

ORDINANCE NO. 19-1921

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, AMENDING SECTIONS 2301 (COUNCILMANIC SALARIES) AND 2301.1 (MAYORAL SALARY) OF CHAPTER 3 (COMPENSATION AND EXPENSES) OF ARTICLE II (ADMINISTRATION) OF THE CARSON MUNICIPAL CODE REGARDING THE DETERMINATION OF COUNCIL MEMBERS' TOTAL WAGES/COMPENSATION AND TOTAL RETIREMENT AND HEALTH CONTRIBUTIONS

WHEREAS, the voters of the City of Carson approved the Charter at the November 6, 2018 election; and

WHEREAS, the City Clerk filed the Charter with the Secretary of State and the Secretary of State has confirmed that the Charter has an effective date of January 17, 2019; and

WHEREAS, Section 304 of the Charter addresses total wages/compensation for Council members and the Mayor; and

WHEREAS, Carson Municipal Code Sections 2301 and 2301.1 address Councilmanic and Mayoral total wages/compensation in a manner inconsistent with the Charter; and

WHEREAS, in the event of a conflict between the Charter and the Carson Municipal Code, the Charter governs; and

WHEREAS, Carson Municipal Code Sections 2301 and 2301.1 shall be amended for consistency with the Charter.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The forgoing recitals are true and correct and are incorporated herein by this reference.

SECTION 2. Section 2301 (Councilmanic Salaries) and 2301.1 (Mayoral Salary) of Chapter 3 (Compensation and Expenses) of Article II (Administration) of the Carson Municipal Code are hereby repealed in entirety and replaced with a new Section 2301 (Councilmanic Salaries) and 2301.1 (Mayoral Salary), respectively as follows (deletions shown in ~~strike through~~, additions shown in ***bold italics***):

2301 Councilmanic Salaries.

~~Pursuant to Section 36516 of the Government Code of the State of California, each member of the City Council shall receive as salary the sum of \$1,722.38 per month. Such salaries shall be payable at the same time and in the same manner as salaries are paid to other officers and employees of the City. (Ord. 2, § 2300; Ord. 37, § 3; Ord. 73-273, § 1; Ord. 76-363, § 1; Ord. 83-672, § 1; Ord. 85-727, § 1; Ord. 87-820, § 1; Ord. 90-898, § 1; Ord. 91-957, § 1; Ord. 94-1027, § 1; Ord. 96-1100, § 1; Ord. 06-1360, § 1)~~

A. All members of the City Council shall receive as total wages/compensation for their services a monthly salary which shall be set at the "Low Income Limits" for a family of four (4) as set forth by the U.S. Department of Housing and Urban Development for the area including Los Angeles County for the year 2018, which amounts to \$77,500. Total wages/compensation exclude total retirement and health contributions.

B. The City shall not provide any additional compensation to members of the City Council for attendance at other meetings of the City or City-affiliated commissions, committees, subcommittees, and boards of directors. Future adjustments to the salaries of City Council members shall be in accordance with, and limited by, the provisions of law as set forth in Government Code Section 36516 or any successor provision thereto.

C. The Council may, by resolution, establish in detail the total wages/compensation and any non-wage/compensation benefits including, but not limited to, retirement and health contributions.

2301.1 Mayoral Salary.

~~The elected Mayor shall serve the Council as its presiding officer and shall be responsible for ensuring all rules and procedures relative to the Council, as described in Chapter 4 of Article II of this Code, are followed and applied in a fair and respectful manner. Pursuant to Section 36516.1 of the Government Code of the State of California, in addition to the salary afforded to Councilmembers as set forth in CMC 2301, the Mayor shall receive an additional salary for the performance of mayoral duties in a sum equal to ten (10) percent. This Section shall only apply to a person elected as Mayor by the voters of Carson and any person serving as acting Mayor or appointed Mayor shall receive the same compensation as Councilmembers. (Ord. 06-1359 § 1)~~

A. In addition to the total wages/compensation afforded to City Council members in Section 2301 above, the Mayor shall, for the performance of mayoral duties, receive an additional amount equal to ten (10) percent of Council member total wage/compensation. Total wages/compensation exclude total retirement and health contributions.

B. This Section shall only apply to a person elected as Mayor by the voters of the City of Carson. Any person serving as acting Mayor or appointed Mayor shall be compensated as described in Section 2301 above.

C. The Council may, by resolution, establish in detail the Mayor's salary discussed in this Section and any non-wage/compensation benefits including, but not limited to, retirement and health contributions.

SECTION 3. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or the application thereof to any person or circumstances, is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or application, and to this end the provisions of this ordinance are declared to be severable. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any

one or more sections, subsections, sentences, clauses, phrases, parts or portions thereof be declared invalid or unconstitutional.

SECTION 4. This Ordinance shall be in full force and effect thirty (30) days after its adoption.

SECTION 5. The City Clerk shall certify to the adoption of this Ordinance, and shall cause the same to be posted and codified in the manner required by law.

PASSED, APPROVED and ADOPTED at a regular meeting of the City Council on this 19th day of February, 2019.

APPROVED AS TO FORM:

CITY OF CARSON:

/s/
Sunny K. Soltani, City Attorney

/s/
Albert Robles, Mayor

ATTEST:

/s/
Donesia Gause-Aldana, MMC, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF CARSON)

I, Donesia Gause-Aldana, City Clerk of the City of Carson, California, hereby attest to and certify that the foregoing ordinance, being Ordinance 19-1921 passed first reading on the 5th day of February, 2019, adopted by the Carson City Council at its meeting held on the 19th day of February, 2019, by the following roll call vote:

AYES: COUNCIL MEMBERS: Robles, Hicks, Davis-Holmes, Hilton
NOES: COUNCIL MEMBERS: None
ABSTAIN: COUNCIL MEMBERS: Dear
ABSENT: COUNCIL MEMBERS: None

/s/
Donesia Gause-Aldana, MMC, City Clerk