



CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

May 5, 2022

NOTICE OF CIVIL SERVICE COMMISSION MEETING

- SUBJECT: 1) ANNUAL SALARY ADJUSTMENT (4th) YEAR OF 5-YEAR CYCLE OF SALARY OF MEMBER, BOARD OF SUPERVISORS IN ACCORDANCE WITH CHARTER SECTION 2.100 FOR FISCAL YEAR 2022-23 AND, BASE SALARY SETTING FOR ELECTED OFFICIALS (MAYOR, CITY ATTORNEY, DISTRICT ATTORNEY, PUBLIC DEFENDER, ASSESSOR-RECORDER, TREASURER, AND SHERIFF) IN ACCORDANCE WITH CHARTER SECTION A8.409-1 FOR FISCAL YEARS 2022-27.**
- 2) ANNUAL CERTIFICATION OF BENEFITS OF ELECTED OFFICIALS (INCLUDING MEMBERS OF THE BOARD OF SUPERVISORS) FOR FISCAL YEAR 2022-23 OF THE CITY AND COUNTY OF SAN FRANCISCO IN ACCORDANCE WITH CHARTER SECTION A8.409-1.**

The above matters will be considered by the Civil Service Commission at a hybrid meeting (in-person and virtual) to be held on **May 16, 2022, at 2:00 p.m.** in City Hall, Room 400, 1 Dr. Goodlett Place, San Francisco, California 94102 and through Cisco WebEx.

These items will appear on the regular agenda. Please refer to the attached Notice for procedural and other information about Commission hearings. All calendared items will be heard and resolved at this time unless good reasons are presented for a continuance.

All materials being considered by the Civil Service Commission for these items are available for public inspection and copying at the Civil Service Commission office Monday through Friday from 8:00 a.m. to 5:00 p.m.

CIVIL SERVICE COMMISSION

/SE/

Sandra Eng
Executive Officer

Attachment

cc: The Honorable London N. Breed, Mayor
The Honorable Manohar P. Raju, Public Defender
The Honorable Jose Cisneros, Treasurer - Tax Collector
The Honorable Chesa Boudin, District Attorney
The Honorable Paul M. Miyamoto, Sheriff
The Honorable David Chiu, City Attorney
The Honorable Joaquín Torres, Assessor - Recorder
The Honorable Shamann Walton, President, Board of Supervisors
The Honorable Connie Chan, Member Board of Supervisors
The Honorable Catherine Stefani, Member Board of Supervisors
The Honorable Aaron Peskin, Member Board of Supervisors
The Honorable Matt Dorsey, Member Board of Supervisors
The Honorable Dean Preston, Member Board of Supervisors
The Honorable Gordon Mar, Member Board of Supervisors
The Honorable Myrna Melgar, Member Board of Supervisors
The Honorable Rafael Mandelman, Member Board of Supervisors
The Honorable Hillary Ronen, Member Board of Supervisors
The Honorable Ahsha Safai, Member Board of Supervisors
Angela Calvillo, Clerk, Board of Supervisors
Carol Isen, Human Resources Director
Steve Ponder, Director of Classification and Compensation
Ben Rosenfield, Controller
Risa Sandler, Controller's Office, Budget, and Analysis Division
Christie Beetz, Director, PPSD
Alison Romano, Chief Executive Officer, San Francisco Retirement Service
Abbie Yant, Executive Director, Health Service System
Sandra Eng, Executive Officer, Civil Service Commission

NOTICE OF COMMISSION HEARING POLICIES AND PROCEDURES

A. Commission Office

The Civil Service Commission office is located at, 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102. The telephone number is (628) 652-1100. The fax number is (628) 652-1109. The email address is civilservice@sfgov.org and the web address is www.sfgov.org/civilservice/. Office hours are from 8:00 a.m. to 5:00 p.m., Monday through Friday.

B. Policy Requiring Written Reports

It is the policy of the Civil Service Commission that except for appeals filed under Civil Service Commission Rule 111A Position-Based Testing, all items appearing on its agenda be supported by a written report prepared by Commission or departmental staff. All documents referred to in any Agenda Document are posted adjacent to the Agenda, or if more than one (1) page in length, available for public inspection and copying at the Civil Service Commission office. Reports from City and County personnel supporting agenda items are submitted in accordance with the procedures established by the Executive Officer. Reports not submitted according to procedures, in the format and quantity required, and by the deadline, will not be calendared.

