

**ORDINANCE CODE: ORDINANCE 2007-1
FRESNO METROPOLITAN FLOOD CONTROL DISTRICT**

CHAPTER 1

COMPENSATION OF DIRECTORS

1.100 Purposes.

- 1.101 The Board of Directors finds and declares that the service of citizens of the District as members of its Board of Directors results in substantial economic cost for such individuals, such costs including direct and indirect personal expenses and lost compensation. The Board of Directors further finds and declares the Water Code and the Water Code Appendix permit the compensation reimbursement of District Directors.
- 1.102 It is the purpose of this chapter to effect such compensation and to provide a means of regularly reviewing and adjusting such compensation, as authorized by statute.

1.200 Definitions.

- 1.201 Unless the particular provisions or context otherwise requires, the definitions contained in this chapter shall govern the construction, meaning and application of the words and phrases defined.
- 1.202 “Director” means a member of the District’s Board of Directors as defined in the Water Code Appendix.
- 1.203 “Day of Service Rendered Under Order of the Board”, for the purposes of Section 20200 of the Water Code and Section 73-11 of the Water Code Appendix, means attendance at:
- (a) a meeting of the Board or a Committee of the Board;
 - (b) meeting of another organization of which the Board Chairman has assigned a Director to represent the District including:
 - 1. Joint Powers Insurance Authority
 - 2. Economic Development Corporation
 - 3. Association of Metropolitan Water Agencies
 - 4. San Joaquin River Conservancy Board

- (c) other meetings or events involving official business of the District for which the Board has adopted, in a public meeting, written policy specifying occasions that constitute the performance of official duties for which a member of the Board may receive payment.

In the case of an authorized day of service that requires out-of-District travel, the day(s) required to travel to and from the event, is/are also considered a “Day of Service”.

In the case of meetings or events for which primary and alternate District representatives have been designated, attendance by the alternate requires separate Board authorization if the primary designee will be in attendance.

- 1.204 “Compensation” means the amount of money, expressed in dollars per day which is to be paid to District Directors as compensation for the time and economic costs of serving as a District Director.

1.300 Computation of Compensation

- 1.301 Subject to the provisions of Section 1.302 below, each member of the Board of Directors shall receive compensation in the amount of one hundred dollars (\$100.00) for each “Day of Service Rendered Under Order of the Board”.

- 1.302 The Board of Directors shall establish the maximum number of days for which compensation shall be provided, to be the limit set forth in the California Water Code Section 20202 (which is currently 10 days in any calendar month). Each member of the Board of Directors shall receive, in addition to these amounts, all actual and necessary expenses while engaged in official business under the order of the Board. Such expenses must actually be incurred and supported by receipts. Expenses include the cost of traveling to, attending and returning from approved meetings including travel, meals, and lodging.

1.400 Adjustment of Rate of Compensation

- 1.401 Notwithstanding any other provision of law, the Board of Directors may, by ordinance adopted pursuant to this section, increase the amount of the compensation received by members of the Board above the amount of one hundred dollars (\$100.00) or more per day.

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- 1.402 In any ordinance adopted pursuant to this section to increase the amount of compensation which may be received by members of the Board, the increase may not exceed an amount equal to five (5) percent, for each calendar year following the operative date of the last adjustment.
- 1.403 No ordinance shall be adopted pursuant to this section except following a public hearing. Notice of the hearing shall be published in a newspaper of general circulation pursuant to Section 6066 of the Government Code.
- 1.404 An ordinance adopted pursuant to this section shall become effective 60 days from the date of its final passage.
- 1.405 The voters of the District shall have the right, as provided in this section, to petition for referendum on any ordinance adopted pursuant to this chapter. If a petition protesting against the adoption of the ordinance is presented to the Board of the District prior to the effective date of the ordinance, the ordinance shall be suspended and the Board shall reconsider the ordinance.

If the number of votes cast for all candidates for Governor at the last gubernatorial election within the boundaries of the District exceeds 500,000, the ordinance is subject to referendum upon presentation of a petition bearing signatures of at least five (5) percent of the entire vote cast within the boundaries of the District for all candidates for Governor at the last gubernatorial election. If the number of votes cast for all candidates for Governor at the last gubernatorial election within the boundaries of the District is less than 500,000, the ordinance is subject to referendum upon presentation of a petition bearing signatures of at least ten (10) percent of the entire vote cast within the boundaries of the District for all candidates for Governor at the last gubernatorial election.

- 1.406 If the Board does not entirely repeal the ordinance against which a petition is filed, the Board shall submit the ordinance to the voters either at a regular election or a special election called for the purpose. The ordinance shall not become effective unless and until a majority of the votes cast at the election are cast in favor of it. If the voters do not approve the ordinance, the Board pursuant to this section may adopt no new ordinance for at least one year following the date of the election.

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1.407 Except as otherwise provided in this chapter, the provisions of the Elections Code applicable to the right of referendum on legislative acts of Districts shall govern the procedure on ordinances against which a petition is filed.

Date Amended: March 28, 2007