CITY OF BELLFLOWER

ORDINANCE NO. 1358

AN ORDINANCE AMENDING § 2.16.010 OF THE BELLFLOWER MUNICIPAL CODE TO PROVIDE A SALARY ADJUSTMENT FOR MEMBERS OF THE CITY COUNCIL FOLLOWING THE NEXT GENERAL MUNICIPAL ELECTION AND REPEALING ORDINANCE NO. 1341

THE CITY COUNCIL DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council finds as follows:

A. Government Code § 36516(a) establishes a salary for city councils initially based on city population, but adjustable thereafter by increases not to exceed an amount equal to five percent (5%) for each calendar year from the operative date of the last city council salary adjustment.

B. In June 2015, the City Council adjusted its salary to the sum of $1,399.54 per month by Ordinance No. 1290, which took effect after the general election in March 2017.

C. On August 14, 2017, the City Council adopted Ordinance No. 1341, adjusting the salary for Council members to take effect after the November 2018 election. Subsequently, however, a typographical error was found in that Ordinance.

D. The City Council desires to repeal Ordinance No. 1341 and adjust its salary to a new amount to be effective after the next election in November 2018 as permitted by law.

SECTION 2. Ordinance No. 1341 is repealed.

SECTION 3. Bellflower Municipal Code ("BMC") § 2.16.010 is amended as follows:

"Section 2.16.010 Council Members.
A. Expense Reimbursement. Upon the submission of an itemized account any—A Council member may be reimbursed for his/her actual and necessary expenses incurred in the performance of official duty pursuant to a policy adopted by City Council resolution.
B. Compensation.
1. Each member of the Council shall receive as salary the sum of one thousand two hundred seventy-two dollars and thirty-one cents ($1,272.31) per month. The salaries prescribed herein are and shall be exclusive of any amounts payable to a member of the Council as reimbursement for actual and necessary expenses incurred by him or her in the performance of official duties for the City or benefits as approved by the City Council in accordance with the provisions of law.

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2.—On such date as one or more members of the City Council begin a new term of office following the next general municipal election to be held in Bellflower in March of 2017, this subsection shall be amended to read as follows: Each member of the Council shall receive as salary the sum of one thousand three hundred ninety-nine dollars and fifty-four cents ($1,399.54) per month.

2. On such date as one or more members of the City Council begin a new term of office following the November 2018 general election, each member of the City Council will receive as salary the sum of $1,469.51 per month.

3. The salaries prescribed herein are and shall be exclusive of do not include any amounts payable to a member of the Council as reimbursement for actual and necessary expenses incurred by him or her in the performance of official duties for the City or benefits as approved by the City Council in accordance with the provisions of law.”

SECTION 4. Construction. This Ordinance must be broadly construed to achieve the purposes stated in the Ordinance. It is the City Council’s intent that the provisions of this Ordinance are interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

SECTION 5. Enforceability. Repeal of any provision of the Bellflower Municipal Code does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance’s effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

SECTION 6. Severability. If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provision or application and, to this end, the provisions of this Ordinance are severable.

SECTION 7. Validity of Previous Code Sections. If the entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal of the BMC or other regulation by this Ordinance will be rendered void and cause such BMC provision or other regulation to remain in full force and effect for all purposes.

SECTION 8. The City Clerk, or her duly appointed deputy, is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Bellflower’s book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.
SECTION 9. Effective Date. This Ordinance will become effective on the 30th day following its passage and adoption.


ATTEST:

Ray Dunton, Mayor

Mayra Ochiqui, City Clerk

APPROVED AS TO FORM:

Karl H. Berger, City Attorney
STATE OF CALIFORNIA        )
COUNTY OF LOS ANGELES      ) SS
CITY OF BELLFLOWER         )

I, Mayra Ochiqui, City Clerk of the City of Bellflower, California, do hereby certify under penalty of perjury that the foregoing Ordinance No. 1358 had its first reading on April 23, 2018, its second reading on May 14, 2018, and was duly passed, approved, and adopted by the City Council of the City of Bellflower at its Regular Meeting of May 14, 2018, by the following vote to wit:

AYES: Council Members –  Koops, Schnablegger, Santa Ines, Garza, and Mayor Dunton

Ordinance No. 1358 was posted at City Hall, the Clifton M. Brakensiek Library, the Bellflower Sheriff’s Substation, John S. Simms Park, Ruth Caruthers Park, and T. Mayne Thompson Park; and the title, effective date, and vote will be published on Thursday, May 24, 2018, in the Public Notices Section of the Herald American, pursuant to Government Code Section 36933.

Dated:  May 16, 2018

Mayra Ochiqui, City Clerk
City of Bellflower, California

(SEAL)