C. Policy on Written Submissions by Appellants

All written material submitted by appellants to be considered by the Commission in support of an agenda item shall be submitted to the Commission office, no later than 5:00 p.m. on the fourth (4th) business day preceding the Commission meeting for which the item is calendared (ordinarily, on Tuesday). An original and nine (9) copies on 8 1/2-inch X 11 inch paper, three-hole punched on left margin, and page numbered in the bottom center margin, shall be provided. Written material submitted for the Commission's review becomes part of a public record and shall be open for public inspection.

D. Policy on Materials being Considered by the Commission

Copies of all staff reports and materials being considered by the Civil Service Commission are available for public view 72 hours prior to the Civil Service Commission meeting on the Civil Service Commission's website at www.sfgov.org/CivilService, and in its office located at 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102. If any materials related to an item on this agenda have been distributed to the Civil Service Commission after distribution of the agenda packet, those materials will be available for public inspection at the Civil Service Commission's during normal office hours (8:00 a.m. to 5:00 p.m. Monday through Friday).

E. Policy and Procedure for Hearings to be Scheduled after 5:00 p.m. and Requests for Postponement

A request to hear an item after 5:00 p.m. should be directed to the Executive Officer as soon as possible following the receipt of notification of an upcoming hearing. Requests may be made by telephone at (628) 652-1100 and confirmed in writing or by fax at (628) 652-1109.

A request for a postponement (continuance) to delay an item to another meeting may be directed to the Commission Executive Officer by telephone or in writing. Before acting, the Executive Officer may refer certain requests to another City official for recommendation. Telephone requests must be confirmed in writing prior to the meeting. Immediately following the "Announcement of Changes" portion of the agenda at the beginning of the meeting, the Commission will consider a request for a postponement that has been previously denied. Appeals filed under Civil Service Commission Rule 111A Position-Based Testing shall be considered on the date it is calendared for hearing except under extraordinary circumstances and upon mutual agreement between the appellant and the Department of Human Resources.

F. Policy and Procedure on Hearing Items Out of Order

Requests to hear items out of order are to be directed to the Commission President at the beginning of the agenda. The President will rule on each request. Such requests may be granted with mutual agreement among the affected parties.

G. Procedure for Commission Hearings

All Commission hearings on disputed matters shall conform to the following procedures: The Commission reserves the right to question each party during its presentation and, in its discretion, to modify any time allocations and requirements.

If a matter is severed from the *Consent Agenda* or the *Ratification Agenda*, presentation by the opponent will be for a maximum time limit of five (5) minutes and response by the departmental representative for a maximum time limit of five (5) minutes. Requests by the public to sever items from the [*Consent Agenda* or] *Ratification Agenda* must be provided with justification for the record.

For items on the *Regular Agenda*, presentation by the departmental representative for a maximum time of five (5) minutes and response by the opponent for a maximum time limit of five (5) minutes.

For items on the *Separations Agenda*, presentation by the department followed by the employee or employee's representative shall be for a maximum time limit of ten (10) minutes for each party unless extended by the Commission.

Each presentation shall conform to the following:

1. Opening summary of case (brief overview);
2. Discussion of evidence;
3. Corroborating witnesses, if necessary; and
4. Closing remarks.

The Commission may allocate five (5) minutes for each side to rebut evidence presented by the other side.

H. Policy on Audio Recording of Commission Meetings

As provided in the San Francisco Sunshine Ordinance, all Commission meetings are audio recorded in digital form. These audio recordings of open sessions are available starting on the day after the Commission meeting on the Civil Service Commission website at www.sfgov.org/civilservice/.

I. Speaking before the Civil Service Commission

Speaker cards are not required. The Commission will take public comment on all items appearing on the agenda at the time the item is heard. The Commission will take public comment on matters not on the Agenda, but within the jurisdiction of the Commission during the "Requests to Speak" portion of the regular meeting. Maximum time will be three (3) minutes. A subsequent comment after the three (3) minute period is limited to one (1) minute. The timer shall be in operation during public comment. Upon any specific request by a Commissioner, time may be extended.

J. Public Comment and Due Process

During general public comment, members of the public sometimes wish to address the Civil Service Commission regarding matters that may come before the Commission in its capacity as an adjudicative body. The Commission does not restrict this use of general public comment. To protect the due process rights of parties to its adjudicative proceedings, however, the Commission will not consider, in connection with any adjudicative proceeding, statements made during general public comment. If members of the public have information that they believe to be relevant to a matter that will come before the Commission in its adjudicative capacity, they may wish to address the Commission during the public comment portion of that adjudicative proceeding. The Commission will not consider public comment in connection with an adjudicative proceeding without providing the parties an opportunity to respond.

