



# Minutes City of Sacramento Compensation Commission

## MEMBERS:

Judge Joe S. Gray (Chair)  
David A. Kawada  
Brett W. Hopkins  
Evelyn Chin  
Elizabeth L. Cantu

## CITY STAFF:

Mark Prestwich, Commission Staff

New City Hall  
915 I Street, 1<sup>st</sup> Floor – Rm. 1104  
Sacramento, CA 95814

November 16, 2011 – 6:00 PM

*The Compensation Commission is a commission of the City Charter whose function shall be to establish compensation for the mayor, members of the city council, and public members of city boards and commissions.*

## **NOTICE TO THE PUBLIC**

You are welcomed and encouraged to participate in this meeting. Public comment is taken (2 minutes maximum) on items listed on the agenda when they are called. Public Comment on items not listed on the agenda will be heard at the end of the meeting as noted on the agenda. Comments on controversial items may be limited and large groups are encouraged to select 3-5 speakers to represent the opinion of the group.

**Notice to Lobbyists:** When addressing the Commission you must identify yourself as a lobbyist and announce the client/business/organization you are representing (City Code 2.15.160).

**Speaker slips are located in the rack outside the chamber and should be completed and submitted to the Commission Clerk.**

*Government Code 54950 (The Brown Act) requires that a brief description of each item to be transacted or discussed be posted at least 72 hours prior to a regular meeting. The City posts Agendas at City Hall as well as offsite meeting locations. The order of Agenda items are listed for reference and may be taken in any order deemed appropriate by the legislative body. The Agenda provides a general description and staff recommendations; however, the legislative body may take action other than what is recommended. Hard copies are available at the Office of the City Manager (10 cents per page).*

Meeting facilities are accessible to persons with disabilities. If you require special assistance to participate in the meeting, notify the Office of the City Manager at (916) 808-5704 at least 48 hours prior to the meeting.

# MINUTES

November 16, 2011

*New City Hall  
915 I Street, 1<sup>st</sup> Floor – Rm. 1104*

All items listed are heard and acted upon by the Compensation Commission unless otherwise noted.

## **Call to Order – 6:00 p.m.**

Regular session called to order by Chair Gray at 6:00 p.m. on Wednesday, November 16, 2011 at Sacramento City Hall Room 1104.

**Roll Call** - **Present:** Elizabeth Cantu, Evelyn Chin, Brett Hopkins, David Kawada and Chair Judge Joe S. Gray

## **Discussion Calendar**

Discussion or action reports include oral presentations including those recommending receive and file.

### **1. Background and orientation for new Commission members**

**Recommendation:** Information only

**Contact:** Mark Prestwich, Commission Staff; City Manager's Office, 808-5704.

#### **Presentations:**

Gustavo Martinez with the City Attorney's Office provided an overview of the serial meeting component of the Brown Act. Serial meetings are prohibited under the Brown Act. A serial meeting is a collective concurrence of a quorum of members outside a noticed open meeting. Serial meetings can inadvertently occur when members communicate via email. Use of email to communicate among commission members is discouraged.

William H. Edgar, the retired City Manager and former Compensation Commission member, provided a background on the formation and work of the Commission since its inception in 2002, and the Commission's purpose under the Charter. Notable comments included: significant work was performed to find benchmark cities that had comparable forms of government and population; testimony from current and former elected officials was received and considered; baseline salary and benefits were established; per meeting stipends were eliminated for council meetings and joint powers authorities; discussion on the definition of full and part time was vetted; and board and commission stipends were reviewed and established.

**Action:** Information Received.

**2. Approval of Minutes for Meeting of October 13, 2010**

**Recommendation:** Approve minutes.

**Contact:** Mark Prestwich, Commission Staff; City Manager's Office, 808-5704.

**Action:** Moved/Seconded: Kawada / Chin

**Yes:** Cantu, Chin, Hopkins, Kawada and Chair Gray

Motion **passed** unanimously to approve the minutes.

**3. Appointment of Vice Chair**

**Recommendation:** Discussion and direction

**Contact:** Mark Prestwich, Commission Staff; City Manager's Office, 808-5704.

**Action:** Moved/Seconded: Hopkins / Kawada

**Yes:** Cantu, Chin, Hopkins, Kawada, Chair Gray

Motion **passed** unanimously to delete rule 2.1 from the Commission's adopted procedures that provides for the selection of a vice chair.

**4. Annual Review and Potential Consideration of Adjustments to the Compensation of the Mayor and City Council**

**Recommendation:** Direction and appropriate action regarding possible adjustment to the compensation of the Mayor and City Council.

**Contact:** Mark Prestwich, Commission Staff; City Manager's Office, 808-5704.

**Discussion:** Staff presented current and historical salary and benefit data for the City Council, Mayor and the comparable benchmark cities. The Commission pondered the language of the Charter that compensation be "reasonable and consistent with other cities similar in size and structure" as this understanding will be important in their deliberations. Commissioners inquired as to when their decisions would take effect, with staff suggesting at the start of the fiscal year. The Commission was informed that the prior Commission had adopted a policy to align the benefits of the Council with the charter officers. Discussion occurred on the appropriateness of that policy and whether the policy could be rescinded. Gustavo Martinez responded that it is within the Commission's authority to rescind a previously approved policy of the Commission.

**Action:** Moved/Seconded: Chin / Kawada

**Yes:** Cantu, Chin, Hopkins, Kawada, Chair Gray

Motion **passed** unanimously to: 1) maintain the salary of the Mayor and Councilmembers at current levels for fiscal year 11-12; 2) begin a comprehensive review of salary and benefits for potential adjustment for fiscal year 12-13; and 3) agendaize for approval at the December 8, 2011 Commission meeting an adjustment to the retirement benefit of the Mayor and Council to pay the full employee contribution of 7% to PERS with an effective date of December 31, 2011.

**5. Confirmation of Compensation of City Boards and Commissions**

**Recommendation:** Confirm and approve compensation.

**Contact:** Mark Prestwich, Commission Staff; City Manager's Office, 808-5704.

**Action:** Moved/Seconded: Chin / Cantu

**Yes:** Cantu, Chin, Hopkins, Kawada, Chair Gray

Motion **passed** unanimously to maintain the stipends for board and commission members at current levels for fiscal year 11-12.

## **6. Commission Questions, Comments**

### Report backs:

- a. Provide information on the duties and responsibilities of the Mayor and Council
- b. Staff and Commission Chair to find experts to provide testimony
- c. Provide information on economic conditions
- d. Provide information on the city's annual budget
- e. Provide information that explains the fringe benefits provided to the Mayor and Council
- f. When did the city last conduct a competitive bid for benefits?
- g. Confirm that benchmark city data is current and accurate
- h. Provide data on what other agencies pay for board/commission stipends
- i. Provide data on the actual cost of board/commission stipends
- j. Memo from City Attorney determining whether the Commission's policy of aligning benefits of the Council with the charter officers is in compliance with the language of the charter

## **7. Citizens Addressing the Compensation Commission**

None

Adjourned at 8:30 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the November 16, 2011 meeting as approved by the Compensation Commission.



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Mark Prestwich  
Commission Staff