

CITY CHARTER SECTION 405

City Charter Section 405. - COMPENSATION.

Pursuant to an ordinance adopted by the City Council authorizing the formation of a Committee on City Councilmembers' Compensation ("the Committee"), each member of the City Council shall nominate one person to the Committee, subject to the approval of the City Council. The duties of the Committee shall be to study, take public input, and make recommendations regarding the compensation paid to members of the City Council and benefits to which the members of the City Council are entitled including, but not limited to, insurance, expense allowances and reimbursement. The Committee shall be convened not less than once every five years.

Each member of the Committee shall be an elector of the City. In making their nominations, City Councilmembers shall consider persons recommended by representatives of the fields of higher education, labor, business, and organizations reflecting the diversity of the City. No person shall be eligible for membership on the Committee who is, or within five years prior to his or her appointment was, an officer or employee of the City; or who has, within five years prior to his or her appointment, had any personal or business-related contractual relation with the City.

The nominee of the Mayor shall act as temporary chair of the Committee, with the power to fix the time and place of the Committee's first meeting. At such meeting, the Committee shall elect a Chair and a Vice-Chair, and shall adopt such rules as it deems necessary to conduct its business. The provisions of the Ralph M. Brown Act shall govern the conduct of meetings of the Committee. Records of the Committee shall be maintained as public records as provided by State law. The Committee shall gather such information as it deems necessary to complete its duties, and prior to making its recommendation, shall hold at least one duly-noticed public hearing for the purpose of seeking public input. The City Manager shall provide office space, staff assistance and supplies for the work of the Committee. Committee members shall serve without compensation, other than reimbursement for reasonable expenses pursuant to City ordinance.

Not later than October 1 of the year the Committee is appointed, the Committee shall submit to the City Council a report adopted by a majority of the members of the Committee recommending either that no change be made in the compensation paid to members of the City Council, or that change, either an increase or a decrease, be made and the amount thereof. If such report is not timely submitted, or is not adopted by a majority of the members of the Committee, the Committee's recommendation shall be deemed to be a recommendation for no change. The Committee shall cease to exist thirty (30) days after its report is submitted to the City Council.

The City Council may take no action on the recommendation, or it may, by ordinance, adjust the compensation paid to members of the City Council by an amount not to exceed the recommendations of the Committee. No action which increases the compensation of City Council in excess of the level recommended by the Committee may be taken without a vote of

the people. Any ordinance adopted pursuant to a recommendation of the Committee shall be adopted by a 2/3 majority vote and shall be subject to referendum as provided in this Charter. Once compensation has been initially established as provided in this section, no increase in the annual compensation shall be greater than five percent for each calendar year following the operative date of the most recent change for the compensation. No more than one ordinance establishing the compensation of City Council members may be adopted in any two calendar year period. Any compensation and benefits fixed as a result of this Section shall constitute full compensation for the services of the City Council member and the maximum benefits provided to the City Council member by the City.

Until such time as the City Council adopts an ordinance as provided herein, Councilmembers shall continue to receive the compensation in effect as of the effective date of the Section.

(Sec. 405 amended by vote of the people 11-5-2024; Sec. 405 amended by vote of the people 11-3-1998; Sec. 405 amended by vote of the people 3-9-1993; Sec. 405 amended by vote of the people 11-4-1980, effective May 4, 1981.)