

**AGENDA ITEM SUMMARY**

February 5, 2019

City Council

**STAFF**

Ginny Sawyer, Policy and Project Manager

**SUBJECT**

Resolution 2019-020, Clarifying that the Proposed Charter Amendment to Increase City Council Compensation on the April 2, 2019 Regular Municipal Election Ballot was not Initiated by the Council, but by Citizen Petition [and Expressing Council's Opposition to such a Charter Amendment and Urging the Registered Electors to Vote "No" on this Ballot Question]

**EXECUTIVE SUMMARY**

The purpose of this item is for Council to consider a Resolution that clarifies the proposed Charter amendment placed on the April 2, 2019, ballot was a citizen-initiated effort and not a City Council initiated amendment, in follow up to the requests of multiple Councilmembers under Other Business at the January 2, 2019, adjourned Council meeting.

**STAFF RECOMMENDATION**

None.

**BACKGROUND / DISCUSSION**

In 1997, voters of Fort Collins approved a compensation measure providing stipends to the Mayor and Councilmembers. Pay adjustments are made annually based on the Consumer Price Index (CPI/inflation.)

The measure placed on the April 2, 2019 municipal ballot was done through a citizen-initiated petition drive.

**CITY FINANCIAL IMPACTS**

With inflation adjustments Council compensation has moved as indicated below:

YEAR	MAYOR	COUNCILMEMBER
1999	\$770/monthly	\$515/monthly
2019	\$1,264/monthly	\$842/monthly

The ballot measure initiated by citizens proposes paying Councilmembers equal to the Fort Collins Area Median Household Income, in accordance with the U.S. Census ACS five-year estimates plus benefits.

Based on staff research completed in September 2018 this could amount to between \$74,000 and \$78,000 per Councilmember (**Attachment 1**).

Adjustments to Council compensation, other than inflation adjustments, can only be done through a vote of the people.

**ATTACHMENTS**

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1. Council Memo re Salary for Mayor and Councilmembers (PDF)



Date: September 20, 2018  
To: Mayor Troxell and City Council  
From: Teresa Roche, Chief Human Resources Officer   
Through: Darin Atteberry, City Manager   
Kelly DiMartino, Senior Assistant City Manager   
Re: Compensation for Mayor and City Council

In late August, a resident submitted a request inquiring “what the benefit package costs are for a City employee earning \$60k a year?” Using an exempt, classified, non-collective bargaining unit position, staff responded that the total compensation would be \$81k and the additional \$21k represents costs for health, welfare, retirement plans and payroll taxes. In a follow up request, the same resident asked and received additional information on employment classifications and the minimum employment time required to receive benefits.

Staff has been asked to calculate the salary and benefits costs under the petition proposal.

- From the initiative web site, (<https://ftcftcblog.wordpress.com/2018/07/08/amendment-language/>) the proposed charter language is:

“Commencing on April 2, 2019 compensation shall be offered to all Councilmembers and the Mayor equal to the Fort Collins Area Median Household Income, in accordance with the U.S. Census ACS five-year estimates plus benefits afforded to full-time, exempt city employees. The Mayor or any Councilmember may decline or accept reduced compensation. Each Councilmember and the Mayor shall publicly report their council related activities.”
- Using the current U.S. Census America Community Survey (ACS) five-year estimate for median household income of \$57, 831, the current total compensation cost for a City position would be:
  - Classified = \$78,438
  - Contractual = \$74,397

Both estimates assume an exempt, non-collective bargaining unit position.

Classified total compensation includes health, welfare and retirement benefits, plus payroll taxes.

Contractual total compensation mirrors Classified, minus retirement and long-term disability.

Please note the Average Median Income (AMI) will be updated this month.

In a preliminary review of other municipalities where the Mayor and Council receive full time pay and benefits, a separate employment classification is created, and decisions are made about which benefits to provide.

CC:

Carrie Daggett, City Attorney

Jeff Mihelich, Deputy City Manager

RESOLUTION 2019-020  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
CLARIFYING THAT THE PROPOSED CHARTER AMENDMENT  
TO INCREASE CITY COUNCIL COMPENSATION  
ON THE APRIL 2, 2019 REGULAR MUNICIPAL ELECTION BALLOT  
WAS NOT INITIATED BY THE COUNCIL, BUT BY CITIZEN PETITION  
[AND EXPRESSING COUNCIL'S OPPOSITION TO SUCH A CHARTER AMENDMENT  
AND URGING THE REGISTERED ELECTORS TO VOTE "NO"  
ON THIS BALLOT QUESTION]

WHEREAS, Article V, Section 8 of the Charter of the City of Fort Collins ("Charter") provides that the Charter may be amended as provided by the laws of the State of Colorado; and

WHEREAS, Section 31-2-210, C.R.S., provides that Charter amendments may be initiated by registered electors of the municipality; and

WHEREAS, a petition proposing to amend the Charter has been submitted to the City; and

WHEREAS, the amendment proposed by said petition would repeal and replace Article 2, Section 3 of the Charter relating to compensation of Council members; and

WHEREAS, the City Clerk certified the validity and sufficiency of said petition to the City Council as provided in Section 31-2-210(3), C.R.S., and in December certified said petition as sufficient for submission of the initiated Charter amendment to a vote of the people at the next regular municipal election; and

WHEREAS, under Section 31-2-210(3), C.R.S., upon presentation of a petition certified as sufficient by the City Clerk, the Council was required to set a ballot title for the proposed amendment at its next meeting; and

WHEREAS, on December 18, 2018, and January 2, 2019, the City Council adopted on first reading and second reading, respectively, Ordinance No. 173, 2018, submitting a citizen-initiated Charter amendment relating to Council compensation to a vote of the registered electors of the city at the regular municipal election on April 2, 2019; and

WHEREAS, as a result of the foregoing, a citizen-initiated ballot question will appear on the April 2 municipal election ballot that seeks approval by the registered electors of repeal and replacement of City Charter Article II, Section 3 with a new Section 3 offering the Mayor and all Councilmembers compensation equal to the Fort Collins Area Median Household Income, in accordance with the U.S. Census American Community Survey (ACS) five-year estimates, plus benefits afforded to full-time, exempt city employees, and requires Councilmembers to publicly report their Council-related activities; and

WHEREAS, that citizen-initiated ballot question has not yet been numbered for

placement on the ballot; and

WHEREAS, the Council has not sought an increase to Councilmember compensation of any sort, and has not moved forward the proposed increase except as required under the Colorado statute related to citizen-initiated Charter amendments; and

WHEREAS, the City Council is concerned about misunderstanding in the public about the origin of and Council role in this citizen-initiated Charter amendment[; and

WHEREAS, the City Council believes it is in the best interests of the City for the Council to oppose the proposed Charter amendment increasing Council pay, and to encourage the City's registered electorate to vote "NO" on such measure].

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS that the City Council has taken no action to support the proposed Charter amendment increasing Council pay that it was required to present to the registered electorate for consideration as part of the regular municipal election on April 2, 2019 [and that Council opposes such Charter amendment and urges registered electors to vote "NO" on it at the April 2, 2019, regular municipal election].

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 5th day of February, A.D. 2019.

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Mayor

ATTEST:

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City Clerk