



WEST VALLEY WATER DISTRICT
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**POLICY REVIEW AND OVERSIGHT COMMITTEE MEETING
AGENDA**

TUESDAY, JULY 25, 2023 - 6:00 PM

NOTICE IS HEREBY GIVEN that West Valley Water District has called a meeting of the Policy Review and Oversight Committee to meet in the Administrative Conference Room, 855 W. Base Line Road, Rialto, CA 92376.

BOARD OF DIRECTORS

**President Gregory Young, Chair
Director Kelvin Moore**

Members of the public may attend the meeting in person at 855 W. Base Line Road, Rialto, CA 92376, or you may join the meeting using Zoom by clicking this link: <https://us02web.zoom.us/j/8402937790>. Public comment may be submitted via Zoom, by telephone by calling the following number and access code: Dial: (888) 475-4499, Access Code: 840-293-7790, or via email to administration@wvwd.org.

If you require additional assistance, please contact administration@wvwd.org.

I. CALL TO ORDER

II. PUBLIC PARTICIPATION

The public may address the Board on matters within its jurisdiction. Speakers are requested to keep their comments to no more than three (3) minutes. However, the Board of Directors is prohibited by State Law to take action on items not included on the printed agenda.

III. DISCUSSION ITEMS

1. Updates to the Policy Review and Oversight Committee.
2. Board Policy & Compensation Survey.

IV. ADJOURN

DECLARATION OF POSTING:

I declare under penalty of perjury, that I am employed by the West Valley Water District and posted the foregoing Policy Review and Oversight Committee Agenda at the District Offices on July 19, 2023.

Elvia Dominguez

Elvia Dominguez, Board Secretary



**BOARD OF DIRECTORS
POLICY REVIEW AND OVERSIGHT COMMITTEE
STAFF REPORT**

DATE: July 25, 2023
TO: Policy Review and Oversight Committee
FROM: John Thiel, General Manager
SUBJECT: BOARD POLICY & COMPENSATION SURVEY

BACKGROUND:

The Policy Review and Oversight Committee review existing policies as part of their jurisdictional responsibility to ensure policies are current, relevant, and legally compliant with existing laws. The selection of The Board Operating Policy, which is embodied within Ordinance 86, was done as part of the normal review cycle of all existing District policies. As part of this review process, it was determined that other agencies should be surveyed in order assess relevant components of the Board policy and how it is being applied and interpreted. Fourteen municipal water districts from surrounding areas were contacted, with ten of them agreeing to participate in the survey.

DISCUSSION:

As part of the District's ongoing self-assessment process, the Policy Review and Oversight Committee examine various District polices on a cyclical basis. This is done to ensure they are relevant, current, and legally compliant. As part of this policy review a survey was developed. The desired outcomes of the survey are to provide for a better understanding of the current laws and how neighboring utilities are operating within this framework. The various topics covered within the survey are 1) Compensation compliance following State Water Code Section 20201; 2) Annual escalation of meeting rates; 3) Review and submission process for claiming meetings for compensation; 4) Eligibility, qualification, and reporting of outside meetings for compensation; 5) Board member training to remain legally compliant; 6) Handling of event and travel expenses; and 7) Benefits available for Boards following State Law.

The survey identified items where legal assistance will be needed to analyze and interpret current practices. In addition, there are benefit opportunities available that the existing Board is currently not availing itself to and should be examined further. It is anticipated that a further work session with Legal Counsel will be forthcoming once research and analysis is completed.

FISCAL IMPACT:

There is no fiscal impact relative the survey being presented.

STAFF RECOMMENDATION:

Give Staff direction to proceed on researching potential policy improvements and legal compliance with District Counsel and to investigate benefit options allowed under State Law.

