

CLEARLAKE OAKS COUNTY WATER DISTRICT RESOLUTION NO. 26-12

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CLEARLAKE OAKS COUNTY WATER DISTRICT ADOPTING A DIRECTOR COMPENSATION AND REIMBURSEMENT POLICY

WHEREAS, the Clearlake Oaks County Water District (the “District”) is a county water district organized and operating under the County Water District Law (Water Code § 30000 et seq.) and governed by a Board of Directors (the “Board”); and

WHEREAS, Water Code section 30507 authorizes each director of a county water district to receive compensation in an amount not to exceed one hundred dollars (\$100) 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, not exceeding a total of six days in any calendar month, together with expenses incurred in the performance of duties required or authorized by the board, and provides that the determination of whether a director’s activities on any day are compensable, and the reimbursement of expenses, are governed by Article 2.3 (commencing with Section 53232) of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code; and

WHEREAS, Government Code section 53232.1 identifies the occasions for which a member of a legislative body may receive compensation and requires a local agency that compensates its members for other occasions, or for attendance at conferences and organized educational activities, to adopt a written policy specifying those occasions; and

WHEREAS, Government Code section 53232.2 requires a local agency that reimburses members of its legislative body for actual and necessary expenses to adopt, in a public meeting, a written policy specifying the types of occurrences that qualify for reimbursement and the reasonable reimbursement rates for travel, meals, lodging, and other actual and necessary expenses; and

WHEREAS, Government Code sections 53232.3 and 53232.4 establish expense reporting requirements and penalties for misuse of public resources, and Government Code sections 53234 through 53235.2 require local agency officials who receive compensation or expense reimbursement to complete ethics training and require the local agency to maintain and make available records of that training; and

WHEREAS, the Director Compensation and Reimbursement Policy attached to this Resolution as Exhibit A (the “Policy”) maintains Director compensation at a rate not exceeding one hundred dollars (\$100) per day, for not more than six days per calendar month, as authorized by Water

Code section 30507, and therefore does not increase Director compensation or require an ordinance under Water Code section 20200 et seq.; and

WHEREAS, the Board considered the Policy, the staff report, and all public comment at a duly noticed public meeting held on October 15, 2026, in compliance with the Ralph M. Brown Act (Government Code § 54950 et seq.).

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Clearlake Oaks County Water District as follows:

Section 1. Recitals. The foregoing recitals are true and correct and are incorporated into this Resolution by this reference.

Section 2. Adoption of Policy. The Board hereby approves and adopts Board Policy No. 2026-12, "Director Compensation and Reimbursement Policy," in the form attached hereto as Exhibit A and incorporated herein by this reference. The Board intends that the Policy constitute the written policy required by Government Code sections 53232.1 and 53232.2, adopted at a public meeting.

Section 3. Rate of Compensation. Pursuant to Water Code section 30507 and Section 3.1 of the Policy, the compensation of each Director is hereby fixed at one hundred dollars (\$100.00) for each Compensable Day, not to exceed six (6) Compensable Days in any calendar month.

Section 4. Compensable Occasions. The Board finds and determines that each of the occasions described in Section 3.3 of the Policy, including attendance at conferences and organized educational activities described in Section 3.3(c) and meetings with representatives of other public agencies described in Section 3.3(d), constitutes the performance of official duties of a Director for purposes of Government Code section 53232.1.

Section 5. Rescission of Prior Policies. Any prior resolution, policy, or action of the Board concerning Director compensation or expense reimbursement to the extent inconsistent with the Policy, are hereby rescinded and superseded as of the effective date of this Resolution; provided, however, that any claim for compensation for service performed, or for reimbursement of an expense incurred, before the effective date of this Resolution shall be processed in accordance with the policy in effect when the service was performed or the expense was incurred.

Section 6. Implementation. The General Manager, or the General Manager's designee, is authorized and directed to take all actions necessary to implement the Policy, including the following:

- (a) Prepare and make available the compensation claim and expense report forms required by Section 9.2 of the Policy;

- (b) Provide a copy of the Policy to each current Director and to each Director who takes office after the effective date of this Resolution;
- (c) Assist the Secretary of the Board in maintaining the ethics training records required by Section 7.2 of the Policy and in posting on the District's website the instructions and contact information for requesting those records required by Government Code section 53235.2, subdivision (c); and
- (d) Make the Policy available to the public at the District office and on the District's website.

