

PLEASANT VALLEY RECREATION & PARK DISTRICT
ADMINISTRATION OFFICE –ROOM 6
1605 E. BURNLEY ST., CAMARILLO, CALIFORNIA

2021 POLICY COMMITTEE
AGENDA

THURSDAY, APRIL 8, 2021
3:00 P.M.

Zoom Meeting Information:

Meeting Link: <https://zoom.us/j/93517613053>

Meeting ID: 935 1761 3053

Passcode: 821313

Phone Number: 1-669-900-6833

In order to minimize the spread of COVID-19 and keep with social distancing, the meeting room will not be open to the public. To participate in the Board Committee meeting from the comfort of your home or other Stay Well at Home compliant location, you may choose one of the following options:

- a. Email – If you wish to submit a written comment on a specific agenda item, please send your comment via email by 2:00 pm on Thursday, April 8, 2021 to Anthony Miller, Administrative Analyst at amiller@pvrrpd.org. Your email will be distributed to the Finance Committee members prior to the meeting and be included in the public record.
- b. Cell Phone/Computer with Microphone: Click on the Zoom link included above. Enter your name so we may call on you when it is your turn to speak. The Chair will ask if anyone wishes to speak on the item. At that time, raise your hand by clicking the “Raise Hand” button. Follow the instructions below regarding speaking.
- c. Phone – If you wish to make a comment by phone during the public comment section of the meeting or on a specific agenda item, please call in to the listed phone number above and when prompted, enter the Meeting ID and Passcode. After entering those items, you will be admitted to the meeting and your line will be muted. The Chair will ask if anyone wishes to speak on the item. At that time, raise your hand by dialing *9. Then, follow the speaking instructions below.

Speaking Instructions

When it is your turn to speak, the Chair will call your name or the last four digits of the phone number you are calling from. You will have three minutes to address the Committee. **Please ensure all background noise is muted (TV, radio, etc.)** You will be prompted to unmute your microphone/phone. Unmute your device and begin by stating your name. After three minutes has elapsed your microphone will be muted and the next speaker will be invited to speak.

1. **CALL TO ORDER**
2. **APPROVAL OF AGENDA**
3. **PUBLIC COMMENTS**
4. **BOARD BYLAWS INTRODUCTION/DISCUSSION**
5. **BOARD ETHICS POLICY INTRODUCTION/DISCUSSION**
6. **PVRPD CURRENT POLICY REVIEW/DISCUSSION**
7. **ORAL COMMUNICATIONS**
8. **ADJOURNMENT**

Note: Written materials related to these agenda items are available for public inspection in the Office of the Clerk of the Board located at 1605 E. Burnley Street, Camarillo during regular business hours beginning the day preceding the Committee meeting.

Announcement: Should you need special assistance (i.e. a disability-related modification or accommodations) to participate in the Committee meeting or other District activities (including receipt of an agenda in an appropriate alternative format), as outlined in the Americans With Disabilities Act, or require further information, please contact the General Manager at 482-1996, extension 114. Please notify us 48 hours in advance to provide sufficient time to make a disability-related modification or reasonable accommodation.

**PLEASANT VALLEY RECREATION AND PARK DISTRICT
STAFF REPORT / AGENDA REPORT**

TO: BOARD OF DIRECTORS

FROM: MARY OTTEN, GENERAL MANAGER
By: Anthony Miller, Administrative Analyst

DATE: February 25, 2021

**SUBJECT: REVIEWING BOARD BYLAWS AND RULES OF
PROCEDURE**

SUMMARY

It is recommended that the Board review the Board Bylaws and Rules of Procedure for the conduct of Board Business every few years to keep them up to date and relevant to changing Board priorities.

BACKGROUND

The District is obligated to comply with several Government codes, in particular the Public Resource Code Section 5784.13 and Government Code Section 54954(a) governing all aspects of the management and operation of Special Districts. Within these sections, the code requires that special districts establish policies and procedures for the orderly and efficient operation of Board business. Traditionally, the Policy Committee reviews the existing bylaws for potential changes and makes recommendations to the full board for approval. In 2018, the following minor changes were made:

- Section 2: (B) Clarified the days officers shall be elected at each general election and/or at the beginning of each new term.
- Section 3: (E) Specified Robert's Rules of Order as procedural rules of order for conduct of Board business.
- Section 3: (I) Removal of words "on matters which are confidential under state law."
- Section 6: Included Resolution number from previously adopted Board Bylaws and procedures.

