



## BIGHORN-DESERT VIEW WATER AGENCY

### **FINANCE/PUBLIC RELATIONS/EDUCATION & PERSONNEL COMMITTEE REGULAR MEETING AGENDA**

BOARD MEETING OFFICE  
1720 N. Cherokee Trail, Landers, CA 92285  
**Wednesday, March 10, 2010 - 4:00 PM**

The BDVWA Finance/Public Relations/Education & Personnel Committee meeting is noticed as a joint meeting with the Board of Directors for the purpose of strict compliance with the Brown Act. Members of the Board not assigned to the Finance/Public Relations/Education & Personnel Committee may participate as observers at the meeting.

- **CALL TO ORDER**
- **PLEDGE OF ALLEGIANCE**
- **ROLL CALL**
- **APPROVAL OF THE AGENDA**

**PUBLIC PARTICIPATION** - Public is invited to comment on any item on the agenda during discussion of that item. You may wish to submit your comments in writing to assure that you are able to express yourself adequately. In giving your public comment, please state your name and have your information prepared. Due to time constraints, a three-minute time limit may be imposed. Per Government Code Section 54954.2, any person with a disability who requires a modification or accommodation, including auxiliary aids or services, in order to participate in the meeting, please contact the Board Secretary during Agency business hours by calling 760-364-2315.

1. **PUBLIC PARTICIPATION** - Any person may address the Committee on any matter within the District's jurisdiction on items not appearing on this agenda.
2. **DEVELOPMENT OF QUESTIONNAIRE AIMED AT FUTURE WATER SUPPLY NEEDS OF THE "JOHNSON VALLEY" AREA OF BIGHORN-DESERT VIEW WATER AGENCY**

#### **CONSIDERATION:**

- 1) Review concept and sample mailer; and

2) Provide direction to staff

**3. PROPOSED AGENCY LOGO FOR VEHICLES, SIGNS AND LETTERHEAD**

**CONSIDERATION:**

1) Review samples and provide direction to staff

**4. COMMITTEE TO REVIEW AND DISCUSS POSSIBLE CHANGES TO EXISTING DIRECTOR'S COMPENSATION AND EXPENSE REIMBURSEMENT**

**CONSIDERATION:**

1) Discuss Policy (05P-01) and propose an Official Duties Policy;

2) Discuss existing Ordinance (05O-01) and procedures for updating/changing;

3) Review survey of neighboring water agency compensation amounts and guidelines; and

4) Provide direction to staff for possible future Board action.

**5. CONSENT ITEMS -**

The following is expected to be routine and non-controversial and will be acted on by the Committee members at one time without discussion, unless a member of the public or a Committee member requests that an item be held for discussion or further action.

a. Committee Report from the November 05, 2009 Meeting

**RECOMMENDATION:**

1) Approve as presented

**END OF THE CONSENT CALENDAR**

**6. STANDING COMMITTEE PROJECT LIST**

**7. VERBAL REPORTS**

> COMMITTEE MEMBERS' COMMENTS/REPORTS

> GENERAL MANAGER'S REPORT

## **8. ITEMS FOR NEXT AGENDA**

## **9. ADJOURNMENT**

In accordance with the requirements of California Government Code Section 54954.2, this agenda has been posted in the main lobby of the Bighorn-Desert View Water Agency, 622 S. Jemez Trail, Yucca Valley, CA not less than 72 hours prior to the meeting date and time above. All written materials relating to each agenda item are available for public inspection in the office of the Agency Secretary. Backup material for the Agenda is available at the Agency offices for public review and can be viewed online at the Agency's website: [www.bdvwa.org](http://www.bdvwa.org).

As a general rule, agenda reports or other written documentation has been prepared or organized with respect to each item of business listed on the agenda, and can be reviewed at [www.bdvwa.org](http://www.bdvwa.org). Copies of these materials and other discloseable public records distributed to all or a majority of the members of the Board of Directors in connection with an open session agenda item are also on file with and available for inspection at the Office of the Agency Secretary, 622 S. Jemez Trail, Yucca Valley, California, during regular business hours, 8:00 A.M. to 4:30 P.M., Monday through Friday. If such writings are distributed to members of the Board of Directors on the day of a Board meeting, the writings will be available at the entrance to the Board of Directors meeting room at the Bighorn-Desert View Water Agency.

