

ORDINANCE NO. 10-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORANGE AMENDING TITLE 2, CHAPTER 2.08 OF THE ORANGE MUNICIPAL CODE RELATING TO CITY COUNCIL COMPENSATION.

WHEREAS, in November, 2011, the City Council adopted an ordinance eliminating all salary, health and retirement benefits for the Mayor and City Council members, which applied prospectively, to future Mayors and City Council members; and

WHEREAS, the lack of salary or compensation offered to City Council members often dissuades interest or ability for citizens to serve as elected officials; and

WHEREAS, nearly every city in Orange County offers compensation to the City Council members, who serve as an elected official; and

WHEREAS, Government Code Section 36516 provides that a city council may enact an ordinance providing that each member of the city council receive a salary based on the population of the city; and

WHEREAS, in cities like Orange, with a population between 75,000 and 150,000, the salary is set by statute at \$600 per month; and

WHEREAS, in accordance with state law, the salary benefits apply to each member of city council who begins a new term of office after the effective date of the ordinance; and

WHEREAS, a city council member may waive any or all of the compensation permitted by this ordinance.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ORANGE DOES
HEREBY ORDAIN AS FOLLOWS:**

SECTION I:

The Ordinance is not a project under the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15378, because it involves administrative activities of the City that will not result in direct or indirect physical changes in the environment.

SECTION II:

Title 2, Chapter 2.08 of the Orange Municipal Code, "City Council, Mayor and Redevelopment Agency Compensation", is hereby deleted in its entirety and replaced with Chapter 2.08, "City Council Compensation", which shall read as follows:

Chapter 2.08 – City Council Compensation.

2.08.010 - Authority.

The authority for the City Council to receive salary benefits is set forth in Government Code Section 36516.

2.08.020 – Compensation.

Pursuant to California Government Code Section 36516 (a) (2) (D), the compensation for City Council members shall be \$600.00 per month. Such compensation shall be payable at the same time salaries are paid to other officers and employees of the city.

2.08.030 – Waiver.

A City Council member may waive any or all compensation provided by this Chapter.

2.08.040 – Prospective Application.

Notwithstanding the provisions contained in California Government Code Section 36516.5, salary benefits shall apply to a member of the City Council who begins a new term in office as a member of the City Council after the adoption of this ordinance.

SECTION III:

To the extent required to implement the provisions of this Ordinance, City staff is directed to modify any Administrative Policies in conflict herewith and return to the City Council for any City Council approvals deemed necessary.

SECTION IV:

If any section, subdivision, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subdivision, paragraph, sentence, clause and phrase thereof, irrespective of the fact that any one (or more) section, subdivision, paragraph, sentence, clause or phrase had been declared invalid or unconstitutional.

SECTION V:

The City Clerk is hereby directed to certify the adoption of this Ordinance and cause the same to be published as required by law. This Ordinance shall take effect thirty (30) days from and after the date of its final passage.

ADOPTED this _____ day of _____, 2021.

Mark A. Murphy, Mayor, City of Orange

ATTEST:

Pamela Coleman, City Clerk, City of Orange

STATE OF CALIFORNIA)
COUNTY OF ORANGE)
CITY OF ORANGE)

I, PAMELA COLEMAN, City Clerk of the City of Orange, California, do hereby certify that the foregoing Ordinance was introduced at the regular meeting of the City Council held on the ____ day of _____, 2021, and thereafter at the regular meeting of said City Council duly held on the ____ day of _____, 2021 was duly passed and adopted by the following vote, to wit:

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

Pamela Coleman, City Clerk, City of Orange