K. Policy on use of Cell Phones, Pagers and Similar Sound-Producing Electronic Devices at and During Public Meetings

The ringing and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the Chair may order the removal from the meeting room of any person(s) responsible for the ringing or use of a cell phone, pager, or other similar sound-producing electronic devices.

Information on Disability Access

The Civil Service Commission normally meets in Room 400 (Fourth Floor) City Hall, 1 Dr. Carlton B. Goodlett Place. However, meetings not held in this room are conducted in the Civic Center area. City Hall is wheelchair accessible. The closest accessible BART station is the Civic Center, located 2 ½ blocks from City Hall. Accessible MUNI lines serving City Hall are 47 Van Ness Avenue, 9 San Bruno and 71 Haight/Noriega, as well as the METRO stations at Van Ness and Market and at Civic Center. For more information about MUNI accessible services, call (415) 923-6142. Accessible curbside parking has been designated at points in the vicinity of City Hall adjacent to Grove Street and Van Ness Avenue.

The following services are available on request 48 hours prior to the meeting; except for Monday meetings, for which the deadline shall be 4:00 p.m. of the last business day of the preceding week. For American Sign Language interpreters or the use of a reader during a meeting, a sound enhancement system, and/or alternative formats of the agenda and minutes, please contact the Commission office to make arrangements for the accommodation. Late requests will be honored, if possible.

Individuals with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities should call our ADA coordinator at (628) 652-1107 or (628) 652-1100 to discuss meeting accessibility. In order to assist the City's efforts to accommodate such people, attendees at public meetings are reminded that other attendees may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

Know your Rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code)

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance or to report a violation of the ordinance, or to obtain a free copy of the Sunshine Ordinance, contact Victor Young, Administrator of the Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102-4689 at (415) 554-7724, by fax: (415) 554-7854, by e-mail: soft@sfgov.org, or on the City's website at www.sfgov.org/bdsupvrs/sunshine.

San Francisco Lobbyist Ordinance

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance (San Francisco Campaign and Governmental Conduct Code Section 2.100) to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 25 Van Ness Ave., Suite 220, San Francisco, CA 94102, telephone (415) 252-3100, fax (415) 252-3112 and web site <http://www.sfgov.org/ethics/>.



CIVIL SERVICE COMMISSION CITY AND COUNTY OF SAN FRANCISCO

Date: May 16, 2022

To: Civil Service Commission

Through: Sandra Eng *SE*
Executive Officer

From: Luz Morganti *LM*
Senior Human Resources Analyst

Subject: **Final Report of Salary Survey Results: Salary Setting for Elected Officials (Mayor, City Attorney, District Attorney, Public Defender, Assessor-Recorder, Treasurer, and Sheriff) of the City and County of San Francisco for a five (5) year cycle, effective July 1, 2022, through June 30, 2027, in accordance with Charter Section A8.409-1**

Civil Service Commission Authority – Charter Section A8.409-1

Charter Section A8.409-1 states in part, "...The Commission shall conduct a salary survey of the offices of chief executive officer, county counsel, district attorney, public defender, assessor-recorder, treasurer, and sheriff, in the counties of Alameda, Contra Costa, Marin, San Mateo, and Santa Clara. The Commission shall then average the salaries for each of those offices to determine respectively the base five-year salaries for the Mayor, City Attorney, District Attorney, Public Defender, Assessor-Recorder, Treasurer, and Sheriff..."

In summary, Charter Section A8.409-1 directs the Commission to:

- Conduct the salary survey every five (5) years to determine comparable salaries for each Elected Official.
- Set the base salary at the existing salary for the office if the survey results in a salary reduction.
- Review and amend salaries of the offices to reduce costs as necessary to achieve comparable cost savings in the affected fiscal year or years if the City and County of San Francisco and employee organizations agree to amend the existing memoranda of understanding to reduce costs.
- Annually adjust the salaries of the Elected Officials to account for upward annual movement in the CPI during the prior year, not to exceed 5% for the second, third, fourth and fifth years of the period for which any base five-year salary has been set.
- Annually set the benefits of Elected Officials effective July 1 of each year. Benefits may equal but not exceed those benefits provided to any classification of miscellaneous officers and employees as of July 1 of each year.

Summary of Elected Officials Salary Survey Process

The current annual salaries for each job title or comparable job function to the City and County of San Francisco offices of the Mayor, City Attorney, District Attorney, Public Defender, Assessor-Recorder, Sheriff, and Treasurer were obtained from the counties of Alameda, Contra Costa, Marin, San Mateo, and Santa Clara.

