

AGENDA ITEM NO. 7.4

ORDINANCE NO. 15-2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AMENDING ELK GROVE MUNICIPAL CODE SECTION 2.04.010 TO INCREASE CITY COUNCIL MEMBER SALARIES

WHEREAS, City Council Member salaries (including the Mayor) are currently set at \$800 per month; and

WHEREAS, the City of Elk Grove's current population is between 150,001 residents and 250,000 residents; and

WHEREAS, California Government Code Section 36516(a)(2)(E) provides that, for cities with a population between 150,001 and 250,000 residents, the City Council may, by ordinance, establish the salary of each City Council Member (including the Mayor) at up to \$2,550 per month, which change in salary will become effective at the start of the next term of office of any Council Member (including the Mayor) pursuant to California Government Code Section 36516.5.

NOW, THEREFORE, the City Council of the City of Elk Grove does ordain as follows:

Section 1: Purpose.

The purpose of this Ordinance is to amend Elk Grove Municipal Code Section 2.04.010 to increase Council Member salaries pursuant to California Government Code Section 36516.

Section 2: Findings.

The City Council finds the need to increase Council Member compensation based on the following legislative findings made in enacting Senate Bill 329 of 2023: (a) the compensation schedule for general law cities has not been adjusted since 1984, meaning that city council compensation has not kept pace with inflation; and (b) allowing cities to adjust their compensation for inflation since 1984 may help city councils become more diverse because increased compensation can help individuals from across different income levels receive sufficient income from their service to help ensure that they can continue to serve the public and support their families. (See Senate Bill 329, section 1.)

Section 3: Amendment to Section 2.04.010.

Section 2.04.010 of the Elk Grove Municipal Code is hereby amended in its entirety to read as follows (new text shown as underlined; deleted text shown as ~~strikeout~~):

2.04.010. Council Members' salaries.

In accordance with the provisions of Section 36516 of the California Government Code, the salary of each member of the City Council of the City of Elk Grove shall be Two Thousand Five Hundred Fifty Eight Hundred and no/100^{ths} (\$2,550.00~~800.00~~) Dollars per month.

Section 4: Severability.

If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application and, to this end, the provisions of this Ordinance are severable. The City Council declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the Ordinance be enforced.

Section 5: No Mandatory Duty of Care.

This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the City or any officer or employee thereof a mandatory duty of care towards persons and property within or without the City, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section 6: Severability.

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

Section 7: Savings Clause

The provisions of this ordinance shall not affect or impair an act done or right vested or approved or any proceeding, suit or prosecution had or commenced in any cause before such repeal shall take effect; but every such act done, or right vested or accrued, or proceeding, suit or prosecution shall remain in full force and effect to all intents and purposes as if such ordinance or part thereof so repealed had remained in force. No offense committed and no liability, penalty or forfeiture, either civilly or criminally incurred prior to the time when any such ordinance or part thereof shall be repealed or altered by said Code shall be discharged or affected by such repeal or alteration; but prosecutions and suits for such offenses, liabilities, penalties or forfeitures shall be instituted and proceeded with in all respects as if such prior ordinance or part thereof had not been repealed or altered.

Section 8: Effective Date and Publication

This Ordinance shall take effect thirty (30) days after its adoption. In lieu of publication of the full text of the ordinance within fifteen (15) days after its passage, a summary of the ordinance may be published at least five (5) days prior to and fifteen (15) days after adoption by the City Council and a certified copy shall be posted in the office of the City Clerk, pursuant to GC 36933(c)(1). The effective date of the salary changes set forth herein shall be the date that any Council Member (including the Mayor) commences a new Council term following the adoption of this Ordinance, including any Council Member who is re-elected.

ORDINANCE: **15-2024**
INTRODUCED: September 25, 2024
ADOPTED:
EFFECTIVE:

BOBBIE SINGH-ALLEN, MAYOR of the
CITY OF ELK GROVE

ATTEST:

APPROVED AS TO FORM:

JASON LINDGREN, CITY CLERK

JONATHAN P. HOBBS,
CITY ATTORNEY

Date signed: _____