

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS
RESTORING MAYOR AND CITY COUNCIL SALARIES**

WHEREAS, on July 10, 2010, the City Council voluntarily voted to reduce the salary of City Council Members and the Mayor by approximately 6% due to the economic downturn and scarcity of municipal revenues; and

WHEREAS, on March 8, 2012, the City Council voluntarily voted to further reduce the salary and car allowance of City Council Members and the Mayor such that a total of a 10% reduction took effect beginning December of 2012, and in addition thereafter the Council agreed to forfeit dental, vision and medical benefits unless the individual chose to themselves pay the premiums; and

WHEREAS, in light of the current economic upturn and increasing municipal revenues, and noting that the Mayor and City Council have voluntarily voted themselves two salary reductions totaling 10% of salary over a two year period in order to fiscally assist the City during the economic downturn, it is now prudent to provide full restoration of Mayor and City Council salaries.

NOW, THEREFORE, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The City Council does hereby consider and approve elimination of the 10% salary and car allowance reduction approved by the Council in March of 2012, and thereby restores the Mayor and Council to full salary and car allowance.

PASSED AND ADOPTED this _____ day of _____ 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Jose S. Esteves, Mayor

APPROVED AS TO FORM:

Michael J. Ogaz, City Attorney

REGULAR

NUMBER: 128.12

TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILPITAS ENACTED AS AN AMENDMENT TO SECTION 2, CHAPTER 14, TITLE I OF THE MILPITAS MUNICIPAL CODE RELATING TO CITY COUNCIL SALARIES

HISTORY: This Ordinance was introduced (first reading) by the City Council at its meeting of December 2, 2014, upon motion by Councilmember _____ and was adopted (second reading) by the City Council at its meeting of _____, 2014, upon motion by Councilmember _____. The Ordinance was duly passed and ordered published in accordance with law by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Jose S. Esteves, Mayor

APPROVED AS TO FORM:

Michael J. Ogaz, City Attorney

RECITALS AND FINDINGS:

WHEREAS, on July 10, 2010, the City Council voluntarily voted to reduce the salary of City Council persons and the Mayor by approximately 6% due to the economic downturn and scarcity of municipal revenues; and

WHEREAS, on March 8, 2012, the City Council voluntarily voted to further reduce the salary and car allowance of City Council persons and the Mayor such that a total of a 10% reduction took effect beginning December of 2012, and in addition the Council thereafter forfeited dental, vision and medical benefits unless the individual chose to pay the premiums; and

WHEREAS, in light of the current economic upturn and increasing municipal revenues, and noting that State law provisions would allow for a 60% salary increase for the City Council since it has been 12 years since an increase has been authorized, it is prudent to provide restoration of the aforementioned salary reductions under a companion resolution and a 5% salary increase under this ordinance.

NOW, THEREFORE, the City Council of the City of Milpitas does ordain as follows:

SECTION 1. RECORD AND BASIS FOR ACTION

The City Council has duly considered the full record before it, which may include but is not limited to such things as the City staff report, testimony by staff and the public, and other materials and evidence submitted or provided to the City Council. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.

SECTION 2. AMENDMENT OF MILPITAS MUNICIPAL CODE SECTION I-14-2.00

Title I, Chapter 14, Section 2 (“Salaries”) of the Milpitas Municipal Code is hereby amended in accord with Government Code Section 36516(a)(4) and which shall read in its entirety as follows:

I-14-2.00 Salaries

Each member of the City Council shall receive as salary the following:

- A. City Council members shall receive the sum of \$904.37 dollars per month.
- B. The Mayor of the City of Milpitas shall receive the sum of \$1,130.75 dollars per month.

SECTION 3. EFFECTIVE DATE AND POSTING

In accordance with Section 36937 of the Government Code of the State of California, this Ordinance shall take effect thirty (30) days from and after the date of its passage. The City Clerk of the City of Milpitas shall cause this Ordinance or a summary thereof to be published in accordance with Section 36933 of the Government Code of the State of California. Pursuant to Government Code Section 36516.5, the salary adjustment provided herein applies to all Council Members and the Mayor on the effective date of this Ordinance in light of the fact that two Council Members are beginning a new term of office on December 2, 2014.