



Office of the City Manager

CONSENT CALENDAR

October 12, 2021

To: Honorable Mayor and Members of the City Council
 From: Dee Williams-Ridley, City Manager
 Submitted by: Rama Murty, Acting Budget Manager
 Subject: Update Guidelines and Procedures for City Council Office Budget Expenditure Accounts

RECOMMENDATION

Adopt a Resolution:

1. Rescinding Resolution No. 65,540-N.S.; and
2. Updating the guidelines and procedures for City Council Office Budget Expenditure Accounts to allocate for Mayor and Councilmember Office staff salaries and fringe benefits for Legislative Assistant position to be adjusted annually consistent with any increase provided to the SEIU Local 1021 Community Services Unit and Part-Time Recreation Leaders Association (CSU-PTRLA) Unit.

FISCAL IMPACTS OF RECOMMENDATION

Each Council Office is allocated a fixed amount for staff salaries and benefits. For FY 2022, the Council Office personnel budget will be adjusted to fund one FTE Legislative Assistant at the top step of the salary range with benefits.

**FY 2022 Council Office Budget (excluding Mayor's Office)
Salaries and Fringe Benefits only**

Council Office	ADOPTED			RECOMMENDED			Increase
	Salaries	Fringe	Total	Salaries	Fringe	Total	
District 1	\$ 71,969	\$ 34,830	\$ 106,799	\$ 106,349	\$ 78,124	\$ 184,473	\$ 77,674
District 2	\$ 71,969	\$ 34,830	\$ 106,799	\$ 106,349	\$ 78,124	\$ 184,473	\$ 77,674
District 3	\$ 71,969	\$ 34,830	\$ 106,799	\$ 106,349	\$ 78,124	\$ 184,473	\$ 77,674
District 4	\$ 71,969	\$ 34,830	\$ 106,799	\$ 106,349	\$ 78,124	\$ 184,473	\$ 77,674
District 5*	\$ 124,568	\$ 34,830	\$ 159,398	\$ 158,948	\$ 78,124	\$ 237,072	\$ 77,674
District 6	\$ 71,969	\$ 34,830	\$ 106,799	\$ 106,349	\$ 78,124	\$ 184,473	\$ 77,674
District 7	\$ 71,969	\$ 34,830	\$ 106,799	\$ 106,349	\$ 78,124	\$ 184,473	\$ 77,674
District 8	\$ 71,969	\$ 34,830	\$ 106,799	\$ 106,349	\$ 78,124	\$ 184,473	\$ 77,674
Total						\$ 621,389	

*includes donated salary amount from Councilmember.

*** the data presented above excludes non-personnel budget and Intern stipends budget of \$1,500 per Council Office.*

Funding for the increase in salaries and benefits will come from General Fund (Fund 011), and will be included in the First Amendment to the FY 2022 Annual Appropriations Ordinance in November 2021.

Funding for future year budgets will be included in the baseline budget and the salary and benefit amounts will be adjusted annually consistent with any increase provided to the SEIU Local 1021 Community Services Unit and Part-Time Recreation Leaders Association (CSU-PTRLA) Unit.

CURRENT SITUATION AND ITS EFFECTS

The Legislative Assistant position was historically recognized as part of the Unrepresented Class of City employees. On June 15, 2021, the Council adopted a resolution approving the terms and conditions related to the Legislative Assistant classification's inclusion into the existing Memorandum of Understanding (MOU) with SEIU Local 1021 CSU-PTRLA Unit¹. There's a need to update the guidelines and procedures for City Council Office Budget Expenditure Accounts to reflect this change.

BACKGROUND

The City Council Offices' annual operating budgets are currently administered in accordance with Resolution 65,540–N.S., which was adopted by the City Council on December 6, 2011. The following were some of the significant changes to the guidelines and procedures for the Council Office Budget:

- In March 1997, [Resolution No. 58,890-N.S.](#) approved a one-time carryover of unspent funds from the Mayor and Council accounts, not to exceed \$1,500 per account.
- In March 1998, [Resolution No. 59,375-N.S.](#) added new language to Resolution No. 58,890 permitting unspent funds to be carried over to the next fiscal year, (i.e., both positive and negative carryover) or rolled back to the previous fiscal year, not to exceed \$1,500 per account.
- In September 1999, [Resolution No. 60,225-N.S.](#) superseded previous resolutions by increasing the annual carryover maximum to \$5,000 for non-personnel expenditures only.
- In April 2008, [Resolution No. 64,019-N.S.](#) superseded previous resolutions by increasing positive and negative annual carryover balances to a \$10,000 maximum.

