

**ORDINANCE NO. 19-01-001**

**A ORDINANCE OF THE BOARD OF DIRECTORS OF  
MOJAVE AIR AND SPACE PORT AMENDING THE  
BYLAWS AS IT RELATES TO DIRECTOR  
COMPENSATION, BENEFITS, AND EXPENSES**

THE BOARD OF DIRECTORS OF MOJAVE AIR AND SPACE PORT DOES  
ORDAIN AS FOLLOWS:

1. The purpose of this ordinance is to amend the District's Bylaws regarding compensation paid to Directors for attending meetings.
2. Based upon information provided in the Staff Memo and testimony provided at the public hearing, the Board of Directors makes the following findings:
  - a. This ordinance is consistent with the provisions of AB 2329 and Public Utilities Code section 22407 regarding director compensation for attending meetings.
  - b. From time to time it is necessary for Directors to attend more than four meetings a month with various local, state, and federal agencies regarding District business.
3. The District Bylaws, Article II, section 2.7, is amended to read as follows:

**“Section 2.7 Compensation, Benefits and Expenses**

(a) Compensation. Directors shall be paid \$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. Commencing January 1, 2020, and each year thereafter, compensation for attendance at a Board-approved meeting shall increase five percent (5%) per year., Directors shall be compensated for attending up to six (6) meetings a month; provided, if a Director desires to attend more than four (4) meetings in a month, the Board may, upon a finding supported by substantial evidence that it is necessary for the effective operation of the District, authorize a Director to attend up to two (2) additional meetings in a month.

(b) Approved meetings. Except as provided herein, Directors shall only be compensated for attendance at meetings previously approved by the Board. Meetings for which Directors are entitled to compensation for attending are:

- (1) A meeting of the District board within the meaning of Government Code section 54952.2(a);
- (2) A meeting of a District committee within the meaning of Government Code section 54952(b);
- (3) An advisory body meeting within the meaning of Government Code section 54952(b);
- (4) A conference or organized educational activity conducted in compliance

with Government Code section 54952.2(c), including ethics training required by Government Code sections 53234 and following;

- (5) A meeting of any multi-jurisdictional governmental body on which the District director serves as the District's designated representative;
- (6) Any meeting attended or service provided on a given day at the formal request of the District board and for which the District board approves payment of a daily meeting stipend;

(c) Benefits. Directors are entitled to the following benefits on the same terms and conditions as employees:

- (1) Medical, vision and dental plan coverage for active directors and their dependents;
- (2) Medical, vision and dental plan coverage for retired Directors and their dependents if the Director first assumed office before January 1, 1995, and has served at least twelve (12) consecutive years;
- (3) Medical, vision and dental plan coverage for a retired Director and their dependents at the Director's cost and if permitted by the District's health plan; and
- (4) Life insurance with a beneficiary of the Director's choice in an amount determined by the Board.

(d) Expenses. If previously approved by the Board, a Director shall receive actual, reasonable, and necessary reimbursement for travel, meals, lodging, registration, and similar expenses incurred on District business. The rate for reimbursement shall not exceed the rate published by the IRS for deduction from taxes. However, if the expenses are incurred in connection with a trade conference, the reimbursement rates shall not exceed the posted rates for the conference, and if the posted rates are not available, the reimbursement rate shall be comparable to the posted rates.

(e) Posting of Expenses. During July of each year, the CEO shall prepare a list of amounts paid during the prior fiscal year to reimburse a director or employee for individual expenses of \$100.00 or more. To determine the value of an item, the total charges for the item for the day shall be considered. For example, several transportation bills, each less than \$100.00, but totaling more than \$100, requires a report. During August of each year, the list shall be reviewed by each person receiving expense reimbursement. The CEO shall consider suggested corrections and post the final list at the District by September.”

3. This ordinance is effective 60 days after its adoption.

PASSED, APPROVED, AND ADOPTED on the 5<sup>th</sup> day of February 2019.

Ayes: 4  
Noes: 1  
Abstain:  
Absent:



Andrew Parker, President

ATTEST



Jimmy R. Balentine, Secretary