



Cheryl Davila
Councilmember
District 2

REVISED AGENDA MATERIAL

Meeting Date: March 10, 2020

Item Description: Placing a Measure on the November 3, 2020 Ballot to Increase the Berkeley City Council Salary

Submitted by: Councilmember Cheryl Davila

Included Attachment 2, a PDF with calculations of hours worked.

Included an Attachment of Amendments to Article V of the Berkeley City Chartered Related to Full-time Status and Salaries for the Mayor and City Council, drafted by City Staff in 2018, with additional suggestions from our office.

Updated data for year 2020 with recent meeting times.

Corrected a few grammatical errors.



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Councilmember
District 2

CONSENT CALENDAR
March 10, 2020

To: Honorable Mayor and Members of the City Council

From: Councilmember Cheryl Davila

Subject: Placing a Measure on the November 3, 2020 Ballot to Increase the Berkeley City Council Salary

RECOMMENDATION

Adopt a Resolution to submit a Ballot Measure for the November 3, 2020 Election, Amending the Berkeley Municipal Code Charter Article V. Section 19, to Increase Salaries for Members of the Berkeley City Council and the Mayor, and Designate Elected Officials as Full-Time Employees, Ensuring a Living Wage and Fair Compensation for the Actual Time Spent Working for the City.

FISCAL IMPACTS OF RECOMMENDATION

To be determined.

CURRENT SITUATION AND ITS EFFECTS

Being an elected official to the City of Berkeley is a great honor. The job of governing our City is a huge task, requiring an immense amount of time, attention, and fortitude. The compensation for City Council members does not reflect a living wage suitable for residing in Berkeley or the Bay Area at large. Participation on the Council is financially challenging for people without other streams of income. In order for the City of Berkeley to adequately represent the needs of its residents, their elected representatives must be a reflection of the community. Currently, due to the salaries paid to City Councilmembers, the Council struggles to accurately represent the economic diversity of Berkeley residents, particularly low-income citizens. The salaries may deter some candidates, especially low-income citizens, from entering into the political arena and running for office.

Currently, the salaries paid to City Councilmembers are based on a calculation of 20 hours of work per month or 240 hours annually - a part-time labor designation. Full attendance at City Council meetings, including special and closed sessions, are reflected in the chart below. The chart clearly shows that the number of hours worked exceeds the number of hours that are compensated for.

Year	# of City Council Meetings	# of Hours of City Council Meetings	# of City Council Packet Pages Read	# of Pages to Hours (1page per minute)
2017	71	203:51	17155	285.92
2018	71	221:20	24037	400.62
2019	68	192:13	22360	372.67
2020	12	32:11:00	3356	55.93
Total 2017-2020	222	649:35:00	66908	1,115.13

Attendance to additional Policy Committees (of which each Councilmember must serve on at least 2) can result in up to another 7 hours per month. These calculations do not account for the amount of time it takes to adequately prepare for City Council or Policy Committee meetings, including reading thousands of pages of Agenda Packets, speaking with constituents, researching and writing legislations, chairing meetings, attending and hosting community events, speaking engagements, or time spent transporting to and from meetings and events.

Upon calculation of the total hours spent in City Council meetings, Policy Committees, reading in preparation for meetings, and engaging with constituents in 2019, one Councilmember dedicated 688 total hours (averaging 57.3 hours per month) in 138 meetings in 2019. Thus, payment of 20 hours per month does not accurately reflect the amount of hours Council members actually work. (Other Council members are welcome to provide similar data to the Personnel Board.)

Council Policy Committees Year 2019

Policy Committee Name	# of Meetings	# of Hours	# of Pages	# of Pages to Hours/ 60 (1page per minute)
Budget/ Finance	8	22:56:00	54	0.9
Facilities, Infrastructure, Transportation, Environment, & Sustainability	11	14:43:00	1203	20.05
Health, Life Enrichment, Equity & Community Committee	2	4:46:00	119	1.983
Total	21	42:25:00	1376	22.93

Additional Committees Year 2019

Committee Name	# of Meetings	# of Hours	# of Pages	# of Pages to Hours/ 60 (1page per minute)
Mental Health Commission	10	19:24:00	673	11.216
Oakland Airport Noise Forum	4	5:46:00	95	1.583
4x4	5	10:25:00	127	2.116
3x3	3	3:00:00	3	0.05
Total	22	38:35:00	898	14.967