ANALYSIS

The current bylaws do not have any major outstanding issues. However, the bylaws are currently under review by the District's legal counsel for any potential recommended changes.

FISCAL IMPACT

District staff does not anticipate a fiscal impact associated with approval of the revised Board Bylaws and Rules of Procedure for the conduct of Board Business.

RECOMMENDATION

It is recommended the Policy Committee review the Board Bylaws and Rules of Procedure for the conduct of Board Business.

ATTACHMENTS

- 1) Resolution No. 582 – Board Bylaws and Rules of Procedure (4 pages)
- 2) Roberts Rules of Order - Summary Version (6 pages)

RESOLUTION NO. 582

BOARD BYLAWS AND RULES OF PROCEDURE

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE PLEASANT VALLEY RECREATION AND PARK DISTRICT ESTABLISHING BYLAWS AND RULES OF PROCEDURE FOR THE CONDUCT OF BOARD BUSINESS

WHEREAS, in accordance with Government Code section 54954(a) and Public Resources Code section 5784.13, the Board of Directors ("Board") of the Pleasant Valley Recreation and Park District ("District") must specify the time and place for the holding of regular Board meetings, and enact rules for Board proceedings; and

WHEREAS, the Board accordingly desires to establish Board Bylaws and Rules of Procedure for the orderly and efficient operation of Board business.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby establishes the following Board Bylaws and Rules of Procedure:

Section 1. Power & Authority of Board.

- (A) **The Board.** The Board is the legislative body of the District. The Board possesses and shall exercise its powers in accordance with the District's principal act [the Recreation and Park District Law, Public Resources Code section 5780 et seq.], and other provisions of law governing the District and Board, including but not limited to the Ralph M. Brown Act (Government Code section 54950 et seq.).
- (B) **Roles & Responsibilities.** The Board is the District's policy maker. The District General Manager together with District staff shall administer and implement Board policies and directives. The Board shall provide direction to District staff through the General Manager or designee on all new and/or major issues. Individual Board members shall not direct staff to initiate an action, project, or study, or prepare a report which is significant in nature (exceeding 10 hours to accomplish) without approval of the Chair or a majority of the Board. All Directors shall receive or be notified of information requested by an individual Board member. The Board and District staff shall strive to work together in a positive, professional relationship.

Section 2. Board Officers.

- (A) **Officers.** Pursuant to Public Resources Code section 5784.7, the officers of the Board are a Chair and Vice Chair, respectively. The Board shall also elect a Secretary. No member of the Board may hold more than one (1) office.
- (B) **Election.** Board officers shall be elected by the Board within forty-five (45) days of each general district election or unopposed election, or at beginning of each

new term, the board shall meet and elect its officers for one-year terms, at the Board's annual reorganization meeting each year.

- 1) **Chair**: The Chair shall: (a) preside at all meetings of the Board to preserve order and decorum; (b) call special meetings of the Board as may be necessary; (c) consult with the General Manager and District staff in the preparation of Board meeting agendas; (d) appoint the chairs and members of Board committees, and establish ad hoc or advisory committees; (e) act as Board spokesperson concerning District issues; (f) sign District documents, as required or appropriate; and (g) perform other duties as may be required by law.
- 2) **Vice Chair**: In the event of absence, resignation or inability of the Chair to perform those duties of office listed in the preceding paragraph, the Vice Chair shall perform such duties.
- 3) **Secretary**: The Secretary, through the employee Clerk of the Board, shall be responsible for: (a) keeping accurate minutes of all meetings; (b) providing advance and proper notice of meetings in accordance with law; (c) countersigning any District documents, as required or appropriate; and (d) carrying out other duties as may be required by law.
- 4) **Finance Officer**: Pursuant to Public Resources Code section 5784.9, the Board shall appoint a Finance Officer. The Board hereby appoints the General Manager as the Finance Officer.
- 5) **Pleasure of Directors**: Officers shall serve at the pleasure of the majority of the Directors. At a regular or special meeting, a majority of the total membership of the Board may: (a) elect a successor to fill any officer vacancy created by absence, resignation or inability to perform the duties of office; or (b) remove an officer prior to the expiration of his or her one-year term. In such event, the Board shall elect a Director to fill such position for the balance of the then-current one-year term.

