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# FINAL REPORT

**DECEMBER 2015**

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# NYC<sup>®</sup> Quadrennial Advisory Commission

161 Avenue of the Americas, 12th Floor  
c/o Brennan Center for Justice  
New York, New York 10013

December 14, 2015

Dear Mayor de Blasio:

Attached is the Report of the 2015 Quadrennial Advisory Commission.

As you know, under Administrative Code § 3-601, the Commission's task is to study, evaluate and, if warranted, recommend specific changes to the compensation levels of City elected officials. Upon completion, the Commission's Report is submitted to the Mayor who has up to 30 days to submit the Report to the City Council with his recommendations for approval, disapproval, or modification.

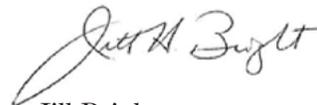
We were honored to be appointed by you to address this important subject. Although none of us knew each other prior to our appointment, we worked well together—and during our extensive work and collaboration, we learned a lot from each other.

We also appreciate that you respected our independence by not seeking, in any way, to influence or direct our deliberations.

Sincerely yours,



Frederick A. O. ("Fritz") Schwarz, Jr.  
Chair



Jill Bright  
Commissioner



Paul Quintero  
Commissioner

P.S.:

Copies of this Report can be found on our website: [www.nyc.gov/quadcomm](http://www.nyc.gov/quadcomm).



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## PART A INTRODUCTION

Our job is to consider whether to propose changes in compensation for the offices held by New York City’s elected officials. To do so, we need to look narrowly at the offices themselves. But, in an era of concern about income inequality, we also need to look more broadly at the relationship between the pay of elected officials and the economic condition of their constituents. Understanding this relationship led to some of our most important decisions.

At the beginning, we decided that, unlike prior Commissions, we would put a premium on transparency. Therefore, at the outset of our work, we created a website, [www.nyc.gov/quadcomm/](http://www.nyc.gov/quadcomm/), where we posted our Plans and Process threshold memorandum to explain to the public our goals and methodology, all prior Quadrennial Commission reports, similar commission reports from across the country, our extensive research, all submissions from elected officials and from the general public, and the full transcripts of our public hearings. As a result, everybody had access to the same documents, research, and analyses as the Commission.

We believed transparency would benefit the public, the press, good government groups, and elected officials themselves. Also, it would benefit us if it provoked comment or criticism. Finally, it could be used by either supporters or critics of this Report. (It also will be helpful to future Commissions.)

We had hoped to have more witnesses at our two public hearings. The witnesses who did appear, however, were helpful. Three represented good government groups: Dick Dadey, Executive Director of Citizens Union; Gene Russianoff, Senior Attorney for the New York Public Interest Research Group, and Susan Lerner, Executive Director of Common Cause New York. Gale Brewer, now Borough President of Manhattan, and previously a City Council member for twelve years, also gave us the benefit of her opinions and her experience in both offices. And four members of the public also traveled to testify, three of them from the Bronx.<sup>1</sup>

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<sup>1</sup> They were: Roxanne Delgado, Josefina Sanfeliu, Egidio Sementilli, and Louis Rocco. Ms. Delgado, who testified in both Brooklyn and Queens, shared her own extensive research into and thoughts concerning compensation issues.

Transcripts of the testimony of each witness are available on our website.

While we do not agree with all points made by any witness, we applaud each of them for appearing and offering their insights.

Borough President Brewer had a special distinction: the only elected official to appear and testify. All were invited. None was required to come. None came. It is revealing that no other elected official accepted our invitation to testify. During her testimony, Borough President Brewer suggested why this might be: “They’re afraid to come and talk, Mr. Chairman.”<sup>2</sup> Based on what we have heard, that is plausible. Afraid of being vilified for appearing greedy—even though our interest was not in what a particular office holder might suggest should be paid, but rather in the nature of the office and policy questions. Moreover, office holders may be afraid of being seen as seeking pay that could be claimed not to reflect the lives of ordinary New Yorkers or even to exacerbate income inequality. Of course, had they testified, they would have learned that these were concerns of ours as well, and they could have engaged in dialogue on how pay raises should be structured in light of those concerns. But all missed their opportunity.

Every part that follows helped lead to our ultimate recommendations.

Part B on the Value of Good Government emphasizes that our job is not to evaluate individual office holders. It is to value each elected office. To value elected offices requires us first to consider the value of good government.

Part C describes the goals and structure of New York City government and the powers and duties of each elected office. This part has much history because history can help answer current questions. For example, several of the City’s characteristics help explain the duties and responsibilities of City officials such as the need to deal well with diversity and to work to keep vital the City’s current economic engines and stimulate potential new ones.

New York City government has many more responsibilities than other cities in the United States. This is true for several reasons, including that the City—which is comprised of five counties—has responsibilities, such as for education and law enforcement, that elsewhere in America are

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2 Transcript of Public Hearing of the N.Y.C. Quadrennial Advisory Comm’n 45 (Nov. 24, 2015) (testimony of Manhattan Borough President Gale A. Brewer). At the same hearing, Susan Lerner of Common Cause New York spoke of her hope that our openness, research, and analysis would lead to a “better understanding on the part of the public for what [pay for elected officials] is . . . a controversial subject . . . a sensitive subject.” *Id.* at 4-5 (testimony of Susan Lerner).

performed by other levels of government. Surprisingly to many, the City also has fewer elected officials in relation to population than the States of New York, Connecticut, and New Jersey, and the surrounding counties of Westchester, Nassau, and Suffolk.

We also describe qualities required of all New York City elected officials that go beyond their legally mandated duties.

Up to this point, none of what we discuss was addressed by prior Quadrennial Commissions. The rest of Part C addresses each office’s legally mandated duties and responsibilities, including how these have changed. And, in the section on the City Council, we expressly address whether allowances (“lulus”) should be eliminated and whether the job of City Council member should be formally classified as “full time.” Our answer to both is yes.

Part D presents key points from our research. We believe this is both more extensive and more nuanced than any previous analysis of government pay in New York City or elsewhere. We collectively considered a variety of data, including comparative pay and forms of government among populous cities, the managerial complexity of New York City elected offices, other public sector salaries (including government officials and heads of government-funded organizations), private sector salaries (including non-profit and union heads, as well as corporate CEOs), and salaries for non-elected positions in New York City government. Beyond that, we looked at New York City’s affordability and its residents’ well-being. We considered changes in median household income, the effects of the Great Recession on the City, housing, and issues of income inequality.

Part E, Ceilings on Government Pay, shows there has always been a powerful, visceral feeling that government officials should not be paid too much. (This perhaps accounts for the reluctance of elected officials to appear at our public hearings.) This longstanding visceral belief is underscored by a very contemporary issue in this country: growing income inequality. This should not, however, lead to opposition to any pay raises. Elected officials should get pay raises from time to time—just as citizens do. But elected officials never can or will be paid what their job responsibilities might suggest, and pay raises should relate to how their constituents are doing.

In Part F, we propose the first pay raises for City elected officials in nine years. The changes in elected officials’ pay should not be surgically split from the fortunes of the people they represent. The details of what we propose are better read than summarized.

Part F also addresses the effective date of our proposals, which we conclude, for several reasons, should be January 1, 2016.

Finally, in Part G we lay out some thoughts for the future based on our experience. These include exploration of changing City law so that future pay raises would not go into effect until after the next election. (This would also require altering the timing of Quadrennial Commissions.)

## PART B THE VALUE OF GOOD GOVERNMENT

The Commission’s job is not to evaluate individual officeholders but to value each elected office. A full evaluation of elected offices requires us first to consider the value of good government.

As Mayor Ed Koch was fond of saying, “Public service is the noblest of professions when it is done honestly and done well.” Honestly and well are obvious. But why the noblest? Public service, particularly working for government, is, or should be, an opportunity to take action and develop policies that help the people, all of them, to live a better, fuller, fairer life. This means helping all our brothers and sisters, all our parents, and all our children. Government’s actions and policies also affect the lives of those not yet born.

To help people live better, fuller, fairer lives should be the aim and aspiration of everyone who works for government from the line civil servant to the highest level elected official. Government, done honestly and done well, can better the lives of people.

This is true for government at all levels. Nonetheless, there are differences in the roles of the national, state, and local governments. Some functions are the same. All levels of government, for example, are responsible for public safety. But, speaking generally, national and state governments focus more on general policies, taxes, and regulations, while local governments focus more on direct service to the people. The connection of city government to quality of life is closer and more intimate. City government, if done poorly, can have the most visible and immediately harmful impact. Done well, it can visibly advance life and life prospects for millions.

## PART C

# THE GOALS AND STRUCTURE OF NEW YORK CITY'S GOVERNMENT AND THE POWERS AND DUTIES OF ITS ELECTED OFFICIALS

Basic principles for all governments in the United States were set out from the beginning. As Thomas Jefferson taught the world in the Declaration of Independence, governments “deriv[e] their just power from the consent of the governed.” The Preamble to the Constitution stated the new government was formed to establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty. From the start, checks and balances have been seen, along with elections, as necessary to control government power and to make its use wiser.<sup>3</sup> As the United States grew and changed, the role of government became much greater, and equal rights and equal opportunity became more valued and more protected.

In 1989, when New York City voters approved the Charter that set the frame for the City’s current government, the framers of that Charter set out the goals for City government as assuring fair representation, balancing and checking power, fixing accountability and clarifying responsibility, operating efficiently, concentrating on fundamental problems, and increasing the participation of New Yorkers in matters that affect their lives.<sup>4</sup>

To carry out these aims and purposes, to service its 8.49 million people, and to devise, manage, and oversee its \$78.5 billion budget, the City has 64 elected officials. Three are elected citywide (Mayor, Comptroller, and Public Advocate). Fifty-one are elected to the City Council, with each district covering approximately 166,492 people.<sup>5</sup> The five borough presidents and five district attorneys each represent one of the five boroughs (or counties). The population of Brooklyn (Kings County) is 2.6 million; Queens is 2.3 million; Manhattan (New York County) is 1.6 million; the Bronx is 1.4 million and Staten Island (Richmond County) is 473 thousand.

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3 For the first articulation of checks and balances, see THE FEDERALIST NO. 51, at 320 (James Madison) (Clinton Rossiter, ed., 1961).

4 See 1989 N.Y.C. Charter Rev. Comm’n, Apr. 24 Public Meeting 4-7 (1989). For a general description of the 1989 Charter, see Frederick A.O. Schwarz, Jr. & Eric Lane, *The Policy and Politics of Charter Making: The Story of New York City’s 1989 Charter*, 42 N.Y.L. SCH. L. REV. 723-1013 (hereinafter “S & L”)

5 This is the average figure. Under the one-person, one-vote requirements of the U.S. Constitution, local election districts can vary by up to 10 percent. See *Avery v. Midland County*, 390 U.S. 474 (1968); *Brown v. Thompson*, 462 U.S. 835 (1983). The City Charter permits a variation of population between the largest and smallest districts not to exceed 10 percent of the average population of all districts. The Charter also requires redistricting to take into account factors such as compactness, fair and effective representation of racial and minority groups and keeping neighborhoods intact. N.Y.C. Charter, § 52(1); S & L, *supra* note 4 at 788-98.

GOVERNMENTAL ENTITY	NUMBER OF ELECTED OFFICIALS	POPULATION (IN MILLIONS)	RATIO
NY CITY	64	8,491,079	132,673:1
NY STATE	217	19,746,227	90,996:1
NEW JERSEY	122	8,938,175	73,264:1
CONNECTICUT	193	3,596,677	18,636:1
WESTCHESTER	20	972,634	48,632:1
NASSAU	23	1,358,627	59,071:1
SUFFOLK	23	1,502,968	65,346:1

As compared to New York State, New Jersey and Connecticut, and the three surrounding counties (Westchester, Nassau, and Suffolk), New York City has fewer elected officials in relation to population.

In what follows, we first address some key characteristics of New York City that bear upon its government structure and the responsibilities of its elected officials. Then we describe abilities that all City elected officials should have beyond their legally mandated duties and responsibilities. Finally, we address each office’s legally mandated duties and responsibilities, touching upon how those have changed over time.

**1. Some Characteristics of the City**

Of all New York City’s many characteristics, we focus on five: the City’s large size, its diversity, its constant change, its having a very powerful mayoralty, and its consistent domination by a single political party.

**a. Large Size**

The City is large in geography, population, and in its governmental responsibilities, as reflected in its budget.

New York City originally only included Manhattan. In 1898, Manhattan (which had expanded to include the Bronx) and the City of Brooklyn consolidated to become the new City of New York.<sup>6</sup> Queens and Staten Island, both then thinly settled and relatively rural, became part of the City at the same time.

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6 See, e.g., David C. Hammack, *Reflections on the Creation of the Greater City of New York and its First Charter*, 42 N.Y.L. SCH. L. REV. 693 (1998); EDWIN G. BURROWS & MIKE WALLACE, *GOHAM: A HISTORY OF NEW YORK CITY TO 1898* at 1219-36 (1999); EDWARD ELLIS, *THE EPIC OF NEW YORK CITY: A NARRATIVE HISTORY* 450-55 (1966); GEORGE J. LANKEVICH, *AMERICAN METROPOLIS: A HISTORY OF NEW YORK CITY* 132-37 (1998).

This resulted in a city comprising five counties of New York State coterminous with subdivisions of the City that we call boroughs. Most major U.S. cities are geographically distinct from and smaller than the county or counties in which they are located. The City of Los Angeles, for example, is one of eighty-eight incorporated cities in Los Angeles County. A few major cities are coterminous with the county in which they are located (e.g., San Francisco and San Francisco County; Boston and Suffolk County; Philadelphia and Philadelphia County; and Denver and Denver County).

New York City, with 8.49 million residents today, is by far the most populous city in the United States.<sup>7</sup> The next biggest city, Los Angeles, with 3.92 million people, has only 46.27 percent of New York’s population.

The City’s current population of 8.49 million<sup>8</sup> is understated for two reasons. First, the decennial census disproportionately undercounts cities.<sup>9</sup> New York City is a prime example of this disproportionate undercount. Second, in addition to its residents, the City has the largest number of commuters (a net daily inflow of 608,654) and tourists (56.5 million per year) who come to work and to visit.<sup>10</sup>

Its large population drives up New York City’s budget. There are more people to serve. But far beyond this inherent upward pressure of more people, the City’s budget is disproportionately large.

	POPULATION	BUDGET
NEW YORK	8,491,079	\$78.3 BILLION
LOS ANGELES	3,925,864	\$8.2 BILLION
CHICAGO	2,722,389	\$10.1 BILLION

7 When the nation was founded and New York City was its capital, New York’s population (i.e., Manhattan’s) was 31,131. At that time, America’s most populous city was Philadelphia with 42,520 inhabitants. By 1810, Manhattan alone became America’s largest city. By 1900, two years after the 1898 merger that formed the City of New York, the aggregate population was 3,437,209. IRA ROSENWAIKE, *POPULATION HISTORY OF NEW YORK CITY* 16, 58 (1972).

8 U.S. Census Bureau, Population Division, Annual Estimates of the Resident Population for Incorporated Places of 50,000 or More, Ranked by July 1, 2014 Population: April 1, 2010 to July 1, 2014. Yearly estimates are based on the 2010 decennial census.

9 The most dramatic undercount is in cities, like New York, that are crowded and have lots of people for whom English is a second language, low literacy rates, relatively high rates of homelessness, and more high-rise buildings. See Thomas J. Billitteri, “Census Controversy” in *ISSUES IN RACE AND ETHNICITY* 51-74 (6th ed. 2013); Sam Roberts, *New York City’s Claim of a Census Undercount May Be Justified*, N.Y. TIMES (May 24, 2011), <http://www.nytimes.com/2011/05/25/nyregion/survey-suggests-census-undercounted-new-york-city.html>; Peter Skerry, COUNTING ON THE CENSUS? RACE, GROUP IDENTITY, AND THE EVASION OF POLITICS 80-134 (2000); U.S. Conference of Mayors, *The Fiscal Impact of the Census Undercount on Cities: A 34-City Survey* (1999), available at [http://usmayors.org/ced/census/census\\_findings.htm](http://usmayors.org/ced/census/census_findings.htm).

10 Appendix L, Twenty-Five Largest U.S. Cities by Population: General and Economic Information.

What beyond New York’s greater population drives up its budget? While the City’s budget reflects the population, complexity and scope of services provided by the City, there are some other factors that account for the size of the budget. The City bears the cost of programs and services that are not commonly the responsibility of cities across the nation. One major cause is that New York City encompasses five counties. As a result, there are no separate county governments within its territory, and the expenses customarily borne by county governments are the responsibility of the City. Thus, the City budget includes the expenses of the offices of the District Attorneys of Bronx, Kings, New York, Richmond, and Queens Counties, as well as the Legal Aid Society and other legal defender organizations. Likewise, the City is responsible for the support of the Public Administrators’ offices in the five counties.

Also included in the City budget are educational costs not usually borne by City governments. The City school district, unlike most other school districts, does not raise its own revenues. The City budget includes the cost of the Department of Education, as well as expenditures for higher education, principally the community colleges of the City University system. Pursuant to New York State law, New York City is also responsible for a large portion of the State share of Medicaid and other social service costs. This is not the norm among other states of the union. The City is also responsible for considerable support for public transportation provided by the state Metropolitan Transportation Authority.

## **b. Diversity**

The constant flow of diverse groups into New York City has been a major factor in population growth. The Dutch, the first European settlers of Manhattan (a name derived from its Native American inhabitants) and Brooklyn, were more open to diversity than other American colonies.<sup>11</sup> Ever since, New York City has been a center for immigrants from all over the world—immigrants of all ethnicities, religions, and countries of origin. New York City has also been a center for migrants from the rest of the nation, including African-Americans from the South<sup>12</sup> and Puerto Ricans. The City also benefits from a constant flow of job-seekers from the rest of the country and abroad.

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11 See RUSSELL SHORTO, *THE ISLAND AT THE CENTER OF THE WORLD* 26, 61, 64, 83, 85, 165, 300-04, 317-18 (2004).

12 In its early years, the City had some slaves and a few free blacks. By 1827, however, New York State had abolished slavery and by the time of the Civil War, New York City had more than 12,000 free black inhabitants. Brooklyn had an additional 4,999. ROSENWAIKE, *POPULATION HISTORY OF NEW YORK CITY*, *supra* note 7, at 32, 38.

Although there is much mixing of ethnicities and religions, the City is also a collection of neighborhoods where people of different origins cluster together.

The City has always benefited from a highly diverse population, but it also has often struggled with discrimination. Just a few examples: In 1863, in the middle of the Civil War, the City had five days of draft riots, in which 11 blacks were lynched and many more wounded.<sup>13</sup> In 1968, Brooklyn, Manhattan, and the Bronx were placed under the restrictions of the Voting Rights Act because English-literacy tests had discriminated against Spanish-speaking voters in those three boroughs.<sup>14</sup> In 1981, this led to a ruling preventing a new City Council from taking its seats—requiring reforms and then a second election.<sup>15</sup> In the 1980s, racial tensions were high, due, among other reasons, to a series of killings of African-Americans. In 2009, a federal court held the City’s system for hiring firefighters discriminated against African-Americans and Hispanics.<sup>16</sup> And, recently, there has been racial tension between those who oppose and those who favor various police actions.

But the City also has made steps forward. For example, minorities have been elected to all citywide elective offices, and to four of the five borough presidencies. As for the Council, after the 1989 Charter expanded it from 35 to 51 members, Council membership soon became about 50 percent minority.

### **c. Constant Change**

Its growth and its increasing mix of people are part of New York City’s constant change. Two other recurring themes are changes in the City’s economic engines and its physical appearance.

Initially, the City’s main economic engine was its being by far the biggest port for people to enter America and for goods to flow in and out. The City was blessed by its deep and large harbor, helped by Robert Fulton’s invention of steamships that first ran up the Hudson River, and then further helped by nineteenth century technology and imagination leading to the Erie Canal, which allowed goods to flow through the City to and from the Great Lakes region. Aided by its transportation advantages

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13 LESLIE M. HARRIS, *IN THE SHADOW OF SLAVERY: AFRICAN AMERICANS IN NEW YORK CITY, 1626-1863* at 279-88 (2003); Kevin McGruder, Op-Ed., *Black New York and the Draft Riots*, N.Y. TIMES OPINIONATOR (July 26, 2013, 10:31 p.m.), <http://opinionator.blogs.nytimes.com/2013/07/26/black-new-york-and-the-draft-riots/>.

14 *See* United Jewish Orgs. v. Carey, 430 U.S. 144, 148 (1977) (noting that the City of New York had become subject to section 5 of the Voting Rights Act).

15 *Andrews v. Koch*, 528 F. Supp. 246 (E.D.N.Y. 1981).

16 *See* U.S. Dep’t of Justice, *U.S. v. City of New York: Overview of the Case* (last updated July 28, 2015), <http://www.justice.gov/crt-fdny/overview>; *U.S. v. City of New York (FDNY)*, 637 F. Supp. 2d 77 (E.D.N.Y. 2009).

and by its large pool of workers, New York City also became a center for manufacturing. But then the development of other ports and air travel lessened the City's harbor advantage, although when combined with New Jersey's part of the harbor, New York is still the second largest port in North America (with Los Angeles/Long Beach being the largest). And manufacturing jobs also began to diminish.

But the City has frequently changed and fostered additional economic engines, including becoming a center for finance, law, publishing, higher education, nonprofits, retail, and tourism, as well as theatres, museums, concert halls, and restaurants. The City is also increasingly becoming a center of the growing tech sector.

The physical face of the City is also constantly changing. New buildings with new architecture constantly sprout up as old buildings are torn down. Huge new parks in Manhattan and Brooklyn led the way for urban open space. Unlike renowned older cities such as Florence, Italy, which largely stay the same as a living museum of their former greatness, New York City constantly renews itself. New construction has become an added economic engine. Yet physical change also gave rise to another City innovation—a Landmarks Preservation Law, and a commission to enforce the preservation of unusually beautiful, historic, and culturally significant structures and districts.

#### **d. A Powerful Mayoralty**

New York City has an extremely powerful mayoralty and its mayors have responsibilities far beyond other cities.<sup>17</sup> This is shown by the extent to which the City's \$78 billion budget is much larger than other cities—more so than would be suggested by the population differences. It is also shown by the enormous number of employees who work for the City.

#### **e. Domination by a Single Party**

Except for several elections for mayor and elections in Staten Island, the City can properly be characterized as a one-party town. The Democratic Party dominates.<sup>18</sup> Historically, there have been attempts to alter this, but they have had little impact.<sup>19</sup> At the time of the 1989 Charter changes,

17 Section 3a below describes the wide responsibilities and many duties of mayors in recent years. This wasn't always true. For example, the 1902 Charter revision, just four years after the creation of today's New York City, reduced the mayor's power and added to the power of borough presidents. But, in the years thereafter, through several charter changes, and changes in state law, the mayor's power has increased substantially.

18 Third parties such as the Working Families Party and the Conservative Party have some influence on nominations and elections.

19 For example, in the late 1930s and early 1940s the City tried proportional representation for the City Council. The resulting increased political diversity included Communists which was a factor leading to repudiation of proportional representation. Then, for a few years in the 1970s and 1980s, the City tried having each borough be represented on the Council by two at-large members from a different party. This fell as a result of the Constitution's one-person, one-vote requirement because, for

the Minority Leader of the City Council led only herself. When the Charter expanded the Council from 35 to 51 members, its principal aims were to increase opportunities for minorities to get elected and bring all Council members closer to their constituents.<sup>20</sup> But an additional aim was to add to competing ideas by increasing opportunities for more Republicans to get elected.<sup>21</sup> This led to the number of Republicans going from one to seven. But today this number is back down to only three.