Currently the median household income in Berkeley is \$86,497, while the annual gross income for Berkeley City Councilmembers is \$38,694.97. The median household income in Berkeley increased 47% over the last decade, but the compensation for serving on the City Council has not followed this trend. Meanwhile, the average cost of rent in the City of Berkeley has risen to \$3,183 per month. The compensation provided for City Council salaries therefore does not even allow Councilmembers to afford a year's worth of rent in the City they represent. This suggests that City Council positions are reserved for home-owners, those who are independently wealthy, or are supported by their partners. Beyond this, the circumstances surrounding low salaries may cultivate opportunities to supplement income by other unethical means. As the City of Berkeley strives to be a beacon for diversity in terms of identity and ideology, the compensation for Councilmembers does not demonstrate such values, particularly for young adults and People of Color (who still make significantly less than their Caucasian counterparts in Berkeley).

Summary of 2019 Meetings, Events, and Time Spent Preparing for Council Meetings

2019	Total Hours	Total # of Meetings
City Council Meetings	192:13:00	68
Policy Committees	42:25:00	21
Other Committees	38:35:00	22
Preparing for meetings /Reading agenda packets	373:00:00	-
Community Events	42:00:00	27
Total	688:13:00	138

The issue of equity, diversity, and transparency in city government has been raised by the voters in Berkeley previously. Ballot Measure X1, the Public Financing Program Act, was adopted in 2016. This provided alternative campaign funding streams for candidates who capped their donations to \$50 per person. This Measure passed with 64.85% approval, was to “reduce the impact of wealth as a determinant of whether a person becomes a candidate,” and reform the campaign financing system, which “violates the rights of all citizens to equal and meaningful participation in the democratic process.” Not only should people of limited means be able to campaign, they should also be able to afford serving as a representative, if elected. Low salaries for Councilmembers could continue to deter many candidates from running for a seat.

Base salaries for the Mayor and members of the City Council are set by the City Charter, Article V, Section 19. The City Charter should be amended by a Ballot Measure on the November 3, 2020 Election to create greater opportunities for economically-diverse representatives to serve on the Berkeley City Council. The current Charter provisions do not designate the offices of Mayor and Councilmember as a full-time position. This amendment would designate the offices as full-time and task the Personnel Board with setting the salaries of Mayor and Council based on surveys of other full-time councils.

ENVIRONMENTAL SUSTAINABILITY

Creates a sustainable income for City Councilmembers, thereby creating less opportunity for unethical temptations or corruption.

CONTACT PERSON

Cheryl Davila

Councilmember District 2

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ATTACHMENTS

1. Resolution
2. Proposed Amendments to Article V of the Berkeley City Charter
3. Number of hours District 2 Councilmember spent in City Council Meetings and Policy Committee Meetings with almost perfect attendance. Calculated from Roll Call to Adjournment.

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

ADOPT A RESOLUTION TO SUBMIT A BALLOT MEASURE FOR THE NOVEMBER 3, 2020 ELECTION, AMENDING THE BERKELEY MUNICIPAL CODE CHARTER ARTICLE V. SECTION 19 TO INCREASE SALARIES FOR MEMBERS OF THE BERKELEY CITY COUNCIL AND THE MAYOR, ENSURING ELECTED OFFICIALS ARE PAID A LIVING WAGE AND COMPENSATED FAIRLY FOR THE ACTUAL TIME SPENT WORKING FOR THE CITY.

WHEREAS, The median household income in the City of Berkeley is now \$86,497; and

WHEREAS, The average monthly rent in the City of Berkeley is \$3,183; and

WHEREAS, The current annual compensation for Berkeley City Councilmembers is \$38,694.97, constituting a monthly rate of \$3,224.58, which is not a living wage in the San Francisco Bay Area; and

WHEREAS, Berkeley City Council members are paid for working 20 hours per month or 240 hours per year; and

WHEREAS, Attendance at City Council meetings alone averages 17 hours per month; and

WHEREAS, In addition to attending City Council meetings, Councilmembers are also expected to participate in at least two Policy Committees, which can more than double the time spent conducting official city business; and

WHEREAS, Upon calculation of all time spent in Council meetings, Policy Committees, and additional City Commissions, preparing for meetings by reading the agenda packets, and engaging with constituents, 688 total hours were spent in 138 meetings in 2019, averaging 57.3 hours of work per month.

