

## ORDINANCE NO. O-2007-008

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PISMO BEACH ESTABLISHING SALARIES FOR CITY COUNCIL MEMBERS

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**WHEREAS**, Government Code Sections 36516 authorizes the payment of a salary to members of the city council; and

**WHEREAS**, Government Code Section 36516(c) authorizes an increase in such salaries in an amount not to exceed five percent for each calendar year from the operative date of the last adjustment of the salary; and

**WHEREAS**, the last increase in salary for members of the City Council was effective December 1, 2002; and

**WHEREAS**, the City Council wishes to increase the salary amount paid to councilmembers effective on and after the date upon which one or more members of the council begins a new term of office following the next succeeding general municipal election held in the city; and

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Pismo Beach does ordain as follows:

#### **SECTION 1.**

Section 2.04.020 of the Pismo Beach Municipal Code is hereby amended as follows:

##### **2.04.020 Salaries designated.**

Each member of the council shall receive, as salary, the sum of five hundred fourteen dollars and eighty cents (\$514.80) per month, as prescribed in Section 36516 of the Government Code for cities of up to and including thirty-five thousand in population, effective December 1, 2008. Pursuant to Government Code Section 36516.1, in addition to the salary received as a member of the City Council, the mayor shall receive three hundred dollars (\$300.00) per month. In addition, each member of the council shall be reimbursed for actual expenses incurred in the performance of the council's duties in such amounts as may be approved by resolution. Both the salary and the expense reimbursement shall be payable at the same time and in the same manner as the salaries are paid to other officers and employees of the city.

#### **SECTION 2.**

This ordinance shall not be interpreted in any manner to conflict with controlling provisions of state law, including, without limitation, the Constitution of the State of California. If any section, subsection or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections

and clauses shall not be affected thereby. If this ordinance, or any section, subsection or clause of this ordinance shall be deemed unconstitutional or invalid as applied to a particular appeal, the validity of this ordinance and its sections, subsections and clauses in regards to other contracts, shall not be affected.

**SECTION 3.**

This ordinance shall become effective on the thirtieth day following passage and adoption hereof. Notwithstanding the effective date of this ordinance, the salary increase set forth in Section 1 shall become payable only on and after the date upon which one or more members of the council become eligible therefor by virtue of beginning a new term of office following the next succeeding general municipal election held in the city, pursuant to Pismo Beach Municipal Code Section 2.04.030.

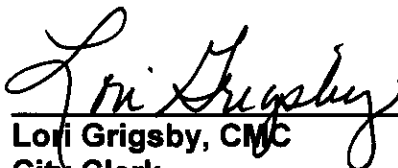
**SECTION 4.**

The City Clerk shall certify to the passage and adoption of this Ordinance, shall enter the same in the book of original ordinances of the City and shall make a minute of the passage and adoption thereof in the records of the meeting at which the same is passed and adopted. Before the expiration of 15 days after the passage of this Ordinance, the City Clerk shall cause the same to be posted in three public places within the City of Pismo Beach, to wit: 1) City Hall, 760 Mattie Road, Pismo Beach, 2) U.S. Post Office, Shell Beach Road, Pismo Beach, 3) U.S. Post Office, Crest Drive, Pismo Beach.

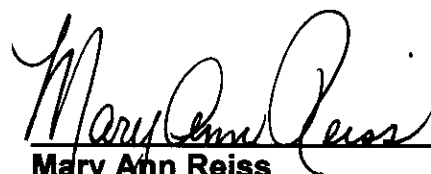
**INTRODUCED** at a regular meeting of the City Council held this 19<sup>th</sup> day of June, 2007, on motion of Councilmember Rabenaldt, seconded by Councilmember Ehring, and on the following roll call vote, to wit:

**AYES: 5 Councilmembers: Rabenaldt, Ehring, Higginbotham, Vardas, Reiss**  
**NOES: 0**  
**ABSENT: 0**  
**ABSTAIN: 0**

**ATTEST:**

  
\_\_\_\_\_  
**Lori Grigsby, CMC**  
**City Clerk**

**APPROVED:**

  
\_\_\_\_\_  
**Mary Ann Reiss**  
**Mayor**

**SECOND READING** at a regular meeting of the City Council held this 3<sup>rd</sup> day of July, 2007, on motion of Councilmember Vardas seconded by Mayor Pro Tem \_\_\_\_\_, and on the following roll call vote, to wit: Higginbotham

**AYES:** 5 Vardas, Higginbotham, Ehring, Rabenalt, Reiss

**NOES:** 0

**ABSENT:**

**ABSTAIN:**

**ATTEST:**

  
\_\_\_\_\_  
Emily Colborn, CMC  
Deputy City Clerk

**APPROVED:**

  
\_\_\_\_\_  
Mary Ann Reiss  
Mayor

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
David M. Fleishman, City Attorney