

ORDINANCE NO. 26-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE AMENDING SECTION 2.1.70 OF THE OCEANSIDE CITY CODE TO ADJUST THE SALARY FOR THE MAYOR AND MEMBERS OF THE CITY COUNCIL IN ACCORDANCE WITH THE PROVISIONS OF SECTIONS 36516 AND 36516.5 OF THE CALIFORNIA GOVERNMENT CODE

WHEREAS, Oceanside City Code (OCC) section 2.1.70 establishes the salary of the members of the City Council; and

WHEREAS, Government Code section 36516 establishes a formula for making adjustments to the salary paid to members of a city council and Government Code section 36516.1 authorizes additional compensation for an elected mayor serving as a member of the City Council; and

WHEREAS, Government Code section 36516(a)(2)(E) was amended in 2023 to increase the allowable compensation for members of a council in cities with a population of over 150,000 up to and including 250,000, up to and including two thousand five hundred fifty dollars (\$2,550) per month; and

WHEREAS, Government Code section 36516(a)(4) further provides that the salary of council members may be increased beyond the amount provided above, but the amount of the increase shall not exceed the greater of either of the following:

(A) An amount equal to 5 percent for each calendar year from the operative date of the last adjustment of the salary in effect when the ordinance or amendment is enacted.

(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.

WHEREAS, pursuant to the 2020 federal census, the estimated population of the City of Oceanside was 174,068;

WHEREAS, in 2015 the City Council adopted Ordinance No. 15-OR0506-1 amending OCC section 2.1.70 setting the salary of the members of the City Council at the current amount of \$1,932.75 and compensation for the Mayor of \$2,107.91, effective December 16, 2016; and

1 WHEREAS, the City Council and Mayor have not received any increase in
2 compensation since December 16, 2016, totaling 9 calendar years, allows for up to a 45%
3 increase pursuant to Government Code section 36516(a)(4)(A); and

4 WHEREAS, the City Council desires to adjust the salary paid to members of the
5 Oceanside City Council as authorized by the Government Code; and

6 WHEREAS, the City of Oceanside is the third-largest city in the County of San Diego
7 and the largest city in the North County area, and provides a full slate of municipal services;
8 and

9 WHEREAS, the time, commitment, and expense of serving on the City Council have
10 continued to increase since 2016, including in relation to costs-of-living and other economic
11 factors; and

12 WHEREAS, increasing councilmember compensation has the ancillary benefit of
13 potentially increasing the pool of candidates who may be able to serve by providing a salary
14 that is more closely reflective of the current costs and economic conditions; and

15 WHEREAS, the City Council now wishes to repeal Ordinance No. 15-OR0506-1 and
16 replace it with this proposed ordinance, setting the salary of the members of the City Council at
17 the amount of \$2,802.49 per month and compensation for the Mayor at \$3,056.47 per month,
18 with said adjustment to be implemented on December 16, 2026; and

19 WHEREAS, this ordinance makes no changes to the additional board and commission
20 pay for serving as the Community Development Commission and the Small Craft Harbor
21 District Board of Directors, benefits, or expense reimbursements which the Mayor and
22 Councilmembers otherwise receive consistent with Government Code section 36516; and

23 WHEREAS, pursuant to Government Code Section 36516.5, changes to city
24 councilmember salaries may not take effect until a new city council term begins and, in the case
25 of councilmembers serving staggered terms, all councilmembers may receive the salary
26 increase once one or more councilmembers begin a new term in office; and

27 WHEREAS, the next General Municipal Election for the City of Oceanside is to be held
28 on November 3, 2026, and the proposed salary increase set forth in this Ordinance shall not
take effect until the start of a new city council term following the November 2026 election;

1 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF OCEANSIDE DOES
2 HEREBY ORDAIN AS FOLLOWS:

3 SECTION 1. Section 2.1.70(a) of the Oceanside City Code is amended to read as follows:

4 (a) *Salary.* From and after the commencement of the first regular pay period
5 following the date established pursuant to subsection (b) the members of the city council
6 shall receive a salary of two thousand eight hundred and two dollars and forty-nine cents
7 (\$2,802.49) per month, and the mayor shall receive a salary of three thousand fifty-six
8 dollars and forty-seven cents (\$3,056.47) per month in accordance with the provisions of
9 Section 36516 of the California Government Code.

10 (b) The city council may by ordinance adjust the salary of its members pursuant to
11 Government Code Section 36516 provided however that any adjustment to increase the
12 salary shall become payable only on and after the date upon which one or more members
13 of the council becomes eligible therefore by virtue of beginning a new term of the office
14 following the next succeeding general municipal election held in the city, and then all
15 members of the council shall be entitled to the adjustment. This adjustment shall be
16 effective December 16, 2026, at which time Ordinance No. 15-OR0506-1 shall be
17 repealed.

18 (c) *Reimbursements.* The salaries prescribed herein are and shall be exclusive of any
19 amounts payable to each member of the council as reimbursement for actual and
20 necessary expenses incurred by that member in the performance of official duties for the
21 city.

22 (d) *Waiver.* Any member of the council may waive all or any part of their salary by
23 filing a written notification of waiver with the city treasurer. The waiver may be
24 rescinded at any time, but such rescission shall operate prospectively only. Any salary
25 waived by a council member shall be placed into the general fund.

26
27 SECTION 2. The City Clerk of the City of Oceanside is hereby directed to publish this
28 ordinance, or the title hereof, as a summary, pursuant to state statute, once within fifteen (15)
days after its passage in a newspaper of general circulation published in the City of Oceanside

1 SECTION 3. If any section, sentence, clause or phrase of this Ordinance is for any reason
2 held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such
3 decision shall not affect the validity of the remaining portions of this Ordinance. The City
4 Council hereby declares that it would have passed this Ordinance and adopted this Ordinance
5 and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or
6 more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

7
8 SECTION 4. This ordinance shall take effect and be in force on the thirtieth (30th) day
9 from and after its final passage.

10
11 INTRODUCED at a regular meeting of the City Council of the City of Oceanside,
12 California, held on the ____ day of _____, 2026, and, thereafter,

13 PASSED AND ADOPTED at a regular meeting of the City Council of the City of
14 Oceanside California, held on the ____ day of _____, 2026, by the following vote:

- 15 AYES:
- 16 NAYS:
- 17 ABSENT:
- 18 ABSTAIN:

19
20 _____
MAYOR OF THE CITY OF OCEANSIDE

21 ATTEST:

APPROVED AS TO FORM:

22
23 _____
CITY CLERK

24 _____
CITY ATTORNEY
25
26
27
28