

ORDINANCE NO. 1611

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
RIALTO, CALIFORNIA AMENDING SECTION 2.12.040 OF THE
RIALTO MUNICIPAL CODE TO ADJUST THE COMPENSATION
OF MEMBERS OF THE CITY COUNCIL OF THE CITY OF
RIALTO**

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

WHEREAS, Government Code Section 36516.5 further provides that any change in City Council compensation 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 adopted Ordinance No. 1307, codified in Section 2.12.030 of the Rialto Municipal Code, allowing the directly-elected Mayor to receive compensation in an amount equal to one-hundred fifty percent (150%) of the compensation paid to council members; and

WHEREAS, the City Council last adjusted its salary to the sum of One Thousand One Hundred Four Dollars (\$1,104.00) per month by Ordinance No. 1437, adopted on January 13, 2009 and codified in Section 2.12.040 of the Rialto Municipal Code, and accordingly, the Mayor's adjusted salary was One Thousand Six Hundred Fifty-Six Dollars (\$1,656.00) per month; and

WHEREAS, by this ordinance, the City Council desires to increase City Council member and Mayor salaries to reflect cost of living adjustments and to provide continuous and adequate compensation to City Council members and the Mayor for their services; and

WHEREAS, all legal prerequisites to the adoption of this ordinance have occurred.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF RIALTO FINDS AND ORDAINS AS FOLLOWS:

Section 1. The above recitals are all true and correct and are incorporated herein by this reference.

1 **Section 2.** Section 2.12.040 of Chapter 2.12 of the Rialto Municipal Code is hereby
2 amended to read as follows (deleted text, if any, is show in ~~striketrough~~; new text, if any, is shown
3 in ***bold & italics***):

4 “2.12.040 - Councilmembers.

5 Under the California Government Code Section 36516(e), each member of the city
6 council (including the Mayor) shall receive compensation in the amount of one
7 ~~thousand one hundred four dollars (\$1,104.00)~~ ***One Thousand Six Hundred Dollars***
8 ***and Eighty Cents (\$1,600.80)*** per month.

9 **Section 3.** Section 2.12.040 of Chapter 2.12 of the Rialto Municipal Code, as amended,
10 shall become operative on the first day of the first month following the effective date of this ordinance.

11 **Section 4.** If any section, subsection, sentence, clause or phrase of this ordinance is, for any
12 reason, held to be invalid or unconstitutional, such decision shall not affect the validity or
13 constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it
14 would have passed this ordinance, and each section, subsection, sentence, clause or phrase hereof,
15 irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be
16 declared unconstitutional.

17 **Section 5.** The City Clerk shall certify to the adoption of this Ordinance, and cause the
18 same to be published in the local newspaper, and the same shall take effect thirty (30) days after its
19 date of adoption:
20
21
22
23
24
25
26
27
28

1 **PASSED, APPROVED AND ADOPTED** this 13 day of November, 2018.

2
3
4 DEBORAH ROBERTSON, Mayor

5
6 ATTEST:

7
8 BARBARA McGEE, City Clerk

9
10 APPROVED AS TO FORM

11
12 FRED GALANTE, City Attorney

1 STATE OF CALIFORNIA)
2 COUNTY OF SAN BERNARDINO) ss
3 CITY OF RIALTO)

4 I, Barbara McGee, City Clerk of the City of Rialto, do hereby certify that the foregoing
5 Ordinance No. 1611 was duly passed and adopted at a regular meeting of the City Council of the
6 City of Rialto held on the 13 day of November, 2018.

7 Upon motion of Councilmember Scott, seconded by Mayor Robertson, the foregoing
8 Ordinance No. 1611 was duly passed and adopted.

9 Vote on the Motion:

10 AYES: Mayor Robertson, Council Members Carrizales and Scott

11 NOES: Council Members Baca Jr. and Trujillo

12 ABSENT: None

13 IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of
14 Rialto, this 14 day of November, 2018.

15
16 _____
Barbara A. McGee, City Clerk
17
18
19
20
21
22
23
24
25
26
27
28