

**TRACY CITY COUNCIL**

**ORDINANCE NO. 1351**

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**PURSUANT TO GOVERNMENT CODE, § 36516, AMENDING CHAPTER 2.04.060 OF THE TRACY MUNICIPAL CODE INCREASING THE MONTHLY SALARY OF THE MAYOR FROM \$1,129 TO \$2,100 AND INCREASING THE MONTHLY SALARY OF COUNCIL MEMBERS FROM \$1,029 TO \$1,900**

**WHEREAS**, On December 7, 2021, the City Council adopted Ordinance 1325 to amend Section 2.04.060 of Chapter 2.04 of Title 2 of the Tracy Municipal Code: Section 2.04.06 Council Member and Elected Mayor Compensation: (a) The salary of each member of the City Council of the City of Tracy shall be set at One Thousand and Twenty Nine (\$1,029) per month; and (b) The Mayor shall receive an additional \$100 per month in compensation; and

**WHEREAS**, The compensation was effective January 1, 2023, following certification of the results of the November 2022 City Council election; and

**WHEREAS**, On January 1, 2024, Senate Bill 329 amended Government Code Section 36516 City Council Compensation “In cities over 75,000 up to and including 150,000 in population, up to and including one thousand nine hundred dollars (\$1,900) per month.”; and

**WHEREAS**, Government Code 36516(a)(4)(b) further allows for City Council compensation to exceed this cap equal to “An amount equal to inflation since January 1, 2024, based upon the California Consumer Price Index, which shall not exceed 10 percent for each calendar year;” and

**WHEREAS**, Government Code 36516(a)(5) states, “No ordinance shall be enacted or amended to provide automatic future increases in salary”, requiring the new salary to be effective 30 days from the upon approval of Ordinance second reading; and

**WHEREAS**, Government Code 36516(a)(5)(b) further caps the compensation of City Council receiving compensation includes payment for service by a City Council Member on a commission, committee, board, authority, or similar body on which the City Council Member serves to a maximum amount shall be one hundred fifty dollars (\$150) per month for each commission, committee, board, authority, or similar body; and

**WHEREAS**, Government Code 36516.5 states, “A change in compensation does not apply to a council member during the council member’s term of office. This prohibition shall not prevent the adjustment of the compensation of all members of a council serving staggered terms whenever one or more members of the city council becomes eligible for a

salary increase by virtue of the council member beginning a new term of office” requiring the effective date to be after the November 2024 election certification; and

**WHEREAS,** At the June 4, 2024, City Council meeting, the City Council provided direction to staff to return to the City Council with an amendment to the TMC to set the Mayor’s monthly compensation at \$2,100 and the Council Members’ monthly compensation at \$1,900; and

**WHEREAS,** In addition, the City Council provided direction to staff to return with a separate Resolution that amends the City Treasurer’s monthly compensation to \$1,900; and

**WHEREAS,** The City Council introduced the proposed Ordinance on October 1, 2024.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF TRACY DOES ORDAIN AS FOLLOWS:**

**SECTION 1:** Section 2.04.060 of Chapter 2.04 of Title 2 of the Tracy Municipal Code is amended as follows (deletions shown in strikethrough and additions with underlining):

"Section 2.04.060 Council Member and Elected Mayor Compensation:

- (a) The salary of each member of the City Council of the City of Tracy shall be set at ~~One Thousand and Twenty Nine and no/100ths (\$1,029.00) dollars per month~~ One Thousand Nine Hundred and no/100ths dollars (\$1,900.00) per month.
- (b) The Mayor shall receive an additional ~~One Hundred and no/100ths (\$100.00)~~ Two Hundred and no/100ths (\$200.00) dollars per month."

**SECTION 2:** This ordinance shall take effect January 1, 2025, following certification of the results of the November 2024 City election.

**SECTION 3:** This Ordinance shall either (1) be published once in a newspaper of general circulation, within 15 days after its final adoption, or (2) be published in summary form and posted in the City Clerk's office at least five days before the ordinance is adopted and within 15 days after adoption, with the name of the Council Members voting for and against the ordinance. (Gov't Code section 36933).

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The foregoing Ordinance 1351 was introduced at a regular meeting of the Tracy City Council on the 1st day of October 2024, and finally adopted on the 15th day of October 2024, by the following vote:

AYES:	COUNCIL MEMBERS: ARRIOLA, BEDOLLA, YOUNG
NOES:	COUNCIL MEMBERS: EVANS, DAVIS
ABSENT:	COUNCIL MEMBERS: NONE
ABSTENTION:	COUNCIL MEMBERS: NONE

Signed: Nancy D. Young, Mayor

Attested: Adrienne Richardson, City Clerk