

ORDINANCE 96-1

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE PAJARO VALLEY WATER MANAGEMENT AGENCY (PVWMA)

TO INCREASE THE COMPENSATION RECEIVED BY PVWMA BOARD MEMBERS

FINDINGS

WHEREAS, PVWMA Board members have a statutory right (Section 411 of the Pajaro Valley Water Management Agency Act) to be compensated by the Pajaro Valley Water Management Agency in an amount not to exceed one hundred dollars (\$100) per day for attendance at meetings of the board or for service rendered by request of the board, not to exceed two days in any calendar month. This provision of law confers an individual right upon each director, and no board action is necessary for its implementation, and

WHEREAS, An alternate provision of law (Section 20200 of the California Water Code - Statutes of 1989, chapter 585) expands the legal authority of a water agency such as the Pajaro Valley Water Management Agency to compensate efforts of its Board members, and

WHEREAS, Section 20201 of the Water Code specifies board compensation available pursuant to this alternate process:

Notwithstanding any other provision of law, the governing board of any water district may, by ordinance adopted pursuant to this chapter, provide compensation to members of the governing board, unless any compensation is prohibited by its principal act, in an amount not to exceed one hundred dollars (\$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, and may, by board ordinance adopted pursuant to this chapter, in accordance with Section 20202, increase the compensation received by members of the governing board above the amount of one hundred dollars (\$100) per day, and

WHEREAS, Section 20202 of the Water Code enables the board to increase the compensation which may be received by members of the governing board above the daily one hundred dollars (\$100), provided the increased compensation is limited to five (5) percent for each calendar year since the date of the last adjustment made by ordinance. Section 20202 also limits the number of days for which compensation may be paid to board members to a total not exceeding ten (10) days in any calendar month.

WHEREAS, The Agency's FY1995-96 Budget assumes board compensation will not exceed \$14,400. This ordinance could increase board compensation to \$84,000 annually. Enactment of this ordinance will increase this expense category by an unbudgeted amount of \$6,900 for FY 1995-96, providing Board members choose to limit the number of days for which compensation may be paid to board members to a total not exceeding five (5) days in any calendar month.

NOW THEREFORE be it ordained as follows:

ORDINANCE

SECTION ONE: SHORT TITLE

This Ordinance shall be known as the Board Member Compensation Ordinance of 1996.

SECTION TWO: STATEMENT OF PURPOSE

The Pajaro Valley Water Management Agency enacts this Board Member Compensation Ordinance of 1996 as legal authority to increase the number of meetings or days of service rendered as a member of the Board for which a board member may be compensated by the Pajaro Valley Water Management Agency from two (2) to five (5) meetings or days of service rendered in any calendar month. "Days of service rendered" shall be defined as any day for which a Board member provides service to the PVWMA at the direction of the Board, *as determined by resolution of the Board.*

SECTION THREE: EFFECTIVE DATE

This Ordinance shall have an effective date of May 1, 1996.

SECTION FOUR: SEVERABILITY

If any subdivision, paragraph, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity or enforcement of the remaining portions of this Ordinance, or of any other provisions of the Pajaro Valley Water Management Agency ordinances and resolutions.

It is the Agency's express intent that each remaining provision of this Ordinance would have been adopted irrespective of the fact that one or more subdivisions, paragraphs, sentences, clauses, or phrases be declared invalid or unenforceable.

On motion of Director Jensen, and seconded by Director Edsberg, the foregoing Ordinance is adopted this 13th day of March, 1996, by the following vote:

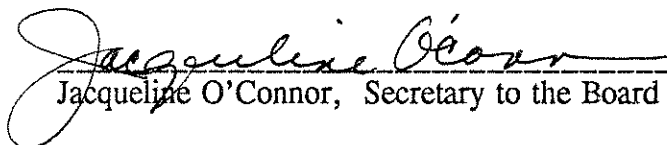
AYES: Vice-Chairman Mauthe, Directors Carroll, Edsberg and Jensen

NAYS: Director Bennett

ABSENT: Director Garrett, Chairman Kelly

I, Jacqueline O'Connor, Secretary to the Board of Directors of the Pajaro Valley Water Management Agency, hereby certify that the foregoing is a full, true and correct copy of an ordinance duly adopted this 13th day of March, 1996.

Witness my hand and seal of the Board of Directors this 13th day of March, 1996.


Jacqueline O'Connor, Secretary to the Board