Respectfully Submitted,

John Thiel

John Thiel, General Manager

JT:wf

ATTACHMENT(S):

1. 2023 Survey of Board of Directors Policy and Compensation July 25 2023_



Board Policy & Compensation Survey

For

Policy Review & Oversight Committee

July 25, 2023

OVERVIEW

- i West Valley Water District commissioned a survey in order to better understand how various local water agencies handle Board compensation, benefits, and travel expenses.
- i The survey was solicited to fourteen agencies with ten responses received, with the inclusion of the West Valley Water District there are a total of eleven reporting agencies.
- i Topics addressed include:
 - Ø Compensation in compliance with State Water Code Section 20201
 - Ø Annual escalation of meeting rates
 - Ø Review and approval of meetings submitted for compensation
 - Ø Outside Meeting reporting
 - Ø Board Member training
 - Ø Event and travel expenses
 - Ø Board member employee benefits
- i Survey Conclusions
- i Next Steps

PARTICIPATING AGENCIES

Agency Name	Year Established	Total Budgeted Operating Expenses	Total Population Served	Total Service Connections	Number of Board Members
Cucamonga Valley Water District	1955	84,708,266	192,000	48,000	5
East Valley Water District	1954	33,261,000	104,000	21,679	5
Jurupa Community Services District	1956	45,600,000	133,292	33,471	5
Lake Arrowhead Comm. Svcs. District	1978	13,700,000	9,741	8,940	5
Monte Vista Water District	1927	21,000,000	135,000	12,500	5
Rubidoux Community Services Dist.	1952	22,200,000	36,000	6,000	5
San Bernardino Municipal Water Dept.	1905	76,500,000	204,870	46,690	5
Walnut Valley Water District	1952	35,500,000	100,000	27,000	5
Western Municipal Water District	1954	165,000,000	999,800	25,201	5
West Valley Water District	1952	31,700,000	97,000	23,749	5
Yucaipa Valley Water District	1971	34,622,827	54,000	30,040	5
Eleven Utilities Average	1950	51,253,827	187,791	25,752	5

STATE WATER CODE SECTION 20201 COMPENSATION

Agency Name	District Follows Water Code Section 20201	Escalation of Meeting Compensation by 5% each year	Automatic Increase Or Requires Vote
Cucamonga Valley Water District	Yes	No	Vote. Increases are not annual.
East Valley Water District	Yes	No	Vote upon each year.
Jurupa Community Services Dist.	Yes	No	No annual increases for years.
Lake Arrowhead CSD	Yes	No	Vote. No increase has occurred.
Monte Vista Water District	Yes	Yes	Automatic increase by Ordinance.
Rubidoux Community Svcs. Dist.	Yes	No	Vote upon each year. Board is evaluating automatic increases.
San Bernardino Muni. Water Dept.	No. Board is appointed	No	N/A
Walnut Valley Water District	Yes	No	Vote. Increases are not annual.
Western Municipal Water District	Yes	No	Vote. Increases are not annual.
West Valley Water District	Yes	Yes	Automatic increase by Ordinance.
Yucaipa Valley Water District	Yes	Yes	Vote upon each year.
Category Totals	10 Follow Section 20201	3 Escalate Annually	2 Have Automatic Escalation

MEETING RATES AND REPORTING

Agency Name	Current Rate	Rate Effective Date	Report Meetings by Categories
Cucamonga Valley Water District	\$250.00	2015	Yes
East Valley Water District	\$225.00	12/08/2021	Yes
Jurupa Community Services District	\$100.00	1986	Yes
Lake Arrowhead Comm. Svcs. Dist.	\$100.00	2018	Yes
Monte Vista Water District	\$284.46	06/22/2022	Yes
Rubidoux Community Services District	\$155.13 (Board meeting) \$63.81 (Committee mtg)	05/04/2020	Yes
San Bernardino Municipal Water Department	Annual \$350.00 (President) \$150.00 (Commissioner)	Not Provided	Yes
Walnut Valley Water District	\$150.00	2/13/2013	Yes
Western Municipal Water District	\$240.67	3/12/2012	Yes
West Valley Water District	\$196.55	10/15/2022	Yes
Yucaipa Valley Water District	\$240.66	01/01/2023	Yes

REVIEW/APPROVAL OF COMPENSATION SUBMISSION

Agency Name	Board President	Board Secretary	General Manager	Chief Financial Officer	Additional Comments
Cucamonga Valley Water District			Yes		
East Valley Water District		Yes	Yes		
Jurupa Community Services District		Yes			
Lake Arrowhead Comm. Svcs. District		Yes	Yes		
Monte Vista Water District		Yes	Yes		
Rubidoux Community Services District			Yes		
San Bernardino Municipal Water Department		Yes	Yes	Yes	Final approval at Board Meeting
Walnut Valley Water District		Yes	Yes	Yes	Final approval at Board Meeting
Western Municipal Water District		Yes	Yes		
West Valley Water District	Yes	Yes	Yes	Yes	
Yucaipa Valley Water District			Yes		
Total Approvers By Category	1	8	10	3	

