

**ORDINANCE NO. 1864**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, AMENDING SECTION 2.04.170 OF THE GARDENA MUNICIPAL CODE SETTING THE COMPENSATION OF THE MAYOR AND MEMBERS OF CITY COUNCIL AS AUTHORIZED BY SENATE BILL 329**

WHEREAS, Senate Bill 329 was adopted to "reset" 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; and

WHEREAS, the City Council has not had an increase in compensation since 2002 therefore its salaries were no longer reflective of the time and effort put forth by an elected official in the City; and

WHEREAS, reasonable council member compensation acknowledges the civic commitment of service and provides an additional incentive for a diverse candidate pool as possible; and

WHEREAS, the City Council reviewed and discussed the value and important impacts of Senate Bill 329 on the future governance of the City and found that it agreed with the intent of the state legislature; and

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

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

WHEREAS, SB 329 does not affect Government Code 36516.1, which allows the Council to approve additional compensation for an elected Mayor. The Attorney General has ruled that the prohibition against "mid-term" salary increases applicable to Council Members (pursuant to Government Code Section 36516.5) does not apply to directly-elected Mayors. The additional compensation for performing mayoral duties is not received as "a councilperson." 89 Ops.Cal.Atty.Gen. 159 (2006); and

WHEREAS, the City Council now desires to amend the Gardena Municipal Code relating to the compensation paid to persons elected to serve the people of Gardena as City Councilmembers and Mayor as authorized by state law and pursuant to Senate Bill 329 and Government Code 36516.1.

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NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY ORDAIN, AS FOLLOWS:

SECTION 1. Section 2.04.170 of the Gardena Municipal Code is amended to read, as follows:

**2.04.170 Compensation of Mayor and City Council.**

A. Pursuant to Government Code Section 36516 each member of the City Council, including the Mayor, shall receive as compensation a salary of one thousand and six hundred dollars (\$1,600) per month. That the salary shall become payable only on or after the date upon which one or more members of the City Council become eligible therefore by virtue of beginning a new term of office as provided for in California Government Code Section 36516.5.

B. Pursuant to Government Code Section 36516.1 the Mayor shall receive as compensation an additional one thousand dollars (\$1,000) per month.

C. Any amounts paid to the Mayor or members of the City Council for reimbursements pursuant to Government Code section 36514.5 or for retirement and health and welfare benefits shall not be included in determining salary pursuant to this section.

SECTION 2. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase be declared unconstitutional.

SECTION 3. Certification. The City Clerk shall certify the passage of this ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted; and shall, within fifteen (15) days after the passage and adoption thereof, cause the same to be published as required by law, in a publication of general circulation.

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SECTION 4. Effective Date. This ordinance shall not become effective or be in force until thirty (30) days from and after the date of its adoption.

Passed, approved, and adopted this 9th day of January, 2024.

*Tasha Cerda, Mayor*

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TASHA CERDA, Mayor

ATTEST:

*Mina Semenza*

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MINA SEMENZA, City Clerk

APPROVED AS TO FORM:

*Carmen Vasquez*

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CARMEN VASQUEZ, City Attorney

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    ) SS:  
CITY OF GARDENA                )

I, **MINA SEMENZA**, City Clerk of the City of Gardena, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance, being **Ordinance No. 1864** duly passed and adopted by the City Council of said City of Gardena, approved and signed by the Mayor of said City, and attested by the City Clerk, all at a regular meeting of said City Council held on the **9<sup>th</sup> day of January 2024**, and that the same was so passed and adopted by the following roll call vote:

AYES:    MAYOR PRO TEM HENDERSON, COUNCIL MEMBERS FRANCIS,  
          TANAKA AND LOVE, AND MAYOR CERDA

NOES:    NONE

ABSENT: NONE

*for* *Backy Romero*  
City Clerk of the City of Gardena, California

(SEAL)