

ORDINANCE NO. XXXX

AN ORDINANCE OF THE CITY OF DEL MAR, CALIFORNIA,
AMENDING DEL MAR MUNICIPAL CODE (DMMC) SECTION
2.20.030 – CITY COUNCIL COMPENSATION

(NOTE: Additions are highlighted in ***bold italics*** and deletions are highlighted in ~~strikeout~~)

BE IT ORDAINED BY THE VOTERS OF THE CITY OF DEL MAR:

WHEREAS, California Government Code Section 36516 establishes procedures for setting the compensation of City Councilmembers; and

WHEREAS, the compensation of the Del Mar City Council is memorialized in Del Mar Municipal Code (DMMC) Section 2.20.030 (City Council Compensation), and was last amended 36 years ago in 1988, by a vote of the Del Mar electorate, which set the Council compensation at \$300/month, with a provision that Council compensation can be amended or repealed only by a vote of the electors; and

WHEREAS, the City Council wishes to place a City Council Compensation Measure on the November 5, 2024 General Municipal Election ballot for voter consideration to increase City Council compensation to \$950/month to align with State law and the salaries of City Councilmembers in the San Diego County region; and

WHEREAS, the City Council further desires the Measure include language allowing the City Council to make modest inflation-based adjustments to Council compensation in the future via ordinance instead of requiring a vote of the electorate in accordance with California Government Code Section 36516, which will provide greater efficiency while saving the City money on future election costs; and

WHEREAS, on May 6, 2024, City Council directed staff to prepare a Resolution calling for the placement of a proposed Ordinance amending DMMC Section 2.20.020 (City Council Compensation) on the ballot for the November 5, 2024 General Municipal Election.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Del Mar, California, does hereby ordain as follows:

SECTION ONE:

That the foregoing recitals are true and correct.

SECTION TWO:

That subject to the approval of the majority of the voters of the City of Del Mar at the November 5, 2024 General Municipal Election so designated by the City Council in a separate Resolution placing the proposal on the ballot for such election, Del Mar Municipal Code Section 2.20.030 (City Council Compensation) is hereby amended as follows:

2.20.030 Compensation.

- A. Councilmembers shall receive a salary of \$950 ~~\$300/month~~ per month **effective January 1, 2025.** (~~Adopted by a vote of the people 4/12/1988.~~)
- B. Upon the submission of an itemized account, any Councilmember may be reimbursed for the actual and necessary expenses incurred in the performance of official duty.
- C. **Council compensation may be adjusted by Ordinance within the limits established by State law.**
- ~~C. This section can be amended or repealed only by a vote of the electors.~~

SECTION THREE:

Pursuant to California Constitution Article XIII C, Section (2)(b) and California Elections Code Section 9217, this Ordinance shall take effect only if approved by a majority of the eligible voters of the City of Del Mar voting at the General Municipal Election to be held on November 5, 2024, and shall become effective as of January 1, 2025.

SECTION FOUR:

If any portion of this Ordinance is declared invalid by a court of law or other legal body with applicable authority, the invalidity shall not affect or prohibit the force and effect of any other provision or application of the Ordinance that is not deemed invalid. The voters of the City hereby declare that they would have circulated for qualification and/or voted for the adoption of this Section, and each portion thereof, regardless of the fact that any portion of the initiative may be subsequently deemed invalid.

SECTION FIVE:

The Mayor is hereby authorized to attest to the adoption of this Ordinance by the People voting thereon on November 5, 2024, by signing where indicated below.

I hereby certify that the foregoing Ordinance was PASSED, APPROVED, AND ADOPTED by the People of the City of Del Mar on the 5th day of November, 2024.

Dave Druker, Mayor
City of Del Mar

APPROVED AS TO FORM:

Leslie E. Devaney, City Attorney
City of Del Mar

ATTEST AND CERTIFICATION
STATE OF CALIFORNIA
COUNTY OF SAN DIEGO
CITY OF DEL MAR

I, SARAH KRIETOR, Administrative Services Manager/City Clerk of the City of Del Mar, California, DO HEREBY CERTIFY, that the foregoing is a true and correct copy of Ordinance No. XXXX, which has been published pursuant to law, and adopted by the vote of the People of the City of Del Mar on the 5th day of November, 2024.

Sarah Krietor, Administrative Services Manager/
City Clerk
City of Del Mar