

**CITY OF RIVERBANK**

**ORDINANCE 2024-002**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVERBANK  
AMENDING TITLE III: ADMINISTRATION, CHAPTER 30: CITY COUNCIL,  
SECTION 30.02: COMPENSATION, OF THE CITY OF RIVERBANK CODE OF  
ORDINANCES**

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**WHEREAS**, California Government Code section 36516(a), as amended by the adoption of SB 329 in 2023, provides that council members in cities with a population up to 35,000 may receive up to Nine Hundred Fifty Dollars (\$950) per month in salary; and

**WHEREAS**, on December 13, 2004 the City Council of the City of Riverbank ("City") enacted Ordinance No. 2004-011 which established the compensation of the City Councilmembers at the rate of Three Hundred Fifty Dollars (\$350) per month, and Four Hundred Dollars (\$400) per month for the Mayor, and

**WHEREAS**, the compensation earned by the Councilmembers and Mayor, as modified in 2004, has not been increased, despite substantial increases in the cost of living, for nineteen (19) years; and

**WHEREAS**, because of the additional duties carried out by the Mayor, the Mayor's salary is traditionally established at a slightly higher level than that of other Councilmembers; and

**WHEREAS**, the rate of compensation for City Councilmembers is codified in Riverbank Municipal Code Section 30.02; and

**WHEREAS**, Government Code Section 36516.5 states that a salary increase cannot become effective until at least one Councilmember begins a new term of office; and

**WHEREAS**, two council members and the mayor will be elected in November of 2024 and will begin new terms of office in December 2024; and

**WHEREAS**, the City Council desires to increase council members' salaries as provided for in Government Code sections 36516(a)(4) as amended by SB 329, 36516(c), and 36516.5.

**NOW, THEREFORE, THE CITY OF RIVERBANK CITY COUNCIL DOES  
ORDAIN AS FOLLOWS:**

**Section 1:** The Riverbank Municipal Code, Chapter 30, "City Council" Section 30.02 "Compensation" is amended as follows:

**§ 30.02      COMPENSATION**

(A) *Purpose.* This section is enacted pursuant to Cal. Gov't Code § 36516, authorizing the Council to provide by ordinance that each member of the Council shall receive a prescribed salary.

(B) *Salaries.* Commencing on the operative date of this section members of the Council of the city shall receive, as salary, the sum of \$900 per month and the Mayor \$950 per month, as prescribed in Cal. Gov't Code § 36516 for cities up to and including 35,000 in population, which shall be payable from and after the operative date in this section at the same time and in the same manner as the salaries are paid to other officers and employees of the city.

(C) *Change in compensation.* Any change in compensation may only be made effective whenever one or more members of the City Council begins a new term of office.

(D) *Reimbursement.* The salaries prescribed herein are and shall be exclusive of any amounts payable to each member of the Council of reimbursement for actual and necessary expenses incurred by him in the performance of official duties for the city.

**Section 2:** If any section, subdivision, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**Section 3:** This Ordinance shall become effective thirty (30) days after its passage by the City Council, and following the affirmative vote of a majority of the members of the City Council. Within fifteen (15) days of its adoption, a summary of the ordinance shall be published in a newspaper of general circulation in the City of Riverbank, State of California, which summary shall include the names of those Council Members voting for and against the ordinance. A certified copy of the full text of such adopted ordinance or amendment shall be on file in the office of the City Clerk.

The foregoing was introduced at a regular meeting of the City Council of the City of Riverbank held on January 9, 2024; motioned by Councilmember Uribe, seconded by Councilmember Jones Cruz, and upon roll call was carried by the following vote of 5/0; said ordinance was given a second reading by title only at a regular meeting of the City Council on January 23, 2024, Councilmember Luis Uribe, moved its adoption, seconded by Councilmember Darlene Barber-Martinez, and upon roll call was carried by the following 5/0 Vote:


**AYES:** Councilmember, District 1 Luis Uribe  
Councilmember, District 2 Rachel Hernandez  
Councilmember, District 4 Darlene Barber-Martinez  
Vice Mayor, (CM-D3) Leanne Jones Cruz  
Mayor, Richard D. O'Brien

**NAYS:** None

**ABSENT:** None

**ABSTAIN:** None

**ATTEST:**  
  
\_\_\_\_\_  
Gabriela Hernandez  
City Clerk

**APPROVED:**  
  
\_\_\_\_\_  
Richard D. O'Brien  
Mayor

**APPROVED TO FORM:**  
  
\_\_\_\_\_  
City Attorney



# City of Riverbank

## Office of the City Clerk / Elections

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### **CERTIFICATION OF ORDINANCE 2024-002**

STATE OF CALIFORNIA }  
COUNTY OF STANISLAUS } ss:  
CITY OF RIVERBANK }

I, **Gabriela Hernandez**, duly appointed City Clerk of the City of Riverbank, California, **DO HEREBY CERTIFY** that the foregoing **Ordinance 2024-002** (consisting of 3 pages) was introduced at a regular meeting of the City Council of the City of Riverbank, held on 01/09/2024, and thereafter was adopted at a regular meeting of the City Council of the City of Riverbank on 01/23/2024, by the following City Council vote of 5-0, to wit:

**AYES:**                    **COUNCILMEMBER DISTRICT 1 LUIS URIBE**  
                                 **COUNCILMEMBER DISTRICT 2 RACHEL HERNANDEZ**  
                                 **COUNCILMEMBER DISTRICT 4 DARLENE BARBER-MARTINEZ**  
                                 **VICE MAYOR (CM-D3) LEANNE JONES CRUZ**  
                                 **MAYOR RICHARD D. O'BRIEN**

**NAYS:**                    **NONE**

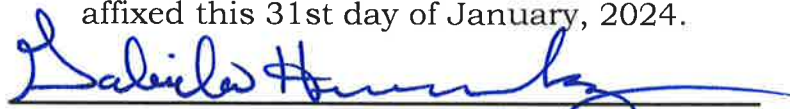
**ABSENT:**                **NONE**

**ABSTAINED:**        **NONE**

I **FURTHER CERTIFY** that the foregoing **Ordinance 2024-002** was published pursuant to GC § 36933 as follows:

- First Summary published on 12/27/2023 in the Riverbank News by Planning Department; and  
Second Summary published on 01/31/2024 the Riverbank News.
- Notices were also posted on the exterior Bulletin Boards of City Hall North and the Community Center.

**WITNESS** my hand and the Seal of the City of Riverbank,  
affixed this 31st day of January, 2024.

  
**Gabriela Hernandez, City Clerk**