#### **f. The Significance of These Factors to the Structure of City Government and the Duties and Responsibilities of Its Elected Officials**

A large population and great diversity mean more responsibilities for elected officials. In addition, given an unusually powerful mayor and a largely one-party town, it is valuable to have additional elected officials to provide competing ideas and additional oversight.

The extent of change in New York City is one of many factors supporting the need for planning as an important responsibility of City government officials. Three examples are planning for climate change, refreshing the City’s current economic engines, and seeding new ones. Planning is particularly hard to do in government where immediate crises tend to block out thinking about the future.<sup>22</sup>

A city of multiple neighborhoods and five large boroughs makes elected officials responsible for concerns on the neighborhood and borough level as well as the City as a whole. A diverse City, with both failures and successes in addressing diversity, requires elected officials to understand and respect the concerns and needs of all New Yorkers and all New York City neighborhoods.

In the next section, we set out a number of other broad responsibilities of the City’s elected officials beyond their statutory duties.

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example, it gave an extra two seats to both Brooklyn and Staten Island despite Brooklyn’s vastly greater population. *Andrews v. Koch*, 528 F. Supp. 246 (E.D.N.Y. 1981).

This was the same defect that led to the fall of the Board of Estimate. *Board of Estimate v. Morris*, 489 U.S. 688 (1989). For a discussion of the legal—and substantive—deficiencies of the Board see S & L 765-74. Two centuries before the elimination of the Board of Estimate, Alexander Hamilton, in *Federalist No. 70*, foresaw those substantive deficiencies by presenting a powerful case against having “plurality in the executive.” *THE FEDERALIST NO. 70*, at 423-31 (Alexander Hamilton) (Clinton Rossiter ed., 1961).

20 S & L, *supra* note 4, at 786-91.

21 *Id.* at 747-48.

22 This constant problem was expressed in a joke about City government when the *New York Post* was an afternoon newspaper: “Planning is thinking about this afternoon’s *Post* and long-term planning is thinking about tomorrow morning’s *New York Times*.”

## 2. Abilities Required of City Elected Officials Beyond Their Legally Mandated Duties and Responsibilities

New York City law requires us to consider the duties of public officials when valuing each elected office. We do that in several places, but the legally prescribed duties of elected officials do not come close to capturing the full extent of the talents needed by elected officials. The public expects more skill from the City’s elected officials than any charter or law specifies. These broader skills include:

- Elected officials should be good listeners and also good speakers, able to explain their policies to the people and able to empathize with the concerns of the people.
- They should be able to respond to crises, both by taking short-term steps and by devising longer term preventive actions.
- They should be able to uplift the spirit of the City. Examples are Mayor Fiorello La Guardia during the Great Depression; Mayor Ed Koch after the fiscal crisis; and Mayor Rudy Giuliani after 9/11.
- They should recognize and respect the importance of scrutiny and understand that, however difficult it may be at times, they (and the City) benefit from scrutiny by the media, by public interest groups, and by other elements of City government.
- They should have the wisdom and sensitivity to identify and address fundamental social problems such as racial and ethnic tensions, economic inequality, and the feeling of the “outer boroughs” that “the City” (or Manhattan) gets a disproportionate share of attention and money.
- They should be fiscally responsible. They should be both careful and creative in spending money that is available.
- They should consider the future and address the present.
- They should be committed to clean government and support open government.
- In selecting and managing their staffs, elected officials should be good judges of people, good managers, and good leaders. Tough, and also inspiring.

- Finally, elected officials should be able to lead in ways that make all elements of the City feel valued and respected: every community and ethnic group; all races, ethnicities, and religions; gay and straight; the young and the old; citizens and immigrants; residents, commuters, and tourists; rich and poor; the homeless and captains of industry; businesses and non-profits; the healthy and the sick; crime victims and prisoners; tenants and landlords; pedestrians, subway riders, bicyclists, and drivers; museums, theatres and restaurants; the City worker and those whose lives they touch; and neighborhoods, boroughs and the City as a whole.

It is only government whose duty it is to respond to such a wide array of interests. Elected officials must hear and understand the cacophony of voices, and then act to balance them all in a symphony serving the greater good and the City as a whole.

### 3. Legally Mandated Duties and Responsibilities

We start with the offices of mayor and council member, which together make policy determinations by passing the budget and enacting laws. Sometimes mayors take the lead and the Council reacts and modifies. But the Council has ultimate power over the budget and can pass laws over a mayor's veto.<sup>23</sup> The Council also holds hearings on the budgets of City agencies, and, throughout the year, holds hearings on their operations. Unlike the current system in Washington, the relationship in New York City between the legislative branch and the executive branch functions effectively, generally as a partnership.

The Comptroller and Public Advocate are, like the Mayor, elected citywide. While of vastly different size, the two offices also have a watchdog responsibility for the operation of City agencies. In addition, among other roles, the Comptroller has special responsibilities for New York City's finances and enormous pension funds. The Comptroller is also required to audit all City agencies.

The District Attorney and Borough President offices are vastly different in size and responsibilities. The District Attorneys' mission of safety and justice is mostly paid for by City government but is independent of City government. Nonetheless, District Attorneys work closely with elements of City government like the Police Department.

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23 A recent example was in 2013 when the Council passed a law providing for an Inspector General for the Police Department over the Mayor's veto. J. David Goodman, *Council Reverses Bloomberg Veto of Policing Bills*, N.Y. TIMES (Aug. 22, 2013), <http://www.nytimes.com/2013/08/23/nyregion/council-overrules-bloomberg-on-police-monitor-and-profiling-suits.html>.

As in any democracy, as indeed any enterprise, the quality of leaders can vary at any time or over time. Some do a great job. Some not so great. But, as we said earlier, our job is not to evaluate particular office holders, but to value the offices. In a democracy, it is elections that are central to evaluating particular office holders.

The number of employees in each office varies widely.<sup>24</sup>

OFFICE	NUMBER OF EMPLOYEES
MAYOR	300,941
COUNCIL	657
COMPTROLLER	725
PUBLIC ADVOCATE	46
BOROUGH PRESIDENT (AVERAGE)	53
DISTRICT ATTORNEY (AVERAGE)	826

### a. The Office of Mayor

New York City’s mayoralty is a multifaceted job with vast responsibilities. The breadth and variety of mayoral responsibilities is illustrated by the 56 mayoral agencies and 300,941 people they employ. These are set forth in Appendix H arranged by number of employees. The Mayor also appoints 1,483 people to more than 150 boards and commissions.<sup>25</sup>

In addition to being responsible for the quality of the people appointed, a mayor has various other duties with respect to City departments. Each year’s budget prepared by the mayor requires choices for funding each agency—all of whom are likely to have suggestions for how they could do more. Moreover, in connection with budgets, mayors are ultimately responsible for assuring the City’s budget is balanced, as by law it must be. In this connection, mayors have a power held by neither the President of the United States nor the Governor of New York. Mayors have the absolute power

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24 The number of employees for the mayor’s office includes full-time and full-time-equivalent employees in all mayoral agencies.

25 Appendix I, List of NYC Mayoral Appointments to Boards and Commissions.

to decide upon revenue estimates for the City for each year.<sup>26</sup> In both the U.S. government and New York State government, Congress or the state legislature can use<sup>27</sup> a different revenue estimate than the executive branch (invariably adding to expenditures). (Of course, the national government does not have to have a balanced budget.)

Throughout the year, mayors also have to deal with problems and crises in most agencies and New York City as a whole. Some are sudden. Others take a long time coming. Is crime up and what can be done about it? What about conditions in City jails? When there is a new health crisis—AIDS in the 1980s or Ebola recently—what steps can and should the City take? What steps can be taken in response to climate change? And what did Hurricane Sandy teach about protecting the subways against danger from flooding? What can be done about traffic safety? Should a major class action lawsuit seeking to change City policies be settled? Should the property tax be raised, lowered, or kept the same? Should the police force be expanded? How can the City improve police relations with the community, and how can it best respond to the threat of terrorism? What about early childhood education or de facto school segregation? How should officials respond to public emergencies—strikes, gas explosions, snowstorms? How does the City house the homeless and provide affordable housing amid gentrification?

In addition to addressing the constant flow of such questions, a mayor needs to focus all the time on possible policy improvements that might be addressed by legislation, which either a mayor or the City Council might propose. Mayors regularly propose new laws. When the Council passes a law (either one a mayor proposed or one the Council initiated), a mayor can either sign it or veto it. If vetoed, the Council can override the veto by a two-thirds vote.

Mayors must propose a capital budget relating, for example, to infrastructure projects, repair projects, land purchases, and public improvements. The capital budget includes such things as buying garbage trucks, building schools, and repaving streets. Apart from capital projects, mayors constantly are required to think about and propose actions concerning the future of the City and its people.

A mayor is also responsible for the City's relationships with its line workers by collective bargaining and by setting the pay of managerial employees.

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26 S & L, *supra* note 4, at 838-40.

27 Subject to veto.

Of course, for all these matters, a mayor benefits from the skill and wisdom of City Hall advisors and of key people in the line agencies, as well as generalists in, for example, the Office of Management and Budget and the Corporation Counsel’s office. But apart from the responsibility to appoint good people, a mayor must constantly make specific decisions that are aimed at keeping the City’s huge government running well.

Beyond all these relatively concrete tasks, a mayor should focus on all the added vital responsibilities that come with the job, such as those described above in the section on “Abilities Required of City Officials Beyond Their Legally Mandated Duties and Responsibilities.”

In parliamentary systems, there is both a prime minister—the leader of government—and a head of state, labeled either as president or monarch. In the U.S. system, the two roles are combined. The country’s President and the City’s Mayor both have the dual role of leader of the government and head of state. Because of the presence of the United Nations and New York City’s general reputation in the world, the City’s mayor has a ceremonial role akin to a head of state—to entertain, to greet, and to plan for visits like the recent one of Pope Francis.

In addition to all the work that relates to running the government and planning for its future, mayors also appoint members to more than 150 boards and commissions. These range from the City Planning Commission, the Health and Hospitals Corporation, the Board of Health, the Taxi and Limousine Commission, the Commission on Human Rights, and the Metropolitan Transportation Authority, to the boards of the City’s cultural institutions and more specialized entities established to deal with specific problems.<sup>28</sup>

In addition, mayors appoint judges of the Family Court, the Criminal Court, and interim judges of the Civil Court. Mayors have an advisory committee of distinguished lawyers to vet and suggest a number of nominees; mayors then conduct interviews and make selections. The number of appointments each year depends on the number of vacancies. So far this year, the Mayor has made five appointments to the Criminal Court, twelve appointments to a newly expanded Family Court, and four interim Civil Court appointments, with additional judicial appointments expected to be made by year’s end.

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28 See Appendix H, NYC Mayoral Agencies and Headcounts, and Appendix I, List of Mayoral Appointments to Boards and Commissions, for the full range of mayoral appointments.

The powers and responsibilities of the City’s mayor have grown for many decades.<sup>29</sup> Since the creation of Quadrennial Advisory Commissions, the City Charter changes in 1989 conferred on mayors responsibility for millions of dollars of City procurements and added other responsibilities for mayors.<sup>30</sup> In 2002, the State Legislature conferred on mayors oversight of the City’s sprawling Department of Education.

## **b. The Office of City Council Member**

In the Federalist Papers, James Madison said “the legislative authority necessarily predominates” in a democracy.<sup>31</sup> For a long time, however, New York City’s legislature—called the City Council since 1936—neither predominated nor got passing marks. Sayre and Kaufman’s 1960 classic book on City government, *Governing New York City: Politics in the Metropolis*, referred to the Council as an “empty form,” with “modest achievement,” characterized by “an abundance of trifles” and “inertia and docility,” adding that:

“ Though the comment of one wag that the chief activity of the Council is naming streets is certainly unnecessarily ungenerous, there is just enough truth in this hyperbole to give it some sting. The legislative record of the City Council has certainly not been distinguished. Nor is its record as a guardian of the public purse.”<sup>32</sup>

Henry Stern, a former Manhattan “at large” member of the Council in the 1970s and 1980s, and former Parks Commissioner, quipped that the Council was not even a rubber stamp because “a rubber stamp leaves an impression.”<sup>33</sup>

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29 See p. 10-12 above.

30 See S & L, *supra* note 4 *passim*; Transcript of Public Hearing of the N.Y.C. Quadrennial Advisory Comm’n 18, 23-24 (Nov. 23, 2015) (testimony of Dick Dadey). See also The N.Y. EDUC. LAW § 2590-h.

31 THE FEDERALIST NO. 51, at 320 (James Madison) (Clinton Rossiter ed., 1961) (Madison used the words “republican government” which was the way the Framers referred to our democracy).

32 WILLIAM S. SAYRE & HERBERT KAUFMAN, GOVERNING NEW YORK CITY: POLITICS IN THE METROPOLIS 613 (1960).

33 Editorial, *Vallone Class of Dem Field*, N.Y. DAILY NEWS (Sept. 8, 1998), <http://www.nydailynews.com/archives/opinions/vallone-class-dem-field-article-1.818329> (quoting Henry Stern).

While exaggerated and snarky, these comments had a germ of truth about a body which historically did little and “seemed to see its role as a junior partner of the mayor.”<sup>34</sup> Procedurally, the old Council was also not enlightened. For example, before 1974, members were not even required to vote in person, being allowed simply to give the leader their proxy.<sup>35</sup>

The situation is different today. As a formal matter, the Council still passes laws and conducts oversight. But it became a more able body with a sense of its representative obligations and policy-making responsibilities. This started with Peter Vallone being elected as Council leader in early 1986, was accelerated by the 1989 Charter changes, and has continued in the twenty-first century. Under Vallone’s leadership, for example, the Council enacted two landmark laws. One was the Gay Rights Law, which put New York City at the forefront of the nation in preventing discrimination based upon sexual orientation. The other was the City’s Campaign Finance Law which again led the way nationally in limiting campaign contributions and providing matching funds based on small contributions from ordinary citizens (as opposed to huge donations from special interests and the wealthy).<sup>36</sup> The Council’s annual reviews of the City budget had become “much more focused on basic City needs than the Board of Estimate.”<sup>37</sup> Vallone also strengthened the Council by employing more, and more skilled, staff members, which of course was a factor in the Council’s greater skill and sophistication on budget review, legislation, and oversight.

While the City Council took important strides forward under Vallone, before 1989 its powers were still limited and its work was still insufficiently transparent. The 1989 Charter changes addressed both issues. Charter change was required in 1989 because the City’s Board of Estimate had been held unconstitutional as violating the U.S. Constitution’s one-person, one-vote requirement.<sup>38</sup> Once this was done, a host of other changes were necessary, resulting in the most extensive changes to New

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34 S & L, *supra* note 4, at 781.

35 Alan Finder, *City Council Wakes Up But Still Lags*, N.Y. TIMES (Jan. 29, 1988), <http://www.nytimes.com/1988/01/29/nyregion/city-council-wakes-up-but-still-lags.html>; BRUCE F. BERG, NEW YORK CITY POLITICS: GOVERNING GOTHAM 215 (2007).

36 N.Y.C. LOCAL LAW NO. 2 of 1986 (amending the Human Rights Law to make “sexual orientation” a protected class); N.Y.C. LOCAL LAW NO. 8 of 1988 (the New York City Campaign Finance Act). The Council has continued to devise and pass laws that improved the Campaign Finance Law. Twice the Council changed the match first from 1 to 1 on the first \$1,000 to 4 to 1 on the first \$400, and later to 6 to 1 on the first \$175. N.Y.C. LOCAL LAW NO. 48 of 1998, §7(b) (4 to 1 matching); N.Y.C. LOCAL LAW NO. 67 of 2007, § 11 (codified at ADMIN. CODE §3-705(2)(a)) (6 to 1 matching). The result of these changes was to substantially increase the importance of small donors. The Council also passed laws improving the administration of the law.

37 S & L, *supra* note 4, at 782.

38 The Board gave two votes to each citywide official and one to each borough president. It was that which violated one-person, one-vote by giving, for example, Brooklyn and Staten Island an equal vote. *Board of Estimate v. Morris*, 489 U.S. 688 (1989).

York City government since the City’s 1898 consolidation. The decision to empower and expand the Council was the 1989 Commission’s most important decision after eliminating the Board of Estimate.<sup>39</sup>

The Board of Estimate’s very existence, and the public attention it garnered, had smothered the Council. Terminating the Board freed the Council. But the 1989 Charter also substantially increased Council powers. For the budget, the City Council became the sole partner with the mayor in enacting it. For the first time, the Council also had powers over the City’s land use policies and decisions. Zoning changes, which are inherently legislative, now were for the Council to enact with the mayor. In addition, through various procedural devices, the Council after 1989 gained power to address specific land use decisions.

In addition to empowering the Council, the 1989 Charter expanded it from 35 to 51 members. The principal aims of the expansion were to bring council members closer to their constituents and to increase opportunities for minorities to seek and win office. Both happened. The Council became, and now is, representative of the City as a whole. This made it a more legitimate body. Expansion thus helped further empower the Council.

The Council also has become more open about its work. Prior to 1989, the Council had been “sloppy, at best, about fostering opportunities for public observation and participation.”<sup>40</sup> Since then, reasonable notice of all Council and committee meetings is required; and votes and transcripts of all Council meetings and all committee hearings are all available. While a strong Speaker is necessary, Council members have been given some more ability to affect the Council’s agenda.<sup>41</sup>

These procedural improvements have continued, and the extent of the Council’s substantive work has also grown. These points are developed further below in Part F, pages 57-58, where we discuss the significance of a December 3, 2015, letter from Council Speaker Melissa Mark-Viverito.

In addition to occasionally checking executive power by passing laws over the opposition of the government’s chief executive, legislatures also can serve to check—and improve—executive departments by holding oversight hearings. Here, the Council has greatly increased the volume of such hearings.

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39 S & L, *supra* note 4, at 776.

40 *Id.* at 803.

41 *Id.* at 800-803. Additional changes making the Speaker more accountable to the members were made in the twenty-first century. See BERG, NEW YORK CITY POLITICS, *supra* note 35, at 212-43. *See also* pp. 55-58 below.

Whether one favors or opposes any particular laws passed over mayoral opposition, having a legislature that is willing and able to disagree with a powerful chief executive reflects one of the most basic tenets of American democracy: checks and balances.

Beyond their law-making and oversight roles, Council members have a representational role—listening to and aiding the residents of their districts. This can add to the insight a particular Council member brings to deliberation about laws and budget questions as well as to particular subjects emphasized in oversight hearings. Also, because their districts are much smaller than those of other elected officials, Council members have a special responsibility to help their constituents in dealing with the City bureaucracy.

Term limits for all New York City officials (two consecutive terms or eight years), which were adopted by referendum in 1993, have a significant impact on the City Council. When, in the aftermath of the Great Recession, Mayor Michael Bloomberg sought a third term, in 2009, the law was amended by the Council to grant him the chance to win a third term. Later, all elected officials in office at the time of the Bloomberg exception were awarded three terms.<sup>42</sup> But, the limit to two consecutive terms remains and will cover everybody elected in 2013 and beyond.

At the start, term limits helped make the Council stronger. In 1993, there had been some members on the Council who had served for a very long time. Some were no longer effective. The initial impact of term limits, coupled with the Council's expansion to 51 members, also helped make the Council a more diverse body. However, while a two-term limit may be healthy for the executive branch, a limit to two terms generally weakens a legislative body. It unbalances the relationship between mayors and Council.<sup>43</sup> A new mayor coming into office has a huge array of extremely competent and well prepared advisors. In contrast, a new Council member does not have the same extent of support. A two-term limit for legislators also empowers bureaucrats and special interests. Finally, with respect to the Speaker of the Council, a two-term limit assures, as a practical matter, that service will be limited to one term. That is difficult for a legislative body.

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42 N.Y.C. CHARTER, §§ 1137-38 (2004) (codifying the 1993 Term Limits Law); N.Y.C. LOCAL LAW NO. 51 of 2008 (amending N.Y.C. CHARTER, §§ 1137-38 to limit office holders to not more than three full terms); N.Y.C. CHARTER, § 1138 (2013) (limiting office holders to not more than two consecutive terms).

43 *See e.g.*, Transcript of Public Hearing of the N.Y.C. Quadrennial Advisory Comm'n 23-24 (Nov. 23, 2015) (testimony of Dick Dadey).

## (i) The Issues of “Full Time” and “Lulus”

Two questions relating to compensation are unique to the City Council. First, should the job of City Council member be classified as “full time,” as is the case for all other elected City officials and high-level City-government employees?<sup>44</sup> Second, should the practice of extra payments to Council members for chairing a committee or being a member of leadership be eliminated? (These payments are characterized in the Charter as an “allowance”<sup>45</sup>; they are commonly known as “lulus” for payments in lieu of . . . something.)

The Charter specifically authorizes Quadrennial Commissions to examine the full time issue.<sup>46</sup> Lulus obviously are part of the compensation of Council members.

Today, 47 of the 50 Council members<sup>47</sup> are entitled to receive lulus.<sup>48</sup> (Of the 47, 11 decline the payment). The total amount now authorized each year for lulus is \$472,000.<sup>49</sup> Today, only a few Council members have an outside job such as practicing law.<sup>50</sup> The overwhelming majority already work full time.

To understand today’s questions about “full time” and “lulus,” it is again necessary first to look at history. Government in early America was very different from today. Even in the executive branch, George Washington’s Attorney General practiced law on the side.<sup>51</sup> Government was smaller and much less complex. Legislatures met infrequently, sometimes just once every two years. So it was

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44 See N.Y.C. CHARTER, § 1100 (providing that every elected official, “except council members,” shall “give whole time to the duties of the office and shall not engage in any other occupation, profession or employment”). The rule also covers heads of City departments. A series of opinions by the New York City Corporation Counsel have construed the provision, on a case-by-case basis, not to ban outside activities that do not require a substantial amount of time, such as serving on the board of a not-for-profit corporation that has no business contacts with the City, teaching a course, writing, lecturing or similar activities. See, e.g., N.Y.C. CORP. COUNSEL OP. NO. 13-81, 1981 NYC Corp. Counsel LEXIS 40.

45 N.Y.C. CHARTER, § 26(b).

46 N.Y.C. CHARTER, § 26(c).

47 There are fifty-one seats on the City Council, but one is currently vacant.

48 See Appendix F, Current New York City Council Budgeted Allowances (“Lulus”).

49 N.Y.C. COMM. NO. M 0013-2014; N.Y.C. RES. NO. 0407-2014; N.Y.C. RES. NO. 0766-2015; N.Y.C. RES. NO. 0795-2015.

50 The Commission reviewed the Conflicts of Interest Board 2014 Electronic Financial Disclosures for each City Council member. Nine members responded “yes” to the question “Did you have any non-City employment or engage in any business during 2014?” Six of the nine reported less than \$48,000 of income from non-City employment or business, with most of them reporting less than \$1,000.

51 See George Washington to Tobias Lear, April 12, 1791, in PRESIDENTIAL SERIES, ed. Mark A. Mastromarino, vol. 8, *The Papers of George Washington* (1999), 85. See also Edward Lawler Jr., “Washington, the Enslaved and the 1780 Law,” PRESIDENT’S HOUSE IN PHILADELPHIA, <http://www.ushistory.org/presidentshouse/slaves/washingtonand8.htm> (last visited Dec. 7, 2015).

natural—as well as common—for legislators to have other jobs. Similarly, paying an extra allowance to a few legislators who did have greater and more time-consuming responsibilities was not surprising when the norm was for relatively little work.

These traditions did not change for a long time. For example, it was not until 1936 that City elected officials (other than Council members) were first required to give full time to their City job.<sup>52</sup>

As for legislative service, it also became clear in later years that it was evolving from the practice in early America. For example, a 1975 report prepared by the Urban Analysis Center at the City University of New York indicated that the general “tradition” of part-time legislatures had arisen in the past “because legislative service typically lasted only a few months during each (or alternate) calendar year.”<sup>53</sup>

Now the Council, as most other legislatures in the United States, meets through the year. And in the decades since 1975, the number of City Council legislators who have another job has gone steadily down until today there are only nine.