**BIGHORN-DESERT VIEW WATER AGENCY  
AGENDA ITEM SUBMITTAL**

**Meeting Date:** March 10, 2010

**To:** Finance, Public Relations, Education  
and Personnel Standing Committee

**Budgeted:** Yes

**Budgeted Amount:** \$20,000

**Cost:** N/A

**Funding Source:** (line items 56001 & 56002)

**From:** Marina D. West, PG

**General Counsel Approval:** N/A

**CEQA Compliance:** N/A

**Subject:** Review of Directors' Per Diem Compensation and Expense Reimbursement Policy

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**SUMMARY**

Pertaining to the subject of the Agency's payment of per diem compensation to individual Directors, the following information is presented to the Finance, Public Relations, Education and Personnel Standing Committee for further discussion and analysis.

**RECOMMENDATION:**

- Discuss existing Ordinance (05O-01) and Policy (05P-01);
- Review survey of neighboring water agency rules and regulations;
- Outline procedures for updating/changing (amounts and guidelines); and
- Provide input and direction to staff

**BACKGROUND/ANALYSIS**

The authority and procedure for establishing compensation for the Board is set, per Section 20200 et seq. of the California Water Code. Attached Ordinance No. 05O-01 is the current guideline for compensation of the Board.

CA Water Code Section 20202 authorizes an increase in the compensation that may be received by the Board members up to an amount equal to five percent (5%) annually from the effective date of the last increase.

Although the Agency's existing Ordinance (No. 05O-01) meets the statutory obligation covering per diem compensation to Board members, staff has identified several aspects that are inadequate and require clarification of the stated language. In addition, current Agency Policy 05P-01 needs refinement to eliminate any discrepancies or confusion regarding intent of the Board, official duties, Agency policies and reimbursement procedures.

Citing one example, Ordinance No. 05O-01, enacted on May 24, 2005, adopted the amount of compensation received by each Board member to be One Hundred Dollars (\$100.00) per day for each day's attendance at meetings of the Board up to a total of six meetings (days of service) in any calendar month. However, the Ordinance lacks a provision that would address the allowable annual increase.

Results from a recent survey substantiated that the Bighorn-Desert View Water Agency Director's compensation amounts are at the lower of those paid to the Directors at other local districts.

Steps for Updating Ordinance:

1. Authorize General Manager to agendize item for upcoming Board of Directors meetings. During public sessions, the Committee members will review, discuss, and if agreed, direct staff to prepare draft document for recommendation to full Board for possible action.

<b>2010</b>	<b>BDVWA</b>	<b>HDWD</b>	<b>JBWD</b>	<b>29 PALMS</b>	<b>MWA</b>
<b>Per Diem for Regular and Special Meetings</b>	\$100.00	\$125.00	\$173.63	\$100.00	\$179.57
<b>Per Diem for Standing and Ad Hoc Committee Meetings</b>	\$ 50.00	\$125.00	\$173.63	\$100.00	\$179.57
<b>Annual Adjustment</b>	N/A	Annual Board Review	Ordinance Reviewed Annually	Annual Board Review	Annual Board Review
<b>Service Days Per Month</b>	Six	Ten	Ten	Four	Ten
<b>Fringe Benefits</b>	N/A	Health, Dental, Vision available Director + 1	None Reported	None Reported	None Reported

2. If a majority of the Board vote to proceed with this action, then an announcement is made during a public session expressing their intent to adopt a new Ordinance. Per Code, the Ordinance shall be adopted following a public hearing. Notice of the hearing must be published in a newspaper of general circulation once a week for two successive weeks pursuant to Section 6066 of the Government Code.
3. If adopted, following a public hearing, the new ordinance will become effective 60 days from the date of its final passage.

Concurrently with the Board's review and discussion of existing Ordinance 05O-01, staff recommends that the Directors consider updating the Agency's current Policy Statement 05P-01 with an "Official Duties Policy".

Under the current guidelines, "days of service" are limited to attendance at a conference or organized educational activity, unless the Agency adopts, in a public meeting, a written "Official Duties Policy", specifying the other types of occasions that constitute the performance of official duties for which a Director may receive per diem.

