



**Agenda Item A.1**  
**CONSENT CALENDAR**  
**Meeting Date: September 16, 2008**

---

**TO:** Mayor and Councilmembers

**FROM:** Daniel Singer, City Manager

**CONTACT:** Tim W. Giles, City Attorney

**SUBJECT:** Second Reading and Adoption of an Ordinance Increasing Compensation for Members of the City Council

**RECOMMENDATION:**

Conduct a second reading by title only and adopt Ordinance No. 08-\_\_ entitled "An Ordinance of the City Council of the City of Goleta, California Repealing and Reenacting Chapter 2.04 of the Goleta Municipal Code, increasing the compensation of the City Council" in accord with California Government Code Section 36516 et seq.

**BACKGROUND:**

On the effective date of the City's incorporation, the City Council set the salary for members of the City Council at \$300 per month, pursuant to State law based on population. The City may increase this salary by a maximum of five percent (5%) per year so long as that increase does not take effect until a new City Council is seated after the next election. The City last increased the salary in 2006 to \$363.

**DISCUSSION:**

On September 2, 2008, the City Council introduced by title Ordinance No. 08-\_\_, "An Ordinance of the City Council of the City of Goleta, California, Repealing and Reenacting Chapter 2.04 of the Goleta Municipal Code Relating to Compensation of City Councilmembers", in accord with California Government Code Section 36516 et seq. (see Attachment 1). A public hearing was also conducted regarding this matter at that time.

It is now recommended the City Council conduct the second reading and adopt the proposed Ordinance. The ordinance will take effect on the 31<sup>st</sup> day after adoption, according to law.

**FISCAL IMPACTS:**

The proposed ordinance would amend Section 2.04.60 increasing the salary of the City Council in accord with California Government Code Section 36516 et seq. The monthly

salary would therefore increase from \$363 per month to \$400 per month, beginning December 2008. An additional appropriation will not be needed to accommodate this increase as sufficient funds are available in the FY 2006-07 Operating Budget and Capital Improvement Program.

**ALTERNATIVES:**

While second reading and adoption of the ordinance is recommended, the City Council may wish to defer this item or take no action at this time.

Submitted By:

Reviewed By:

Approved By:

\_\_\_\_\_  
Tim W. Giles  
City Attorney

\_\_\_\_\_  
Michelle Greene  
Administrative  
Services Director

\_\_\_\_\_  
Daniel Singer  
City Manager

**ATTACHMENT:**

1. Ordinance No. 08-\_\_entitled "An Ordinance of the City Council of the City of Goleta, California Repealing and Reenacting chapter 2.04 of the Goleta Municipal Code Relating to Compensation of City Councilmembers

## **ATTACHMENT 1**

**Ordinance No. 08-\_\_entitled “An Ordinance of the City Council of the City of Goleta, California Repealing and Reenacting chapter 2.04 of the Goleta Municipal Code Relating to Compensation of City Councilmembers**

**ORDINANCE NO. 08-\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
GOLETA, CALIFORNIA REPEALING AND REENACTING  
CHAPTER 2.04 OF THE GOLETA MUNICIPAL CODE RELATING  
TO COMPENSATION OF CITY COUNCILMEMBERS**

The City Council of the City of Goleta does ordain as follows:

**SECTION 1:**

Section 2.04.060 of the Goleta Municipal Code is hereby repealed in its entirety and reenacted to read in its entirety as follows:

“2.04.060           Increases in Compensation for Members of the City Council.

- a.     In accord with the provisions this Chapter 2.04 of the Goleta Municipal Code and the provisions of California Government Code Section 36516 *et seq.*, the current compensation of members of the City Council which was set by Ordinance 06-03 on September 19, 2006, is hereby increased by ten percent (10%) reflecting a maximum of five percent (5%) per year as statutorily permitted, for service commencing in December 2008.
- b.     The total compensation for members of the City Council commencing in December, 2008 shall be \$400 per month.
- c.     The salary increase established by this ordinance shall take effect as to all members of the City Council only upon the commencement of the new or re-elected term of office by any member of the Council as permitted by Government Code Section 36516.5.”

**SECTION 2:**

Ordinance 06-03 is hereby repealed.

**SECTION 3: SEVERABILITY.**

If any section, subsection, subdivision, sentence, clause, or portion of this ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions thereof

be declared invalid or unconstitutional.

**SECTION 4: PUBLICATION.**

The City Clerk shall certify as to the adoption of this Ordinance and shall cause a copy thereof to be published within fifteen (15) days of the adoption and shall post a certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk in accordance with Government Code 36933.

**SECTION 5: EFFECTIVE DATE**

This Ordinance shall take effect on the thirty-first (31<sup>st</sup>) day following its final passage and adoption.

INTRODUCED ON the 2<sup>nd</sup> day of September, 2008.

PASSED, APPROVED, AND ADOPTED this 16<sup>th</sup> day of September, 2008.

\_\_\_\_\_  
MICHAEL T. BENNETT, MAYOR

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
DEBORAH CONSTANTINO  
CITY CLERK

\_\_\_\_\_  
TIM W. GILES  
CITY ATTORNEY

STATE OF CALIFORNIA            )  
COUNTY OF SANTA BARBARA        ) ss  
CITY OF GOLETA                    )

I, DEBORAH CONSTANTINO, City Clerk of the City of Goleta, do hereby certify that the foregoing Ordinance No. 08-\_\_ was duly adopted by the City Council of the City of Goleta at a regular meeting, held on September 19, 2008, by the following vote of the Council:

AYES:            COUNCIL MEMBERS

NOES:            COUNCIL MEMBERS

ABSTAIN:        COUNCIL MEMBERS

ABSENT:         COUNCIL MEMBERS

(SEAL)

---

DEBORAH CONSTANTINO  
CITY CLERK