Section 7. CEQA. The Board finds that adoption of this Resolution and the Policy is not a "project" within the meaning of the California Environmental Quality Act (Public Resources Code § 21000 et seq.) ("CEQA"), because it constitutes general policy and procedure making, a government fiscal activity that does not involve any commitment to any specific project, and an organizational or administrative activity of government that will not result in direct or indirect physical changes in the environment (CEQA Guidelines, Cal. Code Regs., tit. 14, § 15378, subds. (b)(2), (b)(4), and (b)(5)).

Section 8. Severability. If any section, subsection, sentence, clause, or phrase of this Resolution or the Policy is for any reason held invalid or unenforceable by a court of competent jurisdiction, that holding shall not affect the validity of the remaining portions of this Resolution or the Policy. The Board declares that it would have adopted this Resolution and the Policy, and each portion thereof, irrespective of the fact that any one or more portions be declared invalid or unenforceable.

Section 9. Effective Date. This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED, AND ADOPTED by the Board of Directors of the Clearlake Oaks County Water District at a regular meeting held on the October 15, 2026, by the following vote:

AYES: ARCHACKI, HEKMAN, MITCHELL, WHITTIER, KRAZIEK

NOES:

ABSTAIN:

ANSENT:



Stanley Archacki, President
Board of Directors

ATTEST:

Olivia Mann, Secretary of the Board

EXHIBIT A

BOARD POLICY NO. 2026-12 DIRECTOR COMPENSATION AND REIMBURSEMENT POLICY

1. PURPOSE AND AUTHORITY

1.1 Purpose. This Policy establishes (a) the rate, conditions, and procedures under which members of the Board of Directors (“Directors”) of the Clearlake Oaks County Water District (“District”) may receive compensation for services rendered to the District, and (b) the types of expenses for which Directors may be reimbursed, the rates and documentation required for reimbursement, and the reporting obligations that accompany reimbursement, in each case consistent with California law.

1.2 Authority. This Policy is adopted pursuant to Water Code Section 30507, which authorizes compensation for directors of a county water district, and pursuant to Article 2.3 (commencing with Section 53232) of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code, which governs the compensability of a legislative body member’s activities and requires local agencies that compensate their board members to adopt a written policy identifying the specific occasions for which compensation may be paid. This Policy is also the written policy required by Government Code Section 53232.2 for local agencies, including special districts, that reimburse members of a legislative body for actual and necessary expenses incurred in the performance of official duties, and is intended to satisfy the reporting requirements of Government Code Section 53232.3 and the ethics training requirements of Government Code Section 53235. This Policy consolidates and supersedes the District’s prior Board Policy No. 100 (Director Compensation Policy) and Board Policy No. 101 (Director Expense Reimbursement Policy).

2. DEFINITIONS

- a. “Actual and Necessary Expense” means a reasonable, documented expense that is directly related to, and reasonably necessary for, the performance of official District duties described in Section 4 of this Policy.
- b. “Board” means the Board of Directors of the District.
- c. “Compensable Day” means a calendar day on which a Director performs one or more Compensable Services, regardless of the number of Compensable Services performed that day.
- d. “Compensable Service” means an occurrence described in Section 3.3 of this Policy for which a Director may receive compensation.
- e. “Director” means a member of the Board.
- f. “District” means the Clearlake Oaks County Water District.
- g. “IRS Publication 463” means the Internal Revenue Service’s Publication 463, Travel, Gift, and Car Expenses, or any successor publication, as amended from time to time.

3. COMPENSATION FOR SERVICE

3.1 Rate of Compensation. Each Director shall receive compensation in an amount not to exceed one hundred dollars (\$100.00) for each Compensable Day, as established by Water Code Section 30507.

3.2 Monthly Limit. A Director shall not receive compensation for more than six (6) Compensable Days in any calendar month.