Possible areas to be covered in such an "Official Duties Policy" should be a Director's attendance at meetings of other agencies or committee thereof, and all other events that are not otherwise covered. Specific types of activities need to be addressed, such as the authorization of a Director to attend meetings of the Morongo Basin Pipeline Commission, Mojave Water Agency Technical Advisory Committee, or Alliance for Water Awareness and Conservation.

In addition, to ending the general confusion surrounding what meetings are eligible for per diem, this revised policy should review any related expense reimbursement (i.e. meals, mileage, etc.) and what process, forms, etc. is required by the Directors in order to obtain payment.

Therefore, it is both timely and warranted that the Board has ordered a comprehensive review of the Directors' Per Diem Compensation, Ordinance No. 05O-01, and Expense Reimbursement Policy 05P-01, by the Finance, Public Relations, Education and Personnel Standing Committee with the intent purpose of providing direction and advice to the full Board for consideration and possible, future action.

#### **PRIOR RELEVANT BOARD ACTION(S)**

- Ordinance 05O-01(2005 Ordinance fixing compensation and setting guidelines for the directors' reimbursement of expenses) - rescinds Ordinance 90-04, Ordinance 90-05, Resolution 90R-20, Resolution 93R-07, Resolution 94R-11
- Policy Statement No. 05P-01 (2005 Policy Statement defining the criteria for reimbursement of expenses incurred by Directors while on Agency business or while attending Board approved seminars and meetings.)
- Policy Statement No. 97P-01 (dated April 12, 1994) - rescinded by 05P-01

## POLICY STATEMENT 05P-01

### POLICY STATEMENT OF THE BIGHORN-DESERT VIEW WATER AGENCY DEFINING THE CRITERIA FOR REIMBURSEMENT OF EXPENSES

The Board of Directors of the Bighorn-Desert View Water Agency has previously established Policies 91P-07 and 97P-01 for the reimbursement of expenses incurred by Directors and Staff while on Agency business or while attending Board approved seminars and meetings. It has been determined there is a need to update this policy based on the current needs of the Agency.

The Board, after due deliberation, now finds and determines, that the following Policy shall become effective immediately:

1. REIMBURSEMENT REQUESTS: All claims for reimbursement must be applied for on the attached form labeled Exhibit "A" and documented with an actual receipt for each expenditure claimed.
2. MEALS: While on Agency business, the actual cost of meals as evidenced by receipts shall be reimbursable not to exceed \$35.00 per day. Gratuities and the purchase of alcoholic beverages are not reimbursable. Discretionary hosting may be covered for meals as evidenced by receipts as long as the maximum daily amount is not exceeded. There shall be no reimbursement for spouses or non-business friends.
3. LODGING: While on Agency business, the actual cost of lodging including telephone and fax calls for Agency business shall be paid for by the Agency. A copy of the lodging bill itemizing each charge shall be provided to the Agency along with all receipts documenting any request for reimbursement.
4. VEHICLE COST REIMBURSEMENT: When employees are authorized to use their personal vehicle in the performance of Agency work or for transportation while on Agency business, they shall be reimbursed for the cost of said use on the basis of total miles driven and at the rate specified in the Internal Revenue Service Guidelines in effect at the time of said usage.

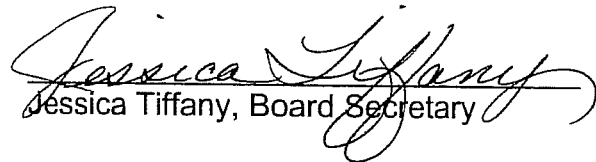
Use of personal vehicles shall not be authorized for the performance of Agency work or for transportation if a suitable Agency vehicle is available and safely operational.

Every attempt shall be made to coordinate work and transportation needs so that Agency vehicles are available for use.

5. AGENCY CREDIT CARD USE: The use of Agency credit card is absolutely restricted to use for Agency business and must always be documented with actual receipts for each use.
6. OTHER EXPENSES: No other expenses shall be reimbursed, except as otherwise specifically authorized in advance by the Board of Directors.
7. TIMELINE FOR REIMBURSEMENT: All requests for reimbursement must be received within 30 days of the end of the month in which the expense was incurred and is being requested. Failure to submit a request within this timeframe will constitute a forfeiture of reimbursement.

Policy Statement No. 91P-07 and 97P-01 are hereby rescinded in their entirety.

Policy Statement 05P-01 was adopted at a regular Board meeting held on July 5, 2005.

