



**CITY OF ELK GROVE
CITY COUNCIL STAFF REPORT**

AGENDA TITLE: Consider placing a Measure on the Ballot to be acted upon by the Electors providing the Mayor and/or City Councilmembers an increased full-time salary

MEETING DATE: July 27, 2016

PREPARED BY/ Jonathan P. Hobbs, City Attorney
DEPARTMENT HEAD: Laura S. Gill, City Manager

RECOMMENDED ACTION:

Based on City Council's direction, staff recommends that the City Council consider placing a measure on the ballot, to be acted upon by the electors, providing the Mayor and/or City Councilmembers an increased full-time salary.

BACKGROUND:

Consistent with state law, the City Mayor and City Councilmembers each receive a salary of \$800 per month, or \$9,600 per year. (EGMC § 2.04.010.) This amount is statutorily set, and it is based on the City's population being between 150,000 and 250,000 residents. (Gov. Code § 36516.) This salary amount was established by ordinance in 2012.

Following the establishment of the population-based salary, state law authorizes the City Council to increase Councilmembers' salaries by ordinance in an amount not to exceed five percent for each year from the operative date of the last adjustment of the salary. (Government Code § 36516(a)(4).) Any increase in Councilmembers' salaries requires an affirmative act of the City Council. Automatic future increases in Councilmember salaries, such as automatic cost of living increases, are not permitted by Council ordinance. Any change in salary adopted by ordinance would not take effect until the start of a new term of any one Councilmember, including Councilmembers who may be re-elected. (Gov. Code §36516.5.) The start of a new term would occur in December of 2016, following certification of the election results. Since the establishment of the \$800 salary in 2012, there have been no salary increases.

In addition to the salary received as a member of the City Council, the directly elected Mayor may be provided with additional compensation if such compensation is either approved by ordinance of the City Council or by a majority vote of the electors at a municipal election. (Gov. Code § 36516.5.) The Mayor's salary could be adjusted mid-term by ordinance and need not await a new Council term. (Gov. Code § 36516.1; 89 Ops. Cal. Atty. Gen 159 (2006).) The compensation of all Councilmembers, including the Mayor, could also be increased beyond the \$800 amount limited by statute if such amount is approved by a majority vote of the electors at a municipal election. (Gov. Code § 36516(b).)

At the July 13, 2016, City Council meeting, the City Council asked that an item be returned to Council to discuss and consider whether to place a measure on the ballot to provide the Mayor and/or City Councilmembers a full-time salary.

ANALYSIS:

Staff has located a recent salary survey for California mayors and councilmembers conducted by the City of Berkeley in 2014. The survey provides a good sampling of 43 cities and considers both general law and charter cities. Salaries may have been adjusted since the 2014 study. However, the study still provides a useful analytical tool.

The cities of Concord (pop. 122,110), Daly City (pop. 106,000), and Fremont (pop. 214,089) are general law cities of comparable populations to the City of Elk Grove. Using the figures from the Berkeley study, and calculating out annual salaries, the mayor and councilmembers of Concord earn \$15,600 per year. The mayor and councilmembers of Daly City earn \$18,384 per year. The mayor of Fremont earns \$26,532 per year, while the Fremont councilmembers earn \$16,884 per year. Livermore, a general law city with a population of 80,698, shows a salary for its mayor of \$16,800 and \$11,760 for its councilmembers, suggesting that population is not the dispositive factor in determining salary.

The 2014 Berkeley study indicates that larger charter cities tend to provide higher salaries to their elected officials. Oakland shows its mayor's salary at \$183,396 per year and its councilmembers' at \$79,644 per year. The mayor of San Francisco shows a salary of \$278,088 per year, and its councilmembers earn \$108,048 per year. To provide a local comparison, and according to the State Controller's Office, the annual salary for the full-time mayor position for the City of Sacramento is \$120,651 and the annual salary for City of Sacramento councilmembers is \$68,476. Note that this

Sacramento salary was implemented in the fall of 2015, and it reflects an increase from what is shown on the City of Berkeley salary study.

At the July 13, 2016, Council meeting, the Mayor suggested that the City's elected mayor's salary could be bench-marked to other public professionals such as a police lieutenant or a school principal. The salary range for an Elk Grove Police lieutenant is \$108,469 to \$145,359. The salary range for an elementary school principal with the Elk Grove Unified School District is \$89,653 to \$129,655, with high school principal pay ranging from \$111,056 to \$139,247.

Whether to place a measure on the ballot to increase the Mayor and/or City Councilmembers' salaries is a policy decision for the City Council. The ultimate decision on whether to approve such a ballot measure rests with the voters of the City of Elk Grove. Should the Council decide to place a measure on the ballot, staff recommends that the Council select a specific salary. If the Council wants to include an annual cost of living increase in the ballot measure, staff recommends that the Council tie such cost of living increase to an objectively identifiable figure, such as the Consumer Price Index.

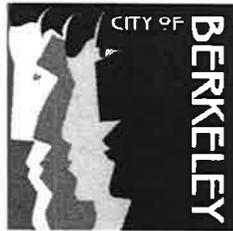
Should the Council wish to place a measure on the ballot, the proposed ballot measure must be provided to the County of Sacramento Elections Office no later than August 12, 2016. This would necessitate calling a special meeting, as the first regular meeting in August is cancelled due to the Council recess, and the next regular meeting is August 24, 2016. The resolution placing the matter on the ballot would also establish a schedule for submission of arguments for and against the measure, as well as rebuttals to the arguments.

