

## RESOLUTION 10-09

### A RESOLUTION OF THE BOARD OF DIRECTORS OF THE TWENTYNINE PALMS WATER DISTRICT ESTABLISHING THE APPROPRIATIONS LIMIT FOR THE FISCAL YEAR 2010-2011, FOR THE TWENTYNINE PALMS FIRE DEPARTMENT OF THE TWENTYNINE PALMS WATER DISTRICT IN ACCORDANCE WITH THE PROVISIONS OF DIVISION 9 OF TITLE 1 OF THE CALIFORNIA GOVERNMENT CODE.

**WHEREAS**, Article XIII B of the Constitution of the State of California as proposed by the Initiative Measure approved by the people at the special statewide election held on November 6, 1979 and amended in June, 1990 by the people of the State of California (Proposition 111), provides that the total annual appropriations subject to limitations of each local government shall not exceed the appropriations limit of such entity for the prior year adjusted for changes in the cost of living and population except as otherwise specifically provided for in said Article; and

**WHEREAS**, the State Legislature added Division 9 (commencing with Section 7900) to Title 1 of the Government Code of the State of California to implement Article XIII B of the California Constitution; and

**WHEREAS**, Section 7910 of the Government Code provides that each year the governing body of each local jurisdiction shall, by resolution, establish its appropriations limit for the following fiscal year pursuant to Article XIII B at a regularly scheduled meeting or a noticed special meeting and that fifteen days prior to such meeting, documentation used in the determination of the appropriations limit shall be available to the public; and

**WHEREAS**, Proposition 111 as approved by the voters of the State of California, requires a recorded vote of the Board of Directors regarding which of the annual adjustment factors have been selected each year; and

**WHEREAS**, at the time of adoption of this resolution, data necessary to calculate the increase in the non-residential assessed valuation was not available from the County Assessor's office; and

**WHEREAS**, Section 7902 of the Government Code sets forth the method for determining the appropriations limit for each local jurisdiction for the 2010-2011 fiscal year; and

**WHEREAS**, the Board of Directors of the TWENTYNINE PALMS WATER DISTRICT wishes to establish the appropriations limit for fiscal year 2010-2011 for the TWENTYNINE PALMS FIRE DEPARTMENT OF THE TWENTYNINE PALMS WATER DISTRICT.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Directors of the TWENTYNINE PALMS WATER DISTRICT, as follows:

Section 1: That it is hereby found and determined that the District has documented its calculation of the appropriations limit for fiscal year 2010-2011, and said calculations have been posted on the District's bulletin board. Said documentation used in the determination of the appropriations limit for the TWENTYNINE PALMS FIRE DEPARTMENT OF THE TWENTYNINE PALMS WATER DISTRICT for fiscal year 2010-2011 was available to the public in the District Office of said District at least fifteen days prior to this date.

Section 2: That the factors selected for calculating the appropriations limit for the 2010-2011 fiscal year are the change in CALIFORNIA PER CAPITA INCOME AND POPULATION FOR THE CITY OF TWENTYNINE PALMS.

Section 3: That there may be a need to amend the inflation factor selected and adjust the appropriations limit once the non-residential assessed valuation data becomes available from the County Assessor's office.

Section 4: That the appropriations limit for the TWENTYNINE PALMS FIRE DEPARTMENT OF THE TWENTYNINE PALMS WATER DISTRICT as established in accordance with Section 7902(a) of the California Government Code is \$1,536,088.

Section 5: A copy of the documentation used in the determination of the appropriations limit for fiscal year 2010-2011 shall be affixed hereto and shall be available for public inspection.

Section 6: Pursuant to Section 7910 of the California Government Code, any judicial action or proceeding to attack, review, set aside, void or annul the establishment of the appropriations limit as set forth herein must be commenced within forty-five days of the adoption of this resolution.

**PASSED, APPROVED AND ADOPTED** this 26<sup>th</sup> day of May 2010 by the following vote:

Ayes: Directors Chambers, Cisneros, Moore and Shinaver  
Noes: None  
Abstain: None  
Absent: Director Gallagher

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Philip C. Cisneros, President  
Board of Directors

Attest:

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Mike Wright, Board Secretary  
Twentynine Palms Water District

**Twentynine Palms Water District**  
**Appropriations Limit Calculation**  
 July 1, 1997 To June 30, 2010

<b>Base Year - June 30, 1998</b>			\$	700,718.00
Per Capita Change (A)				1.0415
Population Change (B)	X			<u>1.0098</u>
(A) * (B) =			X	<u>1.0517</u>
<b>June 30, 1999</b>				736,949.82
Per Capita Change (A)				1.0453
Population Change (B)	X			<u>1.0137</u>
(A) * (B) =			X	<u>1.0596</u>
<b>June 30, 2000</b>				780,887.21
Per Capita Change (A)				1.0491
Population Change (B)	X			<u>1.0182</u>
(A) * (B) =			X	<u>1.0682</u>
<b>June 30, 2001</b>				834,138.74
Per Capita Change (A)				1.0782
Population Change (B)	X			<u>1.0195</u>
(A) * (B) =			X	<u>1.0992</u>
<b>June 30, 2002</b>				916,906.07
Per Capita Change (A)				0.9873
Population Change (B)	X			<u>1.1364</u>
(A) * (B) =			X	<u>1.1220</u>
<b>June 30, 2003</b>				1,028,739.01
Per Capita Change (A)				1.0231
Population Change (B)	X			<u>1.0259</u>
(A) * (B) =			X	<u>1.0496</u>
<b>June 30, 2004</b>				1,079,762.71
Per Capita Change (A)				1.0328
Population Change (B)	X			<u>1.0251</u>
(A) * (B) =			X	<u>1.0587</u>
<b>June 30, 2005</b>				1,143,169.92
Per Capita Change (A)				1.0526
Population Change (B)	X			<u>1.0249</u>
(A) * (B) =			X	<u>1.0788</u>
<b>June 30, 2006</b>				1,233,262.84
Per Capita Change (A)				1.0396
Population Change (B)	X			<u>1.0458</u>
(A) * (B) =			X	<u>1.0872</u>
<b>June 30, 2007</b>				1,340,820.23
Per Capita Change (A)				1.0442
Population Change (B)	X			<u>1.0186</u>
(A) * (B) =			X	<u>1.0636</u>
<b>June 30, 2008</b>				1,426,126.06
Per Capita Change (A)				1.0429
Population Change (B)	X			<u>1.0350</u>
(A) * (B) =			X	<u>1.0794</u>
<b>June 30, 2009</b>				1,539,360.47
Per Capita Change (A)				1.0062
Population Change (B)	X			<u>1.0079</u>
(A) * (B) =			X	<u>1.0141</u>
<b>June 30, 2010</b>				1,561,065.45

**TWENTYNINE PALMS WATER DISTRICT  
(FIRE DEPARTMENT)  
GANN LIMIT vs BUDGETED EXPENDITURES  
FISCAL 2009-10**

	<b>Fiscal Year 2009-2010</b>
Total Budgeted Expenses	<u>\$ 1,317,605</u>
<u>Less:</u>	
Capital Expense-Net of Grants	(25,000)
Debt Service	-
Bad Debt Expense	<u>(12,000)</u>
Adjusted Expenses	1,280,605
Revenue From Non-Taxed Sources	<u>(12,600)</u>
Budgeted Net Expenses Subject to Gann Limit	<u><u>\$ 1,268,005</u></u>
Statutory Spending Limit	<u><u>\$ 1,561,065</u></u>
<b>Difference</b>	<b>\$ 293,060</b>