

RESOLUTION NO. CA-1-11

RESOLUTION OF THE MAYOR AND CITY COUNCIL
TO AMEND SECTION 5 AND SECTION 16 OF THE CITY
CHARTER TO AMEND THE SALARY AND BENEFITS OF
THE MAYOR AND MEMBERS OF THE CITY COUNCIL
AND TO AMEND SECTION 5A OF THE CHARTER
REGARDING THE MAYOR AND CITY COUNCIL
COMPENSATION COMMITTEE

WHEREAS, the Mayor and City Council appointed an Ad Hoc Mayor and City Council Compensation Review Committee on March 21, 2011; and

WHEREAS, the Ad Hoc Mayor and City Council Compensation Review Committee thoroughly reviewed and compensation of elected officials in jurisdictions throughout Maryland and Virginia and presented their findings in a Mayor and Council Work Session on June 13, 2011; and

WHEREAS, after considering the Ad Hoc Mayor and City Council requested additional information and input from staff regarding benefits afforded to elected officials in jurisdictions throughout Maryland and Virginia.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of Gaithersburg, in public meeting assembled, that Sections 5, 5A and 16 of the City Charter is hereby amended as follows:

Section 1 – That Sections 5, 5A and 16 of the Charter of the City of Gaithersburg be, and the same is, repealed and reenacted with amendments as follows:

Sec. 5. Salary and benefits of Members of the Gaithersburg City Council.

The members of the City Council for the City of Gaithersburg, Maryland, shall be paid an annual salary of ~~Six Thousand Dollars (\$6,000.00), except as hereinafter provided. Council members elected to office in the calendar year 2005 shall receive an annual salary of Ten Thousand Dollars (\$10,000.00) for the term commencing November 2005. Council members elected to office in the calendar year 2007 shall receive an annual salary of Ten Thousand Dollars (\$10,000.00) for the term commencing in November of 2007. Effective November 2009, all City Council members shall receive an annual salary of Fifteen Thousand Dollars (\$15,000.00). Effective November 2010, all City Council members shall receive an annual salary of Fifteen Thousand Five Hundred Dollars (\$15,500.00). Effective November 2011, all City Council members shall receive an annual salary of Sixteen Thousand Dollars (\$16,000.00). Effective November 2012, all City Council members shall receive an annual salary of Sixteen Thousand Five Hundred Dollars (\$16,500.00). Effective July 1, 2013 and each July 1st thereafter, for each fiscal year in which City employees receive a~~

cost of living adjustment, all City Council members shall receive an annual salary adjustment equal to the lesser of \$500 or the Consumer Price Index ("CPI") for the Washington Metropolitan Region, as established in the November report. Members elected to office in November 2013 will not receive the adjustment until after the November 2013 election.

The members of the City Council shall also receive Four Thousand Dollars (\$4,000.00) to be used solely for the purchase of City benefits available for elected officials. Any funds not expended for benefits will be credited to the Council member's 457 Plan.

The members of the City Council shall have the authority to decline all or any portion of the annual salary and benefits provided herein.

Sec. 5A. – Periodic review of Mayor, and City Council salaries and benefits and Planning Commission, Board of Appeals and Historic District Commission salaries.

~~In January of 2014~~November 2016, and in ~~January~~November of every fourth year thereafter, the Mayor shall appoint, with concurrence of the City Council, a committee to review the compensation and ~~duties~~benefits of the Mayor, and City Council and to provide recommendations within one hundred twenty (120) days whether any adjustments to the Mayor and City Council salary and benefits should be made, ~~as new terms are created by City elections.~~ In addition, the Committee shall review the stipend for the Planning Commission, Board of Appeals and Historic District Commission and provide recommendations whether any adjustments should be made. The Committee's recommendations shall be advisory in nature and the Mayor and City Council shall have the option of accepting, rejecting, or modifying any such recommendations.

Sec. 16. – Same – Salary and benefits.

The Mayor shall be paid an annual salary of ~~Twelve Thousand Five Hundred Dollars (\$12,500.00)~~, except as hereinafter provided. The person elected to the office of Mayor in November of 2009 shall receive an annual salary of ~~Eighteen Thousand Five Hundred Dollars (\$18,500.00)~~. Effective November 2010, the Mayor shall receive an annual salary of ~~Nineteen Thousand Dollars (\$19,000.00)~~. Effective November 2011, the Mayor shall receive an annual salary of ~~Nineteen Thousand Five Hundred Dollars (\$19,500.00)~~. Effective November 2012, the Mayor shall receive an annual salary of ~~Twenty Thousand Dollars (\$20,000.00)~~. Effective July 1, 2013 and each July 1st thereafter, for each fiscal year in which City employees receive a cost of living adjustment, the Mayor shall receive an annual salary adjustment

equal to the lesser of \$500 or the Consumer Price Index ("CPI") for the Washington Metropolitan Region, as established in the November report.

The Mayor shall also receive Four Thousand Dollars (\$4,000.00) to be used solely for the purchase of City benefits available for elected officials. Any funds not expended for benefits will be credited to the Council member's 457 Plan.

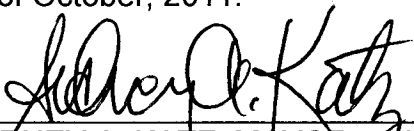
The Mayor shall have the authority to decline all or any portion of the annual salary and benefits provided herein.

Section 2 – BE IT FURTHER RESOLVED that the date of the adoption of this resolution is October 3, 2011, and that the amendment to the Charter of the City of Gaithersburg, as herein adopted, shall be and become effective on November 22, 2011, unless on or before said date a proper petition for referendum of this resolution shall be filed as permitted by law.

Section 3 – BE IT FURTHER RESOLVED that a complete and exact copy of this resolution shall be posted at City Hall, 31 South Summit Avenue, Gaithersburg, Maryland 20877, until November 2, 2011, and a fair summary of the proposed Charter amendment contained in this resolution shall be published in a newspaper of general circulation in the City of Gaithersburg not fewer than four (4) times at weekly intervals before November 3, 2011.

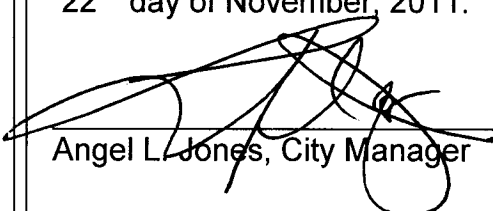
Section 4 – AND BE IT FURTHER RESOLVED that as soon as the Charter amendment hereby enacted shall become effective, either as herein provided or following a referendum, the City shall send or cause to be sent to the Department of Legislative Reference the following information concerning this Charter resolution: (1) the complete text of this resolution; (2) the date of enactment of the Charter amendment; (3) the date of the referendum election, if any; (4) the number of votes cast for or against this resolution whether by the City Council or in a referendum; and (5) the effective date of the Charter amendment contained herein.

ADOPTED by the City Council this day 3rd of October, 2011.



SIDNEY A. KATZ, MAYOR and
President of the Council

THIS IS TO CERTIFY that the foregoing
Resolution was adopted by the City Council
in a public meeting assembled on the
3rd day of October, 2011. This
Resolution will become effective on the
22nd day of November, 2011.



Angel L. Jones, City Manager

Boldface

Underlining

~~Single strikethrough~~

Double underlining

~~Double boldface strikethrough~~
amendment.

* * *

Heading or defined term.

Added to existing law by original bill.

Deleted from existing law by original bill.

Added by Amendment.

Deleted from existing law or the bill by

Existing law unaffected by bill.