¹ https://www.cityofberkeley.info/Clerk/City_Council/2021/06_June/Documents/2021-06-15_Item_27_Adopt_Tentative_Agreement_with_SEIU_Local_1021_Community_Services_Unit_And_Part-Time_Recreation_Leaders_Association_related_to_the_Inclusion.aspx

Resolution No. 64,019 also increased flexibility of use of funds between personnel and non-personnel expenditures.

- In December 2011, the current [Resolution No. 65.540-N.S.](#) superseded previous resolutions by limiting the Mayor and Council's carryover expenditure limit to positive balances only.

ENVIRONMENTAL SUSTAINABILITY & CLIMATE IMPACTS

There are no identifiable environmental and climate impacts or opportunities associated with the subject of this report.

CONTACT PERSON

Rama Murty, Acting Budget Manager, City Manager's Office, 981-7000

Attachments:

1: Resolution

RESOLUTION NO. ##,###-N.S.

UPDATE GUIDELINES AND PROCEDURES FOR CITY COUNCIL OFFICE BUDGET
EXPENDITURE ACCOUNTS

WHEREAS, each fiscal year the City Council appropriates funds in the Mayor and Councilmember's office budgets to cover the costs of Mayor and Council staff and non-personnel expenditures which are reasonable and necessary for the performance of the duties of Mayor and Councilmember; and

WHEREAS, on December 6, 2011, the City Council adopted Resolution No. 65,540-N.S. to limit the Mayor and Council's carryover expenditure limit to positive balances only; and

WHEREAS, there is a need to rescind and replace Resolution No. 65,540-N.S. to allocate for Mayor and Councilmember Office staff salaries and fringe benefits for Legislative Assistant position to be adjusted annually consistent with any increase provided to the SEIU Local 1021 Community Services Unit and Part-Time Recreation Leaders Association (CSU-PTRLA) Unit.

WHEREAS, funding for the increase in Council Office salaries and benefits in FY 2022 will come from the General Fund (Fund 011), and will be included in the First Amendment of the FY 2022 Annual Appropriations Ordinance in November 2021 and future year budgets for salaries and benefits will be included as part of the baseline budget.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley updates the following guidelines and procedures for City Council Office Budget Expenditure Accounts:

Section 1.

The allocation for the Mayor's Office staff salaries and fringe benefits will be budgeted annually based on actual staff costs. Salary increases for positions other than Legislative Assistant will be based on the Unrepresented class of City employees. The Legislative Assistant position salaries and benefits will be adjusted annually consistent with any increase provided to the SEIU Local 1021 Community Services Unit and Part-Time Recreation Leaders Association (CSU-PTRLA) Unit.

Section 2.

The allocation for Councilmember Office staff salaries and fringe benefits shall be based on one Legislative Assistant position budgeted at the tops step of the salary range, which will be adjusted annually to provide an adjustment consistent with what is provided to the SEIU Local 1021 Community Services Unit and Part-Time Recreation Leaders Association (CSU-PTRLA) Unit. The amount allocated for FY 2022 per Council Office for staff salaries is \$106,349 and for fringe benefit is \$78,124.

Section 3.

For the Mayor and Councilmembers, the annual allocation for non-personnel costs is not subject to adjustment.

Section 4.

Funds budgeted for Mayor and Councilmember Office staff salaries may be used for non-personnel expenditures. Funds budgeted for non-personnel expenditures may be used toward staff salary costs.

Section 5.

Unspent funds allocated to the Mayor and Councilmembers for fringe benefits cannot be used for any other personnel or non-personnel expenses nor can these excess funds be carried over into the next fiscal year.

Section 6.

Mayor's Office and Council Offices are not authorized to carry over negative spending balances. Overspent funds will be deducted from subsequent year budgets. Positive balances of up to \$10,000 may be carried over to the following fiscal year.

Section 7.

Grants of surplus funds from the Mayor's Office and Council Office budgets directly to organizations providing benefits to Berkeley residents may only be made by relinquishing such funds to the general fund and obtaining approval of the Council.

BE IT FURTHER RESOLVED that Resolution No. 65,540-N.S. is hereby rescinded.

