



CITY COUNCIL

**Darryl Moore**  
Councilmember District 2

CONSENT CALENDAR  
March 10, 2015

To: Honorable Mayor and Members of the City Council

From: Mayor Tom Bates  
Councilmember Darryl Moore  
Councilmember Laurie Capitelli  
Councilmember Lori Droste

Subject: Refer \$80,000 to the FY 2015/2016 Budget Process for Council Personnel Budget with a \$32,000 Reduction in City Council Non-Personnel Discretionary Budgets

RECOMMENDATION:

Refer \$80,000, \$10,000 for each of the eight (8) City Council offices, to allow City Councilmembers to pay salaries that are commensurate to other employees who do equivalent work, within the City and in other jurisdictions. Discretionary non-personnel budgets of City Council offices shall be reduced by \$32,000, \$4,000 per office, to help offset financial implications of the increase to the personnel budget. Personnel budgets are earmarked for the sole purpose of paying employee salaries and cannot be reallocated for other purposes.

BACKGROUND:

In June 13, 2006, the Human Resources Department and the Office of the City Manager presented an equity study on the salaries of legislative assistants to the City Council. The study determined that Berkeley City Council legislative assistants were not being adequately compensated in comparison with their peers in other Bay Area cities. The study also determined that City Council legislative assistants were being paid at a lower rate than their equivalent position within the City, Assistant Management Analyst, at approximately a \$10,000 deficit. Although the study shows that legislative assistants to the City Council were not being paid commensurately with their peers, it did not account for the fact that those that were currently being paid at the top of the monthly range, at \$4,710, did not fall within the \$3900 per month (\$46,806 annually) budgeted for City Council personnel. Therefore, Councilmembers that attempted to conform their legislative assistants' salary with their peers were required to do so at the cost to their discretionary budget, intended for office supplies and other office-related costs.

Current figures for the jurisdictions that are most similar to Berkeley are as follows: Pasadena City Council has non-employee Field District Representatives receive a

monthly salary of \$4,461.42, and a benefit allotment of \$1,120.11. Additionally, the City of Pasadena employs one "Administrative Assistant to the Mayor/Council" that assists the Mayor and City Council who receives a monthly salary of \$4,927.28 - \$6,159.04. The City of Inglewood employees one part-time "Assistant to City Council" position for each Councilmember that receives a monthly salary of \$4226.07 to \$5986.67. The City of Berkeley employs an equivalent position to City Council legislative assistants, "Assistant Management Analyst," which receive a monthly salary of \$5,413 to \$6,388.

It is recommended that the City Council refer \$80,000 to the FY2015/2016 budget process in order for Councilmembers to attract and retain qualified staff by providing compensation that is competitive with surrounding jurisdictions and similar positions within the City. Discretionary non-personnel budgets of City Council offices shall be reduced by \$32,000, \$4,000 per office, to help offset financial implications of the increase to the personnel budget.

FINANCIAL IMPLICATIONS:

\$48,000

CONTACT PERSON:

Councilmember Darryl Moore

District 2

510-981-7120

Attachments:

1. June 13, 2006 "Salary Realignment: Legislative Assistant" Equity Study



Office of the City Manager

INFORMATION CALENDAR

June 13, 2006

To: Honorable Mayor and  
Members of the City Council

From: *PK* Phil Kamlarz, City Manager

Submitted by: David W. Hodgkins, Director of Human Resources

Subject: Salary Realignment: Legislative Assistant

INTRODUCTION

Legislative Assistants are appointed as regular at-will employees by City Councilmembers and the classification is exempt from the City's career service as provided in Berkeley Municipal Code Section 4.04.120 (Personnel Ordinance). Employees are appointed at a salary rate based on the discretion of the Councilmember and the level of complexity of the work. Legislative Assistants assist with the management of a Councilmember's policy initiatives and district projects, provide administrative office support, research and analyze issues and problems, and may transmit a Councilmember's policy position on an issue to the public and City Manager. They may be called upon to represent a Councilmember before constituents, community groups, business interests, city staff and other elected officials.

CURRENT SITUATION AND ITS EFFECTS

Legislative Assistants are paid at a rate that falls within the deep range of \$1,964-\$4,710 per month. Individual salaries are adjusted periodically on the basis of merit and performance and by cost of living adjustments afforded other non-represented employees. The current average salary is \$3,440 per month, or \$19.85/hour. In addition to salary, ten of the thirteen Legislative Assistants in Representation Unit Z6 who work more than twenty (20) hours per week receive health, dental, California Public Employee Retirement System (CalPERS) and Supplementary Retirement and Income Plan (SRIP) retirement benefits, paid leave and holidays. The remaining three Legislative Assistants in Representation Unit Z4 are only covered by the City's Public Agency Retirement System (PARS) for hourly employees.

BACKGROUND

At its meeting of February 9, 1999, the City Council voted to modify the Personnel Ordinance (Berkeley Municipal Code Section 4.04.010 et. seq.) to include Legislative Assistants as regular at-will employees. This change allowed the Legislative Assistants to be appointed with benefits if they were regularly scheduled to work twenty or more hours per week. Berkeley Municipal Code Section 4.04.120(A) includes Legislative Assistants in the list of classifications exempt from the regular career service.

