

**ORDINANCE NUMBER 01-2016**

**AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE PALM SPRINGS CEMETERY DISTRICT INCREASING THE TRUSTEES' COMPENSATION FOR ATTENDING BOARD MEETINGS**

**WHEREAS**, Health & Safety Code Section 903 (a) provides that trustees may receive compensation in an amount not to exceed one hundred dollars (\$100) for attending each board meeting, up to four meetings a month; and

**WHEREAS**, board meetings include "any congregation of a majority of the board members at the same time and location to hear discuss, deliberate or take action on any item within the subject matter jurisdiction of the board" such as: (1) regular board meetings, (2) special board meetings, (3) closed sessions, (4) emergency board meetings, (5) board field trips, (6) District public hearings, (7) board committee meetings. Incidentally, trustees are not entitled to traveling and incidental expenses for attending board meetings; and

**WHEREAS**, Health & Safety Code Section 9031 (b) provides that trustees by ordinance adopted pursuant to Water Code Section 20200, et seq. may increase the amount of compensation received for attending board meetings; and

**WHEREAS**, the amount of compensation per board meeting may be increased above one hundred dollars (\$100) per board meeting, provide the increase does not exceed five (5) percent for each calendar year following the operative date of the last adjustment; and

**WHEREAS**, a public hearing was conducted by the Board of Trustees, on April 14, 2016, and notice of the public hearing was published in The Desert Sun Newspaper pursuant to Government Code Section 60660.

**NOW THEREFORE, THE BOARD OF TRUSTEES OF THE PALM SPRINGS CEMETERY DISTRICT ORDAINS AS FOLLOWS:**

**Section 1.                    RECITALS**

That the above recitals are true and correct and are incorporated as though fully set forth herein.

**Section 2.                    BOARD MEETING COMPENSATION**

That upon the effective date of this ordinance, each trustee shall be entitled to receive One Hundred Seventy Nine Dollars and Fifty Nine Cents (\$179.59) as compensation for attending each board meeting, up to a maximum of four meeting per month.

**Section 3. SEVERABILITY**

That the Board of Trustees declares that, should any provision, section, paragraph, sentence or word of this ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this ordinance as hereby adopted shall remain in full force and effect.

**Section 4. REPEAL OF CONFLICTING PROVISIONS**

All the provisions of any resolution or ordinance as heretofore adopted by the Board of Trustees that are in conflict with the provisions of this ordinance are hereby repealed.

**Section 5. EFFECTIVE DATE**

This ordinance shall take effect 60 days after its adoption.

**Section 6. CERTIFICATION**

The Secretary of the Board of Trustees shall certify to the passage of this ordinance.

That the foregoing Ordinance was approved and adopted at a meeting of the Palm Springs Cemetery District Board of Trustees held on April 14, 2016, by the following vote:

Ayes:  
Noes:  
Abstain:  
Absent:

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**Jan Pye, Chair**

**ATTEST:**

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**John Lea, Secretary**

**APPROVED AS TO FORM:**

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**Steven B. Quintanilla, General Counsel**