Section 3. Board Meetings. All Board meetings shall be held in accordance with the Ralph M. Brown Act, Government Code section 54950 et seq., and any other requirements established by law.

- (A) **Regular Meetings**: The regular monthly Board meetings shall be held on the first Wednesday of each calendar month, commencing at 6:00 p.m., at the City of Camarillo, City Hall Council Chambers at 601 Carmen Drive, Camarillo, California 93010. The Community Center at 1605 E. Burnley Street, Camarillo California 93010 is allocated as an alternate meeting location in the event the primary location specified is unavailable due to unforeseen circumstances. The Board may adjourn any regular meeting to a specific time and place, as set forth in the order of adjournment and in accordance with law.
- (B) **Special Meetings**: A special meeting may be called at any time by the Chair or by a majority of Directors, in accordance with the Ralph M. Brown Act. Such

meetings shall be held at the District office, unless otherwise specified in the written notice of the meeting.

- (C) **Emergency Meetings**: An emergency meeting may be called at any time, if an “emergency situation” exists as defined in the Ralph M. Brown Act.
- (D) **Quorum**: Three Directors constitute a quorum of the Board for the transaction of business. The Board shall act by ordinance, resolution or motion. Except as otherwise provided by law, a recorded majority vote of the total membership of the Board is required on each action. The Board shall keep a record of all its acts, including financial transactions.
- (E) **Procedures & Order**: Rules for order and procedure of Board meetings shall be determined by the Chair and subject to approval by a majority of the Board. Robert’s Rules of Order shall be applied to or govern the procedures for the conduct of Board business. In the case of ambiguity or uncertainty in the application of rules to any procedure, the Chair may direct such question to the District’s Legal Counsel, who shall be the parliamentarian for the Board.
- (F) **Public Input**: Meeting agendas shall provide an opportunity for members of the public to directly address the Board on any item of interest to the public, before or during the Board’s consideration of an item, in accordance with the requirements of the Ralph M. Brown Act. Speakers shall be requested, but cannot be required, to fill out a speaker card and state their name and city of residence for the record and thereafter address their remarks to the Board. Speakers on non-agenda items may address only items that are within the subject matter jurisdiction of the Board. Speakers on agenda items may be deferred until the specific agenda item is taken for discussion. All speakers are limited to three (3) minutes. The total time allotted for all public input on any one agenda item shall be limited to one (1) hour, in the discretion of the Chair, taking into consideration the number of speakers filing a request to address the Board. All questions of staff or the District shall be directed to the Chair, who will decide if a question is appropriate and who will respond. Typically, public inquiries on technical matters shall be referred to the General Manager or other District staff.
- (G) **Voting**: Voting shall occur by voice vote, except that a roll call vote shall occur if the item is an ordinance, resolution, or contract, or if a roll call vote is requested by any Director or is otherwise required by law. The Chair shall determine whether an item has been approved or adopted.
- (H) **Disqualification For Conflict of Interest**: Any Board member who is disqualified from voting on a particular matter by reason of a conflict of interest shall publicly state the nature of such disqualification, recuse themselves, step down from the dais and leave the meeting room until the matter is concluded.

(I) Litigation & Confidential Information.

(1) Closed Sessions: Board members shall keep in complete confidence all written materials and information provided to them during closed session, to ensure that the District's position is not compromised. Board members shall not discuss confidential information with anyone other than other Board members, the General Manager or designee, and District Legal Counsel, and any such discussion shall be in accordance with the Ralph M. Brown Act.

(2) Negotiations: If the Board in closed session has provided direction on negotiations concerning a closed session item (e.g. real property negotiations, litigation, etc.), all contact(s) with the other party or its representative(s) will be by the designated District representative (Board member, General Manager or designee, or District Legal Counsel) representing the District. Unless designated as a representative, a Board member shall not have contact or discussion with the other party or its representative(s) during the negotiations period, and shall not communicate any discussion or information occurring or provided in closed session.

Section 4. Board Committees. There shall exist the following standing committees of the Board: (a) Finance; (b) Foundation; (c) Liaison; (d) Long-Range Planning; (e) Personnel; and (f) Policy. Each committee is a "legislative body" and shall comply with applicable requirements of the Ralph M. Brown Act. Each committee shall determine the time and place for holding regular meetings.

Section 5. Amendments. These Board Bylaws and Rules of Procedure may be amended by a majority of the total membership of the Board.