WHEREAS, Beyond being physically present at meetings, Councilmembers must prepare by reading thousands of pages of written material in agenda packets, researching and drafting legislation, speaking with constituents, hosting and attending community events; and

WHEREAS, Under the current pay structure, none of the additional hours of labor are compensated for Councilmembers; and

WHEREAS, The Berkeley City Council ought to reflect the Economic diversity of the City's residents; and

WHEREAS, Without paying City Councilmembers a living wage, serving on the Council may be financial prohibitive for low-income community members, particularly renters, younger candidates, and People of Color; and

WHEREAS, Residents of the City of Berkeley have demonstrated their legislative priorities to increase access to diverse candidates in representative government by passing the 2016 Ballot Measure X1, generating the Fair Elections Fund; and

WHEREAS, Base salaries for the Mayor and members of the City Council are set by the City Charter, Article V, Section 19, and amending the Charter would require a Ballot Measure;

THEREFORE BE IT RESOLVED that the City Council adopt a resolution to submit a Ballot Measure for the November 3, 2020 Election to amend the Berkeley Municipal Code Charter Article 5. Section 19 Salaries to designate members of City Council and the Mayor as full-time employees and ensure elected officials are paid a living wage and compensated fairly for the actual time spent working for the City.

AMENDMENTS TO ARTICLE V OF THE BERKELEY CITY CHARTER RELATED TO FULL-TIME STATUS AND SALARIES FOR THE MAYOR AND CITY COUNCIL

The People of the City of Berkeley hereby amend Section 19 of the Charter of the City of Berkeley to read as follows:

Section 1. Section 19 of Article V of the Charter of the City of Berkeley is amended to read as follows:

Section 19. Salaries.

The Mayor and Councilmembers shall receive remuneration for the performance of their official duties. ~~at the rate of up to \$1,800 per month, and the Mayor shall receive up to \$2,850 per month, effective the Council term beginning in December 1998. Such amount shall be adjusted upward by the increase in the cost of living for the San Francisco Bay Area as verified by official United States economic reports.~~ The office of Mayor and Councilmember are full-time positions. The Personnel Board shall set the salary of the Mayor and Councilmembers every five years based on a salary survey of other full-time California City Councils and it shall consider the Consumer Price Index (CPI).

The Personnel Board shall establish dates for an appropriate five-year cycle for making the determinations required by this Section, in order to efficiently coordinate with City budget processes and related procedures. In order to institute this five-year cycle the initial determination may be for less than a five-year period, as determined by the Personnel Board.

If the City and employee organizations agree to amend the compensation provisions of existing memoranda of understanding to reduce costs, the Personnel Board shall review and amend the Mayor and Councilmembers' salary as necessary to achieve comparable cost savings in the affected fiscal year or years.

Either the Mayor or any Councilmember may, at his or her sole discretion, reduce the remuneration paid himself or herself. In any such case, the difference between the reduced amount actually paid to such Mayor or Councilmember and the amount of remuneration authorized by this Article shall be appropriated as part of the budget of the Mayor or Councilmember taking the voluntary reduction in remuneration and such differential may be expended for any purpose otherwise authorized for the expenditure of sums so budgeted. ~~If the Mayor or any member of the Council is absent from one or more regular meetings of the Council during any calendar month, unless excused by the Council in order to attend to official business of the City, or unless excused by the Council as a result of illness from attending no more than two regular meetings in any calendar year, he or she shall be paid for each regular meeting attended during such months in an amount equal to the monthly remuneration divided by the number of regular meetings held during such month.~~

For each member of the Council and the Mayor, a sum, as established by the Personnel Board, shall be deducted from the salary of such member for each regular or special meeting of the full Council, which he or she fails to attend in each such calendar month; provided, however, that such deduction shall not be made for his or her failure to attend any meeting during which he or she has an excused absence, or is away on authorized City business or from which he or she is absent because of his or her own illness or the illness or death of a "close family member" as defined in the City's bereavement leave policy.

