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Gale A. Brewer, Borough President

**Testimony of Manhattan Borough President Gale A. Brewer
New York City Council Committee on Government Operations
Jointly with the Committee on Rules, Privileges and Elections
February 3, 2016**

In New York City, there is a process set forth in the New York City Charter for recommending and setting the salaries of elected officials.

The Charter requires the Mayor to empanel an Independent Quadrennial Advisory Commission (the “Commission”) every four years to review the compensation of elected officials in New York City. This Commission then makes its recommendations and the Council can, by local law, set the salaries.

Before the Commission was empaneled last October, there had not been a review of salaries since 2006, making this the longest period without such a review. Unfortunately, following this Charter requirement has been the exception rather than the rule, and in the last 15 years this is only the second salary commission. This is bad for everyone. I understand that it was politically difficult to call a salary commission in the wake of the September 11th attacks or in the midst of the great recession, but continued failure on the part of Mayors to follow the law is more likely to result in distortions when a commission is finally empaneled. And I believe this makes both the Commission’s and the Council’s job much more difficult.

My salary recommendations to the Commission were very close to where both the Commission came out and what your legislation proposes. In the case of all elected officials, I recommended an across the board increase of 15 percent. This was based on the fact that nationally, since 2007, the cost of living has increased approximately 15 percent and that during the relevant time period managerial pay increases of approximately 15 percent have been awarded to City managers. In addition, according to a recent *Crain's* report,ⁱ New York City wages have risen approximately 10 percent between the middle of 2009 and mid-2014, with the first substantial increases occurring since the beginning of 2014. In addition, according to a CNN report the average raise for 2015 was 3 percent.ⁱⁱ So that would likely put wage increases of our constituents slightly above 13 percent.

A look at the 5 largest cities in the U.S., appears to indicate that modest raises in this range are appropriate. The Mayors of Los Angeles and Houston both earn more than New York City's mayor and New York City has the lowest City Council salaries of all five cities except Houston. The elected official salaries for those cities are listed below.

City	Mayor	Comptroller	Council Member	D.A.	Borough President	Public Advocate
New York	\$225,000	\$185,000	\$112,500	\$190,000	\$160,000	\$165,000
Los Angeles ⁱⁱⁱ	\$245,753	\$207,945	\$189,041	\$317,685 ^{iv}	N/A	N/A
Chicago ^v	\$216,210	\$133,545	\$117,333	\$192,789 ^{vi}	N/A	N/A
Philadelphia ^{vii}	\$217,820	\$133,329	\$129,373	\$172,791 ^{viii}	N/A	N/A
Houston ^{ix}	\$234,000	\$156,000	\$ 62,400	\$170,810	N/A	N/A

So given the findings contained in the Charter, it would appear that modest increases of about 15 percent are in order for all offices, for the period covering the last 9 years. Given a 15 percent increase, Council Members would make \$129,375 and the Mayor would earn \$258,750.

While my numbers came out slightly higher than the Commission's numbers there was one major difference. I do not believe these salary increases should take effect immediately upon passage of legislation. The 2006 Commission stated that "limiting the ability of government officials to raise their own salaries and receive them immediately would improve the integrity of government and public confidence in it." I believe the effective date of the proposed local law should be January 1, 2018 -- the first day of the next term of office for all New York City elected offices.

I know when I was a Council Member I approved a pay raise that went into effect immediately. However, I have thought long and hard about this and believe that what I now advocate is the better approach. The proposal to modify the timing of future Commissions to allow them to more easily make their salary recommendations apply prospectively is a welcome improvement and I believe if future Commissions and Councils make use of it, it will result in increased public confidence in government. As for myself, I ran for Borough President two years ago knowing the salary and if I do accept any pay raise, will only do so if reelected to office, regardless of the wording of any legislation. At that point my constituents will be able to judge the job I have done and decide whether or not I am worth the salary.

Finally, let me address the job of Council Member – a job that I was honored to hold -- and the salary issues relating to that job. I have long taken the position that the job of Council Member is and should be treated as full time job and that lulus should be abolished. My proposal to the Commission would have added an additional \$20,000 to a new Council base salary only if lulus were abolished and the job became officially full time for a total of \$149,375 to begin in 2018.

I think "lulus" have become a way of giving all but the least favored Council Members additional compensation and I believe that your proposed rule to eliminate them will further democratize the Council. I testified to this effect before the Commission and recommended that the effective date of the local law be dependent upon adoption of such a rule. I am heartened to see that provision in your legislation.

I also believe that declaring the job to be full time will provide significant public benefit – it will underscore the idea that Council Members work for the taxpayers who pay their salaries. I understand your desire to make this requirement effective at the beginning of the next Council

term in fairness to current members who have outside employment but this just underscores why all such changes, including the raises themselves, should wait. At a minimum that portion of the salary increase attributable to a change in status should be delayed.

Finally, I must comment on the process for consideration of this legislation. It should not have been rushed in this manner. The Commission and this proposal are part of our Charter. You are not doing anything inappropriate by considering it. I think you should lay the bill aside today, consider the testimony received and hold another hearing in a few weeks at which people may also speak before voting.

Thank you for the opportunity to express my thoughts.

ⁱ *Crain's New York*, For the first time in years, wage hikes in NYC are big enough to make a difference, ” Aaron Elstein, April 12, 2015.

ⁱⁱ Here's the Kind of Pay Raise you can Expect Next Year, August 10, 2015, Jeanne Sahadi, CNNMoney.

ⁱⁱⁱ City of Los Angeles Interdepartmental Correspondence, August 26, 2015, Salary Increases for Elected Officials, stating the new salaries for elected officials in Los Angeles effective July 1, 2015 due to increases in salaries for Superior Court Judges to which elected officials' salaries are tied by law.

^{iv} <http://ceo.lacounty.gov/forms/06%20Salary%20Tenure.pdf>

^v http://www.cityofchicago.org/city/en/depts/dhr/dataset/current_employee_names_salaries_and_position_titles.html.

Alderman salaries appear to vary by a few thousand dollars but appear to range up to \$117,333.

^{vi} BallotPedia (this number is likely outdated as most information appeared to be from 2010-2012).

^{vii} City Council, Mayor's and Controller's salaries provided by the Philadelphia City Council Human Resources Department, November 24, 2015.

^{viii} Found in City of Philadelphia Budget Detail.

^{ix} Office of the Houston City Controller, November 24, 2015. Houston elected officials' salaries are tied to District Judges who are currently paid \$156,000. The Mayor makes 1.5 times that of judges, the Controller's salary is equal to that of a Judge and Council Members make 40 percent of judges.