OUTSIDE MEETINGS

Agency Name	Prior Approval Required	Meeting is Ratified After the Fact by the Board	Is Documentation Required for Claiming Meeting Compensation? What documentation?	Are Directors Required to Report Out Results of Outside Meetings
Cucamonga Valley Water Dist.	Yes	Yes	No	Yes
East Valley Water District	Yes	Yes	No	Yes
Jurupa Community Services Dist.	Yes	Yes	No	Yes
Lake Arrowhead Comm. Svcs. Dist.	Yes	No	No	No
Monte Vista Water District	Yes	Yes	No	Optional
Rubidoux Community Service District	Yes	Yes	No	No
San Bernardino Municipal Water Dept.	N/A	N/A	N/A	N/A
Walnut Valley Water District	No	Yes	Yes. Agendas or Flyers	Yes
Western Municipal Water District	Yes	No	Yes. Agendas and Report	Yes
West Valley Water District	No	No	Yes. Agendas or Flyers	No
Yucaipa Valley Water District	Yes	Yes	No	Yes
Category Totals	8 Yes	7 Yes	3 Yes	6 Yes

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RESPONSIBLE TO ENSURE BOARD MEMBERS RECEIVE REQUIRED STATE TRAINING

Agency Name	Board Secretary	Human Resources	General Manager	Board Members
Cucamonga Valley Water District	Yes	Yes	Yes	Yes
East Valley Water District	Yes			
Jurupa Community Services District	Yes		Yes	
Lake Arrowhead Community Services District	Yes			
Monte Vista Water District	Yes			
Rubidoux Community Services District		Yes		
San Bernardino Municipal Water Department	Yes			
Walnut Valley Water District	Yes		Yes	
Western Municipal Water District	Yes	Yes	Yes	Yes
West Valley Water District	Yes	Yes		
Yucaipa Valley Water District		Yes	Yes	Yes
Total By Categories	9	5	5	3

AUTHORIZATION OF TRAVEL EXPENSES PRIOR TO AN EVENT & REVIEWERS OF EXPENSES FOR REIMBURSEMENT

Agency Name	Authorized Prior To Attending an Event	Board Secretary	General Manager	Chief Financial Officer	Board President
Cucamonga Valley Water District	No	Yes	Yes	Yes	
East Valley Water District	Yes. Can also be ratified after the fact	Yes			
Jurupa Community Services District	Yes	Yes	Yes		
Lake Arrowhead Community Svcs. Dist.	Yes	Yes	Yes		
Monte Vista Water District	Yes	Yes	Yes	Yes	
Rubidoux Community Services District	Yes		Yes		
San Bernardino Municipal Water Dept.	Yes	Yes			
Walnut Valley Water District	No. Ratified after the fact	Yes	Yes	Yes	
Western Municipal Water District	Yes	Yes	Yes		
West Valley Water District	No	Yes	Yes		
Yucaipa Valley Water District	Yes		Yes	Yes	
Category Totals	8 - Prior Authorization	9	9	4	

BOARD MEMBER BENEFITS AVAILABLE

Agency Name	Medical	Vision	Dental	Life & Disability Insurance	Long-Term Care Insurance	Other Benefits	"Cash in lieu" allowance
Cucamonga Valley Water District	Yes	Yes	Yes	Yes	No	401(a) Def Comp. FSA	No
East Valley Water District	Yes	Yes	Yes	Yes	No		No
Jurupa Community Services Dist.	Yes	Yes	Yes	No	No		No
Lake Arrowhead Comm. Svcs. Dist.	No	No	No	No	No		No
Monte Vista Water District	Yes	Yes	Yes	No	No		No
Rubidoux Community Svcs. Dist.	No	No	No	No	No		No
San Bernardino Muni. Water Dept.	Yes	Yes	No	Yes	No		No
Walnut Valley Water District	Yes	Yes	Yes	Yes	No	457 Def. Comp, FSA, EAP	No
Western Municipal Water District	Yes	Yes	Yes	Yes	No		No
West Valley Water District	Yes	Yes	Yes	Yes	Yes		No
Yucaipa Valley Water District	Yes	No	No	No	No	457 Def. Comp	No
Category Totals	9	8	7	5	1	3 Agencies	0