Section 6. Effective Date. These Board Bylaws and Rules of Procedure shall take effect immediately and shall supersede Resolution No. 515 previously-adopted Board bylaws and procedures.

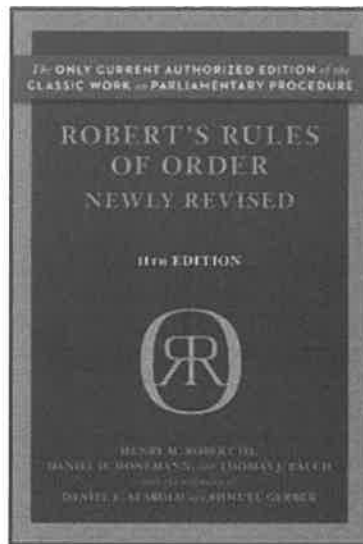
ADOPTED AND APPROVED BY THE BOARD OF DIRECTORS on January 3, 2018, by the following vote:

Ayes:
Nays:
Abstain:

Mark Malloy
Chair, Board of Directors

Attested:

Elaine Magner
Secretary, Board of Directors



Robert's Rules of Order - Summary Version

Introduction to Robert's Rules of Order

What Is Parliamentary Procedure?

It is a set of rules for conduct at meetings that allows everyone to be heard and to make decisions without confusion.

Why is Parliamentary Procedure Important?

Because it's a time tested method of conducting business at meetings and public gatherings. It can be adapted to fit the needs of any organization. Today, Robert's Rules of Order newly revised is the basic handbook of operation for most clubs, organizations and other groups. So it's important that everyone know these basic rules!

Organizations using parliamentary procedure usually follow a fixed order of business. Below is a typical example:

1. Call to order.
2. Roll call of members present.
3. Reading of minutes of last meeting.
4. Officer's reports.
5. Committee reports.
6. Special orders --- Important business previously designated for consideration at this meeting.
7. Unfinished business.
8. New business.
9. Announcements.
10. Adjournment.

The method used by members to express themselves is in the form of moving motions. A motion is a proposal that the entire membership take action or a stand on an issue. Individual members can:

1. Call to order.
2. Second motions.
3. Debate motions.
4. Vote on motions.

There are four Basic Types of Motions:

1. **Main Motions:** The purpose of a main motion is to introduce items to the membership for their consideration. They cannot be made when any other motion is on the floor, and yield to privileged, subsidiary, and incidental motions.
2. **Subsidiary Motions:** Their purpose is to change or affect how a main motion is handled, and is voted on before a main motion.
3. **Privileged Motions:** Their purpose is to bring up items that are urgent about special or important matters unrelated to pending business.
4. **Incidental Motions:** Their purpose is to provide a means of questioning procedure concerning other motions and must be considered before the other motion.

How are Motions Presented?

1. **Obtaining the floor**
 - a. Wait until the last speaker has finished.
 - b. Rise and address the Chairman by saying, "Mr. Chairman, or Mr. President."
 - c. Wait until the Chairman recognizes you.
2. **Make Your Motion**
 - a. Speak in a clear and concise manner.
 - b. Always state a motion affirmatively. Say, "I move that we ..." rather than, "I move that we do not ..."
 - c. Avoid personalities and stay on your subject.
3. **Wait for Someone to Second Your Motion**
4. **Another member will second your motion or the Chairman will call for a second.**
5. **If there is no second to your motion it is lost.**
6. **The Chairman States Your Motion**
 - a. The Chairman will say, "it has been moved and seconded that we ..." Thus placing your motion before the membership for consideration and action.
 - b. The membership then either debates your motion, or may move directly to a vote.
 - c. Once your motion is presented to the membership by the chairman it becomes "assembly property", and cannot be changed by you without the consent of the members.
7. **Expanding on Your Motion**

- a. The time for you to speak in favor of your motion is at this point in time, rather than at the time you present it.
 - b. The mover is always allowed to speak first.
 - c. All comments and debate must be directed to the chairman.
 - d. Keep to the time limit for speaking that has been established.
 - e. The mover may speak again only after other speakers are finished, unless called upon by the Chairman.
8. Putting the Question to the Membership
- a. The Chairman asks, "Are you ready to vote on the question?"
 - b. If there is no more discussion, a vote is taken.
 - c. On a motion to move the previous question may be adapted.