History is also relevant in considering lulus. For example, in 1960 in New York City, only four Council members got extra allowances: two (of twelve) committee chairs, and the Majority and Minority Leaders.<sup>54</sup> But, in today’s City Council, virtually every member is entitled to a lulu: 47 of the 50 current members. Today in the Council there are 37 committees and 6 subcommittees; every committee chair (and every subcommittee chair) is eligible for a lulu of at least \$8,000, with two getting \$15,000. Leadership positions (of whom there are now eleven) range from a high of \$25,000 (for the Speaker) to a low of \$5,000 (for the Minority Whip). The six Deputy Leaders, all of whom also chair a committee, are each eligible for \$15,000 extra.<sup>55</sup> Eleven members who are entitled to get lulus decline the extra pay.

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52 N.Y.C. CHARTER, § 881 (1936) (“Every head of a department or elected officer except councilmen who receives a salary from the city shall give his whole time to his duties and shall not engage in any other occupation, profession or employment.”).

53 URBAN ANALYSIS CENTER IN THE OFFICE OF POLICY AND PROGRAMS, CUNY GRADUATE SCHOOL AND UNIVERSITY CENTER, *THE CITY COUNCIL OF NEW YORK AND THE PRESIDENT OF THE CITY COUNCIL* 70-73 (1973).

54 SAYRE & KAUFMAN, *GOVERNING NEW YORK CITY*, *supra* note 32, at 607-08.

55 N.Y.C. COMM. NO. M 0013-2014; N.Y.C. RES. NO. 0407-2014; N.Y.C. RES. NO. 0766-2015; N.Y.C. RES. NO. 0795-2015.

Lulus are uncommon elsewhere in the nation, except for leadership. Extra money for leadership in, for example, Congress is, however, part of statutory base salary, not a “lulu.” Some legislatures elsewhere are required to be full time. Others are not. Whatever the case elsewhere, the job of a New York City Council member today in fact requires “full time” attention.

## (ii) Our Recommendations With Respect to Full Time and Lulus

Our recommendations are that:

1. Council membership should be classified as a full-time job as it is for all other City elected officials; and
2. Extra pay for doing part of the job (i.e., lulus) should be eliminated.<sup>56</sup>

The two recommendations are logically linked. Being a Council member already is, and should be formally recognized as, a full-time job. Because it is a full-time job it is anomalous to pay extra for doing part of the job. The two recommendations are also historically linked. When legislatures seldom met, obviously legislators could, and did, have other jobs. When a legislature was, by definition and in actuality, part-time, it was not strange that the few legislators who did a lot of extra work were paid more. However, all this is history. Today’s reality is different.

Of course, it is useful to have elected officials bring a variety of life experiences to their public jobs. Abraham Lincoln was a lawyer; George Washington and Dwight Eisenhower were generals; Barack Obama was a community organizer and a constitutional law professor; Michael Bloomberg was a businessman. However, to bring the benefit from one’s life experience in one job does not mean you should continue that job while you pursue another difficult and time consuming job that serves all the people.

Some argue that part-time work as a Council member continues the tradition in the United States of “citizen legislators.” But that tradition was tied to the practice of legislators working only sporadically. And, as just noted, being elected as a legislator does not blot out earlier life experiences.

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<sup>56</sup> Because of the unique nature of the job of Council Speaker, we do recommend that there be a larger salary, set by law, for the Speaker. (See pp. 58-59 below).

Citizens, who elect public officials, are entitled to full-time service from those public officials. There is, in fact, never enough time to focus on the hard questions of governing. We want Council members to focus on the hard questions of devising and changing laws and to work hard at preparing for and carrying out productive legislative hearings. It is hard to do such hearings well because to be done well, members must not just expose or castigate (though that can be necessary at times). A productive legislative hearing should also lead to understanding, explanation, and reasoning together with agency witnesses to seek more efficient, productive, and fair results.

Doing all these tasks, and doing them well, benefits from full-time attention.

Our full-time recommendation is not a criticism of the few Council members who now have other jobs.<sup>57</sup> For as we said much earlier in this report, our job is not to evaluate individual officeholders, but to value each elected office. Classification as full time recognizes the reality and the difficulty of the elected office of Council member. Moreover, ending the distinction on the subject of full time between Council members and all other City elected officials would add to the stature of the Council as an institution.

Lulus—for which 47 of the 50 current members of the Council are now eligible—no longer make sense when the job requires full-time work for everybody. In addition, the stature and reputation of the Council as an institution will be enhanced by dropping lulus. While granting or ending an individual lulu can be used as an inducement or punishment to strengthen Council leadership, the use of money for that purpose is inappropriate. Being a committee chair is itself a prestigious and influential role important to Council members, without regard to lulus. The lulu system also is inconsistent with government transparency, leaving an inaccurate impression of the actual pay of a Council member. Today, for example, it literally would be accurate to state publicly that a Council member's salary is \$112,500. But, given the added lulu, that would be misleading, or, as Citizens Union witness Dick Dadey put it, a “backdoor way” of adding to compensation.<sup>58</sup>

Eliminating lulus and formally classifying the job of Council member as full time would both also enhance the reputation and status of the Council.

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57 Assuming the Commission's position on full-time is accepted, City Council should consider whether to grandfather, for the current term of office, those members who already have non-City employment or business.

58 Transcript of Public Hearing of the N.Y.C. Quadrennial Advisory Comm'n 29 (Nov. 23, 2015) (testimony of Dick Dadey).

The 2006 Quadrennial Commission used hortatory words to suggest the linked issues of full-time classification and lulus should be addressed.<sup>59</sup> However, their actual recommendations did not link their pay recommendations concerning the Council to change in either full-time classification or lulus. Our recommendations on increases in Council pay are conditioned upon, and inseparable from, the change to full-time classification and the elimination of lulus.

### **c. The Office of Comptroller**

The Comptroller is the City's chief financial officer. The Comptroller keeps the City's accounts, advises the Mayor and the Council on the City's financial condition, and comments on and critiques the City's fiscal policies and financial transactions. The Comptroller may audit and investigate all matters relating to or affecting the City's finances. More specifically, the Comptroller protects public funds by conducting audits of vouchers and financial transactions, and acts as a check on City agencies by conducting audits of their operations and programs to determine whether the operations and programs are being conducted efficiently and economically and achieving the desired goals, results, and benefits.

The Comptroller also has the power to settle and adjust all legal claims involving the City. Contracts entered into by City agencies are not effective until they have been submitted to and registered by the Comptroller. The Comptroller is custodian of the funds of the City's pension systems and is investment advisor to the systems.<sup>60</sup>

The size of the City's pension fund is huge: \$157.8 billion.<sup>61</sup> The City's budget of \$78.5 billion is by far the biggest of any American city and bigger than 45 of the 50 states.

The City Comptroller also has a host of fiscal obligations and responsibilities specified under State Law.<sup>62</sup>

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59 See, e.g., ADVISORY COMM'N FOR THE REV. OF COMPENSATION LEVELS OF ELECTED OFFICIALS, REPORT AND RECOMMENDATIONS 22-23 (2006).

60 The Comptroller appoints two of five members of the Procurement Policy Board, (N.Y.C. CHARTER, § 311(a)), serves on the Audit Committee along with the Mayor, the Public Advocate and recommends to the Mayor two of the committee's four private members (N.Y.C. CHARTER, § 97(a)), and the Comptroller, Mayor and Commissioner of Finance constitute the Banking Commission, which selects the City's depository banks (N.Y.C. CHARTER, § 1524(1)). The Comptroller also is a member of the Franchise and Concessions Review Committee (N.Y.C. CHARTER, § 373(a)).

61 N.Y.C. Comptroller, *City of New York Asset Allocation As Of August 31, 2015* (Sept. 23, 2015), <http://comptroller.nyc.gov/wp-content/uploads/2015/11/Exec-Summary-Pie-Chart-August-2015-09-23-15.pdf>.

62 See N.Y. OFFICE OF INTERGOVERNMENTAL RELATIONS, COMPTROLLER OF THE CITY OF NEW YORK: POWERS AND DUTIES UNDER NEW YORK STATE LAW (2003), available at [https://comptroller.nyc.gov/wp-content/uploads/2013/06/ComptrollerStateLaw\\_duties.pdf](https://comptroller.nyc.gov/wp-content/uploads/2013/06/ComptrollerStateLaw_duties.pdf).

As an independently elected chief financial officer, the Comptroller also is meant to serve as a check on the mayoralty, providing an alternative voice on policy questions relating to fiscal matters. At the same time, the Comptroller is part of the City team that is responsible for monitoring the City's budget and for keeping the City fiscally responsible and strong.

The Comptroller's 725 employees are divided into a number of bureaus. Some relate to the Comptroller's internal affairs such as a counsel's office and a press office. Others reflect specific duties of the Comptroller including Audit, Asset Management, Budget, Contract Administration, Economic Development, Labor Law, Law and Adjustment, and Public Finance.

With the elimination of the Board of Estimate in 1989, the Comptroller lost its two votes on the budget, as well as on particular land use and contract decisions. After 1989, however, the Comptroller's duties were increased in two respects. First, with respect to audits, the Comptroller was required to audit every City agency at least once every four years.<sup>63</sup> In addition, the breadth of the Comptroller's audit powers was clarified and enhanced by making clear that there was power, and thus the obligation, to audit any agency the majority of whose members were appointed by City officials.<sup>64</sup> Also, with respect to all audits, the Comptroller's obligations were increased by requiring an annual report to the Mayor and Council describing all major audits and what corrective actions had been recommended and taken.<sup>65</sup>

Since 2013, the Office of Comptroller has released more than 150 audits of City agencies. The audits touch on many issues relating to agencies' efficiency and responsiveness to important public matters. Among those released this year alone were audits of the Department of Education's controls for ensuring high school graduates have met graduation requirements, the Department of Health and Mental Hygiene's follow-up on Health Code violations at restaurants in the City, the Commission on Human Rights' processes and timeliness in handling complaints alleging violation of the City's Human Rights Law, and the Department of Education's handling of teacher misconduct and incompetence complaints.

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63 N.Y.C. CHARTER, § 93(c); S & L, *supra* note 4, at 817.

64 This made clear that the Comptroller should audit the Board of Education even though it was an agency created by state law. See N.Y.C. CHARTER, § 93(c); S & L, *supra* 4, at 817 n193.

65 N.Y.C. CHARTER, § 93(f). See S & L, *supra* note 4, at 817.

Of course, the Comptroller often has to rely on expert internal advisors and external consultants. However, the Comptroller is responsible for the ultimate results, as well as for the quality of the employees hired and the consultants selected.

#### **d. The Office of Public Advocate<sup>66</sup>**

In the event of a vacancy in the mayor’s office due to resignation, removal, death or permanent disability, the mayor’s powers and duties temporarily devolve upon the Public Advocate until a new election is held, at a date that depends on when the vacancy occurs.<sup>67</sup>

As an independently elected citywide official, the Public Advocate helps meet the City’s need for checks and balances and provides an additional opportunity for all of the City’s diverse populations to compete for public office.

The office is small, having only 46 employees.<sup>68</sup> It functions as a sort of ombudsman addressing concerns expressed by individual New Yorkers. As Gene Russianoff of the New York Public Interest Research Group put it, the public advocate is “a place that people can go to that can’t go to other levels, other individuals in government.”<sup>69</sup>

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66 Until 1994, the Public Advocate was called the President of the City Council. (The position has existed since 1831 when it was called President of the Board of Aldermen.) While a common title in American city governments, the title was confusing. The “President” was not elected as a City Council member but had the right to preside over City Council meetings, to introduce legislation, and to vote to break ties. In addition to being confusing, the title offended the Council, particularly its then Speaker, Peter Vallone, who was seeking to strengthen the Council and enhance its reputation. In any event, in 1994 the title was changed to Public Advocate. Later, in 2002, a Charter Commission lessened the Public Advocate’s connection to the Council by removing the right to preside and the right to vote in case of a tie, but not changing the right to introduce legislation or participate in discussions of the Council. N.Y.C. CHARTER, §§ 24(e), 10(a), 10(f).

For a history of the Public Advocate’s office, see Mark Green & Laurel W. Eisner, *The Public Advocate for New York City: An Analysis of the Country’s Only Elected Ombudsman*, 42 N.Y.L. SCH. L. REV. 1093 (1998).

67 Until the 2002 Charter reduced the length, the Public Advocate’s temporary term as mayor lasted until the next general election (or if the vacancy occurred after September 20, until the election of the following year), with the new mayor taking office on January 1 following the election.

68 Budget cuts to the office, particularly during the latter part of the twentieth century reduced the ability of the office to do all that was contemplated by the 1989 Charter Commission, including an expectation that the office would perform audits of City agencies focusing on the quality of their service delivery work. *See, e.g.*, S & L, *supra* note 4, at 821. Such regular audits are not possible with the Public Advocate’s reduced budget—leaving more to do by the Comptroller and the Council. (Budgets passed since the election of 2013 have restored some, but hardly all, of the Public Advocate’s budget.)

69 Transcript of Public Hearing of the N.Y.C. Quadrennial Advisory Comm’n 79 (Nov. 23, 2015) (testimony of Gene Russianoff).

In addition to reviewing, investigating, and attempting to resolve complaints, the Public Advocate makes proposals to improve the City’s response to complaints. More generally, the Public Advocate also addresses broader subjects where there are citywide or multi-borough concerns or questions, a few examples of which are low wages, access to health care, school lunches, foster care, and paid family leave. Since 2010, the Public Advocate has maintained a citywide “Worst Landlords” list, which is based on information from the Department of Housing Preservation and Development, empowering renters to make informed housing decisions. On primary election day in 2014, the Public Advocate surveyed polling places to identify problems for accommodating New Yorkers with disabilities, and issued recommendations for reform. Among the other important recent Public Advocate actions is a 2014 policy report and accompanying legislation (passed by City Council and signed into law by the Mayor) to protect youth who age out of the foster care system.

The Public Advocate also monitors the operation of the public information programs of City agencies and chairs the multiagency Committee on Public Information and Communication.

Finally, the Public Advocate is a trustee of the New York City Employees’ Retirement System, appoints a member of the City Planning Commission, and participates in the selection of the director of the Independent Budget Office.

#### **e. The Office of Borough President**

Borough presidents are a natural consequence of the 1898 consolidation of two already large and complex separate cities—New York and Brooklyn. Beyond that, however, borough presidents exist for two reasons that relate to the nature of New York City. First, in a large and complex city, with a strong mayor and fifty-one Council members representing relatively small districts, it is valuable to also have an elected official reflecting the needs of an entire borough—wider than a council district and narrower than a mayor’s citywide responsibility. Indeed, each of the boroughs could be a separate large city. If, for example, Brooklyn were a separate city, it would rank 3rd on the list of America’s twenty-five most populous cities; Queens would be 4th, Manhattan 6th, and the Bronx 9th. The smallest borough, Staten Island, would be 40th.

The borough presidents provide an intermediate role between the mayor (and others who are elected to represent the City as a whole) and those elected to represent the small constituencies of the City Council. With a government as big as New York City’s, covering as large a physical area and

comprising so many people, it is valuable to have officials who fulfill such an intermediate role.<sup>70</sup> Borough identity is important for residents of all five boroughs.

A second reason why it is valuable to have five additional elected officials who represent big parts of the City is that it helps to have additional voices to put forward public policy ideas in what is essentially a one-party town with a very strong mayor. Officials elected to represent boroughs can add to the competition of ideas and can challenge, and stimulate, the thinking of a mayor and other elected officials.

Beyond the value of having elected officials with borough-wide perspectives and voices to bring to public policy debates, what are the duties and responsibilities of borough presidents? How have they changed?

In New York City's history, the role of borough president has changed more than for any other elected office. Their powers increased early and then began to decrease. In 1901, the New York State legislature altered the City's Charter to decrease the mayor's powers and increase the borough presidents'. Apparently, the reason was the frustration of Republicans in Albany with continued domination of mayoral elections by Democratic organizations in Manhattan. Under the 1901 change, most service delivery responsibilities were transferred to the five borough presidents, rather than held by mayors. Gradually, however, service delivery responsibility was placed back with mayors. The 1961 Charter ended the borough presidents' last service delivery role, which was to manage public improvements and public works, including highways.<sup>71</sup>

In the period before 1989, each borough president had a seat and one vote on the Board of Estimate, giving them five of the Board's eleven votes; the other six were divided evenly among the three citywide officials. This meant the borough presidents had a vote on the budget and on land use policy (i.e., zoning), on particular land use decisions such as where a homeless shelter (or a park) would be located, and on many decisions about particular real estate developments. They also had votes on all city contracts other than contracts that were competitively bid.

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70 New York Public Interest Research Group Senior Attorney Gene Russianoff characterized the borough presidents' intermediate role as valuable in "a big, sprawling, difficult, contentious city." Transcript of Public Hearing of the N.Y.C. Quadrennial Advisory Comm'n 84 (Nov. 23, 2015) (testimony of Gene Russianoff).

71 N.Y.C. CHARTER, § 228 (1961).

While it is useful to have officials who can express a borough voice, if borough presidents had only a voice without any power, could their voice be meaningful? Borough presidents have power to appoint members to important City and local positions. Borough presidents also chair the borough service cabinets that assist in coordinating agency service delivery and program functions at the borough and community levels. They each appoint a member of the City Planning Commission and a member of the Panel on Educational Policy in the Department of Education. Borough presidents collectively appoint two members of the Procurement Policy Board. They have representation on the Franchise and Concession Review Committee. They participate in the selection of the director of the Independent Budget Office and serve on the board of the New York City Employees' Retirement System. They also appoint the members of the City's fifty-nine Community Planning Boards and provide the members with training and technical assistance.<sup>72</sup> Borough presidents chair the borough boards that participate in the land use review process.

On the City budget, the borough presidents consult with mayors in the preparation of the budget and submit proposed appropriations. Indeed, mayors are required to include various proposals from the borough presidents in the budget a mayor submits to the City Council<sup>73</sup>—along with any comments the mayor chooses to make. The City Council then decides whether to include the items in the budget it passes.

With respect to land use, the Charter confers on borough presidents the authority to make recommendations concerning the development and improvement of land within their respective boroughs and a mandatory advisory role in the Uniform Land Use Review Procedure for land use actions. In addition, the Borough Presidents influence land use decisions as chair of their respective Borough Boards and through their power to effect the call-up and action by the City Council on certain land use decisions.

Borough presidents are also empowered to play a role in the mayor's submission of an Annual Statement of Needs, concerning the location of City facilities planned for the current and two next years.

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72 Council members suggest to borough presidents nominees to the Community Planning Boards in their districts. N.Y.C. CHARTER, § 2800(a).

73 In the expense budget, these are 5 percent of "discretionary spending increases" as compared to the prior year's programs and services. In the capital budget, these are 5 percent of certain discretionary appropriations.

These percentages are divided among the borough presidents pursuant to a formula which factors in population and geographic size.

A borough president can then propose the location of City facilities in their borough. That prevails unless nine of the thirteen members of the Planning Commission approve another location.<sup>74</sup>

Borough presidents also monitor and make recommendations on the performance of contracts that provide service delivery in their boroughs.<sup>75</sup>

Finally, borough presidents help their constituents navigate the City bureaucracy.

#### **f. The Office of District Attorney**

Each serving one of the five boroughs, district attorneys, along with the police and federal prosecutors, play a vital role in keeping the City safe. Along with Legal Aid, other defender organizations, and the private defense bar, they also have a role in assuring justice.

The district attorneys have offices ranging from 1,399 employees in Manhattan to 109 employees in Staten Island. A key district attorney responsibility is to attract and select skilled lawyers, then to train them to be first-rate prosecutors who are vigorous in presenting and appealing cases, as well as vigilant in assuring that justice is done. Like any top executive, district attorneys should be skilled in selecting and promoting people to leadership positions. Given all the major decisions they have to make, leaders of a big government law office will generally not have time to try cases. Therefore, whom they promote to be the lead lawyers in their office is absolutely vital.

Everybody knows that district attorneys are responsible for prosecuting felonies and misdemeanors as well as lesser offenses—all under state law. These include violent crimes such as murder, rape, and robbery, child abuse and domestic violence. They also include cases of corruption and white collar crime, as well as lots of drug offenses, some major and others minor. In considering whether there is sufficient evidence to indict, and in prosecution of cases where there is an indictment, district attorneys work with investigators. Some of the investigators are employees of their offices and some are employed by other law enforcement agencies such as the City Police Department.

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<sup>74</sup> See S & L, *supra* note 4, at 870-72; N.Y.C. Charter, §§ 204, 197(h).

<sup>75</sup> N.Y.C. CHARTER, § 82.

What is not sufficiently known is that District Attorneys in New York City are far more than case processors. They possess broad discretion that not only matters at the level of individual cases but also affects the broader criminal justice system, its outcomes, fairness, and downstream costs.

District attorneys decide which cases to accept or dismiss; they are influential on whether to detain someone pretrial or release them to the community; they are influential in recommending the sentence to be imposed and they possess great control over plea bargaining. Institutionally, they also shape the system by choosing to work with community courts, to create diversion programs or other measures to advance alternative strategies for keeping communities safe. As such, the decisions made by a district attorney's office—whether at the institutional level or in the aggregate of cases—has a great impact on the quality of justice meted out and the overall cost and footprint of the system. And, in addition to the impact of all these individual acts, district attorneys are also important voices on broad issues of safety and justice.

## PART D DATA AND ANALYSIS

### 1. THE ANALYTICAL PROCESS

New York City Administrative Code § 3-601, which establishes the Quadrennial Advisory Commission, provides a basic analytical framework centered on five general considerations: (1) the duties and responsibilities of each position, (2) current salaries and the length of time since the most recent changes, (3) cost of living changes, (4) salary compression in city government, and (5) salaries and salary trends in government and the private sector. Our comparisons were framed by the statutory requirements, but we took a broad approach to our analysis. As have prior Commissions, we extrapolated from those five statutory provisions a variety of relevant comparisons. For example, we looked at the salaries of heads of public authorities, labor unions, and City departments; but we went further than any prior commission to gather relevant data and consider their contextual relationships with compensation of City officials. Among our considerations were geographic differences in cost of living, salary differentials among populous cities, New York City housing costs, income distribution, salary ratios, fringe benefit rates for New York City elected officials, pension plans, and pension differentials.

In this section, we present some of the data we gathered. Much more is posted on our website. The charts and tables throughout the appendix, which are reproduced from the original research we posted online throughout our review process, provide insight into the multi-faceted data analysis we undertook as part of our study. The following discussion highlights some key takeaways and important considerations that aided the Commission’s review and recommendations. The data sometimes cut in different directions, as we indicate in Part F.

Guided by the statutorily required factors, the Commission adopted a data-driven, comparative method to contribute to the recommendations that are in the public interest and commensurate with the duties and responsibilities for each elected office. We did not evaluate individual office-holders; to do so is not part of our job. Our research design and analysis does not purport to prove or disprove any particular relationship among variables, but it attempts to draw attention to specific factors we believe qualitatively affect the compensation levels of elected officials.

The Commission generally approached our analysis by collectively considering the data we gathered. Section 3-601 requires Quadrennial Commissions to look at changes in cost of living. Rather than look narrowly at the Consumer Price Index, which measures inflation over time, we considered the CPI along with other cost-of-living factors that relate to affordability of living and economic conditions in New York City, such as median household income and housing costs.

As have past Commissions, we examined compensation of elected officials in large (by population) cities in the United States. Unlike prior Commissions, we took into account structural differences that may affect how and why elected officials are compensated differently in other cities: each city’s form of government, benefits and burdens of commuters and tourists, and differences in actual salaries and cost of living among cities, for example.

