**THE FOLLOWING RESOLUTION INTRODUCED BY COUNCIL MEMBER DANIELSON AND SECONDED FOR ADOPTION BY COUNCIL MEMBER MCGUIRE**

 **RESOLUTION NO. 21-33**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANDEVILLE TO REQUEST AN OPINION FROM THE LOUISIANA ATTORNEY GENERAL FOR THEIR OPINION ON A SALARY INCREASE WITHOUT COUNCIL APPROVAL FOR THE CITY OF MANDEVILLE**

 **WHEREAS**, the City Council desires to have the City Attorney request an Opinion of the Louisiana Attorney General, and

 **WHEREAS** the City Council desires to request an opinion of the Louisiana Attorney General on the following:

1. In accordance with the Mandeville Home Rule Charter Section 5-04- Administration of operating and capital budgets.” No payment shall be made, or obligation incurred against any allotment or appropriation except in accordance with the approved operating and capital budgets …”
2. The mayor granted a pay raise of $10,000 to an employee, effective June 2, 2021, without getting Council approval via a budget adjustment.
3. The Council adopted the operating budget, ordinance 20-13 on September 10, 2020, which included the adoption of Exhibit “B”, and will be provided as an exhibit to the request for opinion by the Louisiana Attorney General
4. Line 51 of Exhibit “D” of the Operating Budget lists a total salary line item for general government. The Council adopted “Exhibit “B”, job class detail, which specifies employees’ salaries under general government by job title and the budgeted salaries.
5. The question is whether an employee can be given a pay raise above the salary listed in the adopted “Exhibit B” without Council approval.

 **NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Mandeville that the City Council is hereby authorized to make a formal request to the Louisiana Attorney General and that the request for opinion entails the following:

1. In accordance with the Mandeville Home Rule Charter Section 5-04- Administration of operating and capital budgets.” No payment shall be made, or obligation incurred against any allotment or appropriation except in accordance with the approved operating and capital budgets …”
2. The mayor granted a pay raise of $10,000 to an employee, effective June 2, 2021, without getting Council approval via a budget adjustment.
3. The Council adopted the operating budget, ordinance 20-13 on September 10, 2020, which included the adoption of Exhibit “B”, and will be provided as an exhibit to the request for opinion by the Louisiana Attorney General
4. Line 51 of Exhibit “D” of the Operating Budget lists a total salary line item for general government. The Council adopted “Exhibit “B”, job class detail, which specifies employees’ salaries under general government by job title and the approved salaries.
5. The question is whether an employee can be given a pay raise above the salary listed in the adopted “Exhibit B” without Council approval.

With the above resolution having been properly introduced and duly seconded, the vote was as follows:

AYES: 4 ( Danielson, McGuire, Zuckerman, Kreller)

NAY: 1 (Bush)

ABSTENTIONS: 0

ABSENT:0

And the resolution was declared adopted this 12TH day of August 2021.

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Kristine Scherer Jason Zuckerman

Council Clerk Council Chairman