

STAFF REPORT

SUBJECT: ORDINANCE #2015-01: ORDINANCE SETTING COMPENSATION FOR BOARD MEMBERS AT \$125 FOR MEETINGS, NOT TO EXCEED TWO MEETINGS A MONTH FOR A MAXIMUM MONTHLY COMPENSATION OF \$250 – 2ND READING AND ADOPTION

Board of Directors of Coastside Fire Protection District:

Summary

On April 22, 2015, the Board introduced an ordinance making an adjustment to the compensation currently authorized for Board Members and passed the ordinance to a second reading. The ordinance is now before the Board for its second reading and adoption. If adopted on this agenda, it becomes effective July 26, 2015.

Background and Discussion

On March 25, 2015, the Board determined that its current compensation structure should be changed. The Board directed that members be authorized to receive \$125.00 per meeting, with a limit of two (2) meetings per month.

The Board also directed that the definition of “meeting” include Regular and Special Board meetings, Subcommittee meetings, meetings attended by Board Members in their official capacity as representatives of the District and educational training activities required for Board Members.

An ordinance containing those provisions was prepared and presented for the Board’s consideration at the April 22, 2015 regular meeting. No changes were requested at the April 22, 2015 meeting and the ordinance was introduced and passed to second reading. The proposed ordinance is now before the Board for second reading and adoption. If no additional changes are made, the second reading and adoption can occur this evening. Once adopted, the ordinance will become effective after sixty (60) days.

Fiscal Impact

If Board compensation is decreased from \$400.00 per month to \$250.00, the fiscal impact would be measured by the difference between the currently authorized rate of \$400.00 per month and the newly authorized rate of \$250.00 per month.

Recommendation

It is recommended that the Board adopt the attached ordinance. If adopted on May 27, 2015, the ordinance will become effective July 26, 2015.

Attachments

1. An Ordinance of the Board of Directors of the Coastsid Fire Protection District Setting Compensation for Members of the Coastsid Fire Protection District Governing Board

Respectfully submitted,

JEAN B. SAVAREE
District Legal Counsel

ORDINANCE NO. 2015-01

AN ORDINANCE OF THE COASTSIDE FIRE PROTECTION DISTRICT SETTING
COMPENSATION FOR MEMBERS OF THE COASTSIDE FIRE PROTECTION DISTRICT
GOVERNING BOARD

THE COASTSIDE FIRE PROTECTION DISTRICT GOVERNING BOARD DOES
HEREBY ORDAIN, as follows:

WHEREAS, Water Code Section 20202 permits special districts to increase compensation of members of the Board of Directors in an amount in excess of \$100 per day for each day's attendance at Board meetings; and

WHEREAS, the increase in compensation authorized pursuant to Section 20202 is limited to five percent for each calendar year following the operative date of the last adjustment; and

WHEREAS, on October 16, 2007, Resolution No. 2007-03 adopting a compensation and expense reimbursement policy was approved. Each member of the District's Board of Directors was entitled to \$100 compensation per meeting, at not more than four (4) meetings during any single calendar month. Additionally, the Board of Directors was entitled to reimbursement for actual and necessary expenses incurred in the performance of their official duties; and

WHEREAS, the Board of Directors of the Coastsides Fire Protection District has conducted a public hearing upon notice pursuant to Government Code Section 6066 as required by Water Code Section 20203 to consider an adjustment to the current rate of compensation; and

WHEREAS, the Board of Directors has determined that an adjustment to the rate of compensation set in 2007 is warranted.

NOW, THEREFORE, the Board of Directors of the Coastsides Fire Protection District does hereby find, declare, order and ordain as follows:

Section 1. The matters set forth in the recitals of this Ordinance are true and correct.

Section 2. Upon and after the effective date of this Ordinance, compensation for members of the Board of Directors of the Coastsides Fire Protection District shall be \$125 per meeting, for attendance in his or her official capacity as a member of the Board at not more than two (2) meetings during any single calendar month, which may consist of any combination of the following meetings, as determined by the Board member:

- (a) Any regular or special meeting of the Coastsides Fire Protection District Board of Directors;

- (b) Subcommittee meetings;
- (c) Meetings attended by Board members in their official capacity as representatives of the District; or
- (d) Educational training activities required for the Board member's participation as a Board member.