In Part C, we discussed the evolving roles and breadth of responsibilities of each elected office. In this section, we compare and contrast New York City elected officials’ compensation with internal and external benchmarks.

## 2. STRUCTURAL DIFFERENCES AMONG MAJOR U.S. CITY GOVERNMENTS

The Quadrennial Advisory Commission looked beyond New York City to understand how other populous cities compensate their elected officials. Unlike past Commissions, however, we examined not only salaries in those cities but also structural differences that may affect municipal officials' compensation levels.

### a. Form of Government

City governments are not all alike. There are five general forms of municipal government in the United States, each of which has different structural characteristics.<sup>76</sup> Of the five forms of government—mayor-council, council-manager, commission, town meeting, and representative town meeting—the two most common forms among major cities are mayor-council and council-manager. Among the twenty-five largest U.S. cities by population, these two are the only forms of government.<sup>77</sup>

In a mayor-council form of government, the mayor is a citywide elected executive official who serves as the head of city government. Generally, mayors in mayor-council cities have veto power over city council laws, hire and fire heads of agencies, and prepare and administer the city budget.<sup>78</sup> New York City has a mayor-council form of government. Due to breadth of responsibilities, New York City's mayor is perhaps the most powerful in the country and certainly presides over the largest budget and greatest number of employees.<sup>79</sup> Of the twenty-five largest U.S. cities by population, sixteen others have a mayor-council form of government, with mayoral salaries ranging from \$100,464 (San Diego) to \$281,537 (San Francisco).<sup>80</sup>

Eight of the twenty-five largest cities, on the other hand, are council-manager cities. A council-manager city is one in which a council-appointed city manager is responsible for the city's day-to-day administrative operations. The mayor is the ceremonial head of government but often is a member of city council with no veto or city-wide administrative power,<sup>81</sup> which may explain why some major council-manager cities' mayors are paid less than \$30,000 per year (Fort Worth

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76 Victor S. DeSantis & Tari Renner, *City Government Structures: An Attempt at Clarification*, 34 STATE & LOCAL GOV'T REV. 95, 95 (2002).

77 Appendix N, Twenty-Five Largest U.S. Cities by Population: Forms of Government.

78 International City/County Management Association, *Forms of Local Government Structure*, [http://icma.org/en/icma/knowledge\\_network/documents/kn/Document/9135/Forms\\_of\\_Local\\_Government\\_Structure](http://icma.org/en/icma/knowledge_network/documents/kn/Document/9135/Forms_of_Local_Government_Structure) (last visited Nov. 30, 2015).

79 See pp. 7, 14 above.

80 Appendix O-1, Twenty-Five Largest U.S. Cities by Population: Executive Salary.

81 International City/County Management Association, *Forms of Local Government Structure*, *supra* note 78.

and Charlotte). The council appoints the city manager as an expert administrator who directs day-to-day operations as recommended by the city council, at whose pleasure the manager serves.

City managers have fewer responsibilities but generally are paid more than mayors in mayor-council cities. Managers' salaries in the largest U.S. cities fall between \$245,000 (Charlotte) and \$400,000 (Dallas and San Antonio).<sup>82</sup>

While they compared New York City elected officials' compensation with counterparts in other large U.S. cities, prior Commissions apparently did not consider the varied structures of municipal governments. In doing so, their analyses left out an important element that helps explain anomalous mayoral salaries in large cities such as San Antonio and Dallas, where mayors are paid very little (but city managers are paid much more).

Although city managers are not perfectly comparable with mayors, when comparing and contrasting mayoral salaries elsewhere with the New York City mayor's salary, we looked at council-manager cities' manager salaries along with those of mayors in every city, without regard to form of government.

## **b. Population**

Only ten cities in the United States are home to at least a million people. New York City is by far the largest city in the country. The U.S. Census Bureau's American Community Survey estimates New York City's resident population was 8,491,079 in 2014, which is greater than the next two largest cities—Los Angeles and Chicago—combined. Additionally, New York City is, by a factor of 33 to 1, the largest city in the State of New York (Buffalo is New York's second largest city, with 258,703 residents).<sup>83</sup>

New York City's population is an outlier compared with the other cities comprising the twenty-five-largest by population.<sup>84</sup> Despite its far larger population, most New York City elected officials are paid less than their counterparts in many other cities.<sup>85</sup> When the cost of living in New York City is factored into compensation, New York City's elected officials are paid far less, relatively speaking, than many of their major-city counterparts.<sup>86</sup>

82 Appendix O-1, Twenty-Five Largest U.S. Cities by Population: Executive Salary.

83 Appendix L, Twenty-Five Largest U.S. Cities by Population: General and Economic Information.

84 Appendix O-4, Mayoral Salaries and Population in Mayor-Council Cities.

85 Appendix O-1, Twenty-Five Largest U.S. Cities by Population: Executive Salary.

86 Appendix O-2, Mayoral Salaries in Mayor-Council Cities: Adjusted to Cost of Living in NYC; Appendix O-9, Legislative Base Salaries in the Twenty-Five Largest U.S. Cities by Population: Adjusted to the Cost of Living in NYC; Appendix O-16, Prosecutor Salaries in the Twenty-Five Largest U.S. Cities by Population: Adjusted to the Cost of Living in NYC.

### c. Political Subdivisions: Counties and Boroughs

Related to population but more particularly to geography is the manner in which state, counties, and cities are subdivided for purposes of government administration. Generally speaking, cities are subdivisions of counties, and counties are subdivisions of states.

Most major U.S. cities are geographically distinct from and smaller in area than the county or counties in which they are located. The City of Los Angeles, for example, is one of eighty-eight incorporated cities in Los Angeles County.<sup>87</sup> A few major cities are consolidated or coterminous with the county in which they are located (e.g., San Francisco and San Francisco County, Denver and Denver County, Philadelphia and Philadelphia County, Boston and Suffolk County, Nashville and Davidson County).<sup>88</sup> County officials, such as district attorneys, thus usually serve an entire city or multiple county subdivisions in much of the country. City officials, however, generally serve only a city or portion thereof. However, New York City is different from other jurisdictions.

New York spans the entirety of five separate counties (Bronx, Kings [Brooklyn], New York [Manhattan], Queens, Richmond [Staten Island]), meaning its countywide elected officials — district attorneys and borough presidents — serve only part of the larger city. Citywide elected officials, which are mayor, comptroller, and public advocate, represent all of New York City’s nearly 8.5 million residents.

The unique division of New York City into boroughs, with each borough corresponding to a different state subdivision (county), is relevant when comparing elected officials here with those in other major cities. New York City’s mayor, for example, is the head of an executive branch that encompasses five counties, whereas the mayor of Los Angeles is one of many mayors in Los Angeles County, which has its own Chief Executive Officer.

New York City’s District Attorneys, on the other hand, are the chief elected prosecutors for their respective counties within the larger City, whereas the chief elected prosecutor for Los Angeles is the Los Angeles County District Attorney, whose jurisdiction encompasses the City of Los Angeles’s 3.9 million people plus more than 6 million other county residents.<sup>89</sup> These sorts of structural differences surely affect the complexity of serving in elected office.

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87 COUNTY OF LOS ANGELES, CITIES WITHIN THE COUNTY OF LOS ANGELES (2012), available at <http://ceo.lacounty.gov/forms/09-10%20cities%20alpha.pdf>.

88 National League of Cities, *List of Consolidated City-County Governments*, <http://www.nlc.org/build-skills-and-networks/resources/cities-101/city-structures/list-of-consolidated-city-county-governments> (last visited Nov. 30, 2015).

89 Appendix O-14.1, Prosecutor Salaries in Twenty-Five Largest U.S. Cities by Population.

### 3. COMPLEXITY

New York City’s budget is by far the largest municipal budget in the nation—some \$78.3 billion versus Los Angeles’s \$8.2 billion, Chicago’s \$10.1 billion, Houston’s \$5.1 billion, and Philadelphia’s \$8.2 billion. New York City employs well over 300,000 people, which further adds to and reflects the managerial complexity of elected office here when compared with other populous U.S. cities.<sup>90</sup>

Adding to the unique complexity of governing New York City and its boroughs is the massive influx of workers and tourists who impact the City’s economy and burden its infrastructure. Among the twenty-five most populous U.S. cities, New York City unsurprisingly has the greatest number of net daily commuters into the city for work—some 608,654 people. Commuters alone boost New York City’s daily population by 7.5 percent.<sup>91</sup> In 2014, New York City also welcomed 56.5 million visitors.<sup>92</sup> Commuters and visitors use New York City infrastructure, rely on the City’s public safety services, and contribute to the City economy.

Elected officials must administer and oversee the programs and services necessary to sustain New York City’s economy and tourism. Elected officials represent those who elect them but serve the needs of hundreds of thousands more people who visit the City each day.<sup>93</sup>

Gauging managerial complexity of individual New York City elected offices is fraught with difficulty, as many factors suggesting increased complexity are inextricably linked with other factors, such as the City’s budget process and allocation of resources to each office. Two indicators of managerial complexity, for example, are the budget an office manages and number of people it employs. But the City’s budget, proposed by the Mayor and passed by City Council, dictates each elected office’s budget (and thus number of employees).

Budget and headcount are not the only measures of an office’s importance within City government. Other considerations include statutory duties and responsibilities, or hard work despite limited resources.<sup>94</sup> The Comptroller and Public Advocate, for example, both are citywide offices with

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90 See Part C

91 Appendix L, Twenty-Five Largest U.S. Cities by Population: General and Economic Information.

92 N.Y.C. Go, *NYC Statistics*, <http://www.nycgo.com/articles/nyc-statistics-page> (last visited Nov. 30, 2012).

93 See, e.g., MITCHELL L. MOSS & CARSON QING, *THE DYNAMIC POPULATION OF MANHATTAN* (2012) (discussing daily fluctuations in the population of Manhattan), available at [https://wagner.nyu.edu/files/rudincenter/dynamic\\_pop\\_manhattan.pdf](https://wagner.nyu.edu/files/rudincenter/dynamic_pop_manhattan.pdf).

94 See Part C (discussing powers and responsibilities of elected offices).

oversight and investigatory duties. The Comptroller oversees some 725 full-time or full-time-equivalent employees, with a total budget of nearly \$94 million. This reflects the Comptroller’s statutory duties, discussed in Part C. The Public Advocate, on the other hand, has a budget of only \$3.3 million and oversees just 46 full-time or full-time-equivalent employees, even though the office has important citywide duties and responsibilities, such as those discussed in Part C. Purely economic indicators of managerial complexity, while relevant to our analysis, do not necessarily capture the overall complexity or value of an elected official’s office.

#### **4. COMPENSATION BENCHMARKS**

Benchmarking is a core practice among human resources professionals. By establishing the market rate for a given position, an organization can make compensation decisions that attract and retain top talent. City government is no different.

The Quadrennial Commission compared and contrasted New York City elected officials’ compensation with internal and external benchmarks ranging from starting salaries of New York City line civil servants, police officers, firefighters, and teachers, to annual salaries of elected officials in other U.S. cities, along with many other comparisons. Although no single benchmark for comparison was determinative, benchmarking proved a useful tool for thinking about the appropriate range within which to recommend New York City officials be compensated. Like other comparisons, benchmarking cut in more than one direction, which we discuss and develop in Part F.

##### **a. Elected Officials in Twenty-Five Most Populous U.S. Cities**

New York City’s elected officials’ salaries are comparatively lower than salaries of their counterparts, if any,<sup>95</sup> in many of the twenty-five most populous U.S. cities. In addition to our broad consideration of factors specific to New York City (e.g., affordability, economic well-being, and managerial complexity), we looked comparatively at other large cities’ mayoral and legislative salaries, and average number of people represented.

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95 New York City is unique in that it has an elected ombudsman (the Public Advocate). The closest analogous elected official to Borough President is probably County Executive, but the latter has service-delivery responsibilities, which the former does not.

New York City’s mayoral salary falls in the same range—between \$200,000 and \$250,000—as the next four most populous cities with a mayor-council form of government.<sup>96</sup> However, when mayoral salaries in mayor-council cities are adjusted for the cost of living in Brooklyn or Manhattan,<sup>97</sup> New York City’s mayoral salary falls below every city with more than a million residents, except San Diego.<sup>98</sup> Even among the other large cities in New York State, New York City’s mayoral salary falls behind when adjusted for relative costs of living.<sup>99</sup>

Members of the New York City Council represent, on average, 166,492 people, which is a greater number than their counterparts in the twenty-five largest U.S. cities, with the exceptions of Phoenix and Los Angeles, whose council members represent 192,132 and 261,924 people respectively.<sup>100</sup> Although the New York City Council is one of only seven major city legislatures with a base legislative salary of more than \$100,000, base salaries here, without regard to allowances, fall below cities such as Washington, Philadelphia, Seattle, and Chicago, whose city legislators represent far fewer people.

When salaries are adjusted to reflect differences in cost of living among the major U.S. cities, New York City Council’s base salary falls behind even Denver, which has a far smaller budget and whose legislators represent only 51,066 people.<sup>101</sup>

Given that New York City’s District Attorneys serve individual counties/boroughs within the city, comparisons with elected prosecutors in other major cities proved difficult. Many District Attorneys cover jurisdictions that exceed the population and geographic size of an individual city, as we discussed in our earlier section on political subdivisions and the eighty-eight cities located in Los Angeles County. The District Attorney who serves Dallas, for example, is responsible for

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96 Appendix O-4, Population and Mayoral Salaries in Mayor-Council Cities.

97 Our analysis bases adjustments to annual salaries on index numbers in [Cost of Living Index: Comparative Data for 265 Urban Areas](#) for the third quarter of 2015, published by the Council for Community and Economic Research (C2ER). The *Cost of Living Index* measures relative price levels for consumer goods and services, weighted to reflect costs for professional and executive households in the top income quartile. The “adjusted” salary values are the base salaries elected officials would need to make in Manhattan and Brooklyn in order to maintain the same lifestyle as enjoyed in their cities. C2ER does not collect data for Bronx, Queens, or Staten Island.

98 Appendix O-5, Population and Mayoral Salaries in Mayor-Council Cities (Adjusted to Cost of Living in Brooklyn); Appendix O-6, Population and Mayoral Salaries in Mayor-Council Cities (Adjusted to Cost of Living in Manhattan).

99 Appendix P-1, Five Next Largest Cities in the State of New York: Mayoral Salaries.

100 Appendix O-8, Twenty-Five Largest U.S. Cities by Population: Legislative Salaries.

101 Appendix O-2, Legislative Base Salaries in the Twenty-Five Largest U.S. Cities by Population: Adjusted to the Cost of Living in New York City.

prosecuting crimes throughout Dallas County, the population of which is nearly double that of the city with which it shares a name. Similarly, the King County Prosecuting Attorney in the State of Washington has jurisdiction over Seattle’s 668,342 residents plus an additional 1,411,625 county residents. In New York City, however, there are five district attorneys, whose jurisdictions range from Kings County’s 2,621,793 residents to Richmond County’s 473,279.<sup>102</sup> A strict comparative analysis of elected prosecutor to elected prosecutor would lead to vastly different conclusions depending on, for example, whether other cities’ elected prosecutors’ jurisdictions and salaries were compared to the District Attorney for Richmond County or Kings County.

## **b. Other Government Officials and Government-Funded Organizations**

New York City’s elected officials generally make less than their counterparts in federal government.<sup>103</sup> The President of the United States is the highest paid federal elected official, with an annual base salary of \$400,000. The Speaker of the House of Representatives receives \$223,500. Majority and minority leaders of both houses make \$193,400. All other Senators’ and Representatives’ salaries, including those of committee chairs and ranking members, are \$174,000. The annual pay for the Attorney General of the United States and other Cabinet members (which are appointed by the President, subject to confirmation by the Senate) is \$203,700.<sup>104</sup> U.S. Attorneys, who prosecute federal crimes in federal judicial districts (including the Southern and Eastern Districts of New York), are capped at \$158,700 basic pay per year.<sup>105</sup>

The Commission gathered data on compensation of New York City mayoral appointees and heads of public authorities in New York. Some New York City Commissioners and the Corporation Counsel (Law Department), who head citywide agencies, were paid \$214,413 in 2015, which is just under 5 percent less than the Mayor’s salary.<sup>106</sup> On the other hand, the First Deputy Mayor, Chief

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102 Appendix O-14.1, Prosecutor Salaries in Twenty-Five Largest U.S. Cities by Population.

103 District Attorneys are usually elected, whereas the U.S. Attorney General and U.S. Attorneys are appointed.

104 Appendix Q-5, Select Officials in Federal Government.

105 Under 28 U.S.C. § 548, the U.S. Attorney General “shall fix the annual salaries of the United States attorneys . . . at rates of compensation not in excess of basic compensation provided for Executive Level IV of the Executive Schedule.” The basic compensation for Executive Level IV, effective January 1, 2015, is \$158,700. U.S. Office of Personnel Management, Salary Table No. 2015-EX, available at <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2015/EX.pdf>.

106 Appendix Q-1, Select New York City Mayoral Appointees.

Assistant District Attorneys in every borough except Brooklyn, First Deputy Comptroller, and some City Council staff leaders make more than their elected-official bosses.<sup>107</sup> When we compared elected officials' salaries with pay for heads of local and state public authorities operating in or near New York City, we learned mayors makes less than the President of the New York City Health and Hospitals Corporation (\$394,896), the CEO at the Metropolitan Transportation Authority (\$325,000), and the Executive Director of the Port Authority (\$289,667).<sup>108</sup> We also learned the President of the Brooklyn Bridge Park Corporation's \$190,550 salary is greater than the annual pay for any City elected official other than the Mayor and District Attorneys; and the Governor's Island Corporation President makes \$175,000, which is more than the Public Advocate, Borough Presidents, and City Council members.

Within City government, both civilian and managerial employees have had pay increases. Under collective bargaining agreements, the cumulative salary increase for DC-37 employees from August 1, 2006 through the present is 24.52 percent. For managers, it is 23.45 percent. At many City-owned cultural institutions, for which the City pays energy, and some operating and capital costs, leaders are paid much more than any New York City elected official. The President of Lincoln Center for the Performing Arts was paid \$1.8 million in 2014, and the Director and Chief Executive Officer of the Metropolitan Museum of Art was paid \$950,762 that year.

### **c. Private Sector Positions**

Section 3-601 also requires the Quadrennial Commission to consider salaries and salary trends for positions with analogous duties and responsibilities in the private sector when studying the level of compensation appropriate for New York City's elected officials. We looked at non-profit organizations, union leaders, and for-profit executives as comparisons.

We referred to the Professionals for NonProfits *2014-2015 Nonprofit Salary & Staffing Report* for data on compensation of New York City non-profit senior management.<sup>109</sup> The New York City Mayor's current salary (\$225,000 per year) is within the salary range for a CEO/President of a \$10.1 to \$20

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107 Appendix G, NYC Elected Official Agencies: Headcounts, Budgets, and Salaries.

108 Appendix Q-4, Heads of Select Public Authorities in New York State.

109 Professionals for NonProfits, 2014-15 NONPROFIT SALARY & STAFFING REPORT: NEW YORK CITY AREA (2015).

million non-profit organization. New York City’s Mayor, however, executes a budget in the high tens of billions of dollars, not the low millions. Similarly, the Office of Comptroller is a \$74 million organization, but the Comptroller’s current salary (\$185,000) is within the range of a CEO/President at a \$5.1 to \$10 million non-profit. Similarly, based on budget alone, four of five District Attorneys’ annual pay (\$190,000) lags behind the CEO/President pay at a non-profit with a similar budget. (Staten Island’s District Attorney, while paid the same as other New York City District Attorneys, manages a \$9.6 million budget, whereas the other District Attorneys’ budgets exceed \$50 million.)

Union leaders in some of the best known City-employee unions similarly make more than elected officials. At DC-37, which represents the greatest number of City employees, the Executive Director’s salary is more than \$318,000. The heads of Service Employees Local Union 1199 and United Federation of Teachers make just over \$215,000 and \$256,000, respectively.<sup>110</sup>

In addition, we looked at publicly traded companies headquartered in or near New York City with revenues in a range similar to the New York City expense budget. While identifying an “analogous” officer in the private sector for most elected officials is difficult, the mayor does serve in a capacity similar to a chief executive officer. New York City’s mayor, however, is the executive ultimately in charge of more than 300,000 employees—a greater number of people than employed by all but one (IBM) of the comparable private companies in the City. Among those private companies, CEO salaries were in the millions of dollars.<sup>111</sup>

## 5. Affordability and New Yorkers’ Well-Being

Cost of living, a statutorily required factor for Quadrennial Commissions to consider, essentially is a measure of affordability. Past Commissions have used the Consumer Price Index as a proxy for cost of living in New York City, but the CPI measures only inflation over time. As the Bureau of Labor Statistics, which publishes the CPI, puts it, “The CPI is frequently called a cost-of-living index, but it differs in important ways from a complete cost-of-living measure . . . A cost-of-living index is a conceptual measurement goal, however, and not a straightforward alternative to the CPI.”<sup>112</sup>

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110 Appendix Q-2, Heads of Select New York City Municipal Unions.

111 Appendix Q-3, Heads of Select Publicly Traded Companies in the New York City Area.

112 U.S. Bureau of Labor Statistics, *Consumer Price Index: Frequently Asked Questions* (last modified July 24, 2015), <http://www.bls.gov/cpi/cpifaq.htm>.

The CPI measures goods and services purchased for consumption: food and beverages, apparel, transportation, medical care, recreation, education and communication, and other goods and services. It does not, however, take into account other governmental or environmental factors affecting consumers' well-being.<sup>113</sup> While relevant to understanding how much more expensive New York City has become since the last time elected officials received a compensation adjustment, CPI alone does not adequately capture how well the average New Yorker has fared over the same time period.

### **a. Income**

To pursue our goal of making recommendations in the public interest, we analyzed the CPI along with a variety of other discrete affordability measures, including median household income and various measures of housing costs in New York City. After all, elected officials may have little influence over the rate of inflation in New York City, but they have many tools—housing policies, education access and effectiveness, wage laws, public safety, environmental regulations, and health care, for example—which they can use to affect affordability and economic well-being in both the near-term and long-term.

Had we followed our predecessors' lead and not looked past the CPI for the New York City area, the Commission would have learned only that New York City became 17.91 percent more expensive between 2006 and 2014. But our deeper analysis uncovered that New Yorkers' median household income in the same time period rose only 14.02 percent.<sup>114</sup> In other words, inflation is growing faster than income; average New Yorkers are falling behind.

Since the most recent Quadrennial Commission released its final report in 2006, New York City has suffered through the Great Recession and begun to recover from it. Many New Yorkers lost their jobs. New York City's seasonally adjusted unemployment rate in November 2006 was 4.6 percent. In December 2008 it grew to more than 7 percent, ultimately rising to 10 percent in August 2009 and remaining in double digits through February 2010. Jobs recovery in the City was slow. Unemployment in New York City did not drop below 9 percent until October 2012. It reached

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113 *Id.*

114 Appendix C, Changes Over Time in NYC Median Household Income and the Consumer Price Index.

5.2 percent in September 2015.<sup>115</sup> Unemployment, mass layoffs, and New York City’s economic condition during the Great Recession added context to our analysis of affordability and economic well-being in New York City during the nine years since elected officials last had a compensation adjustment.

## **b. Housing**

A third of New York City renters now pay more than half their household income in gross rent.<sup>116</sup> According to the U.S. Department of Housing and Urban Development, housing is affordable when it costs no more than 30 percent of household income. Among rent stabilized tenants, the median household pays 36.4 percent of its income in rent, meaning a majority of them are unable to afford their apartments.<sup>117</sup> From 2000 to 2012, New York City’s median apartment rent rose by 75 percent, even though the median real income (meaning income adjusted for inflation) of New York City households declined by 4.8 percent.<sup>118</sup> And the number of people in New York City’s homeless shelters has grown—topping 65,000 people in December 2014—by nearly 20 percent since the City’s rental subsidy program ended in 2011.<sup>119</sup>

## **c. Geographic Differences in Cost of Living**

When considering how New York City elected officials’ salaries measure against their counterparts’ pay in other major cities, the Commission adjusted salaries to reflect the cost of living in New York City. For each comparison, we used the Council for Community and Economic Research’s *Cost of Living Index: Comparative Data for 265 Urban Areas* to calculate how much other cities’ elected officials would have to be paid in New York City if they wanted to move here and maintain the lifestyle they enjoy on their salaries in their own cities.