On April 18, 2006, the City Council adopted Resolution No. 63,259-N.S. that directed the City Manager to conduct a salary equity study of the Legislative Assistant classification and report the results of the study to the Personnel Board and City Council. The Human Resources Department conducted a survey of municipalities in the Bay Area and included Pasadena, Inglewood and Santa Monica. The Human Resources Department found that most of the municipalities surveyed had no comparable classification to Berkeley's Legislative Assistants and also found a wide variety of practices related to staff assistance provided to elected City Council members. Many municipalities use various levels of regular classified support staff to assist Council members.

Only four of the 16 external agencies surveyed had a classification somewhat comparable to Berkeley's Legislative Assistant. Those municipalities are: Inglewood (Administrative Aide/Assistant to City Council), Oakland (City Councilmember's Assistant), Pasadena (City Council Field District Representative) and San Jose (Council Aide). Oakland's "City Councilmember's Assistant" and San Jose's "Council Aide" provide administrative support ranging from routine to more difficult work. Appointments at San Jose are for a specified period of time as determined by the appointing Council Member or Mayor and the appointments do not extend past the end of the elected official's or appointing authority's term of office. Pasadena's City Council Field District Representatives are hired through a temporary agency at a flat monthly rate that includes \$818.26 per month in lieu of benefits. The City of Inglewood Administrative Aides and one Assistant to the City Council provide assistance to four Councilmembers. These two classes have been combined in the comparison array as a deep class. The adjusted median salary range for the agencies with matches is \$5,419 per month as shown on the chart as Exhibit "A".

#### POSSIBLE FUTURE ACTION

Refer to the FY 2007 budget process.

#### FISCAL IMPACTS OF RECOMMENDATION

On May 18, 2004, the City Council adopted Resolution No. 62,470-N.S., which established a base salary allocation per Councilmember Office (excluding the Mayor's Office) that for FY 2007 is \$44,433 for staff salary costs (excluding benefits, many of which are salary sensitive). Councilmember Spring's Office is allocated an additional \$22,274 pursuant to this same Resolution. For FY 2007, this base allocation equates to the cost of one full-time Legislative Assistant paid \$3,703 per month. Increasing the funding level to the minimum salary level of an Assistant Management Analyst (\$4,557 per month) would increase the annual salary allocation by approximately \$10,248 per council office (\$81,984 for all eight offices. This is a total cost increase of approximately \$108,000, including benefit increases that are sensitive to changes in salary. This recurring cost increase would be funded from the General Fund.

#### ALTERNATIVE ACTIONS CONSIDERED

Maintain the status quo.

CONTACT PERSON

David W. Hodgkins, Director of Human Resources, 981-6805

Robert S. Kraus, Senior Human Resources Analyst, 981-6820

Exhibit A

Legislative Assistant External Salary Survey

| City                  | Effective Date | Classification Title                          | Monthly Min | Monthly Max | CalPERS EPMC* | SRIP II** | Adjusted Monthly Max. |
|-----------------------|----------------|---|-------------|-------------|---------------|-----------|-----------------------|
| Berkeley              | 07/03/05       | Legislative Assistant                         | \$1,964     | \$4,710     | \$407         | \$181     | \$5,298               |
| Alameda               |                | No match                                      |             |             |               |           |                       |
| Concord               |                | No match                                      |             |             |               |           |                       |
| Daly City             |                | No Response                                   |             |             |               |           |                       |
| Fremont               |                | No Match                                      |             |             |               |           |                       |
| Hayward               |                | No Response                                   |             |             |               |           |                       |
| Inglewood             | 10/01/04       | Administrative Aide/Assistant to City Council | \$2,224     | \$5,005     | \$375         |           | \$5,380               |
| Oakland               | 07/02/05       | City Councilmember's Assistant                | \$3,046     | \$5,260     | \$276         |           | \$5,536               |
| Palo Alto             |                | No match                                      |             |             |               |           |                       |
| Pasadena              |                | City Council Field District Representative    |             | \$5,458     |               |           | \$5,458               |
| Richmond              |                | No match                                      |             |             |               |           |                       |
| San Jose              | 07/03/05       | Council Aide                                  | \$2,397     | \$3,701     |               |           | \$3,701               |
| San Leandro           |                | No match (Student Interns)                    |             |             |               |           |                       |
| San Mateo             |                | No match                                      |             |             |               |           |                       |
| Santa Clara           |                | No match                                      |             |             |               |           |                       |
| Santa Monica          |                | No match                                      |             |             |               |           |                       |
| Vallejo               |                | No match                                      |             |             |               |           |                       |
| <b>Median</b>         |                |   |             |             |               |           | <b>5,419</b>          |
| <b>Lead(+)/Lag(-)</b> |                |   |             |             |               |           | <b>-2.29%</b>         |
| <b>Agency Matches</b> |                |   |             |             |               |           | <b>4</b>              |
| Berkeley              | 07/03/05       | Assistant Management Analyst (Unrepresented)  | \$4,348     | \$5,128     | \$443         | \$181     | \$5,752               |

CalPERS EPMC means the Employer Paid member Contribution that the City contributes on behalf of the employee to CalPERS for the pension contribution

SRIP II means the Supplementary Retirement and Income Plan II