

ORDINANCE 2012-01.

AN ORDINANCE AMENDING SECTION 4.04.060 (CLASSES AND SALARY RANGES), RENUMBERING SECTION 4.04.120 TO 4.04.130, AND ENACTING A NEW SECTION 4.04.120 (MAYORAL COMPENSATION) OF THE PROVO CITY CODE TO CODIFY A PROCESS FOR DETERMINING MAYORAL COMPENSATION. 11-003OA

WHEREAS, Provo City Code Section 4.04.060 specifies that the position of mayor shall be compensated at Grade 35 which is a range between \$2,624 and \$3,554 biweekly; and

WHEREAS, the Mayor is the top executive in the City and is tasked with making decisions regarding his or her own compensation; and

WHEREAS, the Council has received a recommendation from the Mayor that an independent body be involved in making recommendations regarding mayoral compensation; and

WHEREAS, it is proposed that Section 4.040.060 be amended to remove the position of Mayor from the pay range classification list; and

WHEREAS, it is proposed that Section 4.04.120 be renumbered to 4.04.130 for the addition of a new section; and

WHEREAS, it is proposed that a Section 4.04.120 Mayoral Compensation be added to the Provo City Code to define the process for determining mayoral compensation; and

WHEREAS, on May 17, 2011, November 1, 2011, November 15, 2011, December 6, 2011, January 3, 2012, and January 17, 2012 the Municipal Council held duly noticed public meetings to ascertain the facts regarding this matter, which facts and comments are found in the meeting records; and

WHEREAS, after considering the facts presented to the Municipal Council, the Council finds (i) the Personnel Regulations Title of Provo City should be amended and (ii) the ordinance amendment, as set forth below, reasonably furthers the health, safety and general welfare of the citizens of Provo City.

NOW, THEREFORE, be it ordained by the Municipal Council of Provo City, Utah, as follows:

PART I:

Section 4.04.060 of the Provo City Code is hereby amended as follows:

4.04.060 Classes and Salary Ranges

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PART II:

Section 4.04.120 of the Provo City Code is hereby renumbered as follows:

~~4.04.120~~ **4.04.130** Health Insurance For Retired Employees

PART III:

Section 4.04.120 of the Provo City Code is hereby enacted as follows:

4.04.120 Mayoral Compensation

(1) The compensation for the Mayor, who serves as the elected chief executive officer of the City, is set at \$89,461.35 per annum. Such salary will be adjusted in the same manner and in the same percentage increase as may from time to time be authorized as a cost of living adjustment for full-time city employees. The Mayor may:

(a) elect to participate in the retirement plan, employee cafeteria benefits plan, and healthcare reimbursement arrangement in the same manner as a full-time City employee; and

(b) have access to the employee assistance plan, wellness programs, and voluntary group benefits that may be available to City employees.

(2) There is hereby created a Mayoral Compensation Commission which shall consist of three residents of Provo selected by the Mayor, three residents of Provo selected by a majority of the Municipal Council, and one additional resident of Provo selected by a majority of the other six members of the Commission. Commission members shall be appointed in February of 2013 and thereafter in February of each year in which a Mayoral election is held.

(3) The Commission is tasked with reviewing the results of a salary survey conducted by the Human Resources Division of mayoral compensation in cities and counties in Utah with a full-time elected mayor and then recommending to the Mayor and the Municipal Council an annual salary for the Mayor at least sixty (60) days prior to the filing deadline for elected officials in the upcoming municipal election.

(4) After receipt of the recommendation of the Commission, the Municipal Council shall hold a vote upon said recommendation no later than the third Tuesday in June and shall by majority vote establish any change in the annual compensation for the Mayor by ordinance, effective upon the taking of office of the duly elected Mayor in January of the following year.

(5) The term of the Commission members will expire at the time of the Municipal Council vote described above.

PART IV:

A. If a provision of this Ordinance 2011-01 conflicts with a provision of a previously adopted ordinance concerning the same title, chapter, and/or section number amended herein, the provision in this ordinance shall prevail.

93 B. This ordinance and its various sections, clauses and paragraphs are hereby declared to
94 be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid,
95 the remainder of the ordinance shall not be affected thereby.

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97 C. The Municipal Council hereby directs that the official copy of the Provo City Code be
98 updated to reflect the provisions enacted by this ordinance.

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100 D. This ordinance shall take effect immediately after being posted or published as
101 required by law.

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103 END OF ORDINANCE.