  
Jessica Tiffany, Board Secretary



ORDINANCE 050-01

ORDINANCE OF THE BOARD OF DIRECTORS  
OF BIGHORN-DESERT VIEW WATER AGENCY  
FIXING COMPENSATION AND SETTING REIMBURSEMENT OF  
EXPENSES GUIDELINES FOR THE DIRECTORS  
OF THE BIGHORN-DESERT VIEW WATER AGENCY

WHEREAS, Pursuant to section 112-12 of the Bighorn-Desert View Water Agency Law and California Water Code section 20200 et. seq., the Board of Directors of the Bighorn-Desert View Water Agency shall receive compensation for attendance at board meetings, standing committees meeting, ad hoc committee meetings and attendance at other meetings authorized in advance by the Board of Directors and that compensation shall be set by the Board of Directors of Bighorn-Desert View Water Agency by an ordinance.

BE IT ORDAINED, by the Board of Directors of the Bighorn-Desert View Water Agency as follows:

1. Meetings are defined and compensation is set as follows-

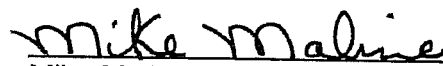
Regular/Special Meetings	\$100.00
Standing Committee Meetings	\$50.00
Ad Hoc Committee Meetings	\$50.00
Attendance at meetings as the assigned representative of the Agency Board of Directors, such as the Morongo Basin Pipeline Commission	\$100.00
Other previously Board authorized attendance at seminars and conferences	\$100.00

2. No director shall be paid for more than six meetings (days of service) in any calendar month.
3. Additional expenses incurred by a Director in the performance of his or her duties, required or authorized by the Board of Directors, shall be reimbursed in accordance with Agency policy in addition to the specified fixed compensation amount.
4. All requests for compensation of above referenced fees and reimbursement of expenses shall be submitted to the Agency on the attached form labeled Exhibit "A", following the end of the month for which it is requested. All requests for reimbursement

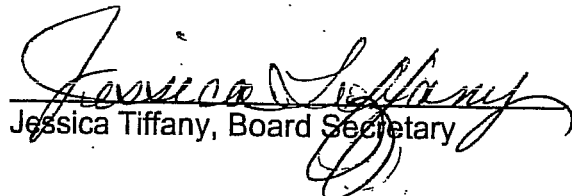
must be received within 30 days of the end of the month for which requested. Failure to submit a request within this timeframe will constitute forfeiture of reimbursement.

5. Directors shall prepare and present to the Board a written report summarizing what occurred at the non-Agency function attended and/or for the day of service rendered as a member of the Board. A form will be provided upon request. See Exhibit "B".
6. Compensation or reimbursement shall be granted for only one meeting per day if meetings are consecutive or occur at the same location on the same day.
7. This ordinance shall be effective 60 days from the date of its passage and shall be published once, in the Hi Desert Star newspaper, within 10 days from the date of its passage.
8. This ordinance may only be amended or modified by an ordinance duly adopted by a majority vote of the Board of Directors.
9. The following ordinances and resolutions are hereby rescinded in their entirety- Ordinance 90-04, Ordinance 90-05, Resolution 90R-20, Resolution 93R-07, Resolution 94R-11.

PASSED, APPROVED AND ADOPTED by the Board of Directors of Bighorn-Desert View Water Agency this 24<sup>th</sup> day of May, 2005 by a roll call vote as follows- Director Maline- abstain , Director Johnson- aye, Director Williams-aye, Director Edwards- aye, Director Maybury- aye.

  
Mike Maline, Board President

I, the undersigned, hereby certify that I am the duly-appointed Secretary of the Board of Directors of the Bighorn-Desert View Water Agency, and that at a regular meeting of the Board held on May 24, 2005, the foregoing Ordinance No. 05O-01 was adopted by said Board, and that it has not been rescinded or amended since the date of its adoption, and is now in full force and effect.