Voting on a Motion:

The method of vote on any motion depends on the situation and the by-laws of policy of your organization. There are five methods used to vote by most organizations, they are:

1. By Voice -- The Chairman asks those in favor to say, "aye", those opposed to say "no". Any member may move for a exact count.
2. By Roll Call -- Each member answers "yes" or "no" as his name is called. This method is used when a record of each person's vote is required.
3. By General Consent -- When a motion is not likely to be opposed, the Chairman says, "if there is no objection ..." The membership shows agreement by their silence, however if one member says, "I object," the item must be put to a vote.
4. By Division -- This is a slight verification of a voice vote. It does not require a count unless the chairman so desires. Members raise their hands or stand.
5. By Ballot -- Members write their vote on a slip of paper, this method is used when secrecy is desired.

There are two other motions that are commonly used that relate to voting.

1. Motion to Table -- This motion is often used in the attempt to "kill" a motion. The option is always present, however, to "take from the table", for reconsideration by the membership.
2. Motion to Postpone Indefinitely -- This is often used as a means of parliamentary strategy and allows opponents of motion to test their strength without an actual vote being taken. Also, debate is once again open on the main motion.

Parliamentary Procedure is the best way to get things done at your meetings. But, it will only work if you use it properly.

1. Allow motions that are in order.
2. Have members obtain the floor properly.
3. Speak clearly and concisely.

4. Obey the rules of debate.

Most importantly, *BE COURTEOUS*.

For Fair and Orderly Meetings & Conventions

Provides common rules and procedures for deliberation and debate in order to place the whole membership on the same footing and speaking the same language. The conduct of ALL business is controlled by the general will of the whole membership - the right of the deliberate majority to decide. Complementary is the right of at least a strong minority to require the majority to be deliberate - to act according to its considered judgment AFTER a full and fair "working through" of the issues involved. Robert's Rules provides for constructive and democratic meetings, to help, not hinder, the business of the assembly. Under no circumstances should "undue strictness" be allowed to intimidate members or limit full participation.

The fundamental right of deliberative assemblies requires all questions to be thoroughly discussed before taking action!

The assembly rules - they have the final say on everything!

Silence means consent!

- Obtain the floor (the right to speak) by being the first to stand when the person speaking has finished; state Mr/Madam Chairman. Raising your hand means nothing, and standing while another has the floor is out of order! Must be recognized by the Chair before speaking!
- Debate cannot begin until the Chair has stated the motion or resolution and asked "are you ready for the question?" If no one rises, the chair calls for the vote!
- Before the motion is stated by the Chair (the question) members may suggest modification of the motion; the mover can modify as he pleases, or even withdraw the motion without consent of the seconder; if mover modifies, the seconder can withdraw the second.
- The "immediately pending question" is the last question stated by the Chair! Motion/Resolution - Amendment - Motion to Postpone
- The member moving the "immediately pending question" is entitled to preference to the floor!
- No member can speak twice to the same issue until everyone else wishing to speak has spoken to it once!
- All remarks must be directed to the Chair. Remarks must be courteous in language and deportment - avoid all personalities, never allude to others by name or to motives!

- The agenda and all committee reports are merely recommendations! When presented to the assembly and the question is stated, debate begins and changes occur!

The Rules

- **Point of Privilege:** Pertains to noise, personal comfort, etc. - may interrupt only if necessary!
- **Parliamentary Inquiry:** Inquire as to the correct motion - to accomplish a desired result, or raise a point of order
- **Point of Information:** Generally applies to information desired from the speaker: "I should like to ask the (speaker) a question."
- **Orders of the Day (Agenda):** A call to adhere to the agenda (a deviation from the agenda requires Suspending the Rules)
- **Point of Order:** Infraction of the rules, or improper decorum in speaking. Must be raised immediately after the error is made
- **Main Motion:** Brings new business (the next item on the agenda) before the assembly
- **Divide the Question:** Divides a motion into two or more separate motions (must be able to stand on their own)
- **Consider by Paragraph:** Adoption of paper is held until all paragraphs are debated and amended and entire paper is satisfactory; after all paragraphs are considered, the entire paper is then open to amendment, and paragraphs may be further amended. Any Preamble cannot be considered until debate on the body of the paper has ceased.
- **Amend:** Inserting or striking out words or paragraphs, or substituting whole paragraphs or resolutions
- **Withdraw/Modify Motion:** Applies only after question is stated; mover can accept an amendment without obtaining the floor
- **Commit /Refer/Recommit to Committee:** State the committee to receive the question or resolution; if no committee exists includes size of committee desired and method of selecting the members (election or appointment).
- **Extend Debate:** Applies only to the immediately pending question; extends until a certain time or for a certain period of time
- **Limit Debate:** Closing debate at a certain time, or limiting to a certain period of time
- **Postpone to a Certain Time:** State the time the motion or agenda item will be resumed
- **Object to Consideration:** Objection must be stated before discussion or another motion is stated
- **Lay on the Table:** Temporarily suspends further consideration/action on pending question; may be made after motion to close debate has carried or is pending
- **Take from the Table:** Resumes consideration of item previously "laid on the table" - state the motion to take from the table

