

ORDINANCE NO. 272

AN ORDINANCE OF THE TOWN OF YUCCA VALLEY AMENDING SECTIONS 2.05.010, 4.04.020, AND 4.10.020 OF THE TOWN MUNICIPAL CODE TO SET CERTAIN COMPENSATION LEVELS FOR COUNCIL MEMBERS, PLANNING COMMISSIONERS, AND PARKS, RECREATION AND CULTURAL COMMISSIONERS

WHEREAS, the Town Council members of the Town of Yucca Valley receive a stipend of \$488.63 per month in compensation in accordance with California Government Code Section 36516 (c); and

WHEREAS, While state law provides for up-to a 5% annual increase for council members, Town Council compensation has not changed since 2008; and

WHEREAS, the Town Council believes it is in the best interest of the Town to avoid large increases in Town Council compensation to meet the stipend amounts allowed by statute at a future date; however, the Town Council also believes that sound fiscal responsibility dictates stipend levels that are less-than the statutory maximum; and

WHEREAS, the Town Council believes a small increase in the monthly stipend, at levels less-than the maximum rates set by the Government Code, will minimize the possibility of large future increases; and

WHEREAS, positions on the Town Council, Planning Commission and Parks, Recreation and Cultural Commission entail demanding time commitments and require large amounts of technical review. The Town Council believes providing reasonable compensation for these positions acknowledges such civic commitments and will broaden the pool for future Council/Commission candidates of quality.

NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF YUCCA VALLEY DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The forgoing recitals and findings are true and correct and incorporated herein by this reference.

Section 2. Yucca Valley Municipal Code section 2.05.010, "Salary of Council Members" is hereby amended to read as follows (deleted text, if any, is show in ~~striketrough~~; new text, if any, is shown in ***bold & italics***):

"2.05.010: SALARY OF COUNCIL MEMBERS

A. Pursuant to California Government Code section 36516, compensation shall be paid to each member of the town council in ~~an~~^{the} amount ***not to exceed set forth in the compensation schedule of such section as adjusted pursuant to Government Code section 36516, subd. (a)(4).*** More particularly, the amount of compensation to be paid to each member of the town council shall be the sum of ~~four hundred eighty-eight dollars sixty-three cents (\$488.63)~~ ***five hundred fifty seven dollars even (\$557.00)***, in accordance with California Government Code section 36516. ***with no automatic future increases absent amendment of this ordinance.*** The compensation prescribed herein is and shall be exclusive of any amounts payable to each member of the town council as reimbursement for actual and necessary expenses incurred in the performance of official duties for the town; and, accordingly, each member of the town council shall receive reimbursement for such actual and necessary expenses incurred in the performance of official duties of the town, pursuant to the provisions of California Government Code section 36514.5. Such reimbursement shall be as established by a policy resolution adopted by the town council.

B. Members of the town council are entitled to those same benefits that are available, and paid by the town, for its employees in accordance with California Government Code section 36516(d)."

Section 3. Yucca Valley Municipal Code section 4.04.020, "Officers" is hereby amended to read as follows (deleted text, if any, is show in ~~strikethrough~~; new text, if any, is shown in ***bold & italics***):

"4.04.020: OFFICERS

The designation and duties of the chairperson and vice chairperson shall be as set forth in the procedures manual. The commission shall be authorized to appoint and fix the membership of such number of standing and temporary committees as it may find expedient for the performance of its duties. ***Town Planning Commission members shall each receive one hundred dollars (\$100.00) per month in compensation, with no automatic future increases absent amendment of this ordinance.*** The town manager may appoint an executive secretary and other staff. ~~and provide such compensation for their services as may be authorized by the town council and by the annual town budget of expenditures."~~

Section 4. Yucca Valley Municipal Code section 4.10.020, "Qualification of Members" is hereby amended to read as follows (deleted text, if any, is show in ~~strikethrough~~; new text, if any, is shown in ***bold & italics***):

"4.10.020: QUALIFICATION OF MEMBERS

Commission members shall be qualified electors of the town. Commissioners *members shall each receive fifty dollars (\$50.00) per month in compensation* ~~serve without compensation.~~ The members of the commission shall include five (5) members of the public who shall hold no other public office in the town."

Section 5. If any part of this Ordinance is held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance, and the Town hereby declares that it would have passed the remainder of this Ordinance if such invalid portion thereof had been declared invalid or unconstitutional.

Section 6. This Ordinance will take effect on January 1, 2018 for the Commissioner pay; however, the change in Town Council compensation will begin January 1, 2019, following the 2018 election.

Section 7. The Town Clerk shall certify to the adoption of this Ordinance and shall cause a copy of the same to be published in a manner prescribed by law.

APPROVED, and ADOPTED this 17th day of October, 2017.



Merl Abel, Mayor

ATTEST:



Lesley Copeland
Town Clerk

STATE OF CALIFORNIA

COUNTY OF SAN BERNARDINO

TOWN OF YUCCA VALLEY

I, Lesley R. Copeland, Town Clerk of the Town of Yucca Valley, California hereby certify that the foregoing Ordinance No. 272 as duly and regularly introduced at a meeting of the Town Council on the 3rd day of October, 2017, and that thereafter the said ordinance was duly and regularly adopted at a meeting of the Town Council on the 17th day of October, 2017, by the following vote, to wit:

Ayes:	Council Members Denison, Drozd, Leone, Lombardo and Mayor Abel
Noes:	None
Abstain:	None
Absent:	None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Town of Yucca Valley, California, this 19th day of October, 2017.



Town Clerk of the Town of
Yucca Valley