Ordinance 2017-02

SHORT TITLE:

An ordinance codifying a process for determining council member compensation. (17-007)

Ι

PASSAGE BY MUNICIPAL COUNCIL

DISTRICT	NAME		FOR	AGAINST	OTHER
CW 1	DAVID SEWELL		\checkmark		
CW 2	GEORGE STEWART		\checkmark		
CD 1	GARY WINTERTON	1	\checkmark		
CD 2	KIM SANTIAGO		\checkmark		
CD 3	DAVID KNECHT		\checkmark		
CD 4	KAY VAN BUREN		\checkmark		
CD 5	DAVID HARDING		\checkmark		
<u>.</u>		TOTALS	7	0	0

ROLL CALL

This ordinance was passed by the Municipal Council of Provo City, on the 17th day of January 2017, on a roll call vote as described above. Signed this <u>26 January 2017</u>.

David S. Sewell

Chair

II

APPROVAL BY MAYOR

This ordinance is approved by me this 31 January 2017

lohn Mayor

Ordinance 2017-02

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was signed and recorded in the office of the Provo City Recorder on the

31st day of January, 2017, with a short summary being published on the 21st day of

January, 2017, in The Daily Herald, a newspaper circulated in Provo, Utah. I hereby certify

and attest that the foregoing constitutes a true and accurate record of proceedings with respect

to Ordinance Number 2017-02.



City Recorder

1	ORDINANCE 2017-02.
2 3 4 5	AN ORDINANCE CODIFYING A PROCESS FOR DETERMINING COUNCIL MEMBER COMPENSATION. (17-007)
5 6 7 8	WHEREAS, Provo City Code Section 4.04.110 addresses compensation, expense reimbursement, and benefits for members of the Provo Municipal Council; and
9 10 11	WHEREAS, Provo City Code Section 4.04.120 addresses compensation for the Mayor and creates a process for determining Mayoral compensation by means of a Mayoral Compensation Commission; and
12 13 14 15	WHEREAS, there is no such independent body created or process defined for setting compensation for members of the Provo Municipal Council; and
15 16 17 18	WHEREAS, it is proposed that Section 4.04.120(2)-(5) be renumbered to 4.04.125, be renamed the Elected Officials Compensation Commission, and be amended to include a process for reviewing and recommending compensation for Council members; and
19 20 21 22	WHEREAS, on January 3 and 17, 2017, 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
23 24 25 26	WHEREAS, after considering the facts presented to the Municipal Council, the Council finds the ordinance, as set forth below, reasonably furthers the health, safety and general welfare of the citizens of Provo City.
27 28 29	NOW, THEREFORE, be it resolved by the Municipal Council of Provo City, Utah, as follows:
30 31 32	PART I:
33 34 35	Provo City Code Section 4.04.120. (Mayoral Compensation) is hereby amended as follows:
36 37	4.04.120. Mayoral Compensation.
38 39 40 41 42 43	(1) The compensation for the Mayor, who serves as the elected chief executive officer of the City, is set at one hundred nine thousand five hundred dollars (\$109,500.00) 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:
43 44 45 46	(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

47
48 (b) Have access to the employee assistance plan, wellness programs, and voluntary group
49 benefits that may be available to City employees.

(2) There is hereby created a Mayoral Compensation Commission which shall consist of three
 (3) residents of Provo selected by the Mayor, three (3) residents of Provo selected by a majority
 of the Municipal Council, and one (1) additional resident of Provo selected by a majority of the
 other six (6) 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.

57 (3) The Commission is tasked with reviewing the results of a salary survey conducted by the
 58 Human Resources Division of Mayoral compensation in cities and counties in Utah with a full 59 time elected mayor and then recommending to the Mayor and the Municipal Council an annual
 60 salary for the Mayor at least sixty (60) days prior to the filing deadline for elected officials in the
 61 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.

<u>PART II:</u>

Provo City Code Section 4.04.125 (Elected Officials Compensation Commission) is hereby enacted as follows:

4.04.125. Elected Officials Compensation Commission.

(1) There is hereby created an Elected Officials Compensation Commission which shall consist
of three (3) residents of Provo selected by the Mayor, three (3) residents of Provo selected by a
majority of the Municipal Council, and one (1) additional resident of Provo selected by a
majority of the other six (6) members of the Commission. Commission members shall be
appointed in February of 2017 and thereafter in February every four years.

84 (2) The Commission is tasked with reviewing the results of a salary survey conducted by the85 Human Resources Division of:

- (a) Mayoral compensation in cities and counties in Utah with a full-time elected mayor, and
- 90 (b) Council Member compensation in cities and counties in Utah with part-time Council91 members.

93 94 95 96	Counc	a public meeting of the Municipal Council and no later than the fill Meeting in April, the Commission shall then recommend sipal Council:	- · ·				
90 97 98		(a) an annual salary for the Mayor,					
99 100		(b) an annual salary for Municipal Council Members,					
100 101 102		(c) additional remuneration set forth in 4.04.110(3), and					
102 103 104		(d) any other compensation matters the Commission considers pertinent.					
105 106 107 108 109 110	(4) After receipt of the recommendations of the Commission, the Municipal Council shall hold a vote upon said recommendations no later than the third Tuesday in June and shall by majority vote establish any change in the annual compensation for the Mayor and/or Municipal Council Members by ordinance. Compensation for the Mayor and Municipal Council Members shall be considered in two separate ordinances.						
110 111 112	(5) Co	Compensation adjustments occurring under this Section shall be effective:					
112 113 114 115		(a) at the beginning of the pay period that includes the first Monday in January of the following year for incumbents who are re-elected or continuing their term; and					
115 116 117		(b) on the first day of their term of office for newly elected officia	ıls.				
118 119		the term of the Commission members will expire at the time the ant to Subsection (4).	Municipal Council acts				
120 121 122	<u>PART</u>	<u>III:</u>					
122 123 124 125	A.	If a provision of this ordinance conflicts with a provision o ordinance, this ordinance shall prevail.	f a previously adopted				
123 126 127 128 129	B.	B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the remainder of the ordinance shall not be affected thereby.					
130 131 132	C.	The Municipal Council hereby directs that the official copy of updated to reflect the provisions enacted by this ordinance.	the Provo City Code be				
133 134 135	D.	This ordinance shall take effect immediately after it has been posted or published in accordance with Utah Code 10-3-711, presented to the Mayor in accordance with Utah Code 10-3b-204, and recorded in accordance with Utah Code 10-3-713.					
136 137	END	OF	ORDINANCE.				