

# Town of Yountville

## Ordinance Number 24-527

**An Ordinance of the Town Council of the Town of Yountville Authorizing a Salary Adjustment for Mayor and Council Members to be Effective Upon Commencement of New Councilmember Terms Following Certification of November 2024 General Municipal Election and Amending Municipal Code Section 2.04.090 to Authorize Annual Salary Adjustments of up to 10% equal to inflation.**

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### Recitals

- A. Government Code Section 36516, et seq., governs council member salaries and provides that the Town may enact an ordinance establishing salary compensation for council members in accordance within the provisions of the Government Code.
- B. Under Senate Bill (SB) 329, which takes effect January 1, 2024, Government Code Section 36516 will permit municipalities with a population of up to 35,000 to enact an ordinance compensating council members up to and including \$950 per month, and authorizes future salary adjustments to be the greater of either: (A) 5 percent for each calendar year from the operative date of the last council salary adjustment; or (B) 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.
- C. Government Code section 36516.5 provides that a salary increase for council members is not effective until after the next General Municipal Election.
- D. By Ordinance No. 19-483, the Town Council last increased salaries for council members to \$777 per month in accordance with Government Code section 36516 and the Yountville Municipal Code.
- E. The Town Council now desires to increase salaries for council members to \$950 and authorize future salary adjustments in amounts equal to annual inflation up to 10% each calendar year, pursuant to Government Code section 36515, as amended by SB 329, effective January 1, 2024.

**Now therefore, the Town Council of the Town of Yountville does ordain as follows:**

**SECTION 1. RECITALS:** The foregoing recitals are true and correct and incorporated into the findings herein.

**SECTION 2. AMENDMENT:** Yountville Municipal Code Section 2.04.090 is hereby repealed and replaced to read as follows:

- A. Each member of the Council shall receive a salary of Nine Hundred and Fifty Dollars (\$950.00) per month.
- B. The salary established in this section is in addition to Councilmember reimbursement for actual and necessary expenses incurred in the performance of official duties.
- C. The Council may increase by ordinance the salary established in this section in accordance with State law, provided that the amount of such increase may not exceed the greater of either of the following:

(i) an amount equal to 5 percent for each calendar year from the operative date of the last salary adjustment; or

(ii) 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.

**SECTION 3. EFFECTIVE DATE OF SALARY ADJUSTMENT:** This salary adjustment shall become effective upon initiation of new Council Member terms following certification of the November 2024 General Municipal Election.

**SECTION 4. CEQA:** This Ordinance is not a “project” subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3) (no potential for causing a significant effect on the environment). CEQA Guidelines Section 15061(b)(3) exempts projects from environmental review where it can be seen with certainty there is no possibility the activity in question may have a significant effect on the environment. It can be seen with certainty that this Ordinance will not have a significant effect on the environment because it does not propose any changes to the physical environment and will only adjust Town Council salary limits.

**SECTION 5. SEVERABILITY:** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town Council declares that it would have adopted this Ordinance, and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, phrases or portions might be declared invalid or unconstitutional.

**SECTION 6. EFFECTIVE DATE OF ORDINANCE:** This Ordinance shall take effect and be enforced within thirty (30) days from and after the date of its adoption by the Town Council at a second reading and shall be posted and published in accordance with the California Government Code.

**SECTION 7. INCONSISTENT PROVISIONS:** Any provision of the Yountville Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to the extent necessary to implement the provisions of this Ordinance.

**SECTION 8. CERTIFICATION:** The Town Clerk shall certify to the passage and adoption of this Ordinance and shall give notice of its adoption as required by law. Within 15 days from the date of passage of this ordinance, the Town Clerk shall post a copy of the ordinance in accordance with California Government Code in at least three public places in the Town.

INTRODUCED by the Town Council on the 16th day of January 2024; and

PASSED AND ADOPTED at a regular meeting of the Town Council on the 6 day of February, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Margie Mohler, Mayor

ATTEST:

TOWN OF YOUNTVILLE

\_\_\_\_\_  
Hilary Gaede, Acting Town Clerk

I, Hilary Gaede, Acting Town Clerk of the Town of Yountville, California, do hereby certify that the foregoing Ordinance was regularly introduced and placed upon its first reading at a regular meeting of the Town Council on the 16<sup>th</sup> day of January, 2024. That thereafter said Ordinance was duly adopted and passed at a regular meeting of the Town Council on the \_\_\_\_ 6 \_\_\_\_ day of \_\_\_\_ February \_\_\_\_, 2024 by the following vote:

AYES: NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Hilary Gaede, Acting Town Clerk

APPROVED AS TO FORM:

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Gary B. Bell, Town Attorney