FISCAL IMPACT:

The cost of placing a measure on the November ballot is approximately \$6,500, which would be a general fund expense. If the Mayor's and Councilmembers' salaries are increased, the increased salaries would be paid from the general fund.

ATTACHMENTS:

1. Mayor and Councilmember Salary Study (2014)



ATTACHMENT 1

Council Salary Survey Chart

City	Population	Charter Or General Law	Size Of Council (Including Mayor)	Monthly Salary: Council	Monthly Salary: Mayor	Lump Sum Stipend Or Hourly	District Elections Or At Large	Direct Election Of Mayor	Full-Time Or Part-Time
Alameda	73,812	charter	5	\$100	\$300	lump sum	at large	yes	not specified
Antioch	103,833	general law	5	\$941	\$941	hourly	at large	yes	part-time
Bakersfield	333,719	charter	8	\$100	\$2,000	lump sum	district	yes	not specified
Belmont	26,491	general law	5	\$390	\$390	lump sum	at large	no	not specified
Berkeley	112,583	charter	9	\$2,622	\$4,217	hourly	district	yes	not specified
Burbank	103,340	charter	5	\$1,075	\$1,075	lump sum	at large	no	not specified
Campbell	40,272	general law	5	\$619	\$619	lump sum	at large	no	not specified
Concord	122,110	general law	5	\$1,300	\$1,300	lump sum	at large	no	not specified
Cupertino	58,032	general law	5	\$730	\$730	lump sum	at large	no	not specified
Daly City	106,000	general law	5	\$1,532	\$1,532	salary	at large	no	not specified
Davis	65,622	general law	5	\$669	\$669	lump sum	at large	no	part-time
Dublin	49,890	general law	5	\$904	\$1,004	lump sum	at large	yes	not specified
El Cerrito	24,048	general law	5	\$440	\$440	lump sum	at large	no	not specified
Fairfield	106,502	general law	5	\$500	\$500	lump sum	at large	yes	not specified
Fremont	214,089	general law	5	\$1,407	\$2,211	lump sum	at large	yes	not specified
Foster City	33,749	general law	5	\$496	\$496	lump sum	at large	no	not specified
Gilroy	49,391	charter	7	\$746	\$1,120	lump sum	at large	yes	not specified
Hayward	144,186	charter	7	\$2,081	\$3,330	hourly	at large	yes	not specified
Livermore	80,698	general law	5	\$980	\$1,400	lump sum	at large	yes	not specified
Modesto	201,188	charter	7	\$2,000	\$3,600	(no response)	district	yes	not specified
Napa	78,430	charter	5	\$1,240	\$2,480	salary	at large	yes	not specified
Oakland	390,719	charter	9	\$6,637	\$15,283	salary	district	yes	not specified
Palm Desert	48,455	charter	5	\$1,913	\$1,913	lump sum	at large	no	not specified
Palo Alto	61,200	charter	9	\$600	\$750	hourly	at large	no	not specified
Pasadena	137,122	charter	8	\$1,409	\$2,113	lump sum	district	yes	not specified
Pomona	148,058	charter	7	\$800	\$1,600	lump sum	district	yes	not specified

Survey of Salaries for Mayor and Members of the Council

INFORMATION CALENDAR
March 11, 2014

City	Population	Charter OR General Law	Size of Council (including Mayor)	Monthly salary: Council	Monthly salary: Mayor	Lump Sum Stipend or Hourly	District Elections OR at Large	Direct Election Of Mayor	Full-Time Or Part-Time
Riverside	303,864	charter	8	\$3,284	\$6,569	lump sum	district	yes	not specified
Roseville	123,514	charter	5	\$600	\$650	lump sum	at large	yes*	not specified
Sacramento	466,488	charter	9	\$5,068	\$9,629	hourly	district	yes	full-time mayor; part- time council
Salinas	150,441	charter	7	\$600	\$800	lump sum	district	yes	not specified
San Diego	2,259,481	charter	10	\$3,365	\$4,519	lump sum	district	yes	full-time
San Francisco	805,235	charter	12	\$9,004	\$23,174	flat rate	district	yes	full-time
San Jose	952,562	charter	11	\$6,750	\$9,500	salary	district	yes	full-time
San Leandro	84,950	charter	7	\$1,260	\$2,520	lump sum	at large	yes	not specified
San Mateo	97,207	charter	5	\$600	\$600	hourly	at large	no	not specified
San Rafael	58,047	charter	5	\$468	\$702	lump sum	at large	yes	not specified
Santa Clara	118,830	charter	7	\$812	\$1,353	lump sum	at large	yes	not specified
Santa Cruz	59,948	charter	7	\$1,551	\$3,103	lump sum	at large	no	not specified
Santa Monica	89,736	charter	7	\$1,121	\$1,345	hourly	at large	no	not specified
Santa Rosa	167,815	charter	7	\$800	\$1,200	lump sum	at large	no	not specified
Sunnyvale	140,081	charter	7	\$2,147	\$2,863	hourly	at large	no	not specified
Vallejo	115,940	charter	7	\$1,225	\$1,225	lump sum	at large	yes	not specified
Whittier	86,093	charter	5	0**	0**	n/a	at large	no	not specified