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115 U.S. Bureau of Labor Statistics: New York-New Jersey Information Office, Local Area Unemployment Statistics – New York City, <http://www.bls.gov/regions/new-york-new-jersey/data/xg-tables/ro2xglausnyc.htm> (last visited Dec. 2, 2015).

116 N.Y.C. RENT GUIDELINES BOARD, 2015 INCOME AND AFFORDABILITY STUDY 9 (2015), available at [http://www.nycrgb.org/downloads/research/pdf\\_reports/ia15.pdf](http://www.nycrgb.org/downloads/research/pdf_reports/ia15.pdf).

117 *Id.*

118 N.Y.C. COMPTROLLER BUREAU OF FISCAL & BUDGET STUDIES, THE GROWING GAP: NEW YORK CITY’S HOUSING AFFORDABILITY CHANGE 1, 9 (2014), available at [http://comptroller.nyc.gov/wp-content/uploads/documents/Growing\\_Gap.pdf](http://comptroller.nyc.gov/wp-content/uploads/documents/Growing_Gap.pdf).

119 N.Y.C. Dep’t of Homeless Services Data Dashboard, Fiscal Year to Date 2015, [http://www.nyc.gov/html/dhs/downloads/pdf/dashboard/tables/populat-Tbls\\_Dbd-04132015.pdf](http://www.nyc.gov/html/dhs/downloads/pdf/dashboard/tables/populat-Tbls_Dbd-04132015.pdf); Ford Fessenden, *Are There More Homeless People on the Streets of New York?*, N.Y. TIMES (Oct. 26, 2015), <http://www.nytimes.com/interactive/2015/10/21/nyregion/new-york-homeless-people.html>.

Adjusting salaries to reflect geographic cost of living changes added context to our analysis. We learned, beyond the anecdotal, how much more expensive New York City is compared with other major cities. We also learned that, comparatively, current salaries in New York City do not provide our elected officials with the same lifestyle their counterparts in many other major cities enjoy.<sup>120</sup>

However, our review did not end there. Upon further analysis, we discovered that considering the difference in cost of living, while important, does not reflect actual geographic salary differentials seen in the marketplace.

In addition to geographic cost-of-living measures, we gathered data on salary differentials among the twenty-five most populous cities. Our analysis uncovered no evidence of a dollar-for-dollar increase in salaries actually paid in the marketplace when compared with cost of living differences. We used Salary.com’s Cost-of-Living Wizard to further examine cost of living and salary differentials among the major U.S. cities in our review. We learned that Manhattan is, on average, 70.8 percent more expensive and Queens 53.5 percent more than other major cities. The salary bump an average worker could expect if she or he moved to either borough from another major city, however, is only 16.6 percent on average.<sup>121</sup> By refining our comparisons among the twenty-five most populous U.S. cities to reflect cost of living and salary differentials, we were able to better understand the relationships among elected officials’ salaries nationwide and average salary differentials across major cities.

## 6. Other Considerations

The Quadrennial Commission’s mandate is to “study the compensation levels” for New York City’s elected officials.<sup>122</sup> Whereas past Commissions have narrowly equated compensation with salary, we have studied both direct and indirect compensation of elected officials. City Council allowances (commonly referred to as “lulus”), elected officials’ pension plan and other fringes, car service for some elected officials, and the mayoral residence (Gracie Mansion) are among the data we considered in our review of compensation.

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120 Appendix O-2, Mayoral Salaries in Mayor-Council Cities: Adjusted to Cost of Living in New York City; Appendix O-9, Legislative Base Salaries in the Twenty-Five Largest U.S. Cities by Population: Adjusted to the Cost of Living in New York City; Appendix O-16, Prosecutor Salaries in the Twenty-Five Largest U.S. Cities Adjusted to the Cost of Living in New York City.

121 Appendix M, Salary Differentials Between New York City and Other Twenty-Five Largest U.S. Cities by Population.

122 N.Y.C. ADMIN. CODE § 3-601.

## **a. Fringes, Including Pensions/Retirement**

Fringes, including pension benefits, are important comparisons we considered as part of our compensation study. No other Quadrennial Commission has examined fringe costs or New York City elected officials' pensions as part of their review. Fringes are part of the broader compensation afforded to New York City elected officials, and our review of fringe costs and pensions provided context for understanding how compensation of New York City elected officials stacks up with private sector employees and state/municipal employees in other jurisdictions.

New York City elected officials are eligible to participate in the New York City Employee Retirement System, which is the same pension plan afforded to city employees from the lowest to the highest levels.<sup>123</sup> It takes five years to vest under Tier 4, which covers employees who joined NYCERS between July 27, 1976, and March 31, 2012. The civilian fringe benefit rate for New York City employees is 48.1 percent of salary, 18.23 percent of which is pension/retirement. More than 15 percent of the civilian fringe benefit rate is health insurance. These are important considerations when comparing elected officials' compensation with those in the private sector and government jobs elsewhere. The private industry fringe benefit rate for the northeast region of the United States is only 28.1 percent, with only 4.3 percent of that being pension/retirement and 8.3 percent being health insurance. Nationally, the fringe benefit rate for state and local government employees is only 31.9 percent, with 10.2 percent being pensions/retirement and 11.9 percent being health insurance.<sup>124</sup>

By analyzing fringe benefit rates and pensions/retirement available to New York City elected officials, we learned that City officials and employees enjoy a 16 to 20 percent premium in benefits over other state/local employees and private sector employees, respectively.<sup>125</sup> As the Commission considered differences in the cost of living in New York City versus other major cities, the richer benefits package enjoyed by New York City elected officials and employees was a countervailing consideration.

## **b. Car Service**

Car service was another issue raised in testimony at one of our public hearings.<sup>126</sup> The Commission considered whether car service—provided to the Mayor, Comptroller, Public Advocate, Borough

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<sup>123</sup> Appendix J, NYC Elected Officials' Pension Benefits.

<sup>124</sup> Appendix K, NYC Fringe Benefits Compared to Private Industry and Other Governments.

<sup>125</sup> *Id.*

<sup>126</sup> Transcript of Public Hearing of the N.Y.C. Quadrennial Advisory Comm'n 48, 62 (Nov. 23, 2015) (testimony of Roxanne Delgado).

Presidents, District Attorneys, and Speaker—is appropriately considered a benefit for our review. After all, car service costs the City and is a luxury many in our city do not enjoy, but there are deeper considerations. While car service may be thought of as a “perk” of holding public office, it may well be a necessary security function to ensure the personal safety of elected officials. The two conceptions of car service—as a luxury or as a security need—each have merit, making any valuation of car service as compensation a political proposition beyond the purview of our independent assessment.

### **c. Mayoral Residence**

Unlike perhaps any other mayor in the country, New York City’s mayor often serves as a ceremonial head of state. New York City is a worldwide economic center. It is home to communities from virtually every country in the world, and it hosts the United Nations. Therefore, New York City’s mayor is expected to host business leaders from around the world, dignitaries who visit or pass through the City, and foreign diplomats and heads of state.

Since 1942, the City has provided mayors with an official residence—Gracie Mansion—for this purpose.<sup>127</sup> Gracie Mansion serves as more than simply a residence for mayors: It is a venue for hosting official state events and welcoming dignitaries to the City. It is publicly accessible, with hundreds of tours conducted each year.<sup>128</sup> In addition, mayors have regularly used Gracie Mansion to host informal events and small group dinners to discuss important policy issues.<sup>129</sup>

Nevertheless, Gracie Mansion is a benefit of office. Its value is difficult to quantify because Gracie Mansion serves an important role for the City at large and may well cost the city less than providing both security needed for private mayoral residences and the cost for renting space for events. Without necessarily assigning a pecuniary value to the official residence, we considered Gracie Mansion generally as part of mayoral benefits and as part of the City’s necessary security costs for protecting mayors.

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127 *How Gracie Mansion Became New York’s ‘Little White House’*, CURBED (Jan. 3, 2014), [http://ny.curbed.com/archives/2014/01/03/how\\_gracie\\_mansion\\_became\\_new\\_yorks\\_little\\_white\\_house.php](http://ny.curbed.com/archives/2014/01/03/how_gracie_mansion_became_new_yorks_little_white_house.php).

128 Gracie Mansion: The People’s House, *Visit*, <http://www1.nyc.gov/site/gracie/visit/visit.page> (last visited Dec. 2, 2015).

129 Kate Taylor, blog, *A Mayor Who Never Slept Here (Gracie Mansion) Says No Successor Should*, N.Y. TIMES CITY ROOM (March 27, 2012), [http://cityroom.blogs.nytimes.com/2012/03/27/mayors-shouldnt-live-in-gracie-mansion-bloomberg-says/?\\_r=1](http://cityroom.blogs.nytimes.com/2012/03/27/mayors-shouldnt-live-in-gracie-mansion-bloomberg-says/?_r=1). Despite its title, this article provides a good overview and analysis of Gracie Mansion’s many uses that benefit the City.

## 7. HISTORY OF CHANGES TO NYC ELECTED OFFICIALS' COMPENSATION

New York City elected officials' salaries have not changed since 2006, the last time a mayor appointed a Quadrennial Commission. In the nine years since the most recent salary adjustment, many things have changed in New York City. Population has increased; the purchasing power of a dollar has decreased; the City has suffered through and rebounded from the Great Recession; housing has become unaffordable for many; and economic recovery has disproportionately benefited higher-income New Yorkers.

Over the past three decades, New York City elected officials have gotten incremental but irregular base salary increases. For all elected offices except City Council and District Attorneys, compensation has decreased in real dollars (adjusted for inflation) since 1983.

After adoption of the 1989 Charter Revision Commission's recommendations, the duties and responsibilities of many elected officials changed dramatically. The Board of Estimate was abolished, which changed the role of Borough Presidents. The Mayor was strengthened, as was City Council. Prior Quadrennial Commissions mentioned changes in official duties and responsibilities, but they do not seem to have accounted for those changes in their recommendations, except for a relatively higher City Council pay raise. Past Commissions also may have accounted for changes to the Public Advocate's role.

The mayoral salary has grown 104.55 percent, in nominal dollars, since 1983; and the borough president salary has grown exactly 100 percent in the same time period. These relatively equal increases are notable, given the substantial increase in mayoral powers, duties, and responsibilities, as well as differences in the role of borough presidents after the 1989 Charter Revision. The Public Advocate is the only elected office with less than a 100 percent salary increase since 1983. District Attorneys have seen their salaries increase 131.7 percent; and City Council members' base salaries have grown by 136.84 percent over the past three decades, during which Council responsibilities have significantly expanded.<sup>130</sup>

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<sup>130</sup> Appendix D, Changes Over Time in NYC Elected Officials' Salaries and the Consumer Price Index; Appendix E, NYC Elected Official Salaries Adjusted to 2015 Real Dollars.

## 8. SALARY RATIOS

Income inequality has been growing throughout the United States for many years, with income increasing disproportionately among the wealthiest 1 percent.<sup>131</sup> In the private sector, salary ratios between chief executive officers to average employees have risen dramatically. In 1980, the national CEO-to-nonsupervisory worker pay ratio was 42 to 1. In 2014, the ratio was 373 to 1.<sup>132</sup> Within New York City government, the mayor-to-worker ratio is much lower. The mayoral salary currently is 8.7 times as large as the lowest paid full-time DC-37 employee, 5.3 times the salary of a starting New York City firefighter, 4.5 times the salary of a new public school teacher. It is 4.25 times the median household income for New York City.<sup>133</sup> Nonetheless, many New Yorkers are hurting and feeling the effects of economic hardship.

Income distribution in New York City generally follows that of the country at large, but the City has a greater proportion of very poor and very wealthy residents. Nationally 4.6 percent of the population's income is \$200,000 or more, and 7.2 percent have incomes under \$10,000. In New York City, 6.9 percent of the population have \$200,000-plus incomes, and 10.5 percent of people have incomes under \$10,000. In effect, the very wealthy and very poor in New York City are larger in proportion and thus more visible than in the country as a whole.<sup>134</sup> Finally, 45.1 percent of New York City residents in 2013 were at or near the New York City Center for Economic Opportunity's poverty line.<sup>135</sup>

No single factor is determinative, but we considered these and many other factors to help make recommendations that are commensurate with the responsibilities elected officials have for New York City's well-being.

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131 AFL-CIO, *Executive Paywatch: High-Paid CEOs and the Low-Wage Economy*, <http://www.aflcio.org/Corporate-Watch/Pay-watch-2015> (last visited Dec. 1, 2015).

132 *Id.*

133 Appendix O-2, Select New York City Employees' Starting Salaries.

134 See Sam Roberts, *Gap Between Manhattan's Rich and Poor is Greatest in U.S., Census Finds*, N.Y. TIMES (Sept. 17, 2014), [http://www.nytimes.com/2014/09/18/nyregion/gap-between-manhattans-rich-and-poor-is-greatest-in-us-census-finds.html?\\_r=0](http://www.nytimes.com/2014/09/18/nyregion/gap-between-manhattans-rich-and-poor-is-greatest-in-us-census-finds.html?_r=0); Jordan Weissman, *So You're Rich for an American. Does That Make You Rich for New York?*, SLATE (Aug. 29, 2014, 5:11 p.m.), [http://www.slate.com/blogs/moneybox/2014/08/29/income\\_distribution\\_of\\_new\\_york\\_city\\_what\\_does\\_it\\_take\\_to\\_be\\_rich.html](http://www.slate.com/blogs/moneybox/2014/08/29/income_distribution_of_new_york_city_what_does_it_take_to_be_rich.html).

135 N.Y.C. OFFICE OF THE MAYOR, THE CEO POVERTY MEASURE, 2005-2013: AN ANNUAL REPORT FROM THE OFFICE OF THE MAYOR iii (2015), [http://www.nyc.gov/html/ceo/downloads/pdf/ceo\\_poverty\\_measure\\_2005\\_2013.pdf](http://www.nyc.gov/html/ceo/downloads/pdf/ceo_poverty_measure_2005_2013.pdf).

## PART E CEILINGS ON GOVERNMENT PAY

It is clear from the foregoing data that, while their pay is large in relation to most constituents, the pay of New York City’s elected officials is low based on some other comparisons. In some cases, it is low in relation to officials in other cities, particularly so when the size of budgets and the cost of living are factored in. It is low in relation to heads of New York’s government authorities, non-profits and unions. Finally, it is extremely low in relation to private sector executives.

Despite the great difficulty of the job, no one believes a mayor, or any other elected official, should be paid at anywhere near the same rate as private sector leaders. Nor should their pay be escalated so much in percentage terms. There is a sort of ceiling on government pay. Why is this?

There always has been a powerful, visceral feeling that government officials should not be paid too much. Indeed, in 1787, in Philadelphia at the Constitutional Convention, Benjamin Franklin argued that the president and other federal elected officials should be paid nothing because paying them would combine “ambition and avarice; the love of power and the love of money.” And to make “posts of honor places of profit” would “sow the seeds of contention, faction and tumult.” Finally, Franklin argued that “the pleasure of doing good and serving their country, and the respect such conduct entitles them to, are sufficient motives to give up a great portion of their time to the public without the mean inducement of pecuniary satisfaction.”<sup>136</sup>

Franklin’s comments reflected a different world. Most elected officials were very wealthy, and most states limited the vote to white men with property. Even in that environment, however, Franklin’s motion received no support. From the outset, America’s elected officials were paid. Certainly in today’s democracy, with a much wider franchise and with many elected officials of modest means, no responsible person would argue that elected officials should be expected to donate their time—although a few who are enormously wealthy have done so. Nonetheless, there always has been, and still is, a powerful sense that there should be a ceiling on government pay.

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136 JAMES MADISON, DEBATES ON THE ADOPTION OF THE FEDERAL CONSTITUTION 144-47, ed. Jonathan Elliot, vol. 5 (1845) (quoting Benjamin Franklin’s June 7, 1787 speech).

The sense that there should be some ceiling on the pay of elected officials does reflect Franklin’s insight that it is a privilege and an honor to be elected to serve the public. Another restraining factor on government pay is that elected officials are paid with public money. Also, deeply embedded in the sense that there is some ceiling is a belief that the pay of elected officials should not depart too far from the pay of their constituents or of those who work at lower levels in the government. This long-standing belief, present from America’s founding, also echoes a very contemporary American issue: concern about and distaste for growing income inequality.

This concern is different from suggestions from some New Yorkers that elected officials should not get any pay raises. Like ordinary citizens, they should get raises from time to time. But they never can, or will, be paid what they are “worth.”

## PART F PAY RECOMMENDATIONS

### 1. GENERAL CONSIDERATIONS

Our specific mandate relates to elected officials, but changes in their pay should not be surgically split from the fortunes of the people they represent.

Everything we have said in earlier sections of this Report plays a part in the pay changes we propose: the value of good government; the characteristics of New York City; the necessary abilities and the mandated duties and responsibilities of the City’s elected officials; our extensive research; and the implicit ceilings on government pay. Based upon all these factors, the data we have gathered, and our learning while listening, we propose raises for the City’s elected officials for the first time since 2006, nine years ago.

In determining the amount of raises to propose, we considered two threshold questions. First, how should we measure and assess changes in cost of living and affordability over the last nine years? Second, what material changes, if any, have there been in the duties and responsibilities of particular City offices, and have these been recognized in prior compensation proposals made by Quadrennial Commissions?

## a. Changes in Cost of Living and Affordability

What has happened to the cost of living in New York City over the past years? We chose to answer that question by focusing on change in the City’s median household income rather than change in the consumer price index (“CPI”).<sup>137</sup> We did so first because median household income is more closely correlated with how New Yorkers are faring economically. Second, median household income of New Yorkers has some relationship to how New York City officials perform their jobs. Elected officials can enact laws or make policies that affect housing, homelessness, education, wages, criminal justice policy, public safety and public health, among other issues that affect the economic well-being of New Yorkers. In neither case can local officials control the numbers based upon their own efforts. However, City policies and many services provided by the City can have some impact on the median income of City residents while the CPI is impacted by forces outside City control.

The Consumer Price Index measures changes in time for the price of a fixed basket of goods and services, including food, clothing, fuels, shelter, transportation, medical services, drugs, and other day-to-day requirements.<sup>138</sup> CPI changes do not affect all income groups the same. Because the poor generally spend a larger share of their income on housing, inflation may affect them more than it does middle-income earners.<sup>139</sup> This is important considering that a third of renters in New York City pay more than half their household income in rent.<sup>140</sup> Moreover, the CPI for New York City includes suburban counties in Northern New Jersey and Long Island. Median household income, on the other hand, is based on the U.S. Census Bureau’s Annual Community Survey and provides a basis for measuring changes in the median New Yorker’s regularly received income. This includes all regularly received income, no matter how small—wages, salaries, retirement income (including Social Security and Railroad Retirement), cash payments from welfare, income from trusts or estates, bonuses, interest, dividends, and other regularly received income.<sup>141</sup> Taken together, CPI and median household income allowed us to better understand how well the average New Yorker is doing economically.

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137 Median is the middle, which is different from the average (or mean). Median income divides the income distribution into two groups with an equal number of people in each. One group has incomes higher than the median. The other group’s incomes are lower than the median. Median household income is not skewed upward by the magnitude of income growth among the very wealthy.

138 U.S. Bureau of Labor Statistics, New York-New Jersey Information Office, *Consumer Price Index, New York-Northern New Jersey – October 2015* (Nov. 14, 2015), [http://www.bls.gov/regions/new-york-new-jersey/news-release/consumerpriceindex\\_newyorkarea.htm](http://www.bls.gov/regions/new-york-new-jersey/news-release/consumerpriceindex_newyorkarea.htm). The change in CPI for the New York City area from November 2006 to October 2015 was 18.4 percent.

139 Ben Casselman, *Inflation May Hit the Poor Hardest*, FIVETHIRTYEIGHT (Apr. 7, 2014, 6:31 a.m.), <http://fivethirtyeight.com/features/inflation-may-hit-the-poor-hardest/>.

140 *Supra* p. 44

141 U.S. Census, “Income,” *Glossary*, [https://www.census.gov/glossary/#term\\_Income](https://www.census.gov/glossary/#term_Income).

We looked at changes in the median household income for New York City as reported by the U.S. Census Bureau’s American Community Survey. The years relevant to us are 2006 (the year of the most recent salary adjustment, which became effective November 1, 2006) through 2015 (the present). Because the American Community Survey is released yearly, the 2015 median household income is not yet available, so the last computed year is 2014. To estimate median household income for 2015, we calculated an estimated rate of growth for 2015 using a relevant prior period. Our estimate—that median household income will grow by around 2.11 percent this year—is based on the four-year compounded annual growth rate in median household income from 2010 through 2014 (the years since the most recent Quadrennial Advisory Commission would have been appointed).

We took into account that from November 1, 2006 through December 31, 2015, the period since the most recent salary adjustment, median household income is estimated to have grown 16.83 percent. But we believe that had a Quadrennial Commission been convened in 2010, in the context of massive layoffs, unemployment, and economic trauma during the Great Recession, salary increases would have been unlikely. The mayor’s decision not to appoint a Quadrennial Commission supports our hypothesis. We also analyzed the five years since elected officials would have received a compensation adjustment had a Quadrennial Commission been appointed (November 1, 2010 through December 31, 2015) and found that median household income is estimated to have grown 11.41 percent.

Taking into consideration the data we discuss throughout our Report, the change in median household income over the past nine years, New Yorkers’ suffering in the Great Recession (during which a Quadrennial Commission would have been appointed), particularly among low income New Yorkers,<sup>142</sup> the fact that 45.1 percent of New York City residents in 2013 were at or near the New York City Center for Economic Opportunity’s poverty line, the implicit ceilings on government pay, including the need that the pay of elected officials not depart too far from their constituents, and the research we discuss throughout this Report, we recommend all elected officials receive a base salary increase of 12 percent (and an additional percentage increase based on changes in duties and responsibilities for some elected officials). We believe that a 12 percent increase in base salary is fair and appropriate, given all the factors we considered.

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142 While the need to temper our recommendations for the pay of elected officials by the economic travails of their constituents had been part of our thinking from the outset, citizen witness Roxanne Delgado put the point deftly by urging us to look at those “who are struggling to make ends meet.” Transcript of Public Hearing of the N.Y.C. Quadrennial Advisory Comm’n 60 (Nov. 23, 2015) (testimony of Roxanne Delgado).

## **b. Changes in Duties and Responsibilities**

We discuss relevant changes in duties and responsibilities and their additional impact on pay proposals in the sections on the offices of mayor, council members, and comptroller below and in Part C.

## **c. Other Factors**

We gathered a lot of data comparing pay of elected officials in other jurisdictions with pay of New York City’s elected officials. If one just considers salaries, New York City elected officials are on the low side, particularly when population and budget size are compared, and even more so when the figures are adjusted for New York City’s high cost of living. On the other hand, pensions and other benefits for New York City elected officials tend to be higher than elsewhere.<sup>143</sup> Finally, when we looked at pay in the City for public authorities and other entities, heads of government-funded organizations, non-profit executives, municipal union leaders, and CEOs of publicly traded companies headquartered here, New York City elected officials are paid on the low side.

While we New Yorkers think of ourselves as the Big Apple and aspire to being number one in sports, culture—really in everything—we need not be number one in public pay. At the end of the day and after all the analyses (which cut in different directions), the Commission believed that the most relevant data to ground our proposal for raises for New York City’s elected officials was in the context of the economic well-being of New Yorkers as measured through changes in median household income and tempered by all the factors we discussed above.

