

9) **Compensation for Members of the City Council**

Introduce by title only and waive further reading of AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, AMENDING LAKE ELSINORE MUNICIPAL CODE (LEMC) SECTION 2.08.020 FOR THE PURPOSE OF INCREASING CITY COUNCIL COMPENSATION TO \$1,600 PER MONTH.



REPORT TO CITY COUNCIL

To: Honorable Mayor and Members of the City Council

From: Jason Simpson, City Manager

Prepared by: Barbara Leibold, City Attorney

Date: February 27, 2024

Subject: Compensation for Members of the City Council

Recommendation

Introduce by title only and waive further reading of AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, AMENDING LAKE ELSINORE MUNICIPAL CODE (LEMC) SECTION 2.08.020 FOR THE PURPOSE OF INCREASING CITY COUNCIL COMPENSATION TO \$1,600 PER MONTH.

Background

The City of Lake Elsinore is a general law city formed under the laws of the State of California. California Government Code (Section 36516 et seq.) authorizes general law cities to set Council Member compensation by Ordinance based on population as determined by the last preceding federal census, a subsequent census or estimate validated by the Department of Finance.

City Council Members devote significant time to fulfill their official duties, including (without limitation) preparation and attendance at City Council Meetings, Study Sessions, Council Subcommittee meetings, neighborhood meetings, special City events, regional commission/committee meetings, educational conferences and ceremonial functions. Lake Elsinore City Council compensation was last adjusted effective January 2023 and is currently \$744 per month as set forth by Ordinance No. 2022-1477 and codified in Section 2.08.020 of the Lake Elsinore Municipal Code.

Council Compensation 2024

In recognition of the time demands of council member service and the fact that council member compensation has not kept pace with inflation, California Senator Dodd, introduced SB 329 declaring that “[t]he Legislature has not raised the base pay amounts for City Council Members since 1984,” and the increases authorized by SB 329 are designed to address recent inflationary increases and economic realities, “enable city Council Members to balance their careers and personal obligations with the calling to serve their community,” and “also make it easier for members of marginalized communities to serve.”

On June 29, 2023, Senate Bill 329 (SB 329) was signed into law establishing a new compensation schedule for City Council Members as follows:

- Up to \$950/month for cities with population of 35,000 or less (was \$300/month)
- Up to \$1,275/month for cities with population over 35,000 and up to 50,000 (was \$400/month)
- Up to \$1,600/month for cities with population over 50,000 and up to 75,000 (was \$500/month)
- Up to \$1,900/month for cities with population over 75,000 and up to 150,000 (was \$600/month)
- Up to \$2,550/month for cities with population over 150,000 up to 250,000 (was \$800/month)
- Up to \$3,200/month for cities with population over 250,000 (was \$1000/month)

Discussion

Based on Lake Elsinore’s population of 70,265 as reported in the 2020 Decennial Census, City Council compensation can be adjusted up to \$1,600 per month. While the law allows for an alternative calculation based on a maximum 5% increase per year from the date of the last adjustment (2 years), this amount (\$818.40) is less than the \$1,600 per month compensation set by SB 329. Consequently, \$1,600 is the maximum Council Member compensation adjustment at this time.

Any amounts paid to Council Members for retirement, health and welfare, and federal social security benefits are not included for purposes of determining salary so long as the same benefits are available and paid by the city for its employees. Ordinances cannot provide for automatic future salary increases and any increase in City Council compensation can be effective only upon the commencement of a new term by one or more City Council Members. As such, any salary adjustment will be effective and applicable to the full City Council after the certification of the November 2024 general municipal election.

An Ordinance has been prepared for introduction that establishes an increase in Council Member compensation to \$1,600 per month. If adopted, the Ordinance and the adjusted salary would become effective in January 2025 after the November 2024 City Council election is certified.

Fiscal Impact

If the proposed Ordinance is introduced and adopted, the new salary schedule will be incorporated into the City Council budget for Fiscal Year 2024-25. This represents an increase of \$856 per month or \$10,272 per year per Council Member over current Council Member compensation.

Attachments

Attachment 1 - Ordinance

ORDINANCE NO. 2024 – _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, AMENDING LAKE ELSINORE MUNICIPAL CODE (LEMC) SECTION 2.08.020 COMPENSATION, FOR THE PURPOSE OF INCREASING CITY COUNCIL COMPENSATION TO \$1,600 PER MONTH

Whereas, Government Code Section 36516 et seq. authorizes cities to enact Ordinances setting City Council Member salaries based on population or increased amounts equal to five percent for each calendar year from the operative date of the last adjustment; and

Whereas, effective January 1, 2024, with the passage of Senate Bill 329 (Dodd), Government Code Section 36516 provides that councilmembers in a city with a population of 50,000 – 75,000 based upon either a federal census or an estimate of population validated by the California Department of Finance are authorized to receive a salary of \$1,600 per month; and

Whereas, the current City Council compensation was set by Ordinance No.2022-1477 at \$744 per month commencing January 2023; and

Whereas, the City's population as reported in the 2020 Decennial Census is 70,265; and

Whereas, compensation increases will only occur after the next election and the seating of the newly elected Councilmembers.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE DOES ORDAIN AS FOLLOWS:

Section 1. LEMC Section 2.08.020, Compensation, is hereby amended in its entirety, as follows:

“2.08.020 Compensation.

Members of the City Council shall each receive compensation for their services in the sum \$1,600 per month.”

Section 2. CEQA. This Ordinance is exempt from the California Environmental Quality Act in accordance with Section 15061(b) (3) there is no possibility that the activity in question may have a significant effect on the environment.

Section 3. Severability. If any provision of this Ordinance or its application is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions, sections, or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end each phrase, section, sentence, or word is declared to be severable.

Section 4. Effective Date. This Ordinance shall become effective at 12:01 a.m. on the thirty-first (31st) day after the date of adoption; provided, however, as required by Government Code Section 36516.5, Councilmembers shall not be eligible for the \$1,600.00 salary described in Section 1 of this Ordinance until the term of office begins for Councilmembers elected at the November 2024 General Municipal Election. Until such time, Councilmembers shall continue to receive \$744.00 per month salary.

Section 5. Certification. The City Clerk shall certify to the passage of this Ordinance and shall cause a synopsis of the same to be published according to law.

Passed and Adopted on this _____ day of _____, 2024.

Steve Manos
Mayor

Attest:

Candice Alvarez, MMC
City Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF LAKE ELSINORE)

I, Candice Alvarez, MMC, City Clerk of the City of Lake Elsinore, California, do hereby certify that Ordinance No. 2024-____ was introduced by the City Council of the City of Lake Elsinore, California, at the Regular meeting of February 27, 2024 and adopted at the Regular meeting of _____, 2024 and that the same was adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Candice Alvarez, MMC
City Clerk