  
Jessica Tiffany, Board Secretary

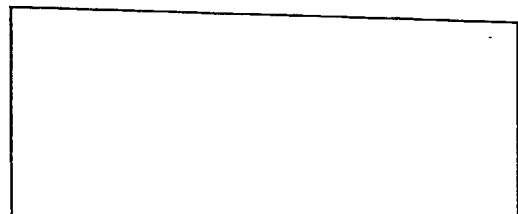
**Exhibit A**  
**Request for Compensation and Reimbursement**

<u>Meeting Type</u>	<u>Fee</u>	<u>Lodging*</u>	<u>Meals*</u>	<u>Mileage**</u>	<u>Misc*</u>
Date _____ <input type="checkbox"/> Regular Meeting \$ <input type="checkbox"/> Special Meeting \$ <input type="checkbox"/> Standing Committee \$ <input type="checkbox"/> Ad Hoc Committee \$ <input type="checkbox"/> Other _____ \$					
Date _____ <input type="checkbox"/> Regular Meeting \$ <input type="checkbox"/> Special Meeting \$ <input type="checkbox"/> Standing Committee \$ <input type="checkbox"/> Ad Hoc Committee \$ <input type="checkbox"/> Other _____ \$					
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Signature \_\_\_\_\_

Date \_\_\_\_\_

\*Receipts required for reimbursement







BIGHORN-DESERT VIEW WATER AGENCY  
A PUBLIC AGENCY

**FINANCE/PUBLIC RELATIONS/EDUCATION &  
PERSONNEL COMMITTEE  
SPECIAL MEETING REPORT**

**WEDNESDAY, NOVEMBER 5, 2009, 5:00 P.M.**

- **CALL TO ORDER**

Meeting convened by Director McBride at 5:06 P.M.

- **PLEDGE OF ALLEGIANCE**

Led by Randy West

*Director McBride called for a moment of silence in remembrance of the Fort Hood victims and survivors.*

- **ROLL CALL**

Directors Present: Michael McBride, Chair  
Judy Corl-Lorono, Member

- Staff Present: Marina West, General Manager  
Joanne Keiter, Board Secretary

- Public Present: 7 Noted  
(Directors Burkhart and Strodel attended as observers)

- **APPROVAL OF AGENDA**

GM West suggested exchanging the order of Items 4 & 5 on the agenda. The Committee members agreed, approving the agenda as amended.

1. **PUBLIC PARTICIPATION - None**

2. **COMMITTEE TO REVIEW PROPOSED AMENDMENTS AND CLARIFICATION OF EXISTING LANGUAGE IN EMPLOYEE HANDBOOK AND RECOMMEND ACTION TO THE BOARD**

GM West made some brief opening statements explaining the proposed amendments to the current version of the Employee Handbook and the reasons why these clarifications to the language were necessary. She also stated that the Agency's legal counsel to employment matters, Mr. Brad Neufeld, had reviewed these changes and recommended that the Board adopt, by Resolution,

an entire new Handbook rather than simply adopting changes to specific sections (such as the new medical provider identified in the "benefits" section).

Director McBride commented that he agrees with the proposed changes; however, he believes the "eligibility" provision (for health benefits) should be amended from *90 days to 30 days* after completion of the "training period".

Director Corl-Lorono stated a 90-day period is customary; she next mentioned several reasons for keeping that requirement.

The Committee and public had no further comments.

**ACTION:** The following action was taken:

***The Committee directs staff to agendize, for the November 17, 2009 Board Meeting, their recommendation to adopt a Resolution authorizing the modification and clarification of the existing language of the Employee Handbook for the purposes of establishing the rules and procedures for the conduct pertaining to Personnel/Human Resource Matters.***

**3. COMMITTEE TO DISCUSS BENEFITS OF MEMBERSHIP WITH ASSOCIATION OF CALIFORNIA WATER AGENCIES (ACWA) AND RECOMMEND PAYMENT OF \$5,360.00 FOR 2010-2011 RENEWAL DUES**

GM West stated that ACWA annual dues are calculated on the Agency's prior two-year's Operating and Maintenance expenses. For the calendar year 2010, the annual dues are \$5,360.00. She said that ACWA membership is compulsory as long as ACWA is the provider of Delta Dental and Vision Service Professionals benefits. She added that as a member, the Association also offered strong lobby support and grant search services - two of the many programs that a small Agency, such as ours, could utilize.

There were no additional comments.

