

ORDINANCE NO. 1005

AN ORDINANCE OF THE CITY OF LOS BANOS AMENDING SECTIONS 2-1.201, 2-1.202, 2-1.203, AND 2-1.204 OF THE LOS BANOS MUNICIPAL CODE RELATING TO COUNCIL MEMBER COMPENSATION

The City Council of the City of Los Banos does ordain as follows:

Section 1. The City Council of the City of Los Banos does hereby amend sections 2-1.201, 2-1.202, 2-1.203, and 2-1.204 of the Los Banos Municipal Code to read as follows.

Sec. 2-1.201 Authority.

Sections 36516 and 36516.1 of the California Government Code authorizes the City Council to enact an ordinance providing that each member of the City Council receive a salary in accordance with a schedule set forth in Section 36516 and providing that the Mayor may receive compensation in addition to that which he or she receives as a councilman as set forth in Section 36516.1.

Sec. 2-1.202 Population.

As of 2003, the latest estimate of population of the City made by the Department of Finance is twenty-nine thousand one hundred thirty-nine (29,139).

Sec. 2-1.203 Salaries.

(a) Each member of the Council of the City shall receive as salary the sum of three hundred dollars (\$300.00) per month, as is permitted in Section 36516 of the Government Code for cities "up to and including 35,000 population," which shall be payable at the same time and the same manner as the salaries are paid to other officers and employees of the City.

(b) The Mayor shall receive a monthly salary of one hundred dollars (\$100), in addition to that which he or she receives as a Council member as permitted by Section 36516.1 of the Government Code.

Sec. 2-1.204 Salary increase or decrease.

(a) Subsequent changes in salaries of members of the City Council shall be governed by Sections 36516, 36516.1, and 36516.5 of the Government Code.

(b) For the purpose of this Chapter, the population of the City shall be determined by the latest estimate of population made by the California Department of Finance.

(c) Compensation of Council members may be increased beyond the amount provided in this Chapter by an ordinance or amendment hereto enacted by the City Council; provided that, should the amount exceed the limitations specified in Section 36516 of the Government Code, such amount shall not exceed an amount equal to five percent for each calendar year from the operative date of the last adjustment of the salary in effect when the ordinance or amendment thereto is enacted.

(d) A change in compensation does not apply to a Council member during his or her term of office; however, the prohibition herein expressed shall not prevent the adjustment of the compensation of all members of the Council serving staggered terms whenever one or more members of the Council becomes eligible for a salary increase by virtue of his or her beginning a new term of office.

Section 2. This Ordinance shall go into effect and be in full force and operation thirty (30) days after its final passage and adoption, and shall be published by one (1) insertion in the Los Banos Enterprise, a newspaper printed and published in the City of Los Banos, within fifteen (15) days after its final passage.

Introduced by Council Member Smith and seconded by Council Member Gerbi on the 5th day of November 2003.

Passed on the 19th day of November 2003, by the following vote:

AYES: Council Members Gerbi, Hudak, McAdam, Mayor Amabile
NOES: None
ABSENT: Council Member Smith

APPROVED: _____

/s/ Michael S. Amabile
Michael S. Amabile, Mayor

ATTEST:

/s/ Lucille L. Mallonee
Lucille L. Mallonee, City Clerk