

City Attorney's Impartial Analysis of Measure JJ

This Charter Amendment was placed on the ballot by the City Council.

Current Law

The Berkeley City Charter provides that the Mayor is paid at a rate of \$2,850 per month, and City Councilmembers are paid at a rate of \$1,800 per month. These amounts were set in December 1998, and have been adjusted upward based upon the increase in the cost of living for the San Francisco Bay Area. As a result, the Mayor is currently paid at a rate of \$61,304 per year, and Councilmembers are currently paid at a rate of \$38,695 per year.

The Mayor and Councilmembers are paid for each regular meeting attended that month in an amount based upon their monthly salary divided by the number of regular meetings in that month. If the Mayor or a Councilmember is absent from a regular Council meeting, they do not receive the per-meeting salary payment for that meeting. However, the Mayor or Councilmember can be excused by the Council in order to attend to official City business, or for up to two regular meetings per year due to illness, without being subject to this salary reduction.

The Proposed Charter Amendment

The proposed Charter Amendment would amend the City Charter to provide that the Mayor's salary would be set at the same rate as the median income for a three-person household in Alameda County. Councilmembers' salaries would be set at 63% of the Mayor's salary, which would maintain the existing proportionate relationship between the salaries for each position. Based upon current income information for Alameda County, the Mayor's annual income would be expected to be approximately \$107,300, with Councilmembers' salaries set at approximately \$67,599. These amounts would be subject to annual adjustments based upon changes in the area's median income.

Under the Charter Amendment, if the City and organizations representing City employees agree to change employee compensation in order to reduce costs, the City Personnel Board will be required to review and amend the Mayor's and Councilmembers' salaries to achieve comparable cost savings.

The Charter Amendment would also expand the situations in which the Mayor or a Councilmember could be excused from attending a regular Council meeting without being subject to a salary reduction by allowing the Mayor or a Councilmember to be excused by the Council for up to two regular meetings in a year due to the illness or death of a close family member.

The above statement is an impartial analysis of Measure JJ.

s/FARIMAH FAIZ BROWN
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