Another factor the Commission is required to analyze is “compression,” which considers whether the level of pay to elected officials has the effect of suppressing the pay of some key employees reporting to them, or even of raising pay of key employees above that of the elected official who leads the office. Naturally, the longer the period between raises for elected officials, the more compression there is. Today, for officials reporting to the mayor, the comptroller’s office, and the district attorneys, there are key people paid more than the elected heads of their offices.<sup>144</sup> And, for some time, key people on the Council’s central staff have been paid more than any Council member.

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143 See pp. 38-40.

144 See pp. 40-41.

Compression is relatively common in the U.S. economy. Think of star medical school heart surgeons or football coaches as compared to their university presidents, or star professional athletes and their coaches. Another example noted by the Chair in his earlier private legal practice was a financial client that paid its star investors up to three times the CEO.

Compression is an additional reason why city officials should get raises, and get them now. However, we have given no extra weight to compression in proposing specific raises for the various offices. (This is discussed at greater length in the section below on district attorneys.)

## 2. SPECIFIC OFFICES

### a. Office of Mayor

Applying the base salary increase to the office of mayor would result in a raise of \$27,000. However, the responsibilities of mayors were substantially increased by the 1989 Charter. Then, in 2002, the responsibilities of the office of mayor increased further when mayors were awarded responsibility over the City's sprawling Department of Education.<sup>145</sup> But neither increase in responsibility has ever been taken into account in any pay recommendations for mayors.<sup>146</sup> We address those changes in responsibility by proposing an additional increase for the office of mayor of 3 percent or \$6,750.

With that addition, our proposed new mayoral salary is \$258,750.

### b. Office of Council Member

Our proposed raises for the office of City Council member are conditioned upon, and inseparable from, our proposal to eliminate lulus and to formally classify the job of City Council members as full time, as is already the case for all other City elected officials. Based on the foregoing, and applying the base salary increase to Council members' current salary of \$112,500 would result in an additional \$13,500. But for reasons discussed below, we ultimately recommend Council members' salaries be set at \$138,315. (We analyze the position of Speaker differently in the following section.)

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<sup>145</sup> See p. 17

<sup>146</sup> Indeed, since 1989, Quadrennial Commissions have repeatedly said that the substantial changes made in the 1989 Charter should be recognized in pay adjustments. But they have always postponed doing so to a later day. See, e.g., REPORT OF THE ADVISORY COMM'N FOR THE REVIEW OF COMPENSATION LEVELS OF ELECTED OFFICIALS (Sept. 1991), available at <http://www1.nyc.gov/assets/quadrennial/downloads/pdf/reports/1991-Quadrennial-Advisory-Commission.pdf>; REPORT OF THE QUADRENNIAL ADVISORY COMM'N FOR THE REVIEW OF COMPENSATION LEVELS OF ELECTED OFFICIALS 18 (Oct. 1995), available at <http://www1.nyc.gov/assets/quadrennial/downloads/pdf/reports/1995-Quadrennial-Advisory-Commission.pdf>.

## Evolution of the Council

Council members' responsibilities have increased twice in recent years. The first was after the 1989 Charter. The second was in the past few years when internal Council rules were changed to add to the responsibilities of individual members, and the Council as a whole greatly increased its productivity. Changes as a result of the 1989 Charter were reflected in the 2006 Quadrennial Commission's recommendations. The more recent changes are reflected in our recommendations. We elaborate both points below.

1. The 1989 Charter changes were recognized when the 2006 Commission proposed raising the pay of City Council members from \$90,000 to \$112,500. This was a proposed raise of 25 percent, as compared to the much lower 15.38 percent raise proposed for mayors.<sup>147</sup> The 2006 Commission's proposed 25 percent raise was precisely what then Council Speaker Christine Quinn had requested in a letter to Commission members.<sup>148</sup> Point 1 of Speaker Quinn's letter was that "City Council Members' Responsibilities Are Significant and Have Increased in Recent Years" (boldface in original). The Speaker then specifically referred to the 1989 Charter amendments, and, in addition, discussed responsibilities that the Council only had because of the 1989 Charter amendments. In addition, Speaker Quinn told the 2006 Commission that while the "job is technically part time," many members worked more than sixty hours a week and "unlike many state and local legislative bodies, the Council meets throughout the year."<sup>149</sup>

While the 2006 Commission did not expressly mention the Council's increased responsibilities under the 1989 Charter, their reliance on Speaker Quinn's letter and their acceptance of her proposed 25 percent raise clearly reflected the Council's increased responsibilities under the Charter. In the 2006 Commission's explanation of its proposed extra-large raise for City Council members, the Commission also referenced Speaker Quinn's letter and added that "by-and-large Council members serve full-time, and the recommended salary increase reflects this fact."<sup>150</sup>

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147 Appendix D, Changes Over Time in NYC Elected Officials' Salaries and the Consumer Price Index. Proposed raises for other City officials were 10 percent for the Public Advocate, 15.63 percent for the Comptroller, and 18.52 percent for borough presidents. (District attorneys were characterized as a special case with a proposed raise of 26.67 percent.) See ADVISORY COMM'N FOR THE REV. OF COMPENSATION LEVELS OF ELECTED OFFICIALS, REPORT AND RECOMMENDATIONS 16 (2006).

148 See 2006 QUADRENNIAL COMMISSION REPORT 48-51 (reproducing Speaker Quinn's letter). (Because the Speaker's letter of July 24, 2006 was not made public until the Commission Report of October 23, 2006, there was no public comment on the letter.)

149 *Id.* at 49.

150 *Id.* at 19.

We agree that in 2006 the Council merited a special bump upward because of its increased responsibilities under the 1989 Charter. But doing the same thing again for the same changes cannot be justified.

**2.** Facts showing increased Council responsibilities since 2006 were also provided by a letter from a Council Speaker, this time Speaker Melissa Mark-Viverito, whose letter of December 3, 2015, included more than 4,000 pages of attachments (attached as Appendix B-10.1). The letter describes internal procedural reforms and increased work by the Council on its core duties of legislation, oversight and constituent services. The internal reforms add to the responsibilities and the work of individual Council members, as well as enhancing citizen participation in government. Members’ ability to force floor action on bills has been increased. The responsibilities of Committee chairs have been increased. Additional transparency on Council actions is now required. The Council is now using technology to increase Council knowledge of constituent concerns across districts.

Along with these internal reforms, Speaker Mark-Viverito’s letter and its 4,000 pages of attachments detail and document substantial increased Council activity on legislation, oversight hearings, land use review, and budget review and adoption.

The Council’s participatory budgeting reforms won the 2015 Innovation Award for Public Engagement in Government from the Ash Center for Democratic Governance and Innovation at Harvard’s Kennedy School. The award “spotlights those programs that engage all citizens, particularly those from overlooked communities, and that serve as effective models of participatory democracy for other communities throughout the United States.”<sup>151</sup>

While the Speaker’s December 3 letter came very late—a subject to which we return in our reflections on the future—we found the submission well documented and persuasive.

The Council is no longer a rubber stamp or a junior partner. It is a fully functioning branch of government. While it has the separate role called for under checks and balances, and therefore often may disagree with mayors, the relationship is productive, not toxic, as is today the case elsewhere.

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151 Harvard Kennedy School, Ash Center for Democratic Governance and Innovation, press release, Sept. 17, 2015, <http://ash.harvard.edu/news/new-york-san-francisco-named-winners-harvards-2015-innovation-american-government-award>. Participatory budgeting allows residents to decide how to allocate millions of dollars for discretionary capital projects.

The description, in Speaker Mark-Viverito’s letter, of increased responsibilities of individual Council members and increased productivity in the City Council as a body, as well as innovations to increase transparency and responsiveness, supports our conclusion that an additional 3 percent increase is appropriate for City Council members. This would be \$3,375, added to the recommended increase for each seat on the City Council.

### Elimination of Lulus

We further propose folding evenly into the salary for each non-Speaker seat on the City Council the \$447,000 now budgeted each year for all lulus—leaving out the \$25,000 lulu currently allocated for the position of Speaker (whose position and salary are discussed separately below). That would result in each non-Speaker seat receiving an additional \$8,940 on top of the 12 percent base increase for all elected officials and the 3 percent noted in the prior paragraph.

So when combining the three elements of Council pay (one of which—the allocation of lulus—is not actually an increase), we recommend that pay for City Council members, other than the Speaker, should become \$138,315.

### c. Position of Council Speaker

The Speaker, often referred to as the second most powerful person in City government, holds what is essentially a citywide position. The Speaker is elected in a vote of all City Council members and has numerous unique responsibilities. The Speaker sets the substantive agenda for the Council and has overall responsibility for approximately 650 Council employees. The Speaker also appoints the Council’s central staff of 279, which includes the staff of committees, and plays a strong role in selection of committee chairs and committee members, with all such actions voted upon by the full Council. Speakers take the lead in negotiating with mayors on budget issues and on legislation. The Speaker serves *ex officio* on, and makes direct appointments, recommends, and nominates members to numerous boards, commissions, cultural organizations, and other entities. One important example is the right to appoint two members (who must come from different parties) to the five-member Campaign Finance Board, and mayors must consult the Speaker on the appointment of the Chair of that Board.<sup>152</sup>

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152 The full list is available on our website, [www.nyc.gov/quadcomm](http://www.nyc.gov/quadcomm).

To reflect these unique and important responsibilities of the Speaker, we recommend folding the \$25,000 formerly allocated as a “lulu” for the Speaker directly into the base salary for the person elected to that position. Adding together the current base salary of \$112,500, the proposed base salary increase of 12 percent, the further increase of 3 percent to reflect changes in the scope of responsibility, and \$25,000 the position of Speaker already receives, brings our total recommended salary for the position of City Council Speaker to \$154,375.

#### **d. Office of Comptroller**

Applying the 12 percent base salary increase to the Comptroller’s current \$185,000 salary would result in a raise of \$22,200. In addition, we believe the Comptroller’s increased responsibilities under the 1989 Charter, set forth at pages 25-26 in Part C above, justify a further increase of 1 percent (\$1,850), resulting in a total recommended salary of \$209,050.

#### **e. Office of Public Advocate**

Despite deep budget cuts imposed by earlier administrations, the Public Advocate, among other things, assists numerous individual city residents and issues public policy reports that focus on the needs of New Yorkers, particularly the poor and disadvantaged. Applying the 12 percent base salary increase to the Public Advocate’s current salary of \$165,000 results in a proposed raise of \$19,800, for a recommended new salary of \$184,800.

#### **f. Office of Borough President**

Though their offices are small, the five borough presidents continue to perform a vital role for the City. Applying the 12 percent base salary increase to their current salary of \$160,000 results in a proposed raise of \$19,200, for a recommended new salary of \$179,200.

#### **g. Office of District Attorney**

The five District Attorneys carry out their responsibilities well. They play a vital role in keeping the City safe and in assuring justice.

In the years since 1983, salaries of District Attorneys have increased by 136.84 percent to their current level of \$190,000. Compare that to the 104.55 percent increase in mayoral compensation over the same thirty-two-year period.<sup>153</sup>

On October 28, the District Attorneys collectively wrote the Commission proposing a raise of \$60,000 (or 31.58 percent).<sup>154</sup> While we agree with the letter's statement of the importance of the District Attorneys' work, we do not agree with the arguments they make to justify such a large raise. Unfortunately, none of the District Attorneys chose to accept our invitation to testify and thus missed an opportunity to engage in dialogue about their proposal.

We do not agree with a number of elements in the District Attorneys' proposal. First, the District Attorneys ask that their salary adjustment be "retroactive to 2011" and, second, that their pay now be increased to reflect likely increases in cost of living until 2020 when they say the next Quadrennial Commission would be convened. (Actually it would be in 2019.) If by "retroactive to 2011," the District Attorneys meant an actual payment of "back pay," we see no basis for that. If they meant that proposed raises should take account of the passage of time, we agree. As for adding to their salary now by taking into account future inflation, we reject that concept for the reasons discussed below at subsection 4, pages 64-65, where we also discuss why we reject the suggestions, made by some others as well, that future raises for elected officials be automatically tied to future cost of living increases.

The District Attorneys appropriately compare their current salary to other legal positions in government and elsewhere. The District Attorneys do deserve raises which will mitigate pay differences as compared to some of the offices they mention. But some of the comparisons are not persuasive because they do not take account of differences in the offices. As one example, the largest District Attorney's salary referenced is \$317,685 in Los Angeles, but that is for Los Angeles County, which covers 88 cities with a population of 10.1 million, or 3.86 times the size of the largest New York county (or borough). Another comparison is made to the New York City Corporation Counsel's office. However, that office has citywide responsibilities, and a much wider scope of work, including both defensive and affirmative civil litigation, Family Court practice, administrative enforcement, legislative drafting, contract and real estate law, economic development work, bond finance, and ongoing legal advice to mayors, other City officials and scores of agencies. The Corporation Counsel's

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153 Appendix D, Changes Over Time in NYC Elected Officials' Salaries and the Consumer Price Index.

154 Richard A. Brown, et al., to Frederick A. O. Schwarz, Jr., Oct. 28, 2015 (Appendix B-1).

office also employs more people (1,528) than even the largest District Attorney’s office (The Manhattan District Attorney’s office employs 1,399 people, the Richmond County office employs 109.)

There also are other prosecutors’ offices in New York City that are paid substantially less than the District Attorneys. For example, the U.S. Attorneys for the Southern and Eastern Districts of New York are paid no more than \$158,700.<sup>155</sup> But those federal positions have both a larger geographic coverage and wider subject matter jurisdiction (civil as well as criminal cases).

“Compression” is an issue for District Attorneys. As we indicate above (pages 54-55), compression is one reason why the District Attorneys need a raise now. But compression is not uncommon. Moreover, given the possible opportunities for some talented lawyers to make very much more money working in private practice, District Attorneys’ salaries could not possibly ever be raised high enough to deter all talented staff lawyers from leaving for the money. Nonetheless, the privilege and honor of working in a District Attorney’s office and the professional satisfaction from doing those offices’ important and interesting work will keep outstanding top-level lawyers working in the District Attorneys’ offices—just as has historically happened for a number of the City’s District Attorneys themselves.

Finally, the District Attorneys use changes in the CPI to make calculations. This was understandable based on past practice. However, as expressed above, we believe for several public policy reasons that proposed raises should be grounded in how the public is doing. The policy reasons for doing so apply to all of New York City’s elected officials, including the District Attorneys. We therefore recommend that the District Attorneys receive the base salary increase of 12 percent, which results in a raise of \$22,800, which would bring their total recommended salary to \$212,800.

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Some will say our proposed raises are too high. Others that they are too low.

There is no magic number. We are confident, however, that our proposed raises are based on analysis of the data and public policy considerations—and are fair as well.

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155 Under 28 U.S.C. § 548, the U.S. Attorney General “shall fix the annual salaries of the United States attorneys . . . at rates of compensation not in excess of basic compensation provided for Executive Level IV of the Executive Schedule.” The basic compensation for Executive Level IV, effective January 1, 2015, is \$158,700. U.S. Office of Personnel Management, Salary Table No. 2015-EX, available at <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2015/EX.pdf>.

As for being too high, many comparisons show that, to the contrary, New York City elected officials are paid less than others with less demanding jobs.<sup>156</sup> Moreover, the proposed pay of City elected officials is not an excessive multiple of the pay of low paid City workers<sup>157</sup> in contrast to the rampant income inequality in other sectors of the American economy.

As for being too low, there are two main answers. First, the pay raises we propose are grounded in data relating to how the public is doing. Second, marginal differences in the size of pay raises are not going to deter highly qualified people from running for and serving in office, for public service is, indeed, the noblest of professions. And those who choose to run and serve recognize that elected office gives them rare opportunities to better the lives of all the people and their posterity.

### 3. WHAT SHOULD BE THE EFFECTIVE DATE OF THE RECOMMENDATIONS?

There have been several suggestions that the effective date of the raises we propose should be delayed until January 1, 2018, the first day of new terms after the next City election in November 2017.

The genesis of this suggestion, or at least the rationale for it, is that it is inappropriate for raises to take effect before those who voted for the raises have had to first face an election. Logically, that rationale would only apply to City Council members and mayors—i.e. those who have to pass, and approve, any raises for City officials, including themselves.

The proposal has some distinguished historical roots. This rule was proposed for the House of Representatives as part of James Madison’s bill of rights.<sup>158</sup> However, the proposed amendment was not ratified at that time. Then, two hundred years later, it was ratified by more than enough states (three quarters are required) to become part of today’s Constitution.<sup>159</sup> The Twenty-Seventh Amendment says: “No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened.”

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156 See Part D, *passim*.

157 See *supra* p. 49.

158 See Richard B. Bernstein, *The Sleeper Wakes: The History and Legacy of the Twenty-Seventh Amendment*, 61 *FORDHAM L. REV.* 497 (1992). See also N.Y.C. Law Dep’t to Quadrennial Advisory Commission, memorandum, Nov. 18, 2015, available at [http://www1.nyc.gov/assets/quadrennial/downloads/pdf/research\\_on\\_the\\_history\\_of\\_the\\_qac\\_provisions\\_of\\_the\\_nyc\\_harter.pdf](http://www1.nyc.gov/assets/quadrennial/downloads/pdf/research_on_the_history_of_the_qac_provisions_of_the_nyc_harter.pdf).

159 For the history of rejection of the Amendment in the 1790s and its acceptance in the latter part of the 20th Century, see Bernstein, *The Sleeper Wakes*, *supra* note 158.

A law passed by Congress in 1989, however, has watered down the impact of the Twenty-Seventh Amendment. One of the provisions of the Ethics Reform Act of 1989 permits Congress to get regular future raises based upon the lower of (i) the percentage increase pursuant to a formula based on changes in private sector wages or (ii) the percentage increase in pay of federal employees. This happens unless Congress votes not to accept the raise.<sup>160</sup> Congress has generally voted against these raises, perhaps based on political fear.

While the roots of the proposal are, indeed, distinguished, there are also two arguments against it as applied to New York City today. One is based on fairness; the other on the structure and substance of City laws relating to changing the pay of City officials.

The fairness point is that all the elected offices have been without any change in pay since November 2006, the effective date of pay raises following the recommendations of the 2006 Quadrennial Commission. Nine years is a long time to go without any change in compensation. If the delay proposal were accepted, it would mean the offices will have had no change in pay for eleven years.<sup>161</sup>

Even if one could characterize added delay as fair, further delay until after the next election cannot be squared with two City laws relating to compensation changes. First, the law establishing Quadrennial Advisory Commissions provides that Commissions should meet and make their recommendations early in the second year of new four-year terms for City elected officials. With such timing, it would be exceedingly strange to infer that the effective date of a Commission's recommendations, if adopted, should be more than two years later. Second, there is another City law that does address the timing of pay raises for elected officials. This provides that "no local law" that "increases or decreases" the

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160 This provision has been upheld as consistent with the Twenty-Seventh Amendment. *See* *Boehner v. Anderson*, 30 F.3rd 156 (D.C. Cir. 1994); *Schaeffer v. Clinton*, 54 F. Supp. 2d 1014 (D. Colo. 1999).

161 In the course of making an historical argument based upon the Founding Fathers, some have argued that the Council has "only itself to blame" for the delay in pay raises because, "anywhere along the way," the Council could have voted to raise its base pay. Editorial, *What the Council's Worth: How to Raise the Pay of New York City's Legislature*, N.Y. DAILY NEWS (Nov. 16, 2015), <http://www.nydailynews.com/opinion/editorial-council-worth-article-1.2434597>. However, the Council cannot by itself enact a pay raise; it must be in a law subject to mayoral veto. Moreover, for the Council to act unilaterally without following the process of waiting for the recommendation of independent outsiders on a Quadrennial Commission would seem to violate the Commission concept which is designed to limit the power of mayors and the Council to unilaterally change their pay.

Presumably, Mayor Bloomberg had reasons in 2011 for failing to appoint a Quadrennial Commission: either the City's (and its residents') condition as a result of the Great Recession or the state of collective bargaining, or both. But, on the fairness question, why should the office of Council member and the office of mayor go without any pay change for eleven years because of the decision of a former mayor four years ago?

pay of elected officials “shall be adopted during the period between the general election day and the thirty-first day of December . . . in any year in which all of the council members are elected.”

Thus, the City Charter specifically addresses the question of when the Council may vote a salary increase. It does not bar increases in pay during the term of office of incumbents except following the general election in a Council election year. It is clear from the history of this Charter provision that it was designed to ensure that any Council member voting to increase salaries could be held accountable at the *next* election.<sup>162</sup>

One system says no raise shall become effective until after an election. The other system calls for an election after the raise goes into effect. Under both systems there is democratic accountability.

As a matter of human nature, moreover, it does not seem desirable to have a system where raises for most elected officials would start immediately, while mayor and Council member would have to wait another two years.

Given all these points, we recommend that any law passed to implement our recommendations take effect as of January 1, 2016. (We say “as of” because if our proposals are accepted by the Mayor and implemented by the Council, the process will last beyond January 1.)<sup>163</sup>

Nonetheless, we believe there is sufficient merit to the suggestion of delaying implementation of future Commission recommendations until after the next election to warrant consideration by City officials of future changes in law that would be needed if that concept were to be implemented. We elaborate on this in Part G below.

#### **4. FOR THE FUTURE, SHOULD THERE BE AUTOMATIC PAY RAISES BASED ON COST OF LIVING CHANGES?**

Several people, including the District Attorneys, have suggested a new system for the future—where annual raises for elected officials would be guaranteed and automatic, based, perhaps, on cost of living changes.

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162 See LOCAL LAW NO. 77 of 1986 (codified at N.Y.C. ADMIN. CODE § 3-601).

163 Within thirty days after receipt of the Report, the Mayor submits it to the Council with his recommendation for approval, disapproval, or modifications. The Council, in its discretion, then considers the recommendations of the Commission and Mayor. N.Y.C. ADMIN. CODE § 3-601. The Council would then proceed in accordance with its practices on notice and deliberation to decide whether to enact a local law.

We reject this suggestion for two basic reasons. First, ordinary citizens do not have such a guarantee. Second, guaranteed pay raises remove democratic accountability. Elected officials should be accountable to the electorate for their actions on pay.

In addition to these fundamental points of principle, these would be practical problems. First, what cost of living measure would be used? As this Report shows, there are different measures by which changes in the cost of living can be measured. Also, what is appropriate might change from time to time. Second, if a cost of living measure suddenly went negative, should pay be reduced across the board in government offices—or just at the top?

## **PART G**

### **THOUGHTS FOR THE FUTURE BASED ON OUR EXPERIENCE**

#### **1. EXPLORE AMENDING CITY LAW TO HAVE A SYSTEM LIKE THE TWENTY-SEVENTH AMENDMENT**

There are substantial arguments in favor of a change for the future to a system like the Twenty-Seventh Amendment. To do so would involve moving the future appointment of Quadrennial Commissions to the third year after an election rather than the first. Then if a decision were also made to change the law for the future to make the effective date of any raises after the next election, undue delays between action by the Council and a raise would not ensue.

Before deciding whether to change, the City should engage in careful deliberation which would include, for example, (i) whether the Amendment concept makes sense in a system where raises for all elected offices are being proposed, as opposed only to raises for the House of Representatives; (ii) whether the existence of an independent Commission composed of experts on compensation issues reduces the need for a system like the Twenty-Seventh Amendment; and (iii) whether there is anything relating to City activities in the third year of a term, which makes it substantively undesirable to have deliberations at that time.

