

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, AMENDING SECTION 2.12.030, SECTION 2.12.040, SECTION 2.12.050 AND 2.12.060 OF THE RIALTO MUNICIPAL CODE TO ADJUST THE COMPENSATION OF THE MAYOR, MEMBERS OF THE CITY COUNCIL, CITY CLERK AND CITY TREASURER AS AUTHORIZED BY CALIFORNIA LAW.

WHEREAS, California Government Code Section 36516 controls the salary of councilmembers in general law cities and provides for up to a five percent (5%) annual increase in such salaries from the operative date of the last city council salary adjustment; and

WHEREAS, Government Code Section 36516.5 further provides that any change in City Council salary adopted via ordinance pursuant to Section 36516 shall become effective whenever one or more members of the City Council begins a new term of office; and

WHEREAS, the City Council last adjusted the salary of Councilmembers, as authorized by law, by adopting Ordinance No. 1661, amending Section 2.12.040 of the Rialto Municipal Code, to provide for a salary for each member of the Council, other than the Mayor, of one thousand nine hundred twenty dollars and ninety-six cents (\$1,920.96) per month, effective December 15, 2022; and

WHEREAS, Government Code Section 36516.1 provides that a directly elected mayor may receive compensation in addition to that which he or she receives as a councilmember; and

WHEREAS, the City Council adjusted the salary for its directly elected Mayor, as authorized by law, by adopting Ordinance No. 1666, amending Section 2.12.030 of the Rialto Municipal Code, to provide for a salary for the Mayor equal to two hundred fifty percent (250%) of the salary paid to Councilmembers, effective December 15, 2022; and

WHEREAS, Government Code Section 36517 provides that the City Clerk and City Treasurer shall receive, at stated times, a salary fixed by ordinance; and

WHEREAS, the City Council last adjusted the salary for its elected City Clerk and elected City Treasurer by adopting Ordinance No. 1661, amended Section 2.12.050 and Section 2.12.060 of the Rialto Municipal Code, to provide for a salary for the City Clerk and Treasurer equal to

seventy-five percent (75%) of the salary paid to councilmembers, effective December 15, 2022.

WHEREAS, the City Council desires to increase the salary paid to the Mayor, City Councilmembers, City Clerk and City Treasurer to reflect the cost of living adjustment provided for under Government Code section 36515 of five percent (5%) for each of the years 2023 and 2024, to be effective December 15, 2024.

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

SECTION 1. INCORPORATION BY REFERENCE

The above recitals are true and correct and material to this ordinance. In making its findings, the City Council relied upon and hereby incorporates by reference all staff reports, presentations, and other documentation presented to the Council in the meeting.

SECTION 2. AMENDMENT OF SECTION 2.12.030 OF CHAPTER 2.12 OF THE CITY OF RIALTO MUNICIPAL CODE.

Section 2.12.030 of Chapter 2.12 of the Rialto Municipal Code shall be amended to read as follows:

“2.12.030 – Mayor.

The salary of the mayor, as authorized by California Government Code Section 36516.1, shall be two hundred fifty percent (250%) of the salary provided to councilmembers pursuant to Section 2.12.040 below. As of December 15, 2024, as adjusted pursuant to this formula, the mayor’s salary is five thousand two hundred eighty-two dollars and sixty-five cents (\$5,282.65) per month.”

SECTION 3. AMENDMENT OF SECTION 2.12.040 OF CHAPTER 2.12 OF THE CITY OF RIALTO MUNICIPAL CODE.

Section 2.12.040 of Chapter 2.12 of the Rialto Municipal Code shall be amended to read as follows:

“2.12.040 – Councilmembers.

As authorized by California Government Code Section 36516, each member of the city council, other than the mayor, shall receive a salary in the amount of two thousand one hundred

thirteen dollars and six cents (\$2,113.06) per month, effective December 15, 2024.”

SECTION 4. AMENDMENT OF SECTION 2.12.050 OF CHAPTER 2.12 OF THE CITY OF RIALTO MUNICIPAL CODE.

Section 2.12.050 of Chapter 2.12 of the Rialto Municipal Code shall be amended to read as follows:

“2.12.050 – City clerk.

As authorized by California Government Code Section 35617, the salary of the city clerk shall be an amount equal to seventy-five percent (75%) of the salary paid to councilmembers. As of December 15, 2024, as adjusted pursuant to this formula, the city clerk’s salary is one thousand five hundred eighty-four dollars and eighty cents (\$1,584.80) per month.”

SECTION 5. AMENDMENT OF SECTION 2.12.060 OF CHAPTER 2.12 OF THE CITY OF RIALTO MUNICIPAL CODE.

Section 2.12.060 of Chapter 2.12 of the Rialto Municipal Code shall be amended to read as follows:

“2.12.060 – City treasurer.

As authorized by California Government Code Section 35617, the salary of the city treasurer shall be an amount equal to seventy-five percent (75%) of the salary paid to councilmembers. As of December 15, 2024, as adjusted pursuant to this formula, the city treasurer’s salary is one thousand five hundred eighty-four dollars and eighty cents (\$1,584.80) per month.

SECTION 6. SEVERABILITY.

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 5. EFFECTIVE DATE

This ordinance shall be in full force and effect as of December 15, 2024, and shall be

published and posted as required by law.

SECTION 6. CERTIFICATION

The City Clerk shall certify to the adoption of this ordinance and cause the same to be published in the local newspaper.

PASSED, APPROVED AND ADOPTED this ___ day of June, 2023.

DEBORAH ROBERTSON, Mayor

ATTEST:

BARBARA MCGEE, City Clerk

APPROVED AS TO FORM:

ERIC VAIL, City Attorney
Burke, Williams & Sorensen, LLP