



AGENDA REPORT

Department: City Attorney's Office
Prepared by: Barry J. Schultz, City Attorney
Meeting Date: Tuesday, February 21, 2023
Approved by: Brad Raulston, City Manager

SUBJECT:

Public Hearing and Adoption of an Ordinance of the City Council of the City of National City, California Establishing the Compensation of the Mayor and City Council

RECOMMENDATION:

Adopt an ordinance adjusting the Mayor and City Council compensation in accordance with City Council direction.

BOARD/COMMISSION/COMMITTEE PRIOR ACTION:

Not Applicable.

EXPLANATION:

As an election has occurred and resulted in elected officials beginning new terms of office, the City Council at its January 17th meeting discussed changes to their compensation. In accordance with *Government Code section 36516.5* changes to compensation must coincide with elections at which members begin a new term in office. Changes made to compensation outside this window will not be effective until the following term in office (in two years).

The last salary adjustment for Mayor and City Council occurred on February 21, 2017. The last salary adjustment set the base salary of the City Council at \$1,189.78 per month and the base salary of the Mayor at \$4,532.13 per month.

Compensation increases cannot exceed 5% per calendar year from the date of the last increase in compensation, *Government Code Section 36516(a)(4)*. An elected mayor, pursuant to *Government Code Section 36516.1*, may be provided with additional compensation to that which he/she receives as a councilmember. There are no limitations imposed on the amount of the Mayor's compensation.

At the January 17, 2023 City Council meeting, the City Council, in a 4 to 1 vote¹, directed staff to prepare an ordinance increasing their compensation by 30%. The 30% increase would increase City Council compensation to \$1,546.71 per month and the Mayor's compensation to \$5,891.77 per month. The proposed ordinance attached increases the salaries of the Mayor and City Council by 30%.

¹ Mayor Morrison voted against.

The proposed ordinance was introduced by the City Council for a first reading during the February 7, 2023 City Council Meeting. The City Council, in a 3 to 2 vote, directed staff to bring back the proposed ordinance for a second reading and adoption. Vice-Mayor Molina and Councilmember Bush voted against the proposed ordinance.

Should the City Council wish to amend the ordinance's provisions it will require re-introduction and adoption at a subsequent meeting. Delaying final adoption of the ordinance in this manner may raise issues regarding the timeliness of the action under applicable state law.

FINANCIAL STATEMENT:

An increase at the maximum 30% allowable by law will add approximately \$36,500 of new expenditures to the General Fund.

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Not Applicable

ENVIRONMENTAL REVIEW:

This is not a project under CEQA and is therefore not subject to environmental review.CCR15378; PRC 21065.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

ORDINANCE:

Second Reading and Adoption

EXHIBITS:

Exhibit A - Ordinance