## 2. MORE TIME ALLOTTED TO QUADRENNIAL COMMISSIONS

There are a number of reasons to explore this. If future Commissions decide, as we did, to rely on non-City assistants for research and counsel, there will be hiring delays at the start.<sup>164</sup> Another potential delay factor at the front end is the need to arrange budgets and other start-up matters with the City.<sup>165</sup> Moreover, some of our procedural innovations clearly add to the time needed by a Quadrennial Commission. Transparency necessitated start-up time to create a website and social media presence. More fundamentally, our interest in hearing from all constituent groups might have been even more useful if the public, the press, good government groups, and elected officials had more time to react to the voluminous material posted on the website and otherwise to prepare and submit information to a Commission.

Some extremely useful information did not get to the Commission until days before we were finishing up our report. The best example is Speaker Melissa Mark-Viverito's letter of December 3. We do not think there was any inappropriate reason for the lateness of this useful submission. Work on such a submission with its 4,000 pages of attachments takes substantial time.

Without regard to the methodology and process of this Commission, we believe the expected time for a Commission to report should be increased moderately. We had 15 meetings and many other communications among the Commissioners. We held two public hearings. Members of our Commission support team had several meetings with City agencies to obtain records and other data. A thorough and thoughtful report requires a great deal of deliberation, writing, and editing.

We suggest the City explore changing Administrative Code § 3-601 to increase the expected time for a Commission to report from two and a half months to three and a half months.

## 3. THE CITY SHOULD CONSIDER A LAW THAT WOULD REQUIRE QUADRENNIAL COMMISSIONS TO OPERATE WITH THE SAME SORT OF OPENNESS THAT WE DID

The work of a Commission like this one should be open. Openness helps the public, the press, good government groups, and elected officials themselves. It also helps a Commission.

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<sup>164</sup> We believe such people need to be full-time for the duration of a Commission and not be part-time working at, for example, an entity that a Commissioner may be affiliated with. We had minimal start-up delays in hiring because the Chair had government experience and knew highly qualified people with the requisite counsel and research skills who were immediately available.

<sup>165</sup> It would be useful if before appointment of a Commission, the City prepares for these budget and other matters.

#### **4. IS THERE ANYTHING THAT COULD BE DONE BY WAY OF LAW OR REGULATION THAT WOULD INCREASE THE LIKELIHOOD THAT ELECTED OFFICIALS MAKE SUBMISSIONS CONCERNING THEIR DUTIES AND RESPONSIBILITIES?**

It would be useful if all elected officials were required to respond to data requests from a Commission. A Commission should not be able to require any official to say what pay they suggest—and really that is not of much interest to a Commission. But could elected officials be required to supply data and answer questions?

#### **5. SHOULD ELECTED OFFICIALS' DISCLOSURE FORMS BE PUT ONLINE?**

We have no special expertise on this. But we were told that this is done well in some other governments. Disclosures of candidate campaign spending are put online by the New York City Campaign Finance Board. It is not clear, moreover, why disclosure statements of government officials are filed digitally but must be obtained (for a fee) in person from the City Conflicts of Interest Board. Why shouldn't the forms be electronically available?

## PART H CONCLUSION

We were honored to have been appointed to the Commission.

We can think of no nobler cause than to work on issues important to New York City—the place where each of us was born and lives.

We engaged in an in-depth discussion of the role of government. We reviewed extensive research on pay and pay trends in New York and the rest of the country.

We understood that our job is not to evaluate individual office-holders but to value each elected office.

We conducted hearings and received submissions from elected officials, good government groups and private citizens.

Throughout the process, we acted upon our commitment to being transparent and independent.

We understand and appreciate how important it is to carefully weigh all the elements of our work—and that proposing pay raises requires judgment.

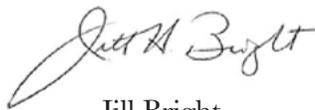
At the core of this Commission’s recommendations is the belief that the relationship between the pay of elected officials and the economic condition of their constituents is critical.

Our abiding hope is that our approach will help stimulate constructive, respectful dialogue in future debates about government pay.

Respectfully submitted,



Frederick A. O. (“Fritz”) Schwarz, Jr.  
Chair



Jill Bright  
Comissioner



Paul Quintero  
Comissioner

(December 14, 2015)

## ACKNOWLEDGMENTS

Three colleagues assisted us throughout our work: our Counsel, Jeffrey Friedlander, our Director of Research, R. Kyle Alagood, and our Communications Manager, Laura Kozien.

Jeff joined us after 44 years of top level legal work for the City. In addition to his substantial knowledge of the workings of City government, Jeff provided sound counsel, a keen sense for points of principle and a nuanced eye in editing drafts of the Report.

Kyle is a new law school graduate who had also worked extensively on research projects at the Brennan Center for Justice, including being the key researcher on the Chair's most recent book. Kyle was at the heart of all the Commission's extensive research. He also provided thoughtful and careful assistance in editing our report, as well as managing the physical production of the Report and making key decisions on the visual presentation of the extensive data contained therein.

Laura Kozien had worked with Paul Quintero for four years and at Accion for approximately twelve years, leading their communication and online media outreach efforts. Laura led the development and management of our website and spearheaded the use of social media to increase awareness of the Commission's work and its desire for public input and testimony into our deliberations. Laura made our work understandable, visually appealing and readable for today's social media user.

We are extremely grateful to Jeff, Kyle, and Laura, not only for their hard and constantly excellent work, but also for the warm and collegial way they all worked with the three of us as a team.

Antrina Richardson and Helen Sikorski at Cravath, Swaine & Moore (the law firm where the Chair spent his time in private practice), typed all the first drafts of the Report (except for Part D) and also typed the multiple edits that followed. (These were difficult tasks because of the Chair's atrocious handwriting.) Antrina worked particularly hard throughout, including for some twenty hours over the last weekend. We are grateful to Antrina and Helen for their skills and their consistently friendly ways.

Kristie DiMassi has worked as a coordinator and an associate in various departments throughout Condé Nast for over 19 years. She is highly organized and helped with the scheduling of our meetings in addition to serving as a general point-person for us on several administrative matters.

## BIOGRAPHIES

**FREDERICK A. O. (“FRITZ”) SCHWARZ, JR.** is Chief Counsel at the Brennan Center for Justice. Since graduation from law school in 1960, he has mixed the highest level of private practice with a series of critically important public service assignments. His private practice was all at Cravath, Swaine & Moore, where he was a litigation partner with a broad and varied practice.

In government: from 1975-76 he was Chief Counsel to the Church Committee (or as it was formally known, the Senate Select Committee to Study Governmental Activities with Respect to Intelligence Activities). He was New York City Corporation Counsel under Mayor Koch (1982-86). Then in 1989, he chaired the Commission that extensively revised New York City’s Charter. And from 2003-08 he chaired the New York City Campaign Finance Board.

Mr. Schwarz received magna cum laude degrees from Harvard College and Harvard Law School, where he was an editor of the Law Review. After a year’s clerkship with the Chief Judge of the U.S. Court of Appeals for the Second Circuit, he worked one year for the government of Northern Nigeria under a Ford Foundation grant, then in 1963, he started at Cravath where he became a partner in 1969.

Mr. Schwarz has written three books. The latest, *Democracy in the Dark: The Seduction of Government Secrecy* (The New Press, April 7, 2015), illuminates one central question: How much secrecy does good governance require? His prior book is *Unchecked and Unbalanced: Presidential Power in a Time of Terror* (The New Press, 2007). The first book was *Nigeria: The Tribes, the Nation, or the Race – The Politics of Independence* (The MIT Press, 1965). He has also written numerous op-ed and magazine articles, the earliest being a 1966 article on “The United States and South Africa: American Investments Support and Profit from Human Degradation.”

Mr. Schwarz has long been involved in the nonprofit sector. Among many other things, for almost twenty years, he served as Chair of the boards of both NRDC and the Vera Institute of Justice, on whose boards he continues to serve. He also chaired the board of Atlantic Philanthropies and the Fund for the City of New York. At the Brennan Center, he has tried three cases, testified frequently before Congress, edited various reports, and written substantially.

**JILL BRIGHT** is the Chief Administrative Officer for Condé Nast. She joined Condé Nast in 1993 and led the Human Resources department from 1996 until her appointment as Chief Administrative Officer in 2010. Prior to joining Condé Nast, she worked in various senior HR roles at Macy's, American Express and PepsiCo's Frito-Lay division.

Ms. Bright serves on the Advisory Board of the Mayor's Fund to Advance New York City, the Executive Committee of the Alliance for Downtown New York and the National Board of Girls Inc. She is also a member of the Board of Directors of Qubed, a higher education services company that partners with top tier colleges and media brands to deliver high quality academic programs.

Ms. Bright received her bachelor's degree from Marymount Manhattan College and her MBA from New York University's Stern School of Business.

**PAUL QUINTERO** serves as Chief Executive Officer of Accion East. He has more than 20 years of experience in banking, public accounting, and community development investment in the nonprofit microfinance sector. Prior to joining ACCION EAST in 2007, he served as senior vice president of business investments at the Upper Manhattan Empowerment Zone (UMEZ). Mr. Quintero also served as a vice president at Lehman Brothers, and as a senior associate at Schroder & Co. He began his investment banking career with Chase Securities. Prior to investment banking, Mr. Quintero worked as a senior staff accountant for Deloitte & Touche. He also served as board chairman for The Point Community Development Corporation. Mr. Quintero earned a BA in Business Administration and Accounting from the University of Washington and received his MBA from Columbia Business School.

## APPENDIX

### 2015 QUADRENNIAL ADVISORY COMMISSION: PLANS AND PROCESS

Our task, pursuant to Administrative Code § 3-601, is to study, evaluate and, if warranted, recommend specific changes to the “compensation levels” of City elected officials.<sup>1</sup> The Commission’s Report as to whether any recommendations for changes in compensation are, or are not, warranted is required first to be submitted to the Mayor. The Mayor then must submit the Commission’s Report to the City Council with recommendations for its approval, disapproval or modifications. The Council is then to consider the recommendations of the Commission and the Mayor and, in its discretion, approve a local law with respect to compensation.

Commissions are meant to be convened every four years (hence the title “Quadrennial Advisory Commission”). However, the last Commission issued its report in October 2006. Therefore, compensation for City elected officials has not changed since 2006.

This memorandum is to provide to the public our initial thoughts on our goals and guiding principles, the basic structure and timing of our proceedings, issues that should be explored in our research, and our staffing.

**Goals and Guiding Principles:** In deciding whether to recommend changes in compensation levels, our goal is to make recommendations that are in the public interest and commensurate with the duties and responsibilities of the offices held. Of course, there are many aspects to the public interest.

We hope to learn by listening.

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<sup>1</sup> These are the Mayor, the Public Advocate, the Comptroller, the five Borough Presidents, and the fifty-one Council Members, as well as the five District Attorneys.

We will be transparent. For example, this memorandum and all our research materials will be digitally available.

Although there will be questions of judgment, to the extent possible, the Commission will rely on data and evidence-based methodology to make its recommendations.

### **The Basic Structure and Timing of Our Proceedings**

At the outset, there is a lot to learn about the structure of City government, the duties and responsibilities of the various elected officials, prior Quadrennial Commission Reports, and relevant legal and constitutional materials. We will also be obtaining research papers, as indicated below.

We will make all these materials available digitally and invite comments from any who choose to submit them. We also invite comments on this memorandum.

After our initial research, we plan to hold two public hearings to listen to testimony about the relevant facts and about the issues facing us. These will be open to members of the public and anyone who wishes to testify, including elected officials (present and former), other government employees and their representatives, and other stakeholders, including representatives of civic, good government and other public interest groups. We hope that these hearings will involve dialogue between the witnesses and the Commissioners and not just be a passive reception of information and ideas.

### **Research Questions**

Along with understanding the roles, responsibilities and key skill-sets required of the City's elected officials, we will gather evidence and data based on

research concerning at least the following subjects, and welcome suggestions on additional data and material we should obtain or analyze.

**A. Data Concerning Compensation Levels for City Elected Officials.**

1. Current levels of compensation.
  - The Commission will have to determine what is included in the direct and indirect compensation of public officials.
2. Changes over time.
3. Analysis of the “compression” effect that salaries of City elected officials have on other City employees.

**B. Data with Respect to Compensation for Persons Other Than City Elected Officials.** [For all of these we should also gather information on changes over time.]

1. Other government officials (Cities,<sup>2</sup> as well as Federal and States).
2. Selected appointed officials in NYC government, public authorities and other entities. We should also look at a sample of appointed officials in the New York State and Federal governments.
3. Leadership at NYC non-profit organizations and universities.
4. Heads of NYC unions.

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<sup>2</sup> In our materials comparing NYC elected officials with elected officials elsewhere, we should reference at least differences in (i) population; (ii) number of the government’s employees; and (iii) size of the government’s budget. In considering population, we should consider the population of the City itself and the population of the surrounding metropolitan area, particularly the number of people who come into the City to work or for entertainment. In addition, we should consider the number of tourists who come to the City because they also affect the City government’s revenue and expenses.

And in analyzing budgets, we should reference both the expense budget and the capital budget. We should also note the difference between “strong mayor” positions and weak mayor positions. (There may be relevant comparisons with county executives as well as mayors.)

5. NYC civil service, union and municipal employees.
6. Executives and administrators at companies in NYC and other relevant private sector employment (some of this may be more relevant for trends than for absolute numbers).

C. Cost of Living (in NYC).

1. Changes over recent years.
2. Data relevant to cost of living in NYC:
  - General
  - Housing costs
  - Median personal income in NYC
  - Other data
  - Possible pay differentials for people “stationed” in NYC?
3. Comparisons based upon both the Consumer Price Index and Price Index for Personal Consumption Expenditures, with analysis of which is more relevant.
4. Changes in compensation of NYC employees pursuant to collective bargaining agreements and in management compensation.

D. Additional Research Related to Compensation and Possible Changes in it.

1. Should “Lulus” for City Council Members be Addressed in Considering Changes in Compensation? If pay raises are recommended for City Council members, should any recommended changes in compensation be based on the explicit assumption that the Council will enact a law eliminating “lulus” paid to Council members for duties such as chairing a

committee? Lulus (short for “payments in lieu of . . .”) are a form of additional compensation for Council members beyond that set by law after the recommendations of a Quadrennial Commission. The issues would have to be looked at separately for the Speaker who is the only person elected to the position by a vote of the whole Council. Research should include how many members are today eligible for lulus? How many accept them? In how many other legislatures do lulus exist? What are the arguments for or against lulus? When, and under what circumstances, were they first established in NYC? Moreover, if there were no lulus, should, or should not, the “base pay” for Council members be adjusted and, if so, to what extent?

2. Should Council Members Be “Full Time,” As With All Other City Elected Officials? With respect to City Council members, there is—unlike all other City elected officials—no requirement that they work “full time” for the City. (This means, for example, that Council members are free to obtain additional compensation by practicing law or other professions.) If pay raises are recommended for City Council members, should they be based on the explicit assumption that the Council will enact a law with a “full time” requirement for Council members? Research would include the arguments pro and con. Research would also include the breadth of today’s City Council members’ responsibilities, the amount of time Council members today devote to their work for the City, practices in

other legislatures, and possible conflicts of interest or appearance of conflicts.

3. When we finish, we may want to opine on whether the City should consider any changes in the law and methodology governing future changes in compensation for elected officials, including the timing of any changes that are enacted.

### **Staffing**

We made the decision that our staff should not be employed by the City. Talented and fair-minded as City employees would no doubt be, there would be an appearance of a conflict of interest given (i) who they work for and (ii) that, ultimately, the compensation of higher level City employees is related to the compensation of the City's elected officials. On occasion, however, we will, pursuant to § 3-601(g), both ask City employees for answers to specific questions and avail ourselves of technical assistance. We will make available digitally answers to those specific questions, as we will with our other research.

The Commission will be assisted by Jeffrey Friedlander, Counsel; R. Kyle Alagood, Director of Research; Laura Koziem, Communications Manager.

\* \* \*

Once again, we reiterate that we welcome any comments on or suggestions about the thoughts in this memorandum. They can be conveyed to us at: [www.nyc.gov/quadcomm](http://www.nyc.gov/quadcomm).

Frederick A. O. Schwarz, Jr.  
Jill Bright  
Paul Quintero

October 8, 2015

Robert T. Johnson  
District Attorney of Bronx County

Kenneth P. Thompson  
District Attorney of Kings County



Cyrus R. Vance, Jr.  
District Attorney of New York County

Richard A. Brown  
District Attorney of Queens County

Daniel L. Master, Jr.  
Acting District Attorney of Richmond County

October 28, 2015

Frederick A.O. Schwarz, Jr., Chairman  
Quadrennial Advisory Commission for the  
Review of Compensation Levels for Elected Officials  
c/o Brennan Center for Justice  
161 Avenue of the Americas  
New York, New York 10013

Dear Chairman Schwarz:

We write to bring to the attention of the Commission our views regarding the compensation level of the District Attorneys in New York City. As you know, Administrative Code Section 3-601 requires that the Quadrennial Advisory Commission periodically review salaries for elected officials, including the District Attorneys, to ensure that their compensation reflects the important work that they perform. Factors to be considered include salary trends for positions with analogous duties, the length of time since the last change, changes in the cost of living, and the compression of salary levels for others in the elected official's office. In light of these guidelines, we believe the annual salary of the District Attorneys should be raised to \$250,000.

As District Attorneys, we are responsible for the prosecution of the most serious and violent criminal offenses including murders, rapes, robberies, gang violence, child abuse and domestic violence. We conduct long term investigations into sophisticated white-collar crimes, official misconduct and corruption, gun and drug trafficking and other offenses. We play a critical role in the handling of quality of life crimes that impact on our local communities and oversee a wide variety of school programs, drug treatment and mental health programs and other initiatives aimed at preventing crime. Our offices are also responsible for criminal appeals in state and federal courts, extraditions, forfeiture proceedings, crime victim assistance and a host of other civil and criminal enforcement efforts. In all of these cases, the public relies on District Attorneys to see that justice is done. We supervise hundreds of lawyers and support staff and have budgets in the tens of millions of dollars. Our offices are among the largest law firms in the City.

The last Quadrennial Advisory Commission issued its report in late 2006 and recommended that the next Commission should be appointed in 2011 as required by statute. Because four additional years have elapsed until the appointment of this Commission, the salary of the District Attorneys has remained at \$190,000 for the last eight years. In light of the four year delay in forming

the Commission, we ask that the salary adjustment be retroactive to 2011.

During the period since the last Quadrennial Advisory Commission, while the salaries of the District Attorneys have remained flat, the baseline Consumer Price Index (CPI), one of the standard measures of the real cost of living in a region, has continued to increase. Using the CPI, we calculated the salary of the District Attorneys from the last increase in 2007 out to 2020 (when the next Quadrennial Advisory Commission would be convened) as if it had kept pace with the cost of living. For the projected future years, we used the average annual increase between 2007 and today (see attached chart entitled CPI-NY). Such an analysis yields an annual salary of \$253,568. We hope that the Commission, going forward, will consider tying the new salaries to a cost of living increase, similar to that granted to Federal judges.

Public sector employees in New York City with similar duties are currently paid at levels higher than the District Attorneys. Deputy Mayors are paid \$222,182 (a 16.94% variance); the First Deputy Mayor is paid \$256,819 (a 35.17% variance). The New York City Corporation Counsel, the Director of the Mayor's Office of Criminal Justice, the Police Commissioner and other senior commissioners are paid \$214,413 (a 12.85% variance). And if District Attorneys salaries are not increased by the Commission, the gap will continue to increase over time.

Another approach in calculating appropriate compensation levels is to look at how District Attorneys have fared over the years compared to these appointed City managers. Since the last Quadrennial Advisory Commission, City managers have received periodic salary increases. Had the District Attorneys received similar increases over the same period analyzed above (2007-2020), their annual salaries would be projected to be \$258,389. Once again, we calculated the out years by using an average of managerial salary increases during the period from 2007 to today (see attached chart entitled MPO).

Also relevant are the salaries paid to District Attorneys around the country. For example, District Attorneys in California earn \$291,006 in Santa Clara; \$317,685 in Los Angeles; and \$260,842 in Alameda. In Denver, the District Attorney will be paid \$219,606 starting January 1, 2016. If these salaries were adjusted to New York City cost of living standards, they would be even higher.

The inadequacy of the District Attorney's earnings is brought into greater focus when compared to legal salaries in the private sector. Most large or top tier New York City law firms pay their first year associates \$160,000 and many also pay significant bonuses, bringing their annual earnings close to those of the elected District Attorneys. Within a few years, these young attorneys earn far more than elected District Attorneys. And senior partners in these firms, whose responsibilities are closer to those of District Attorneys, earn in the millions. The Executive Director of the MTA is paid \$359,877 and the Director of the Port Authority earns \$289,667. Executives at large non-profits also have salaries that are significantly greater than the District Attorneys.

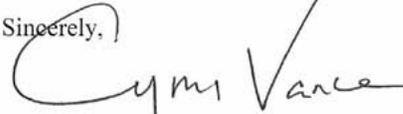
Beyond this, the eight year salary freeze of the District Attorneys' salaries has caused downward compression of all salaries in the District Attorneys' offices -- in particular those of our

most senior managers. That pressure reached a point where it could no longer be contained, and in the last year salaries of some of our senior managers now exceed that of the District Attorney himself. The salaries of many other senior managers in all the offices are now right up against the salary of the District Attorney. Despite the increases, all of those salaries are still below where they would be if not for the cap on the salary of the District Attorney.

The salaries of attorneys at all levels of our offices also continue to be severely compressed. This has had a harmful effect on employee retention. Although there is stiff competition for entry-level positions, many leave the public sector for more lucrative jobs after they have received invaluable training and experience as prosecutors. Our best prosecutors -- those who have handled the most difficult and complex cases, involving both violent crime and white collar crime -- are most in demand. Some firms, and even regulatory and other public agencies, are offering these prosecutors tens of thousands of dollars more in pay. Our ability to fight crime will be gravely affected if we cannot adequately compensate our best and our brightest. In recommending increases for the District Attorneys in 2006, the last Quadrennial Advisory Commission found that the professional degree requirements of the office and the difficulties that our offices have in retaining our most talented attorneys demonstrated a compelling need for increases that would keep our offices competitive.

Thank you for the opportunity to present our views on this important matter. Should you require any further information, please do not hesitate to call.

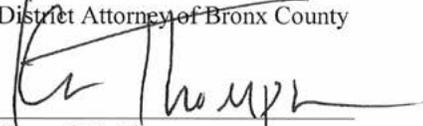
Sincerely,



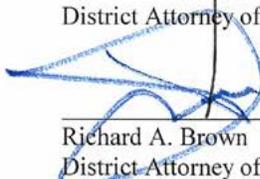
Cyrus R. Vance, Jr.  
District Attorney of New York County



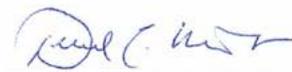
Robert T. Johnson  
District Attorney of Bronx County



Kenneth P. Thompson  
District Attorney of Kings County



Richard A. Brown  
District Attorney of Queens County



Daniel L. Master, Jr.  
Acting District Attorney of Richmond County

Attachment

cc: Jeffrey Friedlander, Executive Director

## DA Salary Analysis

CPI-NY*				
Year	Starting Salary	%	Increase	Adjusted Salary
2006 (Base)				190,000
2007	190,000	2.8%	5,320	195,320
2008	195,320	3.9%	7,617	202,937
2009	202,937	0.4%	812	203,749
2010	203,749	1.7%	3,464	207,213
2011	207,213	2.8%	5,802	213,015
2012	213,015	2.0%	4,260	217,275
2013	217,275	1.7%	3,694	220,969
2014	220,969	1.3%	2,873	223,842
2015	223,842	2.1%	4,701	228,542
2016	228,542	2.1%	4,799	233,342
2017	233,342	2.1%	4,900	238,242
2018	238,242	2.1%	5,003	243,245
2019	243,245	2.1%	5,108	248,353
2020	248,353	2.1%	5,215	253,568
<b>Total</b>			<b>63,568</b>	<b>33%</b>

MPO*				
Year	Starting Salary	%	Increase	Adjusted Salary
2006 (Base)				190,000
2007	190,000	4.4%	8,341	198,341
2008	198,341	4.0%	7,934	206,275
2009	206,275	4.0%	8,251	214,526
2010	214,526	0.0%	-	214,526
2011	214,526	1.0%	2,145	216,671
2012	216,671	1.0%	2,167	218,838
2013	218,838	1.0%	2,188	221,026
2014	221,026	1.5%	3,315	224,341
2015	224,341	2.5%	5,609	229,950
2016	229,950	3.0%	6,898	236,848
2017	236,848	2.2%	5,211	242,059
2018	242,059	2.2%	5,325	247,384
2019	247,384	2.2%	5,442	252,827
2020	252,827	2.2%	5,562	258,389
<b>Total</b>			<b>68,389</b>	<b>36%</b>

**Testimony of Roxanne Delgado  
Submitted Online: November 16, 2015**

**Background**

The Advisory Commission For the Review of Compensation Levels of Elected Officials in their recommendation in October 26<sup>th</sup> of 2006 made incomparable comparisons and left out pertinent factors as follows

In their report dated October 23, 2006, their Appendix A had the Salary Data for Elected officials of the 25 largest Cities. The commission used this data to compare it to city council base salary of 90k. Without the lulus, it is falsely perceived our city council is the 6<sup>th</sup> top paid when in fact they are 4<sup>th</sup> top paid if lulus were rightfully included. (Appendix A-1).

