ORDINANCE NO. 10O-01

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE BIGHORN-DESERT VIEW WATER AGENCY PROVIDING FOR COMPENSATION OF THE BOARD OF DIRECTORS AND ESTABLISHING PROCEDURES RELATED THERETO

WHEREAS, Water Code Appendix section 112-12 Water Code section 20200 et seq. and Government code section 53232.1 et seq. set forth the authority and procedure for establishing compensation for members (each, a "Director") of the Board of Directors ("Board") of the Bighorn-Desert View Water Agency ("Agency"). In particular, Water Code section 20201 provides that the Board, may by ordinance, provide compensation to Directors in an amount not to exceed $100 per day for each day's attendance at meetings of the board, or for each day of service rendered as a member of the board by request of the board. Water Code section 20202 authorizes an increase in the compensation that may be received by the Directors up to an amount equal to five percent (5%) for each calendar year since the effective date of the last increase and limits compensation to no more than ten (10) days in any calendar month. Water Code section 20201.5 provides that reimbursement of expenses of Directors is subject to the requirements set forth in sections 53232.2 and 53232.3 of the Government Code; and

WHEREAS, the Board desires to establish the amount of compensation by way of this Ordinance in accordance with the provisions of the Water Code; and

WHEREAS, in accordance with Section 20203 of the California Water Code and section 6066 of the California Government Code, a public hearing was held on June 15, 2010, at 6 P.M., or as soon thereafter, at the meeting room of the Board at 1720 N. Cherokee Trail, Landers, CA 92285, and a notice of said hearing was duly published in the Hi-Desert Star, a newspaper of general circulation, once a week for two weeks as follows: on May 29, 2010 and June 5, 2010.

NOW THEREFORE, THE BOARD OF DIRECTORS OF THE BIGHORN-DESERT VIEW WATER AGENCY DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The amount of compensation to be received by Directors for each day's attendance at meeting of the Board, and for each day's service rendered by a Director by request of the Board, shall be one hundred dollars ($100.00). The amount of compensation for each day's attendance at meetings of standing committees, Ad Hoc committees, subcommittees of the Board or a Board assignment on a Commission or Committee outside the Agency's jurisdiction shall be fifty dollars ($50.00). The only meetings, service, and events for which said compensation shall be paid shall be those set forth by resolution and made part of the Policy for Compensation for Performance of Official Duties and Reimbursement of Actual and Necessary Expenses ("Official Duties Policy").

Section 2. No Director shall receive the compensation set forth in Section 1 of this Ordinance for more than 6 days in any calendar month.

Section 3. All ordinances, resolutions, or administrative actions by the Board, or parts thereof, that are inconsistent with any provision of this Ordinance, are hereby superseded only to the extent of such inconsistency.

Section 4. The President of the Board shall sign this Ordinance and the Secretary of the Board shall attest thereto, and pursuant to section 20204 of the California Water Code, this Ordinance shall take effect sixty (60) days from the date of adoption.

Section 5. If any section, subsection, clause, or phrase in this Ordinance is for any reason held invalid, the validity of the remainder of this Ordinance shall not be affected thereby. The Board hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses or phrases or the application thereof be held invalid.

Section 6. This ordinance may only be amended or modified by an Ordinance duly adopted by a majority vote of the Board of Directors.

Section 7. The Recitals set forth above are incorporated herein and made an operative part of this Ordinance.

Section 8. Ordinance No. 05O-01 is hereby rescinded in its entirety.

PASSED, APPROVED AND ADOPTED by the Board of Directors of Bighorn-Desert View Water Agency this 15 day of June 2010, by the following roll call vote:

AYES: 5 (Burkhart, Coulombe, McBride, Larson, Oswalt)

NOES: 0

ABSENT: 0

By Terry Burkhart
Terry Burkhart, Board President

I, the undersigned, hereby certify that I am the duly appointed and acting Secretary of the Bighorn-Desert View Water Agency, and that a special meeting of the Board of Directors of said Agency held on June 15, 2010, the foregoing Ordinance 10O-01 was duly and regularly adopted by said Board, and that said resolution had not been rescinded or amended since the date of its adoption, and that it is now in full force and effect.

By Joanne L Keiter
Joanne L Keiter, Board Secretary