3.3 Compensable Occasions. Consistent with Government Code Section 53232.1, and as the written policy required by subdivision (b) of that section, a Director's attendance or service on the following occasions is compensable under this Policy:

- a. A regular, special, or adjourned meeting of the Board;
- b. A meeting of a committee, subcommittee, or advisory body of the District to which the Director has been appointed by the Board or its President;
- c. A conference, seminar, workshop, or other organized educational activity, including ethics training required by Government Code Section 53235, that relates to the Director's official duties or the District's operations and that has been approved, generally or specifically, by the Board;
- d. A meeting with representatives of local, state, or federal government, or of another public agency, undertaken on behalf of the District at the request of, or with the authorization of, the Board or General Manager; and
- e. Any other occasion of service performed at the request of the Board, provided that the Board first adopts, at a public meeting, a resolution identifying that category of service as compensable, consistent with Government Code Section 53232.1(b).

3.4 Determination of Compensability. Whether a Director's activity on a given day is compensable shall be determined in accordance with Section 3.3 of this Policy and Article 2.3 (commencing with Section 53232) of the Government Code. A Director claiming compensation shall submit the form prescribed by the District identifying the date, occasion, and nature of the service performed.

3.5 Directors Serving Without Compensation. A Director may elect, by written notice to the Secretary of the Board, to waive compensation for any or all Compensable Days.

3.6 Relationship to Expense Reimbursement. Compensation paid under this Policy is separate from, and in addition to, reimbursement of Actual and Necessary Expenses under Section 4 of this Policy.

4. OCCASIONS QUALIFYING FOR EXPENSE REIMBURSEMENT

4.1 Qualifying Occasions. A Director may be reimbursed for actual and necessary expenses incurred in connection with:

- a. Attendance at a regular, special, or adjourned meeting of the Board;
- b. Attendance at a meeting of a committee, subcommittee, or advisory body to which the Director has been appointed;

- c. Attendance at a conference, seminar, workshop, legislative or regulatory meeting, or other organized educational activity, including ethics training required by Government Code Section 53235, that relates to the Director's official duties or the District's operations;
- d. Travel undertaken on behalf of the District at the request of, or with the prior authorization of, the Board or General Manager; and
- e. Any other activity approved in advance by the Board, in a public meeting, as reimbursable District business.

4.2 Expenses Requiring Advance Approval. Any expense not described in Section 4.1, or any expense expected to exceed the rates established in Section 5 of this Policy, requires the advance approval of the Board in a public meeting before the expense is incurred, consistent with Government Code Section 53232.2(f), except that the General Manager may authorize an expense not to exceed \$500.00 per occurrence in unforeseen or emergency circumstances, subject to ratification by the Board at its next regular meeting.

5. REIMBURSABLE EXPENSES AND RATES

5.1 Transportation. Mileage for use of a personal vehicle on District business shall be reimbursed at the standard mileage rate published by the Internal Revenue Service for business use of a personal vehicle, as in effect on the date the travel occurs. Air travel shall be booked at the lowest reasonably available coach or economy class fare; a Director who chooses a higher class of service shall personally bear the cost differential. Actual and reasonable costs of rental vehicles, parking, bridge and road tolls, and taxi, rideshare, or shuttle fares incurred in connection with a qualifying occasion are reimbursable.

5.2 Lodging. A Director shall be reimbursed for the actual cost of lodging reasonably related to a qualifying occasion under Section 4.1, at the single-occupancy government or group rate where available. For lodging associated with a conference or organized educational activity, reimbursement shall not exceed the maximum group rate published by the conference or event sponsor, provided that rate was available at the time of booking, consistent with Government Code Section 53232.2(d). If a group rate is not available, the Director shall provide documentation of that fact and shall be reimbursed at a comparable rate for similar lodging in the same area.

5.3 Meals. A Director shall be reimbursed for the actual and reasonable cost of meals incurred on a qualifying occasion, supported by itemized receipts, not to exceed the daily meal and incidental expense per diem rate then in effect for the applicable location under the federal per diem rates published by the U.S. General Services Administration (or, for travel outside the continental United States, the U.S. Department of State), unless the Board adopts a different rate schedule by resolution. If this Policy does not specify a rate for a particular expense, reimbursement shall default to the rates in IRS Publication 463, consistent with Government Code Section 53232.2(c).