Salary Survey Results

The sum of the annual salaries for each office was calculated and divided by the five (5) counties, except for the office of Public Defender. In determining the average salary for the office of Public Defender, the sum of the annual salaries for the office of Public Defender was divided by four (4) counties, the counties of Alameda, Contra Costa, Marin, and Santa Clara. San Mateo County reported not having an office of Public Defender and was omitted in calculating the average salary in accordance with Charter Section A8.409-1.

**2022
 SALARY SURVEY RESULTS**

**COMPARISON SUMMARY & AVERAGE ANNUAL SALARY
 FOR
 ELECTED OFFICIALS OR COMPARABLE COUNTY POSITIONS**

<i>Elected Officials</i>	Alameda County <i>(Population: 1,682,353)</i>	Contra Costa County <i>(Population: 1,153,526)</i>	Marin County <i>(Population: 258,826)</i>	San Mateo County <i>(Population: 766,573)</i>	Santa Clara County <i>(Population: 1,936,259)</i>	Average Salary	<i>City & County of San Francisco (Population: 883,255)</i>
Assessor-Recorder	\$239,096	\$220,681	\$217,692	\$235,102	\$265,059	\$235,526	\$222,300
<i>(City Attorney)</i> County Counsel	\$254,300	\$247,848	\$247,208	\$288,683	\$353,895	\$278,387	\$294,736
District Attorney	\$349,190	\$302,179	\$258,273	\$360,921	\$384,635	\$331,040	\$312,780
<i>(Mayor)</i> Chief Executive Officer or County Administrator – Manager	\$296,420	\$356,135	\$285,563	\$389,292	\$351,951	\$335,872	\$357,084
Public Defender	\$242,236	\$228,032	\$233,084	--- N/A	\$314,668	\$254,505	\$271,102
Sheriff	\$274,206	\$296,764	\$251,825	\$312,353	\$323,582	\$291,746	\$266,500
Treasurer Tax Collector	\$210,704	\$231,202	\$216,340	\$213,137	\$198,245	\$213,925	\$209,924

Base Five-Year Salary Determination

As directed by Charter Section A8.409-1, the base-five-year salaries for the Mayor, City Attorney, District Attorney, Public Defender, Assessor-Recorder, Sheriff, and Treasurer shall be the average of the salaries of the surveyed counties. Charter Section A8.409-1 further directs that the base salary be set at the existing salary for the office if the survey results show that the average salary is lower than the current salary of the CCSF Elected Official in the comparable office. Therefore, the base five-year salaries are as listed in Column 5 of the table below.

CCSF Elected Official Class/Title	CCSF FY 2021-22 Certified Annual Salary	Average Annual Salary of 2022 Survey Results	\$ Increase Amount	FY 2022-23 Base Annual Salary of Five-Year Cycle
4290 Assessor-Recorder	\$222,300	\$235,526	\$13,226	\$235,526
8197 City Attorney	\$294,736	\$278,387	0	\$294,736
8198 District Attorney	\$312,780	\$331,040	\$18,260	\$331,040
1190 Mayor	\$357,084	\$335,872	0	\$357,084
8196 Public Defender	\$271,102	\$254,505	0	\$271,102
8350 Sheriff	\$266,500	\$291,746	\$25,246	\$291,746
4390 Treasurer-Tax Collector	\$209,924	\$213,925	\$4,001	\$213,925

It should be noted that this is an estimate, and the actual salary will be determined by Class and Compensation methodology consistent with the City's process.

Recommendation: Accept the report; certify the base salary of Elected Officials in accordance with Charter Section A8.409-1 for timely transmittal to the Controller for inclusion in the FY 2022-23 budget.

Attachment: Charter Section A8.409-1

- c: The Honorable London N. Breed, Mayor
- The Honorable Manohar P. Raju, Public Defender
- The Honorable Jose Cisneros, Treasurer - Tax Collector
- The Honorable Chesa Boudin, District Attorney
- The Honorable Paul M. Miyamoto, Sheriff
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- Carol Isen, Human Resources Director
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- Ben Rosenfield, Controller
- Risa Sandler, Controller's Office, Budget, and Analysis Division
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- Abbie Yant, Executive Director, Health Service System
- Sandra Eng, Executive Officer, Civil Service Commission

City and County of San Francisco Charter

A8.409-1 EMPLOYEES COVERED

These Sections A8.409 through A8.409-6, inclusive, shall apply to all miscellaneous officers and employees except as set forth in Section A8.590-1 et seq. and including employees of San Francisco Unified School District and San Francisco Community College District to the extent authorized by state law. The provisions of Charter sections 8.400(h), 8.401-1, and 8.407 are hereby repealed and shall be of no further force and effect. Employee organizations representing employees in classifications covered by section A8.403 and A8.404 of this Charter may elect to include those classifications within the coverage of this part as a separate bargaining unit, provided however, that the election shall not become effective without the written approval of the Mayor and Board of Supervisors. The election shall be irrevocable and such employees shall not thereafter be subject to the provisions of section A8.403 and A8.404.

