

ORDINANCE NO. 2024-1244

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AMENDING CHAPTER 2.11 OF THE IMPERIAL BEACH MUNICIPAL CODE TO INCREASE CITY COUNCIL COMPENSATION IN ACCORDANCE WITH NEWLY ENACTED STATE LAW

WHEREAS, in June 2023, Governor Gavin Newsom signed into law Senate Bill 329 ("SB 329"), which amends California Government Code Section 36516 to update city council compensation schedules to account for inflation. The previous compensation schedules, which are based on population, had not been adjusted since 1984; and

WHEREAS, the legislative intent of SB 329 is to 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; and

WHEREAS, California Government Code Section 36516 provides a method by which salaries for members of a city council are established based on city population; and

WHEREAS, according to the last preceding federal census in 2020 and the California Department of Finance, the City of Imperial Beach has an estimated population of 26,137; and

WHEREAS, under SB 329, city council salaries in cities with populations up to 35,000 can be up to and including \$950 per month; and

WHEREAS, Imperial Beach City Council members currently receive \$641.00 per month in salary; and

WHEREAS, the City Council of the City of Imperial Beach makes the following findings in support of raising City Council salaries to \$950, as allowed by SB 329:

- i. Higher pay can help remove financial barriers that may prevent individuals from running for office. This can make council positions more accessible to a wider range of people, including those from lower-income backgrounds, promoting greater socioeconomic diversity among elected representatives.
- ii. Offering higher pay can attract more qualified individuals to run for city council positions. This can potentially increase the talent pool and diversity of candidates, leading to better decision-making governance.
- iii. A higher salary can incentivize council members to dedicate more time and effort to their roles. This can enable them to devote additional hours to

understanding complex issues, researching policies, and engaging with constituents, thereby enhancing the quality of their work.

- iv. A higher salary can help retain experienced council members who might otherwise leave for higher-paying opportunities elsewhere. Continuity and intuitional knowledge can benefit the city by enabling councilmembers to build expertise, establish relationships, and effectively address long-term challenges.
- v. Increasing compensation recognizes and compensates city council members for their substantial workload. Serving on the city council requires significant time and effort. Councilmembers are responsible for attending meetings, conducting research, engaging with constituents, and making important decisions that directly impact the community.
- vi. The City Council's last compensation increase went into effect at the end of 2018, so it would be appropriate to again increase compensation to account for cost-of-living increases and inflation over the last five years.

WHEREAS, California Government Code Section 36516.5 provides that a change in salary for each city council member does not take effect until one or more members of the city council begins a new term of office; and

WHEREAS, the new salary for each City Council member would go into effect beginning on the date on which a City Council member is sworn into office after the general municipal election held in November 2024.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH AS FOLLOWS:

Section 1: The above recitals are true and correct and incorporated herein as findings as though set forth in full.

Section 2: Chapter 2.11 of the Imperial Beach Municipal Code is amended to read as follows:

2.11.010 Amount.

Upon the ~~effective~~ operative date specified in the ~~e~~Ordinance No. 2024-1244 ~~codified in this chapter~~, each member of the City Council shall be compensated at the rate of ~~\$644~~ \$950.00 per month.

2.11.020 Annual review.

A review of the compensation for the City Council shall be performed no later than March 31st of each year, beginning in March of ~~2019~~2025. The compensation annual review shall consider the ~~lowest~~ cost of living increase (COLA) or salary increase provided to the labor bargaining groups, provided that any increase to City Council compensation it does not exceed the limits of five percent per year per Government Code Section 36516 as amended from time to time. ~~and the increase of the labor groups.~~ Any increase to the compensation as a result of the annual review

must be approved by the City Council via an ordinance and shall be considered by the City Council no later than May 31st of each year.

SECTION 3. Operative Date. Pursuant to California Government Code Section 36516.5, the changes in Section 2 of this Ordinance shall become operative only on and after the date upon which a council member is sworn into a new term of office for the City Council of the City of Imperial Beach following the November 2024 general municipal election. Until said operative date, the City Council salary shall remain at \$641.00 per month.

SECTION 4. Reimbursement. The salaries prescribed by this Ordinance are exclusive of any other amount payable to a City Council member as reimbursement for actual and necessary expenses incurred by him or her in the performance of his or her official duties.

SECTION 5. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance for any reason is 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 this 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, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 6. Publication. The Mayor shall sign this Ordinance and the City Clerk shall cause the same to be published within fifteen (15) days after its passage at least once, in a newspaper of general circulation, published and circulated in the City of Imperial Beach, California.

SECTION 7. Effective date. This Ordinance takes effect 30 days from and after the date of its passage.

INTRODUCED AND FIRST READ at a regular meeting of the City Council of the City of Imperial Beach, held on the 1st day of May 2024, and thereafter **PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Imperial Beach, California, held on the 15th day of May 2024 by the following vote:

AYES: COUNCILMEMBERS:
NOES: COUNCILMEMBERS:
ABSENT: COUNCILMEMBERS:

PALOMA AGUIRRE, MAYOR

ATTEST:

JACQUELINE M. KELLY, MMC
CITY CLERK

APPROVED AS TO FORM:

JENNIFER M. LYON
CITY ATTORNEY