

ORDINANCE NUMBER 2260 (CCS)

(City Council Series)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
SANTA MONICA AMENDING SANTA MONICA MUNICIPAL CODE SECTION  
4.65.030 RELATING TO LIVING WAGE EXEMPTION

WHEREAS, In May of 2005, the City Council adopted Ordinance 2152 to require that persons working on City contracts receive a living wage; and

WHEREAS, The findings approved as part of that ordinance establish that its purposes include ensuring that those workers have sufficient income to pay the high costs of living in the City, region, and state, to cover costs of health care, and to have the leisure to participate in civic life; and

WHEREAS, The ordinance is broadly applicable to all City contracts over \$50,000 in amount, plus the annual adjustment, and has very limited exceptions applicable only to government and non-profit contracts; and

WHEREAS, Recent experience has demonstrated that in some circumstances strict adherence to the requirements of the ordinance is detrimental to the City's welfare and does not serve the ordinance's purposes; and

WHEREAS, Accordingly, the Council hereby finds that the scope of the ordinance should be modified and a limited exemption provision should be added to the ordinance to protect the City's welfare; and

WHEREAS, Costs of administering the annual adjustment have been significantly greater than anticipated and are unduly burdening the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SANTA MONICA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Santa Monica Municipal Code Section 4.65.020 is hereby amended to read as follows:

**4.65.020 Minimum wage payment requirements for  
City contractors.**

Any contractor providing services to the City of Santa Monica pursuant to a contract in the amount of Fifty Four Thousand Two Hundred Dollars (\$54,200.00) or more shall pay at least the minimum wage to any employee working on that contract for work done on the contract.

(Added by Ord. No. 2152CCS § 1 (part), adopted 3/8/05)

SECTION 2. Santa Monica Municipal Code Section 4.65.030 is hereby amended to read as follows:

#### **4.65.030 Exemption**

The requirements of this Chapter shall not apply to employers that are government agencies, City grantees, nonprofit corporations, or corporations providing banking services.

(Added by Ord. No. 2152CCS § 1 (part), adopted

3/8/05)

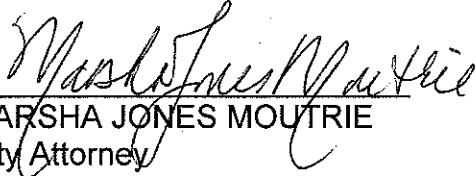
SECTION 3. Any provision of the Santa Monica Municipal Code or appendices thereto inconsistent with the provisions of this Ordinance, to the extent of such inconsistencies and no further, is hereby repealed or modified to that extent necessary to effect the provisions of this Ordinance.

SECTION 4. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 5. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in

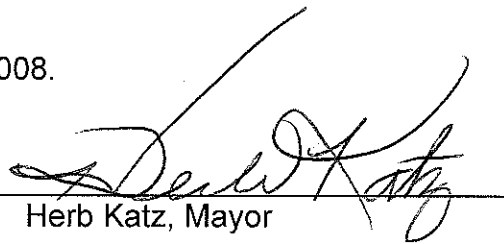
the official newspaper within 15 days after its adoption. This Ordinance shall become effective 30 days from its adoption.

APPROVED AS TO FORM:

A handwritten signature in cursive script, appearing to read "Marsha Jones Moutrie", is written over a horizontal line.

MARSHA JONES MOUTRIE  
City Attorney

Approved and adopted this 22nd day of April, 2008.

  
Herb Katz, Mayor

State of California )  
County of Los Angeles ) ss.  
City of Santa Monica )

I, Beth Sanchez, Assistant City Clerk of the City of Santa Monica, do hereby certify that the foregoing Ordinance No. 2260 (CCS) had its introduction April 8th, 2008, and was adopted at the Santa Monica City Council meeting held on April 22nd, 2008, by the following vote:

Ayes: Council members: Genser, McKeown  
Mayor Pro Tem Bloom, Mayor Katz

Noes: Council members: None

Abstain: Council members: None

Absent: Council members: Holbrook, O'Connor, Shriver

A summary of Ordinance No. 2260 (CCS) was duly published pursuant to California Government Code Section 40806.

ATTEST:

  
Beth Sanchez, Assistant City Clerk