Employees in classifications not represented by a recognized employee organization shall be entitled to represent themselves with the City and County over wages, hours and other terms and conditions of employment to the extent required by state law and shall not be subject to the arbitration provisions of Section A8.409-4 of this Charter. The Mayor annually shall propose all forms of compensation for unrepresented employees including salaries, hours, benefits, and other terms and conditions of employment subject to approval or disapproval of the Board of Supervisors. Consistent with other provisions of this Charter, the civil service commission may adopt rules and procedures relating to said unrepresented employees.

Except as otherwise provided by this Charter the Civil Service Commission shall set the wages and benefits of all elected officials of the City and County of San Francisco as follows: The Commission shall conduct a salary survey of the offices of chief executive officer, county counsel, district attorney, public defender, assessor-recorder, treasurer, and sheriff, in the counties of Alameda, Contra Costa, Marin, San Mateo, and Santa Clara. The Commission shall then average the salaries for each of those offices to determine respectively the base five-year salaries for the Mayor, City Attorney, District Attorney, Public Defender, Assessor-Recorder, Treasurer, and Sheriff.

If any of the aforementioned counties do not have an office of public defender, that county shall be omitted from the salary survey for purposes of determining the base five-year salary of the Public Defender. Among the aforementioned counties, any freestanding county assessor's office, or any county office in which the assessor's function is combined with other county functions, shall be deemed comparable to the office of Assessor-Recorder for purposes of determining the base five-year salary of the Assessor-Recorder. If any of the aforementioned counties do not have a comparable county office of treasurer, the county office whose functions most closely resemble the Treasurer's functions in San Francisco shall be deemed comparable to the office of Treasurer for purposes of determining the base five-year salary of the Treasurer.

The initial base five-year salary determination for the respective salaries of the Mayor, City Attorney, District Attorney, Public Defender, Assessor-Recorder, Treasurer, and Sheriff shall apply to the period from July 1, 2007, through June 30, 2012. Subsequent base five-year salary determinations for those offices shall apply to subsequent five-year periods, for example, July 1, 2012, through June 30, 2017.

City and County of San Francisco Charter

A8.409-1 EMPLOYEES COVERED (continued)

For the second, third, fourth, and fifth years of the period for which any base five-year salary has been set, the Commission shall annually adjust the respective salaries of the Mayor, City Attorney, District Attorney, Public Defender, Assessor-Recorder, Treasurer, and Sheriff, to account for upward annual movement in the Consumer Price Index during the prior calendar year; provided, that whenever the upward movement in the Consumer Price Index during the prior calendar year exceeds 5%, the cost-of-living adjustment shall not be the actual increase in the Consumer Price Index for the prior calendar year but instead shall be 5%. The annual cost-of-living adjustment shall take effect July 1 of the second, third, fourth, and fifth years of the period for which the base five-year salary has been set.

Except as noted below, in setting the initial and subsequent base five-year salary determinations for the offices of Mayor, City Attorney, District Attorney, Public Defender, Assessor-Recorder, Treasurer, and Sheriff, the Commission may not reduce the respective salaries of any of those offices. If implementation of the process for setting the base five-year salary would otherwise result in a salary reduction for any of those offices, the base five-year salary for the affected office or offices shall be the existing salary for the office.

If the City and County of San Francisco and employee organizations agree to amend the compensation provisions of existing memoranda of understanding to reduce costs, the Commission shall review and amend the respective salaries of the Mayor, City Attorney, District Attorney, Public Defender, Assessor-Recorder, Treasurer, and Sheriff as necessary to achieve comparable cost savings in the affected fiscal year or years.

The Commission shall annually set the benefits of elected officials, to take effect July 1 of each year. Benefits of elected officials may equal but may not exceed those benefits provided to any classification of miscellaneous officers and employees as of July 1 of each year.

In addition, subject to the approval or disapproval of the Board of Supervisors, the Mayor may create, for employees designated as management, a management compensation package that recognizes and provides incentives for outstanding managerial performance contributing to increased productivity and efficiency in the work force. In formulating such a package, the Mayor shall take into account data developed in conjunction with the civil service commission regarding the terms of executive compensation in other public and private jurisdictions. (Amended March 2004; Amended by Proposition C, Approved 11/7/2006)