- **Reconsider:** Can be made only by one on the prevailing side who has changed position or view
- **Postpone Indefinitely:** Kills the question/resolution for this session - exception: the motion to reconsider can be made this session
- **Previous Question:** Closes debate if successful - may be moved to "**Close Debate**" if preferred
- **Informal Consideration:** Move that the assembly go into "**Committee of the Whole**" - informal debate as if in committee; this committee may limit number or length of speeches or close debate by other means by a 2/3 vote. All votes, however, are formal.
- **Appeal Decision of the Chair:** Appeal for the assembly to decide - must be made before other business is resumed; NOT debatable if relates to decorum, violation of rules or order of business
- **Suspend the Rules:** Allows a violation of the assembly's own rules (except Constitution); the object of the suspension must be specified

Taken from: <http://www.robertsrules.org/>

**PLEASANT VALLEY RECREATION AND PARK DISTRICT
STAFF REPORT / AGENDA REPORT**

TO: BOARD OF DIRECTORS

FROM: MARY OTTEN, GENERAL MANAGER
By: Anthony Miller, Administrative Analyst

DATE: February 25, 2021

**SUBJECT: REVIEW OF DISTRICT POLICY SETTING
COMPENSATION, REIMBURSEMENT OF BOARD
MEMBER EXPENSES, PROVIDING FOR ETHICS
TRAINING AND RELATED MATTERS**

SUMMARY

Staff is recommending that the Policy Committee Review both Ordinance No. 10 and Resolution No. 583 which are established as the District's policy setting compensation, reimbursement of board member expenses, providing for ethics training and related matters. It is considered best practice to review these documents approximately every two years.

BACKGROUND

The District is obligated to comply with several Government codes, in particular the Public Resource Code Section 5784.15. Each Board Member of the Board of Directors may receive per diem compensation for each day of service rendered, together with expenses, subject to limits set for by the law. Within these sections, the code requires that special districts establish policies and procedures for the orderly and efficient operation of Board business. Traditionally, the Policy Committee reviews the existing policy for potential changes and makes recommendations to the full board for approval. In 2018, the following minor changes were made:

- Section 1: (A) Specifically identifying meeting or events that meet the guidelines for compensation. Removing verbiage that was repetitive.
- Section 1: (B) Clarifying special meeting, attendance and approved sponsored organizations.
- Section 1: (D) Added guidelines in accordance to Governmental Code for sexual harassment training.
- Section 2: (B) Clarifying compliance with lodging expenses and cleaning up verbiage.
- Section 2: (C) Clarifying approved expenses prior to incurred.
- Section 3: (A) Clarifying proper documents and records for expenses incurred.
- Section 6: Added Sexual Harassment prevention training and education in accordance with Government Code section 53237.1.
- Section 7: Effective date immediately and shall supersede Resolution No. 394.

Additionally, in 2019, the Board Also Approved Ordinance No. 10, which effectively raised the compensation limit to \$105 per meeting, not to exceed 5 meetings per month.

ANALYSIS

The current policy is under review by District legal counsel for any potential recommended changes. However, staff does not expect there to be any major changes recommended as the policy currently conforms with State Code.

FISCAL IMPACT

District staff does not anticipate a fiscal impact associated with approval of the revised District setting compensation for days of service by Board Members, reimbursement of Board Member expenses, providing for ethics training and related matters.

RECOMMENDATION

It is recommended that the Policy Committee review Ordinance No. 10 and Resolution 583 and provide recommendations for potential updates.

