

ORDINANCE NO. .

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

ORDINANCE ADDING NEW SECTION 2.71.240 TO CHAPTER 2.71 OF TITLE 2 OF THE SAN MATEO COUNTY ORDINANCE CODE ESTABLISHING THE COMPENSATION OF THE MEMBERS OF THE BOARD OF SUPERVISORS, INCREASING THEIR ANNUAL BASE SALARY TO AN AMOUNT EQUAL TO 80% OF THE ANNUAL SALARY OF THE SUPERIOR COURT JUDGE, STATE OF CALIFORNIA, AND PROVIDING THEM AN EMPLOYER-PAID DEFERRED COMPENSATION BENEFIT

The Board of Supervisors of the County of San Mateo, State of California, **ORDAINS** as follows:

WHEREAS, the San Mateo County Charter (Charter) allows the Board of Supervisors (Board) to change the compensation of Supervisors by ordinance, provided however that a Supervisor's compensation shall not increase during the term of office for which they were elected, above the percentage of increase in the costs of living; and

WHEREAS, apart from cost-of-living increases, the salary of the Board has not been reviewed or adjusted since July 2005, with the adoption of Ordinance 04274, at which time, the compensation was increased by 10% in order to bring Supervisors salaries up to an amount that approximated the average for five immediate Bay Area counties; and

WHEREAS, a compensation and benefits study found that five neighboring counties have ordinances setting their board member's compensation as a percentage of the annual salary of a Superior Court Judge in the State of California, which percentages range from 60% to 80%, and four of the six counties provide their board members employer-paid contribution to deferred compensation; and

WHEREAS, the salary for a Superior Court Judge in the State of California as of July 1, 2024 is \$244,727.

SECTION 1. A new Section 2.71.240 of Chapter 2.71 of Title 2, to be title “Board of Supervisors’ Compensation,” is hereby adopted, to read, in its entirety, as follows:

(a) Adjustment to compensation. The annual base salary of the Board shall be increased as set forth below, as adjusted pursuant to subsection (b), below, to become effective as to specified Supervisorial districts as provided in subsection (c), below.

- i. Effective January 4, 2027, the annual base salary for the Supervisors representing District Two and District Three shall be set at 80% of the salary of a Superior Court Judge in the State of California, as it existed on December 1, 2026, and shall be further adjusted for cost of living as provided in subsection (b), below.
- ii. Effective January 8, 2029, the annual base salary for the Supervisors representing District One, District Four, and District Five shall be set at the then current annual salary for members of the Supervisors representing Districts Two and Three, and shall be further adjusted for cost of living as provided in subsection (b), below.

(b) Cost of Living Adjustment. After the salary increases described in subsection (a), above, become applicable, the Controller shall, before January 1 of each year thereafter, determine whether there has been an increase in the cost of living as provided in this subsection (b). The salary of each Supervisor, as set forth in subsection (a), above, shall, as of January 1 for each year after the applicable salary increase set forth in subsection (a) is applied, be increased by a percentage of the total salary then being received, found by the Controller to approximate to the nearest one-half of one percent (1%) the percentage of annual increase in the cost of living as of November 1st of each year as shown by the then current Bureau of Labor Statistics Consumer Price Index for San Francisco-Oakland Bay Area, but such change shall not exceed five

percent (5%) per year; however, the amount of any cost-of-living increase in any year which is above the maximum annual change of five percent (5%) shall be accumulated and applied to salary increases in future years that are below five percent (5%) maximum; provided further there shall be no decrease in salary under this section.

(c) Deferred Compensation Contribution. Each Supervisor shall receive an employer-paid contribution in the amount equivalent to four percent (4%) of the Supervisor's base salary. The contribution shall be deposited each pay period to a 401(a) Plan. All contributions must be subject to applicable limitations imposed by State and Federal law, including limitations on the amount of employer contributions, as set forth under the Public Employees' Pension Reform Act (PEPRA) and Internal Revenue Codes. Therefore, the percentage of base pay contribution rate is intended as a guideline for the contribution and does not guarantee a specific amount of contribution. For the Supervisors representing District 2 and District 3, the aforementioned employer-paid contribution will begin on January 4, 2027. For the Supervisors representing District 1, District 4, and District 5, the aforementioned employer-paid contribution will begin on January 8, 2029.

(d) Applicability of Provisions; Sunset of Ordinance No. 04274. The provisions of this Ordinance shall become applicable to specified Supervisorial districts as set forth below, and until such time as the provisions of this Ordinance become applicable to a specified Supervisorial district, the provisions of Ordinance No. 04274 shall continue to apply.

- i. As to the Supervisors representing District Two and District Three, the provisions of this Ordinance shall become applicable at the beginning of the new term of office in 2027, which is anticipated to begin on Monday, January 4, 2027. The starting salary will be that specified in subsection

(a)(i), above.

- ii. As to the Supervisors representing District One, District Four, and District Five, the provisions of this Ordinance shall become applicable at 12:00 p.m. on Monday, January 8, 2029. The starting salary will be that specified in subsection (a)(ii), above.
- iii. The provisions of Ordinance No. 04274 shall be of no further force and effect as to any Supervisorial district when the provisions of this Ordinance become applicable to such district, as provided above.

SECTION 2. Severability. If any section, subsection, paragraph, sentence, phrase, clause, or word of this Ordinance is for any reason found to be invalid or unenforceable, such section, subsection, paragraph, sentence, phrase, clause, or word shall be severed from, and shall not affect the validity of, all remaining portions of this Ordinance which can be given effect without the severed portion.

SECTION 3. Effective Date. Pursuant to Government Code Section 25123.5, this Ordinance shall be effective sixty (60) days from the passage date thereof.
