

ORDINANCE NO. 2025-01

AN ORDINANCE OF CENTRAL FIRE DISTRICT OF SANTA CRUZ COUNTY AMENDING ORDINANCE 2021-01 REGARDING BOARD MEMBER COMPENSATION

WHEREAS, Public notice of this Ordinance was published in the Santa Cruz Sentinel once per week for two weeks leading up to this first reading in accordance with Public Resources Code section 5536 and Water Code Section 20203.

WHEREAS, California Health and Safety Code Section 13857(a) (also known as the Fire Protection District Law of 1987) permits Board Members of Fire Districts to receive compensation in an amount set by the Board not to exceed \$100 for attending each meeting of the Board, up to six meetings per month. Section 13857(b) permits the Board, by Ordinance adopted pursuant to California Water Code Section 20200 et seq, to increase Board Member compensation above the amount prescribed by subdivision (a).

WHEREAS, California Water Code Section 20200 et seq permits the Board of Directors to, by ordinance, increase compensation received by Board Members above the amount of one hundred dollars per day; and

WHEREAS, California Water Code Section 20202 states that any Ordinance increasing compensation for Board Members above the amount of \$100 per day may not increase compensation in excess of 5% for each calendar year following the operative date of the last adjustment, and may not authorize compensation for more than 10 days in each calendar month.

WHEREAS, Ordinance No. 2021-01 sets Board Member compensation at \$185 per day for each day's attendance at any number of meetings of the Board that day, or for each day's Board service rendered as a member of the Board by Board request; and

WHEREAS, Board Member compensation rate increased to \$207.47 as of 4/1/2024, approved via Resolution 2024-04, and

WHEREAS, Ordinance No. 2021-01 caps future increases to compensation at 5%, and also states that compensation shall increase annually on April 1st by the amount of the San Francisco/ Oakland/ San Jose All Urban Consumers Consumer Price Index ("CPI") from the prior calendar year; and

WHEREAS, the Board of Directors wishes to remove the CPI limitation on compensation increases.

In accordance with California Health and Safety Code Section 13857, California Water Code Sections 20200 through 20207, and California Government Code Sections 53232-53232.4, the Board of Directors of the Central Fire District of Santa Cruz County does hereby ordain as follows:

SECTION 1. Findings. The Board of Directors finds that the above-referenced recitals are true and correct and material to the adoption of this Ordinance.

SECTION 2. Environmental Findings The Board of Directors finds that this ordinance is not subject to California Environmental Quality Act (CEQA) pursuant to following sections of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3: (1) Section 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment); and (2) Section 15060(c)(3) (the activity is not a project as defined in Section 15378) because the subject ordinance has no potential for resulting in any significant physical change to the environment, either directly or indirectly.

SECTION 3. Amendment. Ordinance 2021-01 is hereby amended as shown in Exhibit A.

SECTION 4. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The Board of Directors declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 5. Publication. The Secretary of the Board of Directors is directed to cause this ordinance to be published as required by State law.

Exhibit A

Ordinance 2021-01 of the Central Fire District of Santa Cruz County is hereby amended to read as follows, with added language shown underlined and deleted language with ~~strikethrough~~:

- I. Board meeting compensation for attendance at Board meetings shall ~~remain at one hundred and eight five dollars (\$185)~~ be \$207.47 per day for each day's attendance at any number of meetings of the Board that day, or for each day's Board service rendered as a member of the Board by Board request from ~~April 1, 2021 to March 31, 2022~~ February 1, 2025 to January 1, 2026.
- II. Future Board meeting compensation increases shall not exceed an amount equal to 5 percent for each calendar year following the operative date of the last adjustment of the compensation which is received when this Ordinance is adopted.
- III. Board members shall not be compensated for meetings on more than four (4) calendar days per month except as provided in Section ~~VI~~ I.
- IV. The Board may adopt annually a written policy by resolution describing, based on a finding supported by substantial evidence, why more than four meetings per month are necessary for the effective operation of the District.
- V. Whether a Director's activities on any specific day are compensable shall be made 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.

This ordinance was introduced before the Central Fire District of Santa Cruz County at a regular meeting on Feb 13, and passed on Feb 13, 2025 by the following vote:

Jan JN

AYES: Directors: Hushaw, Hess, Faulkner, Littlefield, Lucchesi
NOES: Directors:
ABSENT: Directors:
ABSTAIN: Directors:

SO ORDERED:

John P. Lucchesi
John Lucchesi, Board Chair

ATTEST:

BY: Jason Nee
Jason Nee, Fire Chief
Secretary to the Board of Directors