ATTACHMENTS

- 1) Resolution No. 583
- 2) Ordinance No. 10

RESOLUTION NO. 583

RESOLUTION OF THE BOARD OF DIRECTORS OF PLEASANT VALLEY RECREATION AND PARK DISTRICT SETTING COMPENSATION FOR DAYS OF SERVICE BY BOARD MEMBERS, REIMBURSEMENT OF BOARD MEMBER EXPENSES, PROVIDING FOR ETHICS TRAINING AND RELATED MATTERS

WHEREAS, California Public Resources Code Section 5784.15 provides that each member (“Director”) of the Board of Directors (“Board”) may receive per diem compensation for each day of service rendered, together with expenses, subject to limits set forth by law; and

WHEREAS, AB 1234 (Chapter 700, Statutes of 2005) added and amended certain statutory requirements, which among other things govern the receipt of per diem and expense reimbursement by Directors; and

WHEREAS, this resolution is intended to set forth the District’s policy and procedures for compensation and reimbursement of expenses of Directors, to ensure compliance with Public Resources Code Section 5784.15 and AB 1234.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. PER DIEM COMPENSATION/DAY OF SERVICE: Pursuant to Public Resources Code section 5784.15, each Director shall receive compensation from the District in an amount not to exceed one hundred dollars (\$100) per day, for the following:

- (A) Attendance by a Director at any Board meeting including, but not limited to, regular board meetings, special meetings, closed sessions, emergency meetings, Board field trips, district public hearings, or meetings of a committee of the Board.
- (B) Attendance at conferences, organized educational activities, or meetings when the Board hereby determines that such attendance has significant and meaningful link to purpose, policies and interests of the district and is therefore beneficial to the District such as events sponsored by:

- I. California Special Districts Association (CSDA)

- II. California Association of Recreation and Park Districts (CARPD)
- III. Santa Monica Mountains Conservancy
- IV. Ventura County Special Districts Association
- V. LAFCO
- VI. Designated by Board Chair

- (C) Attendance at meetings providing ethics training in accordance with Government Code section 53232.1(a)(3).
- (D) Attendance at meetings providing Sexual Harassment Prevention Training and Education in accordance with Government Code section 53237.1, which the Board deems to be part of the official duties of a Director.

A member of the Board of Directors may waive the compensation which must be designated prior to attendance.

The maximum compensation for each Director in any calendar month shall be five hundred dollars (\$500), *exclusive of expenses*. Directors may receive their actual and necessary traveling and incidental expenses incurred while on official business in accordance with Section 2 below.

2. REIMBURSEMENT OF EXPENSES:

- (A) Each Director shall be entitled to reimbursement of actual and necessary expenses incurred in the performance of official duties. Reimbursable expenses shall include, but not be limited to, meals, lodging, and travel. In accordance with Government Code section 53232.2, the District shall use the Internal Revenue Service (IRS) rates for reimbursement of such expenses as established in Publication 463 or any successor publication thereto.
- (B) If the lodging expenses are in connection with a conference or organized educational activity, conducted in compliance with subdivision of Section 54952.2, including but not limited to, ethics training, required by Article 2.4 (commencing with Section 53234), or as otherwise approved by the Board in accordance with Section 1, the costs shall not exceed the maximum group rate published by the conference or activity sponsor,

provided that lodging at the group rate is available to the board member at the time of booking. If the group rate is not available, the Director shall use comparable lodging that is consistent with the requirements of this policy. Each Director shall use government rates and group rates offered by a provider of transportation and lodging for travel and lodging when available.

- (C) All expenses that do not fall within this policy or the IRS reimbursable rates shall be subject to approval by the Board of Directors, in a public meeting, before the expense is incurred. Any such expenses not approved by the Board of Directors prior to being incurred will not be eligible for reimbursement.

I. The following expenses will not be reimbursed:

1. Alcoholic beverages
2. Parking or traffic violations
3. In-room movies
4. Laundry services
5. Entertainment
6. Expenses incurred on behalf of a spouse, dependent or traveling companion.

- (D) If a Board member chooses to incur additional costs that are above the rates established pursuant to this section and those costs have not been approved, then the Board member may do so at his or her own expense.

3. EXPENSE REPORTS:

- (A) Each Director shall submit expense reports within thirty (30) days after attendance at a meeting, conference, or event at which authorized or pre-approved reimbursement expenses were incurred; a Director shall submit a signed expense reimbursement request on a form approved by the District, together with valid receipts documenting each expense. All documents related to reimbursable agency expenditures are public records subject to disclosure under the California Public Records Act (Government Code Section 6250 et seq.).
- (B) The Board secretary shall produce and distribute a quarterly report containing the expense reimbursements of the Directors. The report shall be presented to the Board on a quarterly basis.

