



Agenda Item C.1
DISCUSSION/ACTION ITEM
Meeting Date: October 2, 2018

TO: Mayor and Councilmembers

FROM: Deborah Lopez, City Clerk

SUBJECT: Compensation for Members of the City Council

RECOMMENDATION:

Introduce and conduct the first reading (by title only and waive further reading) of Ordinance No. 18-__ entitled "An Ordinance of the City Council of the City of Goleta, California Establishing 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 compensation for members of the City Council at \$300 per month. This is the statutory (Government Code § 36516) level permitted for general law cities under 35,000 in population. State law allows the City to increase this compensation by a maximum of five percent per year, but any such increase does not take effect until a new council is seated after the next election. Since 2002, the City Council has received an increase of 5% per year and adopted an ordinance every two years to effectuate such an increase. The current compensation is \$585 per month.

DISCUSSION:

Earlier this year, the Public Engagement Commission (PEC) explored the question of whether Mayoral and City Council compensation should be increased beyond the limits set by the state. One of the purposes of such an increase was to encourage community members of different socio-economics to run for elected office. By compensating a member a reasonable living wage for the 30-40 weekly hours dedicated to public service, the hope is that more people would be able to participate in elected office. The PEC recommended the City Council place a ballot measure in the November 2018 election and that the increase, if passed by the electorate, become effective when the City Council is seated in December 2018. In support of this recommendation, City Council directed staff to place a measure on the ballot relating to Mayor and Council Compensation (Measure W2018). If approved, Measure W2018 will establish a compensation for the Mayor and the Councilmembers as a percentage of the nonfamily

household median income for the City of Goleta as determined by the United States Census Bureau.

Should Measure W2018 not pass in the November election, Council salaries cannot be adjusted for a 10% increase (5% annually) until after the November 2020 election. (Government Code Sections 36516 et seq.) In order to avoid the outcome where Council would not receive an increase for the last two years (the last time salaries were adjusted was in 2016), the proposed ordinance (Attachment 1) would allow Council to receive the usual 10% increase and contains contingency language to not have the ordinance take effect if Measure W2018 passes. This ordinance must be passed before the November 2018 election. The second reading of the proposed ordinance will occur on October 16, 2018. The current Council compensation of \$585 per month would be increased to \$643 per month, based upon a 5 percent increase for each of the last two years. Any such change would take effect in January 2019 after the November 2018 election.

If the Council chooses not to adjust salaries prior to the November 2018 election, and instead await the outcome of Measure W2018, the next opportunity to adjust salaries would be following the November 2020 election, should Measure W2018 not pass.

FISCAL IMPACTS:

Adoption of the proposed ordinance would increase the cost of Council compensation by about \$1,755 for the portion of the current fiscal year after the ordinance becomes effective and by \$3,510 for the 2019-20 fiscal year (GL Account 5-1100-001). The proposed compensation increase can be accommodated in the amended FY 2018-2019 budget, so no additional appropriation would be needed if Council chooses to implement the adjustment.

ALTERNATIVES:

1. Modify the draft Ordinance to implement an increase of less than 5% per year and introduce the Ordinance as modified;
2. Take no action. The Council is under no obligation to initiate this increase at this time and could choose to take no action on the matter. Foregoing the opportunity to increase compensation prior to the 2018 election would mean that no compensation increase could be implemented before the 2020 election.


Reviewed By:


Carmen Nichols
Deputy City Manager

Legal Review By:


Michael Jenkins
City Attorney

Approved By:


Michelle Greene
City Manager

ATTACHMENTS:

1. Ordinance No. 18-__ entitled "An Ordinance of the City Council of the City of Goleta, California Establishing Compensation of City Councilmembers

ATTACHMENT 1:

Ordinance No. 18-__ entitled "An Ordinance of the City Council of the City of Goleta, California Establishing Compensation of City Councilmembers

ORDINANCE NO. 18-__

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
GOLETA, CALIFORNIA ESTABLISHING COMPENSATION FOR
MEMBERS OF THE CITY COUNCIL**

WHEREAS, California Government Code section 36515 limits the compensation and increases to compensation payable to City Council Members based on population of the City; and

WHEREAS, the current compensation of members of the City Council took effect following the 2016 City Council election; and

WHEREAS, the current compensation of members of the City Council is \$585 per month and was set by municipal ordinance in accordance with Government Code section 36515 as codified at Goleta Municipal Code section 2.01.080; and

WHEREAS, pursuant to Government Code sections 36515 and 36516.5, the compensation of members of the City Council may be increased by ten percent (10%) reflecting a maximum of five percent (5%) per year since compensation was last adjusted as statutorily permitted.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GOLETA,
DOES ORDAIN AS FOLLOWS:**

SECTION 1: Compensation for Councilmembers.

The total compensation for members of the City Council shall be \$643 per month commencing January 1, 2019

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: Contingency.

This Ordinance shall be null and void and not take effect if Measure W2018 passes in the November 2018 election.

SECTION 4: Effective Date

This Ordinance shall take effect on January 1, 2019 only if Measure W2018 does not pass in the November 2018 election

SECTION 5: Certification and 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.

PASSED, APPROVED AND ADOPTED this ____ day of _____ 2018.

PAULA PEROTTE
MAYOR

ATTEST:

APPROVED AS TO FORM:

DEBORAH S. LOPEZ
CITY CLERK

MICHAEL JENKINS
CITY ATTORNEY

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

I, DEBORAH S. LOPEZ, City Clerk of the City of Goleta, California, DO
HEREBY CERTIFY that the foregoing Resolution No. 18-__ was duly adopted
by the City Council of the City of Goleta at a regular meeting held on the __ day
of _____, 2018 by the following vote of the Council:

AYES:

NOES:

ABSENT:

(SEAL)

DEBORAH S. LOPEZ
CITY CLERK