5.4 Other Necessary Expenses. Other actual and necessary expenses directly related to a qualifying occasion, including conference or seminar registration fees and the reasonable cost of business communications (telephone, internet, or facsimile) incurred while traveling on District business, are reimbursable upon presentation of a receipt.

5.5 Non-Reimbursable Expenses. The following are not reimbursable under this Policy:

- a. Alcoholic beverages;
- b. Entertainment expenses, including theater, sporting events, and other cultural or recreational activities not related to official District business;
- c. Expenses for a spouse, family member, or guest, unless that person's attendance serves a legitimate District purpose and has been approved in advance by the Board;
- d. Personal expenses unrelated to official duties, including personal grooming, entertainment, and other incidentals;
- e. Fines, penalties, or citations incurred by a Director, including parking and traffic violations; and
- f. Political or charitable contributions.

6. DOCUMENTATION AND EXPENSE REPORTS

6.1 Expense Report Required. A Director seeking reimbursement shall submit a completed District expense report form, itemizing each expense by date, amount, and business purpose, together with original itemized receipts for each expense, within thirty (30) days after the expense is incurred or the Director returns from travel, whichever is later.

6.2 Missing Receipts. If an original receipt is not available, the Director shall submit a written statement explaining the expense, including the date, amount, and business purpose, which the Board or General Manager may accept in its discretion.

6.3 Report on Meetings and Conferences Attended. Consistent with Government Code Section 53232.3, a Director who attends a meeting, conference, or educational activity at the District's expense shall provide a brief oral or written report on that meeting or activity at the next regular meeting of the Board.

6.4 Public Records. All expense reports, receipts, and related documentation submitted under this Policy are public records subject to disclosure under the California Public Records Act (Government Code Section 7920.000 et seq.).

7. ETHICS TRAINING REQUIREMENT

7.1 Mandatory Training. Because the District provides compensation to Directors and reimburses Directors for actual and necessary expenses, each Director is a "local agency official" under Government Code Section 53234 and must receive at least two (2) hours of training in general ethics principles and ethics laws relevant to public service, as required by Government Code Section 53235. A Director who commences service with the District on or after January 1, 2026, shall complete that training no later than six months after the first day of service. Thereafter, each Director shall receive the training required by this Section at least once every two (2) years, consistent with Government Code Section 53235.1.

7.2 Recordkeeping. The Secretary of the Board shall maintain records of the dates each Director completed the training required by this Section and the entity that provided the training, for at least five (5) years, consistent with Government Code Section 53235.2. These records are public records subject to disclosure under the California Public Records Act (Government

Code Section 7920.000 et seq.). Commencing July 1, 2026, if the District maintains an internet website, the District shall post on that website clear instructions and contact information for the purpose of requesting the records described in this Section, consistent with Government Code Section 53235.2(c).

8. VIOLATIONS

8.1 Consequences of Misuse. Consistent with Government Code Section 53232.4, a Director who causes the misuse of public resources or who intentionally files a false or fraudulent expense report in violation of this Policy may be subject to: (a) loss of reimbursement privileges; (b) restitution to the District; (c) civil penalties for misuse of public resources under Government Code Section 8314; and (d) prosecution for misuse of public resources under Penal Code Section 424. In addition, a Director who repeatedly fails to comply with the documentation, reporting, or procedural requirements of this Policy may, upon a majority vote of the Board, have reimbursement privileges suspended until compliance is restored.

9. ADMINISTRATION

9.1 Payment of Compensation. Compensation claims shall be processed through the District's regular warrant or payroll process following verification by the General Manager, or designee, that the claimed service was a Compensable Service under this Policy.

9.2 Forms. The General Manager shall develop and make available the forms required for Directors to document compensable service under Section 3 and to claim expense reimbursement under Section 6 of this Policy.

9.3 Annual Review. The Board shall review this Policy at least once every two (2) years, or more frequently as needed, to confirm continued compliance with applicable law.

9.4 Severability. If any provision of this Policy, or its application to any person or circumstance, is held invalid, that invalidity shall not affect other provisions or applications of this Policy that can be given effect without the invalid provision.

9.5 Effective Date. This Policy shall become effective upon adoption by resolution of the Board and shall remain in effect until amended or repealed by the Board.