4. BOARD MEMBER REPORTS: All Board members, either verbal or in writing, shall briefly report on meetings attended at District expense at the next regular scheduled Board meeting following the meeting for which the reimbursement is received.

5. ETHICS TRAINING: In accordance with Government Code section 53234, Directors and any designated employees shall receive at least two (2) hours of training in general ethics principals and ethics laws relevant to his or her public service every two (2) years. Certificates of completion of ethics training shall be maintained by the District for at least five (5) years.

6. SEXUAL HARASSMENT PREVENTION TRAINING AND EDUCATION: In accordance with Government Code section 53237.1, Directors and any designated employees shall receive at least two (2) hours of training in Sexual Harassment Prevention Training and Education within the first six months of taking office or commencing employment, and every two (2) years thereafter. Certificates of completion of this training shall be maintained by the District for at least five (5) years.

7. EFFECTIVE DATE: These Board Bylaws and Rules of Procedure shall take effect immediately and shall supersede Resolution No. 394 previously-adopted Board reimbursement of expenses, providing for ethics training and related matters.

PASSED AND ADOPTED by the Board of Directors of Pleasant Valley Recreation and Park District this _____ day of _____, 2018, by the following vote:

AYES: _____
NAYS: _____
ABSENT: _____

Mark Malloy, Chairman, Board of Directors
PLEASANT VALLEY RECREATION AND PARK DISTRICT

(SEAL)
ATTEST:

Elaine Magner, Secretary, Board of Directors
PLEASANT VALLEY RECREATION AND PARK DISTRICT

ORDINANCE NO. 10

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE PLEASANT VALLEY RECREATION AND PARK DISTRICT SETTING BOARD MEMBER COMPENSATION

WHEREAS, on January 3, 2018 the Board adopted Resolution No. 583 pursuant to Public Resources Code 5784.15 setting the compensation of Board Members; and

WHEREAS, the compensation for Directors for each day's attendance at meetings of the Board or for each day's service rendered as a Director by request of the Board is \$100 under Resolution No. 583; and

WHEREAS, the Board desires to adjust Board Member compensation as permitted under State law; and

WHEREAS, this item was properly noticed for a public hearing by the Board of Directors on September 15, 2019.

THE BOARD OF DIRECTORS OF THE PLEASANT VALLEY RECREATION AND PARK DISTRICT ORDAINS AS FOLLOWS:

SECTION 1. – The recitals above are true and correct and incorporated herein by reference.

SECTION 2. – Permitted Compensation

- A. The first sentence of Section 1 of Resolution No. 583 is revised to increase the amount of compensation for each Director for each day's attendance at meetings of the Board or for each day's service rendered as a Director by request of the Board to \$105.00.
- B. Directors may not receive compensation for services rendered for more than a total of 5 days in any calendar month per the Public Resources Code Section 5784.15.
- C. In addition to daily compensation authorized in subsection A, the Board authorizes the reimbursement of any actual costs, per Resolution No. 583, incurred by a Director when rendering services as a Director by request of the Board.

SECTION 3. – Future Adjustments to Compensation. Any future increases in compensation for Directors must be approved by an ordinance of the Board and the increase may not exceed the amount permitted by State law since the last increase.

SECTION 4. – This Ordinance will become effective 60 days from the date of adoption.

SECTION 5. – Except as expressly provided for in Section 1(A) above, all other provisions of Resolution No. 583 shall remain in full force and effect.

SECTION 6. - The Clerk of the Board of Directors shall certify to the passage of this Ordinance and cause the same to be posted and published in accordance with law.

PASSED AND ADOPTED this ____ day of _____, 2019, by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

Robert Kelley, Chairman, Board of Directors
Pleasant Valley Recreation and Park District

ATTESTED:

Dr. Neal Dixon, Secretary, Board of Directors
Pleasant Valley Recreation and Park District

PVRPD Board Approved Policies

- **Debt Policy – 2009**
- **Disposal of District Property Policy – 2018**
- **Fee Schedule – 2017**
- General Use Policy – 2019
- Grant Application Policy – 2019
- **Investment Policy – 2015**
- Legislative Advocacy Policy – 2019
- **Naming Policy – 2015**
- Record Retention Policy – 2020
- **Reserve Policy – 2015**
- Social Media Policy – 2019