

ORDINANCE NO. Insert No.

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENIFEE,
CALIFORNIA, APPROVING A STATUTORY INCREASE IN COMPENSATION FOR
MEMBERS OF THE CITY COUNCIL TO TAKE EFFECT AFTER THE NOVEMBER
2024 MUNICIPAL ELECTION**

WHEREAS, the City of Menifee ("City"), was incorporated as a general law city effective October 1, 2008; and

WHEREAS, 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

WHEREAS, under the provisions of Senate Bill (SB) 329 approved by the Governor of the State of California on June 29, 2023, and filed with the Secretary of State on June 29, 2023, Government Code Section 36516 has been updated to provide that the base salary that may be paid to City Council members in cities with a population of over 75,000 and up to 150,000 is now \$1,900 per month; and

WHEREAS, based upon the January 1, 2023, State of California Department of Finance population estimates, the City's population now exceeds 110,000; and

WHEREAS, as authorized by Government Code Section 36516, on August 6, 2013, City Council member salaries were set at \$650 per month, effective after the November 2014 municipal election; and

WHEREAS, by voter initiative approved at the November 4, 2014 election, the Mayor's salary is set at \$100 per month more than the compensation set for members of the City Council and is subject to adjustment in accord with Government Code Section 36516; and

WHEREAS, the City of Menifee has a staggered system of electing members to the City Council in which districts one and three and the position of Mayor are up for election at the Presidential general election held in November of even numbered years and districts two and four are up for election at the non-Presidential general election held in November of even numbered years; and

WHEREAS, Government Code Section 36516.5 provides that no increase in compensation can apply to any member of a City Council during his or her term of office, except that "all members of a council serving staggered terms are eligible for a salary increase whenever one or more members of the city council becomes eligible for a salary increase by virtue of the council member beginning a new term"; and

WHEREAS, to assure that members of the Menifee City Council are compensated in a manner that is consistent with California law and allowed the benefit of legally permitted increases an ordinance implementing such an increase must be adopted.

NOW, THEREFORE, the City Council of the City of Menifee, California does ordain as follows:

Section 1. **Recitals Incorporated.** The City Council of the City of Menifee finds that the above recitals are true and correct, and that the above recitals are incorporated herein by reference as if set forth in full.

Section 2. Findings.

(A). The salary of the Mayor has been established by voter initiative proved on November 4, 2014, and is set at \$100 per month more than the compensation set for members of the City Council. The salary of the Mayor is subject to further adjustment in accord with Government Code Section 36516.

(B). California law permits the City of Menifee to increase compensation paid to members of the City Council by ordinance.

(C). Following the November 2024 municipal election, the legally permitted increase in salary for members of the City Council that may be implemented is \$1,900 per month.

Section 3. Increase in Compensation. Effective upon commencement of the term of office beginning after the general municipal election to be held in November of 2024, the base salary compensation payable to all members of the City Council is increased to \$1,900 per month, and the base salary compensation payable to the Mayor is increased to \$2,000 per month.

Section 4. Severability. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason 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, and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional, without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

Section 5. Effective Date. This Ordinance is enacted pursuant to the authority conferred upon the City Council of the City of Menifee by Government Code Section 36516, and shall take full force and effect upon the commencement of the term of office beginning after the general election to be held in November 2024.

Section 6. Notice of Adoption. The City Clerk shall certify to the passage and adoption of this Ordinance, and shall cause to be published within fifteen (15) days after its passage in a newspaper of general circulation and circulated within the City in accordance with Government Code Section 36933(a) or, cause this Ordinance to be published in a manner required by law using the alternative summary and posting procedure authorized under Government Code Section 36933 (c).

This Ordinance was introduced and read on the 1st day of November, 2023 and APPROVED AND ADOPTED THIS Day DAY of MONTH USING CAPS, Year.

Bill Zimmerman, Mayor

Attest:

Sarah Manwaring, City Clerk

Approved as to form:

Jeffrey T. Melching, City Attorney