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BOARD & EMPLOYEES TRAVEL EXPENSE POLICIES & THE TIMING ON SUBMITTING EXPENSES FOR REIMBURSEMENT

Agency Name	Same Policy for Employees & Board	Cited Reason for Separate Policies	Timing on Submission of Expense Reports
Cucamonga Valley Water District	Yes		After an event or conference
East Valley Water District	No	Employees have MOU Board has Policy	Monthly
Jurupa Community Services District	Yes		After an event or conference
Lake Arrowhead Comm. Svcs. District	Yes		After an event or conference
Monte Vista Water District	Yes		After an event or conference
Rubidoux Community Services Dist.	Yes		After an event or conference
San Bernardino Municipal Water Dept.	Yes		After an event or conference
Walnut Valley Water District	No	Both groups have their own policy for compliance	Monthly
Western Municipal Water District	Yes		After an event or conference
West Valley Water District	No	Employee policy under development	Last business day of the month
Yucaipa Valley Water District	No	Both groups have their own policy for compliance	Monthly
Category Totals	7 - Yes	4 responded	7 After Event - 3 Monthly

DISTRICTS WITH SEPARATE BOARD EXPENSE REIMBURSEMENT POLICIES

Type of Expenses	East Valley Water District	Walnut Valley Water District	Yucaipa Walley Water District	West Valley Water District
Registration Fees	Fees paid in advance by the District	Fees paid in advance by the District	Fees paid in advance by the District	Fees paid in advance by the District
Cost of Accommodations	No Cap. Based on actual and reasonable.	No Cap. Based on actual and reasonable.	Rate cap at GSA limit for Federal employees	No Cap. Based on actual and reasonable.
Transportation (non-rental car)	Actual and reasonable	Actual and reasonable	Actual and reasonable	Actual and reasonable
Rental Car	Yes	Yes	Yes	Yes
Expenses (Per Diem Rate)	\$200 per diem rate	\$100 per diem rate	Rate Match of GSA limit for the location of travel	No cap limit specified
Reporting Out of Events attended is Required	Yes	Yes	Yes	Yes
Non-allowable Expenses	Alcoholic beverages, parking/traffic fines, personal phone calls. Personal auto insurance, extra family members.	Any expenses not consistent with the prohibition against gifts of public funds. Required to exercise prudence.	Barber, fines, extra family members, personal phone bill, massages, alcohol, and entertainment	Alcoholic beverages, parking/traffic fines, personal phone calls. Tips of 18%, Personal auto insurance, extra family members, Wi-Fi for personal use
Night before event accommodations or night after depending on transportation availability to or from event.	Silent	Yes	Silent	Silent

SURVEY CONCLUSIONS

- i Agencies are aware of the compensation compliance requirements and appear to be adhering to them.
- i Some agencies have chosen not to escalate meeting rates by 5% annually even though they are entitled to.
- i Each agency has a review and approval process in place to verify that the meetings are being reported for compensation.
- i The level of approving and reporting out on Outside Meetings to qualify for compensation varies between reporting agencies.
- i The tracking of required training for Board Members is being addressed at each agency by one or more employees.
- i Most of the Agencies require prior authorization of travel expenses before attending an event. Travel expenses incurred are being reviewed and approved by one or more parties prior to submission for payment.
- i Many agencies have the same travel and expense reimbursement policies and rates for Board members and employees. Those with separate policies have explained differences are based upon MOU versus a Board Policy.
- i Nearly all agencies provided a level of employee benefits to Board Members, the most common is Medical.
- i Some agencies have provided employee paid Deferred Compensation, FSA, and EAP as eligible benefits. This is an area where there is low-cost or no-cost to make them available to Board members.

NEXT STEPS FOR REVIEW AND DISCUSSION

- i Director Fees for meetings including eligibility, claiming, and reporting out at the next regular scheduled meeting
- i Travel expense reimbursement submission timing, supporting documentation, and current policy
- i Insurance requirements on rental vehicles while on travel status
- i Continuance of CalPERS Long Term (LTC) Program considering benefit feasibility, cost, and appropriateness
- i Participation in District's 457 and 401-A deferred compensation plans
- i Participation in District's EAP Program
- i Electronics reimbursement allowance (Cell phone & laptop)
- i Fixed monthly automobile allowance
- i Participation in District education reimbursement
- i Training required to meet State requirements including sexual harassment, ethics, Brown Act