**ACTION:** The following action was taken:

***The Committee recommends that the Board approve payment of the Association of California Water Agencies (ACWA) 2010-2011 renewal dues in the amount of \$5,360.00.***

**4. UPDATE ON WATER INFRASTRUCTURE RESTORATION PROGRAM PENDING CHANGE ORDER NO. 2 TO CANDIDA NEAL, AICP FOR CEQA/NEPA RELATED TO AMES/MEANS RECHE RECHARGE PROJECT**

GM West briefed the Committee on the EPA STAG Grant and the status of the approved Work Plan, first awarded in 2005. She also reported on the

CEQA/NEPA process, part of the Master Water Plan, which has resumed after a year's hiatus and following the successful receipt of approximately \$280,000 in participation funds from the Mojave Water Agency. She stated that there were changes to the scope and additional work products required in order to complete the CEQA/NEPA (such as on-site archeological & paleontological surveys) which warranted the pending Change Order to Candida Neal.

Director Cori-Lorono asked about any grant funds that might be remaining after CEQA/NEPA is completed.

GM West believed that there might be \$110,000 to \$150,000 available after completion of the Ames/Reche project for other opportunities (i.e. emergency generators).

GM West concluded that everyone is working diligently to meet the EPA STAG Grant expiration date of November 30, 2010.

There were no additional comments.

**ACTION:** The following action was taken:

***The Committee recommends that the Board authorize issuance of pending Change Order No. 2 to Candida Neal, AICP for CEQA/NEPA services related to the Ames/Means Reche Recharge Facility project.***

## **5. REPORT ON STATUS OF REQUEST FOR PROPOSALS FOR AMES/MEANS RECHE BASIN GROUNDWATER RECHARGE FACILITY**

GM West gave an update regarding the September 2009 Request for Proposals that was issued by the Agency to qualified consulting firms to provide professional project management, permitting services, hydrogeologic feasibility study and groundwater management planning in support of the Ames/Means Reche Basin Groundwater Recharge Facility. By November 6, 2010, a team comprised of Bighorn-Desert View and Mojave Water Agencies' staff would be completing an individual review of the seven proposals received and ranking them according to cost and other specified elements of the request.

GM West stated that after the top two or three firms were selected, their cost proposals, along with a staff recommendation, would be brought before the Board on November 17, 2009 for their possible approval and award of services.

The Committee and public had no further comments.

**ACTION:** Information purposes only.

## **6. STANDING COMMITTEE PROJECT LIST**

GM West gave a progress report of several projects assigned to the Committee.

- Agency Logos:
  - Sample design/layouts would soon be ready for review
- Inactive Meters/Meter Exchange:
  - Almost 100% completed
  - Water loss findings would be calculated and analyzed following completion of meter exchanges; results would be reported at a future meeting
  - Hope to acquire surplus meter reading equipment from JBWD at no cost
- Board of Directors Compensation Policies:
  - Address Official Duties Policy
  - Clearly identify what meetings should be compensated (i.e. AWAC attendance)
  - Delicate subject, but Director compensation is allowed by law
  - Directors not obligated to accept "earned" per diem
  - Consideration should be given now in order to attract future Board members for service

In conclusion, GM West then asked if the Committee would like to add anything to the project list.

No public comment noted.

**ACTION:** No additions made

### **CONSENT ITEMS**

### **ADOPT COMMITTEE ACTION REPORT FROM THE OCTOBER 22, 2009 MEETING**

**ACTION:** The report from the October 22, 2009 Committee Meeting was approved as submitted.

### **7. DIRECTORS' COMMENTS/REPORTS - None**

### **8. GENERAL MANAGER'S VERBAL REPORT**

GM West opened for discussion and information the subject of purchasing two new trucks to replace the two 2004 Ford Ranger trucks currently being used by the field crews. She estimated that the cost for both would be less than \$65,000. She asked the Committee if they were comfortable with that approximate spending limit and if there was any thoughts about purchasing versus financing.



Director McBride suggested that we investigate Dodge trucks and work with a dealership Fleet Sales department in hopes of getting the best deal possible.

Both Directors agreed that an outright purchase was preferred over vehicle financing.

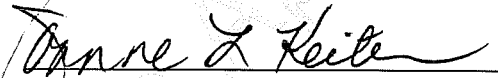
No other comments were made.

**ACTION:** Information purposes only; no formal action taken.

**9. ITEMS FOR NEXT COMMITTEE AGENDA - None**

**10. ADJOURNMENT -** Director McBride adjourned the meeting @ 6:18 P.M.

Respectfully Submitted by:

  
Joanne L. Keiter, Board Secretary