

COUNCIL AGENDA REPORT

Date: May 11, 2020

Prepared by: Charles D. MacLeod, Esq., City Attorney

Submitted by: Patrick Comiskey, City Manager

Subject: Compensation for City Elected Officials

Recommendation: That Council:

A. Authorize the City Attorney to either:

1. Draft a Charter Amendment Resolution to amend §§ 3-20 and 3-26(b) of the Charter, followed by an ordinance setting forth the salaries and specifying the other compensation to which elected officials shall be entitled; or
2. Draft an ordinance clarifying that elected officials shall only receive a salary in addition to those “employee” benefits required by law; and

B. Schedule May 26, 2020 for introduction of the proposed Charter Amendment Resolution or ordinance and June 22, 2020 for a second reading, public hearing, and vote thereon.

Discussion: In our April 24, 2020 memorandum, we recommended that the City Council either adopt a Charter Amendment Resolution followed by an ordinance or pass an ordinance as set forth in (A)(1) and (2) above. To the extent the City Council desires to receive “compensation” other than an annual salary, we recommend that §§ 3-20 and 3-26 of the Charter be amended as set forth in our memorandum. Once the amendments set forth therein take effect, the City Council can then pass an ordinance setting forth the salaries and specifying the other compensation to which elected officials shall be entitled, beginning with the next City Council.

If the City Council were to introduce a Charter Amendment Resolution at their May 26, 2020 meeting, the earliest the amendments could take effect is August 11, 2020. Assuming the amendments take effect on August 11, 2020, the City Council could introduce an ordinance at their August 24, 2020 meeting setting forth the salaries and specifying the other compensation to which elected officials shall be entitled, beginning with the next succeeding City Council. Such an ordinance could then be passed at the City Council’s September 14, 2020 meeting.

If the City Council were to introduce an ordinance at their May 26, 2020 meeting clarifying that elected officials shall only receive a salary in addition to those “employee” benefits required by law, such ordinance could take effect immediately upon passage at their June 22, 2020 meeting.

Candidates for the office of Mayor and Commissioner should be aware of the salaries and other compensation to which such officials are entitled prior to filing their certificates of candidacy. The filing deadline for certificates of candidacy for the office of Mayor and Commissioner is September 3, 2020. While an ordinance setting forth the salaries and other compensation (e.g., insurance benefits) to which elected officials shall be entitled would not be effective as of the filing deadline, candidates would at least have notice of the proposed ordinance. An ordinance clarifying

that elected officials shall only receive a salary and those “employee” benefits required by law would be effective well in advance of the filing deadline, thus providing ample notice to all candidates.

Enforcement Authority: City Manager

Fiscal Impact: Varies depending on the compensation afforded to elected officials.

Approved by: Patrick Comiskey, City Manager