

ORDINANCE NO. FINAL ADOPTION (CM)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE REPEALING UNCODIFIED ORDINANCE NO. 1456-23 (CM) AND REPLACING IT WITH A NEW CODIFIED ORDINANCE; BY ADDING SECTION 2-1.123 (COMPENSATION) TO ARTICLE 1 (COUNCIL PROCEDURE) OF CHAPTER 1 (COUNCIL) OF TITLE 2 (ADMINISTRATION) OF THE WATSONVILLE MUNICIPAL CODE WHICH SETS THE COMPENSATION FOR EACH MEMBER OF THE CITY COUNCIL AND THE MAYOR

WHEREAS, the Charter of the City of Watsonville (“Charter”) Section 405 states that the Council shall receive a salary, not to exceed the amount provided in the schedule set forth in Section 36516(a) of the Government Code, and as may be amended. “Such amount shall constitute total compensation which may include fringe benefits.”; and

WHEREAS, Charter Section 502 states that the Mayor shall receive \$100 per month in addition to the amount set forth in Section 405; and

WHEREAS, on July 18, 2023, the City Council enacted Ordinance No. 1456-23 (CM), in which it increased City Council and Mayor compensation. The increase comprised an increase in salary from \$638.17 to \$670.04 per month, and a \$10 per month contribution by the City for a term life insurance policy for all Council Members and the Mayor; and

WHEREAS, Senate Bill 329, effective January 1, 2024, amended Government Code Section 36516 to increase the maximum salary for City Councilmembers. The increases are based on population, so the maximum salary permitted for Watsonville Councilmembers is \$1,600 per month; and

WHEREAS, Government Code Section 36516(d) provides that any amounts

paid by a city for retirement, health and welfare, and federal social security benefits shall not be included for purposes of determining salary, provided that the same benefits are available and paid by the City for its employees; and

WHEREAS, Charter Section 405 indicates that any benefit paid to Councilmembers must be deducted from Councilmembers' salaries, regardless of whether the City provides that same benefit to City staff. In this way, the City's Charter allows Watsonville Councilmembers to receive less total compensation than is permitted by the Government Code and Councilmembers in other general law cities; and

WHEREAS, as noted by the State legislature in AB 329, the Councilmember compensation schedule for general law cities has not been adjusted since 1984, meaning that City Council compensation has not kept pace with inflation; and

WHEREAS, allowing adjustments for inflation may help city councils become more diverse because increased compensation can help individuals from across different income levels receive sufficient income from their service to help ensure that they can continue to serve the public and support their families; and

WHEREAS, increasing compensation for Councilmembers reflects the significant time commitment required to serve as a Councilmember; and

WHEREAS, allowing Councilmembers to receive benefits similar to those received by City staff is consistent with Section 36516 and furthers the goal of increasing access to service on the City Council; and

WHEREAS, Section 36516 permits the City Council to increase its salary to \$1,600 by Ordinance. To receive healthcare or other benefits, in addition to the

maximum salary permitted under 36516, the City must amend Section 405 of its Charter.

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

SECTION 1. REPEAL.

Uncodified Ordinance No. 1456-23 is hereby repealed and replaced with this Ordinance.

SECTION 2. ADDING NEW SECTION 2-1.123 TO ARTICLE 1 (COUNCIL PROCEDURE) OF CHAPTER 1 (COUNCIL) OF TITLE 2 (ADMINISTRATION) OF THE WATSONVILLE MUNICIPAL CODE.

Section 2-1.123, Council Member and Mayor Compensation, is hereby added to Article 1 of Chapter 1 of Title 2 of the Watsonville Municipal Code, to read in words and figures as follows:

Section 2-1.123 Council Member and Mayor Compensation.

(a) Consistent with the City Charter and Cal. Government Code Section 36516, all Council Members shall receive a salary of \$1,600.00 per month, effective December 2024, when a new term of office for any Council Member commences. The Mayor shall also receive supplemental compensation as permitted by Section 502 of the City Charter. These amounts shall include a \$10 per month contribution by the City for a life insurance benefit.

(b) Any changes to the City Charter enacted by the voters that impact compensation of Council Members or the Mayor, including but not limited to changes to Charter Sections 405 and 502, shall take effect as soon as permitted by law and shall

not require any amendment of this Ordinance.

SECTION 3. RECITALS.

The City Council finds and determines the foregoing recitals to be true and correct and hereby adopts them as findings demonstrating the need for increased compensation and incorporates them into this Ordinance.

SECTION 4. CALIFORNIA ENVIRONMENTAL QUALITY ACT.

The City Council finds that this Ordinance, which sets Councilmember compensation, will not result in a direct or reasonably foreseeable indirect physical change in the environment and is not a “project,” as defined in Section 15378 of the CEQA Guidelines.

SECTION 5. SEVERABILITY.

If any section, subsection, sentence, clause or phrase or word of this Ordinance is for any reason held to be unconstitutional, unlawful or otherwise invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 6. PUBLICATION.

This ordinance shall be published in the Watsonville Register-Pajaronian and/or Santa Cruz Sentinel in compliance with the provisions of the Charter of the City of Watsonville.

SECTION 7. EFFECTIVE DATE.

This ordinance shall take effect thirty (30) days after passage by the City Council. Increases in compensation shall take effect upon commencement of a new term of office by any Council Member.
