



TO: Mayor and Councilmembers
FROM: Daniel Singer, City Manager
CONTACT: Tim W. Giles, City Attorney
SUBJECT: Introduction and First Reading by Title Only of a Proposed Ordinance Increasing Compensation for Members of the City Council

RECOMMENDATION:

- A. Conduct the public hearing required to receive comment regarding the proposed ordinance; and
- B. Introduce and read by title only 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".

BACKGROUND:

On the effective date of the City's incorporation, the City Council adopted Ordinance No. 02-07 which set the salary for members of the City Council at \$300 per month. This is the statutory level permitted for cities under 35,000 in population. State law allows the City to increase this salary by a maximum of five percent (5%) per year so long as that increase does not take effect until a new council is seated after the next election. The City increased the salary as permitted by law in 2004 to \$330 and to \$363 in 2006.

DISCUSSION:

The proposed ordinance would repeal and reenact Section 2.04.60 of the Goleta Municipal Code, and would increase 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 in December 2008.

ALTERNATIVES:

1. Conduct a full reading and introduce Ordinance 08-__.

2. Take no action. The Council is under no obligation to initiate this increase at this time and could chose to take no action on the matter. Foregoing an election to increase compensation prior to the election would mean that no compensation increase could be implemented before the 2010 election.

FISCAL IMPACTS:

Adoption of the proposed ordinance would increase the cost of Council compensation by about \$1,500 for the portion of the current fiscal year remaining after the ordinance becomes effective. Compensation costs would increase by about \$2,500 for FY 09-10.

Submitted By:

Reviewed By:

Approved By:

Tim W. Giles
City Attorney

Michelle Greene
Administrative Services
Director

Daniel Singer
City Manager

ATTACHMENTS:

1. Ordinance No. 06-03
2. 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. 06-03

ORDINANCE NO. 06-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA AMENDING CHAPTER 2.04 OF THE GOLETA MUNICIPAL CODE RELATING TO COMPENSATION OF CITY COUNCILMEMBERS

The City Council of the City of Goleta ordains as follows:

SECTION 1

Section 2.04.060 of the Goleta Municipal Code is hereby amended 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 compensation of members of the city council which was last set by Ordinance 04-04 on June 7, 2004, is hereby increased by ten percent (10%) reflecting a maximum of five percent (5%) per year as statutorily permitted, for service commencing in December 2006.

b. The total compensation for members of the city council commencing in December, 2006 shall be \$363 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. SEVERABILITY.

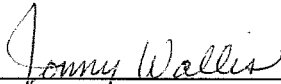
If any section, subsection, subdivision, sentence, clause, or portion of this ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Ordinance. The City Council 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 3. 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.

INTRODUCED ON the 5th day of September, 2006.

PASSED, APPROVED, AND ADOPTED this 18th day of September, 2006.




JONNY WALLIS, MAYOR

ATTEST:

APPROVED AS TO FORM:



DEBORAH CONSTANTINO
CITY CLERK



JULIE HAYWARD BIGGS
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. 06-03 was duly adopted by the City Council of the City of Goleta at a regular meeting, held on the 18th day of September, 2006, by the following vote of the Council:

AYES: COUNCILMEMBERS BLOIS, BROCK, HAWXHURST, MAYOR
 PRO TEMPORE CONNELL AND MAYOR WALLIS.

NOES: NONE.

ABSENT: NONE.

(SEAL)


DEBORAH CONSTANTINO
CITY CLERK

ATTACHMENT 2

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 (31st) day following its final passage and adoption.

INTRODUCED ON the 2nd day of September, 2008.

PASSED, APPROVED, AND ADOPTED this 16th 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