable lodging that is consistent with the requirements of subdivisions (c) and (e) [Government Code Section 53232.2(d)].

Members of the Board must use government and group rates offered by a provider of transportation or lodging services for travel and lodging when available [Government Code Section 53232.2(e)].

- * All expenses that do not fall within the adopted travel reimbursement policy or the Internal Revenue Service reimbursable rates as provided in subdivision (c), shall be approved by the Board, in a public meeting before the expense is incurred, except as provided in subdivision (d) [Government Code Section 53232.2(f)].
- * These provisions do not supersede any other laws establishing reimbursement rates for local agencies [Government Code Section 53232.2(g)].

Additionally, Government Code Section 53232.3 provides as follows:

- “(a) If a local agency reimburses members of a legislative body for actual and necessary expenses incurred in the performance of official duties, then a local agency shall provide expense report forms to be filed by the members of the legislative body for reimbursement for actual and necessary expenses incurred on behalf of the local agency in the performance of official duties. Reimbursable expenses shall include, but not be limited to, meals, lodging, and travel.
- “(b) Expense reports shall document that expenses meet the existing policy, adopted pursuant to Section 53232.2, for expenditure of public resources.
- “(c) Members of a legislative body shall submit expense reports within a reasonable time after incurring the expense, as determined by the legislative body, and the reports shall be accompanied by the receipts documenting each expense.
- “(d) Members of a legislative body shall provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body.
- “(e) All documents related to reimbursable agency expenditures are public records subject to disclosure under the California Public Records Act.”

Government Code Section 53232.4 provides that the penalties for misuse of public resources or falsifying expense reports in violation of expense reporting policies may include, but are not limited to, the following:

- (a) The loss of reimbursement privileges;
- (b) Restitution to the District;
- (c) Civil penalties for misuse of public resources pursuant to Government Code Section 8314; and
- (d) Prosecution for misuse of public resources pursuant to Section 424 of the Penal Code.

Therefore, in light of the legislative requirements outlined above, it is recommended that, if the Board is inclined to provide for reimbursement of director expenses, then the Board should establish policy guidelines particularly specifying the District's practice and procedure in connection therewith.

Ethics Training

In addition to the above, California law also provides that if the District provides any type of compensation, salary, or stipend to a member of the Board, or provides reimbursement for actual and necessary expenses incurred by a member of the Board in the performance of official duties, then all "local agency officials" shall receive training in ethics as set forth below. Government Code Section 53235(a). Under Government Code Section 53234(c), the term "local agency official" means (1) any member of the Board who receives any type of compensation, salary, or stipend or reimbursement for actual and necessary expenses incurred in the performance of official duties, and (2) any employee designated by the Board to receive such ethics training.

Pursuant to Government Code Section 53235(b), each such "local agency official" shall receive at least two hours of training in general ethics principles and "ethics laws" relevant to his or her public service every two years. Under Government Code Section 53234(d), the phrase "ethics laws" includes, but is not limited to, the following:

- (1) Laws relating to personal financial gain by public servants, including, but not limited to, laws prohibiting bribery and conflict-of-interest laws;

- (2) Laws relating to claiming prerequisites of office, including, but not limited to, gift and travel restrictions, prohibitions against the use of public resources for personal or political purposes, prohibitions against gifts of public funds, mass mailing restrictions, and prohibitions against acceptance of free or discounted transportation by transportation companies;
- (3) Government transparency laws, including, but not limited to, financial interest disclosure requirements and open government laws; and
- (4) Laws relating to fair processes, including, but not limited to, common law bias prohibitions, due process requirements, incompatible offices, competitive bidding requirements for public contracts, and disqualification from participating in decisions affecting family members.

Each local agency official must receive such ethics training no later than one year from the first day of service with the local agency. Thereafter, each local agency official must receive such training at least once every two years. Government Code Section 53235.1(b)(1).

The District is required to provide information on training available to meet the above requirements to its local officials at least once annually. Government Code Section 53235(f).

Consequently, if the Board wishes to provide for the compensation of its directors and the reimbursement of their expenses, it is recommended that the Board consider formal adoption of a written policy specifying in detail the manner in which the District will comply with the statutory requirements for ethics training.

If the Board has any questions or comments regarding these matters, please feel free to address such inquiries to me as legally appropriate.

cc: Tamie Keen, WCSD General Manager

Item # 13

Recess to Closed Session



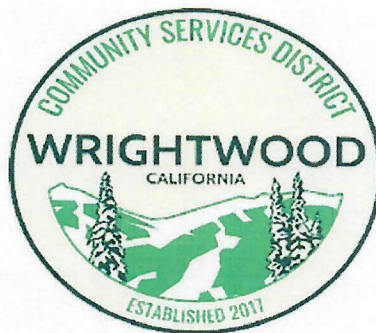
Item # 14

Return from Closed Session



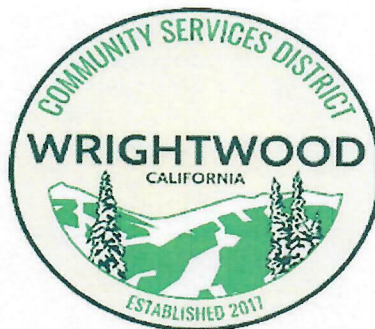
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Director's Comments



Item # 16

**Future Board Meeting
Tues. April 2, 2024
at 5:30 pm**



Item # 17

Adjournment

