



STAFF REPORT

TOWN COUNCIL MEETING OF DECEMBER 10, 2013

To: Town Council

From: Town Attorney and Town Manager

Subject: Ordinance Clean up Amendments Loomis Municipal Code (Redevelopment, Council and Planning Commission Compensation)
[2nd Reading]

Date: November 20, 2013

RECOMMENDATION:

Staff recommends the Town Council adopt the attached Ordinance No. 251 repealing Chapter 2.44 and Section 2.36.050, and amending Sections 2.04.030 and 2.28.010, of the Loomis Municipal Code.

DISCUSSION:

At the November 12, 2013 Town Council meeting, Town Council unanimously approved the First Reading of the attached Ordinance Amendments repealing Chapter 2.44 and Section 2.36.050, and amending Sections 2.04.030 and 2.28.010, of the Loomis Municipal Code.

I. **Redevelopment Agency.** The Municipal Code currently contains Chapter 2.44 concerning redevelopment. In 2010 the California Legislature passed ABx1 26, which eliminated redevelopment agencies throughout California. The Town of Loomis never adopted a redevelopment plan and never undertook any redevelopment activity. Chapter 2.44 is therefore obsolete. The following is proposed to be deleted.

Chapter 2.44 REDEVELOPMENT AGENCY

2.44.010 Declaration of need for agency.

~~—————The town council declares that there is a need for a redevelopment agency established pursuant to the community redevelopment law of the state of California to function within the town.~~

2.44.020 Council as agency.

~~—————The town council declares itself to be the redevelopment agency for the town.~~

2.44.030 Findings of benefit.

~~_____The town council finds and determines that establishment of the town council as the town redevelopment agency will serve the public interest and promote the public safety and welfare in an effective manner.~~

II. **Planning Commission Compensation.** The Municipal Code also addresses Planning Commission compensation in two locations – Section 2.36.050 and 2.36.060. These two provisions are identical, and so the proposed revision deletes 2.36.050.

Note: The proposed revision does not alter the compensation paid to members of the Planning Commission. Commission members will continue to receive the same compensation they have received.

2.36.050 Expenses.

~~_____Each member of the planning commission of the town shall receive the sum of fifty dollars per month as compensation for attending and participating in planning commission meetings.~~

III. **Town Council Compensation.** The Municipal Code currently addresses Town Council compensation in two locations – Sections 2.04.030 and 2.28.010. Section 2.28.010, which was last amended in 1999, set Town Council compensation at \$300 per month. Section 2.04.030 was adopted in 2004 and sets Town Council compensation at \$382.88 per month. We have confirmed with the Finance Director that Town Council member receive monthly compensation of \$382.88, which is the amount set forth in Section 2.04.030. The proposed revisions take out all references to Town Council compensation from Section 2.28.010. The proposed revisions also add to Section 2.04.030 the current language in Section 2.28.010 concerning declined compensation.

Note: The proposed revisions do not alter the compensation paid to members of the Town Council. Council members will continue to receive the same compensation they have received since 2004.

2.04.030 Salary.

A._____The salary of the town council shall be fixed at a rate of three hundred eighty-two dollars and eighty-eight cents per month. Payment shall be made as per the town payroll schedule on a bi-weekly basis.

B._____ Nothing herein precludes any town councilmember from electing to decline receipt of monthly compensation. The decision to decline compensation shall be made known to the town manager for the necessary deletion from payroll records.

2.28.010 Authority—Compensation fixed.

A. Authority. The ~~town council,~~ town clerk and town treasurer shall receive, at stated times, compensation fixed by ordinance of the town council.

~~B. The compensation of each council member shall be in the sum of three hundred dollars per month effective with the seating of new terms of office in 1996 and 1998.~~

CB. The town clerk and town treasurer shall receive the sum of fifty dollars per month for performing the duties prescribed in the Government Code.

DC. Nothing herein precludes ~~any town council member or~~ the town clerk or town treasurer from electing to decline receipt of monthly compensation. The decision to decline compensation shall be made known to the town manager for the necessary deletion from payroll records.

CEQA :

The proposed amendments are exempt from CEQA as there is no potential for a direct physical change or a reasonably foreseeable indirect physical change in the environment.

FINANCIAL IMPLICATIONS:

There are no Financial Implications from the proposed action.

TOWN OF LOOMIS

ORDINANCE NO. 251

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOOMIS REPEALING CHAPTER 2.44 AND SECTION 2.36.050, AND AMENDING SECTIONS 2.04.030 AND 2.28.010, OF THE LOOMIS MUNICIPAL CODE

The Town Council of the Town of Loomis does hereby ordain as follows:

Section 1. Purpose. The Town Council finds that it is appropriate to make various changes to the Municipal Code to eliminate redundancies and obsolete provisions.

Section 2. Repeals. Chapter 2.44 and Section 2.36.050 of the Loomis Municipal Code are hereby repealed.

Section 3. Amendments. Section 2.04.030 of the Loomis Municipal Code is hereby amended to read as follows:

2.04.030 Salary.

A. The salary of the town council shall be fixed at a rate of three hundred eighty-two dollars and eighty-eight cents per month. Payment shall be made as per the town payroll schedule on a bi-weekly basis.

B. Nothing herein precludes any town councilmember from electing to decline receipt of monthly compensation. The decision to decline compensation shall be made known to the town manager for the necessary deletion from payroll records.

Section 4. Amendment. Section 2.28.010 of the Loomis Municipal Code is hereby amended to read as follows:

2.28.010 Authority—Compensation fixed.

A. Authority. The town clerk and town treasurer shall receive, at stated times, compensation fixed by ordinance of the town council.

B. The town clerk and town treasurer shall receive the sum of fifty dollars per month for performing the duties prescribed in the Government Code.

C. Nothing herein precludes the town clerk or town treasurer from electing to decline receipt of monthly compensation. The decision to decline compensation shall be made known to the town manager for the necessary deletion from payroll records.

Section 5. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance for any reason shall be held to be invalid or unconstitutional, the decision shall not affect the remaining portions of the Ordinance. The Town Council of the Town of Loomis hereby declares that it would have passed this Ordinance and each article, section, subsection, paragraph, sentence, clause or phrase which is a part thereof, irrespective of the fact that any one or more articles, sections, subsections, paragraphs, sentences, clauses or phrases are declared to be invalid or unconstitutional.

Section 5. Effective Date and Publication. This Ordinance shall take effect thirty (30) days after its adoption. The Town Clerk shall cause this Ordinance to be published in the Loomis News and to be posted at three (3) locations within fifteen (15) days after its passage; shall certify to the adoption and posting of this Ordinance; and shall cause this Ordinance and its certification to be entered in the Book of Ordinances of the Town of Loomis.

The foregoing Ordinance was introduced at a regular meeting of the Council of the Town of Loomis duly held on November 12, 2 013 and was approved and enacted at a duly held regular meeting of the Town Council held on December 10, 2013 by the following roll call vote:

AYES: COUNCILMEMBER: _____

NOES: COUNCILMEMBER: _____

ABSENT: COUNCILMEMBER: _____

Mayor

ATTEST:

Town Clerk