

ORDINANCE NO. 2009-01

**AN ORDINANCE OF THE
AMERICAN CANYON FIRE PROTECTION DISTRICT
ESTABLISHING DISTRICT COMPENSATION
FOR DISTRICT BOARD MEETINGS**

WHEREAS, Health & Safety Code section 13857, a portion of the Fire Protection District Law of 1987, allows each member of a fire protection district board of directors to receive compensation of up to \$100.00 per meeting attended, not to exceed four meetings per month; and,

WHEREAS, American Canyon Fire Protection District ("District") Board of Directors ("Board") members are currently authorized to receive compensation of \$105.00 per District Board meeting, which was set in 2004; and,

WHEREAS, Health & Safety Code Section 13857 incorporates Water Code section 20202, which authorizes the District Board to adjust the monthly compensation paid to Board members for attendance at District meetings by an additional 5% for each calendar year from the operative date of the last compensation increase; and,

WHEREAS, on August 5, 2004 the Board adopted Ordinance No. 2004-02 that established Board Member compensation of one hundred dollars (\$100) per day, which was later changed to \$105; and

WHEREAS, the Board has not adjusted Board Member compensation since it established compensation in 2004 and four (4) years have passed since the Board established the compensation currently in effect; and

WHEREAS, the Board now desires to increase monthly compensation through the adoption of this Ordinance for all Board Members in an amount equal to five percent (5%) for each calendar year from the operative date of Ordinance No. 2004-02 and

WHEREAS, increasing the compensation of District Board members will assist in compensating District Board members for the time and effort taken to resolve District business and is in the public interest;

NOW THEREFORE BE IT ORDAINED THAT the District Board declares as follows:

1. Consistent with Health & Safety Code section 13857, compensation paid to each District Board member is confirmed as \$126.00 for each District Board meeting attended;

2. District Board member compensation is authorized for attendance at only four (4) District Board meetings per month;
3. Consistent with Health & Safety Code section 13857 and Water Code section 20202, the compensation paid to District Board members for attendance at District Board meetings shall be increased by 5% for each calendar year since the last compensation increase; and,
4. Compensation for each Member of the District Board shall be one hundred and twenty-six dollars (\$126.00) per day for each day's attendance at meetings of the Board, or for each day's service rendered as a Member of the Board by request of the Board. For each calendar year following the effective date of this Ordinance, the amount of compensation set forth in this Ordinance may be increased by an amount not to exceed five percent (5%) of the compensation that is received when this Ordinance is adopted. Any such future increase in compensation received by Members of the Board shall be authorized by an ordinance adopted pursuant to Chapter 2 of Division 10 of the California Water Code (Wat. Code §§ 20200 et seq.) or its successor statute(s). Only one per diem per day will be paid, regardless of how many meetings are attended. When a Member is authorized to attend a conference, seminar or other function on behalf of the District a day consisting solely of travel may be interpreted as a day of service rendered as a Member of the Board; and,
5. Consistent with Water Code section 20204, this Ordinance shall become effective sixty (60) days after its final approval.
6. Pursuant to the California Environmental Quality Act (Pub. Resources Code §§ 21000 et seq.) ("CEQA") and the CEQA Guidelines (Title 14, Cal. Code Regs., §§ 15000 et seq.) ("Guidelines"), the Board has determined that the adoption of this Ordinance is not a "project" within the meaning of CEQA because pursuant to Guidelines 15378(b)(4) it involves only a government fiscal activity that does not involve any commitment to any specific project that may result in a potentially significant physical impact on the environment.

APPROVED AND ADOPTED at a regular meeting of the Board of Directors on the 3rd day of February, 2009.

The foregoing ordinance was introduced and read at a regular meeting of the Board of Directors of the City of American Canyon, State of California, held on the 2nd day of December, 2008 and was passed and adopted at a regular meeting of the Board of Directors of the American Canyon Fire Protection District, State of California held on the 3rd day of February, 2009 by the following vote:


AYES: Callison, Coffey, West

NOES: Garcia, Bennett

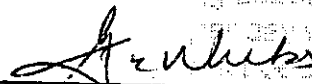
ABSENT: None

ABSTAIN: None

APPROVED AS TO FORM:


William D. Ross, District Counsel

APPROVED TO CONTENT:


Glen Weeks, Fire Chief