If multiple meetings are held on one day, the Board members will be compensated \$125 for that day.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Directors of the Coastside Fire Protection District hereby declares that it would have adopted this Ordinance irrespective of the fact that any one or more section, subsection, sentence, clause, phrase or portion be declared invalid or unconstitutional or ineffective.

Section 4. Pursuant to Section 20204 of the Water Code of the State of California, this Ordinance shall take effect and be in full force and effect sixty (60) days after its final passage.

Section 5. Within fifteen (15) days after the adoption of this Ordinance, the Board Secretary shall have it posted in three (3) public places designated by the Board of Directors.

This Ordinance was introduced and read on the 22nd day of April, 2015, and passed and adopted on the 27th day of May, 2015.

AYES:

NOES:

ABSENT:

ABSTAIN:

Gary Burke, President
Board of Directors

ATTEST:

Ginny McShane, Secretary
Board of Directors

COASTSIDE FIRE PROTECTION DISTRICT

RESOLUTION NO. 2007-03

**A RESOLUTION ADOPTING A POLICY FOR COMPENSATION AND
EXPENSE REIMBURSEMENT FOR MEMBERS OF THE
COASTSIDE FIRE PROTECTION DISTRICT GOVERNING BOARD**

WHEREAS, Section 13857 of the California Health and Safety Code authorizes the payment of compensation to members of a fire district board of directors, in an amount not to exceed \$100 for each meeting of the district board, up to four meetings in any calendar month, such amount subject to annual increase in accordance with the provisions of Section 20200 et seq. of the California Water Code; and

WHEREAS, Article 2.3 (commencing with Section 53232) of Chapter 2 of Part 1 of Division 2 of Title 5 of the Government Code requires a local agency to adopt a written policy concerning compensation payable to members of its legislative body for attendance at other meetings and for reimbursement of expenses incurred in the performance of their official duties;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Coastside Fire Protection District as follows:

1. **Compensation Policy.** Each member of the District's Board of Directors shall be entitled to compensation, at the rate of \$100 per meeting, for attendance in his or her official capacity as a member of the Board at not more than three (3) meetings during any single calendar month, which may consist of any combination of the following meetings, as determined by the Board member:

- (a) Any regular or special meeting of the Coastside Fire Protection District Board of Directors.

2. **Expense Reimbursement Policy.** Members of the Board of Directors shall be entitled to reimbursement for actual and necessary expenses incurred in the performance of their official duties, in accordance with the following policy:

- (a) Travel, meals, lodging, and other actual and necessary expenses when incurred for the attendance at any of the meetings or activities listed above that are conducted outside of the jurisdictional boundaries of the Coastside Fire Protection District.
- (b) Reimbursement for auto travel shall be at the most recently adopted Internal Revenue Service rate. Reimbursement for lodging in connection with a conference or organized educational activity shall be in accordance with the provisions of Subsection 53232.2(d) of the Government Code. All other reimbursements for meals and lodging shall be in accordance with the Internal Revenue Service rates, as established in Publication 463, or any successor publication.

(c) Expenses not covered by the foregoing policy shall be approved by the Board of Directors, in a public meeting before the expense is incurred.

3. Members of the Board of Directors shall provide a brief report on meetings attended at District expense at the next regular meeting.

4. In accordance with Government Code Section 53232.2 and 53232.3, members of the Board of Directors seeking reimbursement shall file an expense statement on the form to be provided by the District within a reasonable period of time after incurring the expense, along with receipts documenting each expense. The expense reports and related documents are to be maintained as public records.

5. **Effective Date.** The policies established by the Resolution shall be effective as of October 16, 2007.

* * *

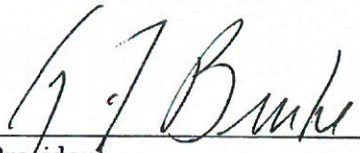
I hereby certify that the foregoing Resolution No. 2007-03 was duly and regularly adopted at the regular meeting of the Board of Directors of the Coastsid Fire Protection District held on October 16, 2007, by the following vote:

AYES: Gary Burke, Ginny McShane, Bruce MacKimmie, Jerry Donovan, Lane Lees,
Bert Silva

NOES: David Eufusia, Gary Riddell

ABSTAIN: none

ABSENT: none



President
Board of Directors

ATTEST: 

Secretary
Board of Directors