



AGENDA ITEM NO. 13

CITY OF HAWTHORNE City Council AGENDA BILL

For the meeting of February 13, 2024
Originating Department: City Attorney

City Manager:


Vontray Norris

City Attorney:


Robert Kim

SUBJECT:

ORDINANCE NO. 2250: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HAWTHORNE, CALIFORNIA, SETTING THE COMPENSATION OF THE MAYOR AND COUNCIL MEMBERS COMMENCING JANUARY 1, 2025 AND MAKING A FINDING OF EXEMPTION IN COMPLIANCE WITH CEQA IN CONNECTION THEREWITH.

RECOMMENDED MOTION:

Introduce Ordinance No. 2250 on January 23, 2024 and Adopt Ordinance No. 2250 on February 13, 2024.

DISCUSSION:

Pursuant to California Government Code section 36516, the City Council may enact an ordinance providing that each member of the City Council shall receive a salary based upon the population of the City. In January of 2022, the City Council adopted Ordinance No. 2228, which set the salary of the Council members at \$1,200. California Government Code section 36516.5 prohibits any change in compensation during the council member's term of office. Therefore, the councilmember compensation became effective on January 1, 2023, subsequent to the November 2022 regular municipal election.

In 2023, the State of California passed Senate Bill 329, which recognized that the existing Government Code section 36516 did not adjust for the rate of inflation since 1984 and increased the allowable salary for council members of general law cities. For the cities of the population size of Hawthorne (88,083 per April 2020 U.S. Census), the amended Government Code section 36516 provides that the allowable salary has increased to one thousand nine hundred dollars (\$1,900) per month. S.B. 329 did not amend Government Code section 36516.5 described above and therefore the new salary of \$1,900 goes into effect on January 1, 2025.

Elected officials receive reimbursement for actual and necessary expenses incurred in the performance of official duties. Pursuant to Government Code section 53208, no section 1090 violation occurs when council members approve salary or health benefits for themselves. City Council salary does not constitute an “economic interest in a source of income,” because the Political Reform Act’s definition of income expressly excludes salary and reimbursement for expenses and per diem received from a state, local, or federal government agency.

By adoption of Ordinance No. 2250, the Mayor and City Council member salaries are increased from \$1,200 to the amount of one thousand nine hundred dollars (\$1,900) per month. The increase will not become effective until January 1, 2025.

ECONOMIC DEVELOPMENT STRATEGIC PLAN:

FISCAL IMPACT:

A total increase in monthly expenditure of \$3,500 from the City’s general fund commencing in January 2025.

NOTICING PROCEDURES:

72 hours posted notice pursuant to the Ralph M. Brown Act

ATTACHMENT(S):

1. Ordinance No. 2250