

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BEAUMONT, CALIFORNIA, AMENDING TITLE 2, CHAPTER 2.08, SECTION 2.08.100 - “CITY COUNCIL—SALARIES” AND SECTION 2.08.150 - “CITY TREASURER AND CITY CLERK—SALARIES” OF THE BEAUMONT MUNICIPAL CODE

WHEREAS, section 2.08.100 - “City Council—Salaries” permits Council members to receive compensation for their service, as provided by general law, in the base amount of \$400 per month; and

WHEREAS, sections 36516 and 36516.5 of the California Government Code authorizes Council members to be paid a monthly salary for their service in accordance with those provisions; and

WHEREAS, section 2.08.150 - “City Treasurer and City Clerk—Salaries” authorizes the City Treasurer and City Clerk to receive compensation for their service in the base amount of \$140 per month; and

WHEREAS, section 36517 of the California Government Code provides that the salaries of the City Treasurer and City Clerk shall be fixed by ordinance or resolution; and

WHEREAS, pursuant to section 2.08.100 of the Beaumont Municipal Code, the salary of Council members may be increased by ordinance or by an amendment, in an amount of up to 5% for each calendar year from the operative date of the last salary adjustment in effect when the ordinance or amendment was enacted; and

WHEREAS, on June 29, 2023, the California Governor signed into law Senate Bill 329 regarding City Council compensation; and

WHEREAS, Senate Bill 329 was adopted to permit the adjustment of City Council salaries to reflect the important work done by City Council members, to take into account the impacts of inflation and economic realities on those who serve as City Council members, and to encourage more persons to consider service as Council members by making the compensation more reflective of the time and work being performed; furthermore, Senate Bill 329 provides new formulas for periodic adjustment to City Council salaries; and

WHEREAS, based on the duties of the City Treasurer and City Clerk as set forth in Beaumont Municipal Code sections 2.08.120 and 2.08.160, respectively, and the work performed and time dedicated by these elected officials, it is proper for City Council to consider a monthly salary up to the amount considered/set for Council members; and

WHEREAS, the City Council reviewed and discussed the purpose and impacts of Senate Bill 329 and relevant California law on the future governance of the City of Beaumont at its October __, 2023 meeting; and

WHEREAS, under Senate Bill 329, the salaries for the City Council of the City of Beaumont, and similarly, the salaries of the City Treasurer and City Clerk, may be set at \$1,600 per month based on the City’s population; and

WHEREAS, pursuant to Government Code section 36516.5, elected officer salary increases set forth herein may take effect only when at least one member of the Council commences a new term.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEAUMONT, RIVERSIDE COUNTY STATE OF CALIFORNIA AS FOLLOWS:

SECTION 1. CEQA. The City Council finds that the actions contemplated by this Ordinance are exempt from the California Environment Quality Act ("CEQA") pursuant to Section 15060 (c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 1560(c)(3) (the activity is not project as defined in Section 15378) of the CEQA Guidelines, California Code Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

SECTION 2 Severability. The City Council hereby declares that if any provision, section, paragraph, sentence, or word of this Ordinance is rendered or declared to be invalid or unconstitutional by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, such invalidity shall not affect the other provisions, sections, paragraphs, sentences or words of this Ordinance, and to this end the provisions, of this Ordinance are severable. The City Council declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the Ordinance enforced.

SECTION 3. The City Council hereby amends Section 2.08.100 - "City Council—Salaries" of the Beaumont Municipal Code as follows:

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 One Thousand Six Hundred Dollars (\$1,600) per month, with such adjustments as may be permitted from time to time by State law. 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 . A City Council member may waive any or all of the compensation. .

SECTION 4. The City Council hereby amends Section 2.08.150 - "City Treasurer and City Clerk—Salaries" of the Beaumont Municipal Code as follows:

The office holders of City Treasurer and City Clerk shall each receive a salary of \$560.00 per month, to be paid at the same time and in the same manner as salaries are paid to other officers and employees of the City. The salary may be increased by ordinance or by amendment thereto, in an amount approved by City Council pursuant to Government Code Section § 36517. The City Treasurer and/or City Clerk may waive any or all of the compensation.

SECTION 5. Effective Date and Publication. The Mayor shall sign and the City Clerk shall certify to the passage of this Ordinance and cause the same or a summary thereof to be published within 15 days after adoption in accordance with Government Code Section 36937.

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Beaumont, California, approves this amendment to the Beaumont Municipal Code.

INTRODUCED AND READ for the first time and ordered posted at a regular meeting of the City Council of the City of Beaumont, California, held on the ___ day of _____ 2023 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Beaumont, California, held on this ___ day of _____ 2023.

AYES:
NOES:
ABSENT:
ABSTAIN:

Julio Martinez, III, Mayor

ATTEST: _____
City Clerk

Approved as to form:

John O. Pinkney, City Attorney