



# CIVIL SERVICE COMMISSION

## CITY AND COUNTY OF SAN FRANCISCO

EDWIN M. LEE  
MAYOR

Date: April 15, 2013

To: Civil Service Commission

Through: Jennifer Johnston  
Executive Officer

From: Luz Morganti *Luz Morganti*  
Senior Personnel Analyst

Subject: **Annual Certification of Benefits for Elected Officials (Mayor, City Attorney, District Attorney, Public Defender, Assessor-Recorder, Treasurer, and Sheriff) and Members of the Board of Supervisors for Fiscal Year 2013-14 in accordance with Charter Section A8.409-1**

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EXECUTIVE OFFICER

### Introduction

This is the annual certification of benefits by the Civil Service Commission for elected officials (Mayor, City Attorney, District Attorney, Public Defender, Assessor-Recorder, Treasurer-Tax Collector and Sheriff) including the Members of the Board of Supervisors.

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

Charter Section A8.409-1 requires the Civil Service Commission to 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. Benefits-setting by the Commission affects all elected officials, including Members of the Board of Supervisors.

### Background of Benefits

#### *Fiscal Years 2006-07 to 2010-11*

At the meeting of May 15, 2006, the Civil Service Commission acted to certify the benefits package for elected officials at the same level as provided to Management employees in the Unrepresented Employees Ordinance. Certification of benefits for elected officials remained at the same level as provided to Management employees in the Unrepresented Employees Ordinance through Fiscal Year 2010-11.

#### *Fiscal Year 2011-12*

A comparison between the Unrepresented Management and Municipal Executives' Association (MEA) benefit packages was presented to the Commission to consider returning benefits of elected officials, including Member, Board of Supervisors to the same level of benefits as those of MEA covered employees.

In accordance with Charter Section A8.409-1, at its meeting of May 16, 2011, the Civil Service Commission acted to certify the benefits of elected officials (including Member, of the Board of Supervisors) for Fiscal Year 2011-12 at the same level of benefits as those provided to MEA covered employees in effect on July 1, 2011.

***Fiscal Year 2012-13***

In accordance with Charter Section A8.409-1, at its meeting of May 21, 2012, the Civil Service Commission acted to certify the benefits of elected officials (including Member, of the Board of Supervisors) for Fiscal Year 2012-13 at the same level of benefits as those provided to MEA covered employees in effect on July 1, 2012.

**Consideration of Benefits for Fiscal Year 2013-14**

The Commission has the consideration to continue to set the benefits for elected officials including Member, of the Board of Supervisors at the same level of benefits as those covered by MEA in effect on July 1, 2013.

***Recommendation:***        **Accept the report; certify the benefits of elected officials (including Member, of the Board of Supervisors) for Fiscal Year 2013-14 in accordance with Charter Section A8.409-1 at the same level of benefits as those provided to covered employees of the Municipal Executives' Association (MEA) in effect on July 1, 2013.**

Attachment:                Charter Section A8.409-1

Cc: The Honorable Edwin Lee, Mayor  
The Honorable David Chiu, President, Board of Supervisors  
The Honorable John Avalos, Member, Board of Supervisors  
The Honorable David Campos, Member, Board of Supervisors  
The Honorable Katy Tang, Member, Board of Supervisors  
The Honorable Malia Cohen, Member, Board of Supervisors  
The Honorable London Breed, Member, Board of Supervisors  
The Honorable Mark Farrell, Member, Board of Supervisors  
The Honorable Jane Kim, Member, Board of Supervisors  
The Honorable Eric Mar, Member, Board of Supervisors  
The Honorable Norman Yee, Member, Board of Supervisors  
The Honorable Scott Wiener, Member, Board of Supervisors  
The Honorable Jeff Adachi, Public Defender  
The Honorable Jose Cisneros, Treasurer  
The Honorable George Gascón, District Attorney  
The Honorable Ross Mirkarimi, Sheriff  
The Honorable Dennis Herrera, City Attorney  
The Honorable Carmen Chu, Assessor-Recorder  
Jay Huish, Executive Director, Employees' Retirement System  
Micki Callahan, Human Resources Director  
Angela Calvillo, Clerk, Board of Supervisors  
Catherine Dodd, Health Service System  
Cindy Czerwin, Budget and Revenue Manager, Controller's Office  
Steve Ponder, Manager, Compensation Unit, DHR  
Ben Rosenfield, Controller  
James Smothers, Director, PPSD  
Kate Howard, Mayor's Budget Director

**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.

**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)