



CITY OF LODI COUNCIL COMMUNICATION

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AGENDA TITLE: Introduce Ordinance Amending Lodi Municipal Code Section 2.08.020 Relating to City Council Salaries

MEETING DATE: April 2, 2008

PREPARED BY: Randi Johl, City Clerk

RECOMMENDED ACTION: Introduce ordinance amending Lodi Municipal Code Section 2.08.020 relating to City Council salaries.

BACKGROUND INFORMATION: At the Council meeting of March 19, 2008, the City Council voted to increase Council salaries from \$500 a month to \$860 a month as prescribed for in Government Code Section 36516. In order to implement said increase, it is necessary to introduce the attached ordinance amending Lodi Municipal Code Section 2.08.020. The salary increase would not become effective until the next municipal election in November 2008.

FISCAL IMPACT: This will increase the annual cost by \$21,600 upon approval.

FUNDING AVAILABLE: Funding will be made available in the 2008-09 budget.

Kirk Evans, Budget Manager

Randi Johl
City Clerk

RJ/JMP

Attachment

APPROVED: _____
Blair King, City Manager

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LODI AMENDING LODI MUNICIPAL
CODE SECTION 2.08.020 RELATING TO CITY
COUNCIL SALARIES AS AUTHORIZED BY
GOVERNMENT CODE SECTION 36516 (a) (3)

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WHEREAS, Government Code Section 36516 (a) (3) sets forth that a city council may enact an ordinance providing that each member of the city council receive a salary up to and including five hundred dollars (\$500) per month in cities over 50,000 up to and including 75,000 in population; and

WHEREAS, Government Code Section 36516 (c) states that compensation of council members may be increased beyond the amount by an ordinance or by an amendment to an ordinance but the amount of the increase may not exceed an amount equal to five percent (5%) for each calendar year from the operative date of the last adjustment of the salary in effect when the ordinance or amendment is enacted. No salary ordinance shall be enacted or amended which provides for automatic future increases in salary.

BE IT ORDAINED BY THE LODI CITY COUNCIL:

SECTION 1. Lodi Municipal Code Section 2.08.020 relating to City Council salaries is hereby amended as authorized by Government Code Section 36516 (a) (3) to read as follows:

Each member of the council of the city shall receive, as salary, the sum of eight hundred sixty dollars per month, as prescribed in Government Code Section 36516 (a) (3) in cities over fifty thousand in population, which shall be effective December 3, 2008, and shall be payable from and after the operative date of the ordinance codified in this chapter at the same time and in the same manner as the salaries are paid to other officers and employees of the city.

SECTION 2. No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner which imposes upon the City, or any officer or employee thereof, a mandatory duty of care towards persons or property within the City or outside of the City so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

SECTION 3. Severability. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are severable. The City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof.

SECTION 4. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 5. This ordinance shall be published one time in the "Lodi News Sentinel," a daily newspaper of general circulation printed and published in the City of Lodi, and shall be in force and take effect December 3, 2008.

Approved this ____ day of April, 2008

JOANNE MOUNCE
Mayor

Attest:

RANDI JOHL
City Clerk

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State of California
County of San Joaquin, ss.

I, Randi Johl, City Clerk of the City of Lodi, do hereby certify that Ordinance No. ____ was introduced at a regular meeting of the City Council of the City of Lodi held April 2, 2008, and was thereafter passed, adopted, and ordered to print at a regular meeting of said Council held _____, 2008, by the following vote:

- AYES: COUNCIL MEMBERS –
- NOES; COUNCIL MEMBERS –
- ABSENT: COUNCIL MEMBERS –
- ABSTAIN: COUNCIL MEMBERS –

I further certify that Ordinance No. ____ was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

RANDI JOHL
City Clerk

Approved as to Form:

D. STEPHEN SCHWABAUER
City Attorney