In addition, full time or part time status and average district population represented should have been factored. As Appendix A-1 shows New York City Council was 4<sup>th</sup> top paid above their full time status counterparts. After they voted themselves a 25% pay hike in Nov 2006, they were ranked 2<sup>nd</sup> top paid above their full time counterparts and 19% more their Seattle counterparts ranked 3<sup>rd</sup> top paid city council. Los Angeles city council makes 20% more with their salary of \$149,160 compared to our city council salary of \$124,000. However, Los Angeles counterparts are full time statutory and their represent 60% more residents in their district then New York City (Appendix A-2)

The above not factored by the Commission in 2006 actually resulted in the City Council members overpaid in comparison to their counterparts in the 25 largest Cities. (Appendix A-1)

In regards to Appendix E of the Commission report dated in 2006. The New York City Council members average staff of 10 people and the Borough Presidents and Public Advocate average staff of 50 people pales in comparison. These leaders in Appendix E have much larger staff to manage and their roles and functions are not the same. I do not think this should be used in the Commission methodology in assessing our elected officials' salaries.

In regards to Appendix J of the Commission report dated in 2006. The average salary of DC37 in 2006 was \$29,000 compared to the city council average salary of \$100,000. Most of DC37 jobs are clerical and maintenance and not comparable to our elected official's functions. Also city negotiations with DC37 may not be in the interest of the public if it indirectly determines the raises of our city elected officials.

In regards to Appendix K of the Commission report dated in 2006. The commission didn't take into consideration the recession during 2001-2005. Not

only were many New Yorkers not receiving raises but many lost their jobs and were unemployed during this period. Others took salaries below their past paid history to remain employed.

Also the City council members ran in 2005 knowing that their base salary was 90K . Therefore, the hypothetical salaries with increases consistent with CPI should have started from 2006 and not applied to past years from 2000 to 2005. Therefore no CPI adjustment should have been made before their term began in 2006.

**Appendix L**

In regards to Appendix L of the Commission report dated in 2006. Similar to my concerns with gauging the city council raises to union contracts, Mayor's personnel orders may be comprised if the raises benefit the elected officials indirectly. There is a conflict of interest if the raises of the elected officials correlate with the raises they determine for their staff.

**Appendix M.**

As I stated above, the commission did not include the lulus in comparing the salary of the city council with their counterparts. Appendix M is amended to reflect their total compensation in 2006. (Appendix M-1)

The above comments regarding 2006 Commission methodology were necessary to avoid repeating history. The city council received a 25% pay raise after serving less than a year in their new term In fact my city council member James Vacca ran for the open seat in 2005 that paid 90k yet received a 25k raise after serving less than a year in office. CM Vacca and 46 city council members voted against the amendment eliminating lulus as recommended by the commission and gave themselves a 25% pay raise. Only 5 city council members including CM Avella voted to eliminate lulu as recommend by the Commission. Therefore it is important that lulu is included as their total compensation by this commission in 2015

**Recommendations:**

**Lulus:**

Lulus must be included with the base compensation of the city council members in comparing with their counterparts. Over 92% of the city council members received lulus, it is sort of Enron off balance reporting of their salary to the public. As I stated in 2006, my city council member James Vacca and 46 other city council member blatantly ignored the commission

recommendation of eliminating lulu and voted against Avella's amendment to eliminate lulu. Appendix A-1 has their adjusted based salaries

#### **Part time or Full time**

In the prior commission, the city council Speaker Quinn and other city council members argued that they work full time. Unless there is time sheet to verify these continued claims, their job is statutory part time and should be factored in your computations as a part time. The city council could have recommended the statutory change to full time to the charter revision commission convened in August 2010.

#### **Outside Income:**

As reported and verify by the annual financials Disclosure forms. 40 of the 51 city council members do not have any outside income. And 7 of the 11 make an averaged round \$1000-\$5000. The remaining 3 city council members have income as follows.

- Chaim Deutsch (D-Brooklyn), the only Council member to report minimum outside income that topped six figures — between \$100,000 and \$250,000 from his real estate company, Chasa Management.

- Peter Koo (D-Queens) continues to collect a minimum salary of \$70,000 from his pharmacy companies, K&F Drug Corp. and Koo & Co. The maximum is \$195,997.
- David Greenfield (D-Brooklyn), an attorney, reports a minimum salary of \$60,000 (the maximum at \$99,999)

The lack of outside income doesn't mean they are working full time in the city council. It may mean they make sufficient money not in need of a second job unlike many new Yorkers who have more than one job b to pay their bills. It may also mean they are not employable in the private sector and should be appreciative of their current employment.

#### **Additional factors. - Office Perks**

After my city council member James Vacca and 28 oily council mummies voted themselves a 3<sup>rd</sup> term in 2008, they gain a lifetime retiree health insurance that costs the city up to \$12,600 a year. Those benefits could amount to millions of dollars in expenses over the next few decades. Under current rules, city employees must work 10 years and pay into the pension system to become eligible for retiree health benefits. But the term limits law restricts members of

the City Council, the mayor, public advocate, and comptroller and borough presidents to two consecutive four-year terms — two years shy of the requirement. By voting themselves a third term, their members and staff hit the 10-year mark without having to look for a new job with the city.

Also when comparing with their counterparts, health plans, retirement plans, and other perks should be taken into consideration.

#### **Retroactively or not:**

First it should not be applied to the current term but the next term since how can it be permissible for an elected official to vote for their own raise as they did in 2006. Second any methodology or CPI applied should be from the start of the current term not before it begun as it was done in 2006. For instance at the charter revision commission, several city council members including CM Williams argued that they ran in 2009 when three terms was the law. And applying the 2 terms limits retroactively to those who ran in 2009 would be unfair. So the commission undid the wrong done in 2008 when term limits were extend, they revert the term limits to 2 terms but did not apply it retroactively to those who ran in 2009. So it is only fair and consistent to not apply any increase

retroactively since 112,500 salaries is the law of the land when they ran in 2013 for the term beginning in 2014.

In fact in 2006 the city council member were overpaid since lulus and their part time statue were not included in comparison to their counterparts. Also the CPI should have only apply to 2006, the beginning of their new term. However since it was apply to 2001, it gave city council members like CM James Vacca a 25% pay raise after serving less than a year in office He received increases for years that he didn't even serve in office.

#### **Pay Cut or no raise should be considered.**

In 2006 San Francisco, the 11 members of the Board of Supervisors received \$112,000 until a salary-setting commission decided that \$112,000 was too much and chopped their pay to \$90,000. The commission should look at their constituents' median income. In some districts the city council member will make more than 4 times than their constituents. The Bronx has a median household income of less than 35K.

### **What a City Council does:**

I have witnessed by city council member James Vacca campaigning for DA Darcel Clark during business hours. I seen him barely stay longer a few minutes at council hearing to make has sound bites against bills and then leave before I testify. I seen him basically schmoozing the community groups but I don't see any real value to me personally. SO this article describes perfectly how I view my city council member Vacca "work". He is basically campaigning for the next job again. He just announced after 39 years in political carrier, that he would run for another office after his 3<sup>rd</sup> term ends in 2017. Basically we pay them 6 figures to schmoozes. I have included this article "Six-Figure Schmoozers by Seth Barron" because I agree wholeheartedly.

### **District Attorney**

A dark day for democracy in the Bronx after Darcel Clark was coroneted as our new DA. Our current Bronx DA was nominated to a judgeship and the Bronx Democrat Party handpicked his successor. This orchestrated plan was reported over a year ago before it happened in September. The party cut the voters out of the election process and there was no

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nations. If he receives any raise, it is truly the tale of two cities.

### **Conclusion**

In the Bronx, voter turnout is at its all time low. Less than 3% of registered voters went to the polls. Apathy is at its highest at well. We have politicians who lied to get elected and ignore the people once in office. My city council member James Vacca voted against eliminating Lulus as well as voted to extend this own term. He makes sounds bites that the proposed 5-cent fee on plastic bags is another tax to hurt the poor. It's not a tax, just use a reusable bag. The city spends more money (10 millions) to transport plastic bags as well as the cost of these bags jamming expensive sanitation machinery. Not to mention the damage it does to our environment and sea life.

In CM James Vacca's 2014 Annual Disclosure Form, I noted he has over 500,000 in his deferred compensation plan in addition to his city pension. It was a sign of injustice when I give my own time and money to help our environment while he gets generously paid to do the opposite.

Kindest regards, Roxanne Delgado, Bronx, NY 10461

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debate since the candidate refused one. Based on this alone, I think the DA should not have a raise. Also there is nothing wrong with DA staff making more money than the DA. The DA has the authority and power and prestige of his office. The DA should not compare himself to those in the private market. There are just as many lawyers who are looking for jobs as there are lawyers making millions. The DA chose to run for this office to serve the people, not to make money.

### **Public Advocate and Borough Presidents.**

These offices have little power over city budgets and policies. They advocate for causes and serve as got liaisons. Many Critics argue theses positions should be eliminated. Even though I do like my Public Advocate and some of the borough presidents, I don't think a raise beyond the CPI adjustment beginning 2014 is appropriate.

### **Mayor**

The mayor should not get a raise. He is provided with free housing in Gracie Mansion and other perks, He makes substantial money. The commission should look at the median income of all workers The Mayor salary of \$225k is the highest paid mayor in the

	Population	Mayor	Comptroller/CFO	City Council
Alameda, CA	3,845,241	\$193,908	\$104,076	\$149,100
Albany, NY	2,892,244	\$218,219	\$148,478	\$99,329
Albuquerque, NM	2,612,826	\$185,816	\$80,992	\$49,791
Albuquerque, NM	1,470,251	\$144,009	\$99,653	\$102,292 Council President
Albuquerque, NM	1,418,041	\$88,000	\$160,343	\$76,000
Albuquerque, NM	1,303,756	\$100,484	\$183,568	\$75,361
Albuquerque, NM	1,239,349	\$2,285		\$20,000
Albuquerque, NM	1,210,585	\$80,000		\$37,500
Albany, NY	964,822	\$105,819	\$189,542	\$75,041
Albany, NY	950,148	\$178,178	\$142,805	\$81,312
Albany, NY	784,242	\$85,000	\$91,992	\$11,400-City Clerk
Albany, NY	777,204	\$199,533	\$175,000	\$42,884, President-\$57,173
Albany, NY	748,204	\$171,204		\$9,648
Albany, NY	700,068	\$141,001	\$128,110	\$36,252
Albany, NY	681,804	\$53,000		\$45,000
Albany, NY	671,826	\$180,000	\$30,000, City Clerk-\$37,000	
Albany, NY	630,291	\$125,000	\$80,000	\$48,000, President-\$50,000
Albany, NY	603,337	\$30,000		\$27,000
Albany, NY	584,308	\$38,487		\$27,246
Albany, NY	582,089	\$38,079		\$27,432
Albany, NY	582,824	\$138,548	\$135,346	\$89,352, Council President-\$78,378
Albany, NY	571,480	\$148,541		\$103,879
Albany, NY	569,189	\$178,000		\$87,500
Albany, NY	558,438	\$138,200	\$119,216	\$73,512, President-\$47,339
Albany, NY	553,823	\$145,000		\$92,500

ago recently passed a law that annual increases in the aldermanic salary will be determined over the next four years according to federal CPI.  
 Mayor officials salaries tied to salaries of State Supreme Court Judges  
 Note: City Council salaries are 2/3 of Mayor's. Forums and ratio of salaries approved by voters every 2 yrs.

Appendix A-1		2006	2006 after City Council voted for 25% Raise
		<b>Top City Council Salaries Base Salary</b>	<b>Top City Council Salaries Base Salary</b>
1 Los Angeles		149,160	149,160
2 Seattle		103,879	112,500
3 Philadelphia		102,292	103,879
4 Chicago		98,128	102,292
5 Washington, D.C.		92,600	96,125
6 NYC		90,000	92,500
7 San Francisco		89,648	89,648
		<b>Top City Council Salaries (bonus included)</b>	<b>AFTER NYC 25% RAISE IN 2008</b>
		<b>Top City Council Salaries (bonus included)</b>	<b>Top City Council Salaries (bonus included)</b>
1 Los Angeles		149,160	149,160
2 Seattle		103,879	134,000
3 Philadelphia		102,292	103,879
4 NYC		100,000	102,292
5 Chicago		96,125	96,125
6 Washington, D.C.		92,600	92,500
7 San Francisco		89,648	89,648
		<b>Part Time</b>	

Created By Roxanne Delgado

Appendix E

Salary Information on Leaders of Public Agencies, Corporations, Authorities and Unions

Official	Salary
DCE Chancellor	\$250,000
Dir. President	\$260,454
Criminal Justice Coordinator	\$190,448
MTA Exec. Dir.	\$238,000
Port Authority Exec. Dir.	\$237,764
UPT President	\$241,450
TIWU President	\$129,724
Unite Here President	\$339,043
SEIU 1199 President	\$162,826
SEIU 32BJ President	\$204,445
OC 37 Exec. Dir.	\$209,369

\* As of 2007

Appendix A-2	Los Angeles	New York	
<b>Population</b>	3,845,541	8,104,079	
<b>Number of City Council Members</b>	15	51	
<b>District average population of residents</b>	256,369	158,904	61%
<b>Created by Roxanne Delgado</b>			

**Appendix K**

**Hypothetical Salaries with Increases Consistent With CPI (NY/NJ/CT)**

1999 Salary	CPI %	Mayor	Borough President	Comptroller	Public Advocate	City Council Member	District Attorney
		\$ 195,000	\$ 135,000	\$ 160,000	\$ 150,000	\$ 90,000	\$ 150,000
CY 2000	3.1%	\$ 201,045	\$ 139,185	\$ 164,960	\$ 154,650	\$ 92,700	\$ 154,650
CY 2001	2.5%	\$ 206,071	\$ 142,665	\$ 169,084	\$ 158,516	\$ 95,110	\$ 158,516
CY 2002	2.5%	\$ 211,223	\$ 146,231	\$ 173,311	\$ 162,479	\$ 97,487	\$ 162,479
CY 2003	3.1%	\$ 217,771	\$ 150,764	\$ 178,684	\$ 167,516	\$ 100,610	\$ 167,516
CY 2004	3.5%	\$ 225,393	\$ 155,041	\$ 184,930	\$ 173,379	\$ 104,027	\$ 173,379
CY 2005	3.9%	\$ 234,127	\$ 162,127	\$ 192,150	\$ 180,141	\$ 108,085	\$ 180,141
CY 2006 <sup>1</sup>	3.9%	\$ 243,316	\$ 168,450	\$ 199,644	\$ 187,160	\$ 112,300	\$ 187,160
Average	3.2%						

1. Assumes same as 2005

**Appendix L**

**Hypothetical Salaries with Increases As Per Mayor's Personnel Orders 2000-2007**

1999 Salary	CPI %	Mayor	Borough President	Comptroller	Public Advocate	City Council Member	District Attorney
		\$ 195,000	\$ 135,000	\$ 160,000	\$ 150,000	\$ 90,000	\$ 150,000
EIF 7/1/00	4.00%	\$ 202,800	\$ 140,400	\$ 166,400	\$ 156,000	\$ 93,600	\$ 156,000
EIF 7/1/01	4.00%	\$ 210,912	\$ 146,016	\$ 173,056	\$ 162,240	\$ 97,344	\$ 162,240
EIF 7/1/03	3.00%	\$ 217,239	\$ 150,396	\$ 178,248	\$ 167,107	\$ 100,264	\$ 167,107
EIF 7/1/04	2.00%	\$ 221,584	\$ 153,404	\$ 181,813	\$ 170,449	\$ 102,270	\$ 170,449
EIF 7/1/05	1.00%	\$ 223,757	\$ 154,908	\$ 183,595	\$ 172,120	\$ 103,272	\$ 172,120
EIF 8/1/06	2.00%	\$ 230,805	\$ 159,788	\$ 189,378	\$ 177,542	\$ 106,525	\$ 177,542
EIF 2/1/07	4.39%	\$ 245,761	\$ 170,142	\$ 201,650	\$ 189,047	\$ 113,428	\$ 189,047
AVERAGE	2.94%						

**Appendix M**

**City Council Stipends (Lulus) 2006\***

POSITION	MEMBER	Lulu
Speaker	Christine C. Quinn	\$28,500
Majority Leader/Health	Joel Rivera	\$23,000
Deputy Majority Leader/Consumer Affairs	Leroy G. Comrie, Jr.	\$20,000
Minority Leader	James S. Gaddo	\$18,000
Welfare	Bill de Blasio	\$15,000
Assistant Majority Leader/Youth Services	Lewis A. Fugler	\$15,000
Majority Whip/Standards and Ethics	Inez E. Dickens	\$11,000
Minority Whip	Dennis P. Gallagher	\$5,000
<b>Standing Committees</b>		
Finance	David I. Weprin	\$18,000
Land Use	Melinda R. Katz	\$18,000
Housing and Buildings	Erik Martin Dilan	\$10,000
Mental Health, Mental Retardation, Alcoholism, Drug Abuse & Disability Services	G. Oliver Koppell	\$10,000
Women's Issues	Helen Sears	\$10,000
Aging	Arroyo	\$10,000
Civil Rights	Larry B. Seabrook	\$10,000
Civil Service and Labor	Joseph P. Addabbo, Jr.	\$10,000
Contracts	Yvette D. Clarke	\$10,000
Cultural Affairs, Libraries & International Intergroup Relations	Domenic M. Recchia, Jr.	\$10,000
Economic Development	Thomas White, Jr.	\$10,000
Education	Robert Jackson	\$10,000
Environmental Protection	James F. Genaro	\$10,000
Fire and Criminal Justice Services	Miguel Martinez	\$10,000
Governmental Operations	Simcha Felder	\$10,000
Higher Education	Charles Barron	\$10,000
Immigration	Kenzall Stewart	\$10,000
Justice	Sara M. Gonzalez	\$10,000
Lower Manhattan Redevelopment	Alan J. Gerson	\$10,000
Oversight and Investigations	Eric N. Gioia	\$10,000
Parks and Recreation	Helen D. Foster	\$10,000
Public Safety	Peter F. Valone, Jr.	\$10,000
Rules, Privileges and Elections	Diana Reyna	\$10,000
Sanitation and Waste Management	Michael E. McMahon	\$10,000
Small Business	David Yessky	\$10,000
State and Federal Legislation	Maria Baez	\$10,000
Technology in Government	Gale A. Brewer	\$10,000
Transportation	John C. Liu	\$10,000
Veterans	Hiram Monserrate	\$10,000
Waterfronts	Michael C. Nelson	\$10,000
<b>Subcommittees</b>		
Zoning and Franchises (Land Use)	Tony Avella**	\$4,000
Landmarks, Public Siting & Maritime Uses (Land Use)	Jessica S. Lappin	\$4,000
Planning Dispositions and Concessions (Land Use)	Daniel R. Garodnick	\$4,000
Drug Abuse (Mental Health)	Annabel Palma	\$4,000
Public Housing (Housing and Buildings)	Rosie Mendez	\$4,000
Senior Centers (Aging)	James Vacca	\$4,000
<b>Select Committees</b>		
Community Development	Albert Vann	\$4,000
Libraries	Vincent J. Gentile	\$4,000

\* Adopted at the State Meeting of the New York City Council, January 18, 2006  
 \*\* Declines Lulu

Code	Position	Basic Salary	Adj Base Salary	Allowance	Net Salary	20% Rate
01	Speaker	\$28,500	\$28,500	\$0	\$28,500	\$5,700
02	Majority Leader/Health	\$23,000	\$23,000	\$0	\$23,000	\$4,600
03	Deputy Majority Leader/Consumer Affairs	\$20,000	\$20,000	\$0	\$20,000	\$4,000
04	Minority Leader	\$18,000	\$18,000	\$0	\$18,000	\$3,600
05	Welfare	\$15,000	\$15,000	\$0	\$15,000	\$3,000
06	Assistant Majority Leader/Youth Services	\$15,000	\$15,000	\$0	\$15,000	\$3,000
07	Majority Whip/Standards and Ethics	\$11,000	\$11,000	\$0	\$11,000	\$2,200
08	Minority Whip	\$5,000	\$5,000	\$0	\$5,000	\$1,000
09	Finance	\$18,000	\$18,000	\$0	\$18,000	\$3,600
10	Land Use	\$18,000	\$18,000	\$0	\$18,000	\$3,600
11	Housing and Buildings	\$10,000	\$10,000	\$0	\$10,000	\$2,000
12	Mental Health, Development, Disability, Alcoholism, Drug Abuse and Substance Abuse	\$10,000	\$10,000	\$0	\$10,000	\$2,000
13	Women's Issues	\$10,000	\$10,000	\$0	\$10,000	\$2,000
14	Aging	\$10,000	\$10,000	\$0	\$10,000	\$2,000
15	Civil Rights	\$10,000	\$10,000	\$0	\$10,000	\$2,000
16	Civil Service & Labor	\$10,000	\$10,000	\$0	\$10,000	\$2,000
17	Contracts	\$10,000	\$10,000	\$0	\$10,000	\$2,000
18	Cultural Affairs, Libraries & International Intergroup Relations	\$10,000	\$10,000	\$0	\$10,000	\$2,000
19	Economic Development	\$10,000	\$10,000	\$0	\$10,000	\$2,000
20	Education	\$10,000	\$10,000	\$0	\$10,000	\$2,000
21	Environmental Protection	\$10,000	\$10,000	\$0	\$10,000	\$2,000
22	Fire and Criminal Justice Services	\$10,000	\$10,000	\$0	\$10,000	\$2,000
23	Governmental Operations	\$10,000	\$10,000	\$0	\$10,000	\$2,000
24	Higher Education	\$10,000	\$10,000	\$0	\$10,000	\$2,000
25	Immigration	\$10,000	\$10,000	\$0	\$10,000	\$2,000
26	Justice	\$10,000	\$10,000	\$0	\$10,000	\$2,000
27	Lower Manhattan Redevelopment	\$10,000	\$10,000	\$0	\$10,000	\$2,000
28	Oversight and Investigations	\$10,000	\$10,000	\$0	\$10,000	\$2,000
29	Parks and Recreation	\$10,000	\$10,000	\$0	\$10,000	\$2,000
30	Public Safety	\$10,000	\$10,000	\$0	\$10,000	\$2,000
31	Rules, Privileges and Elections	\$10,000	\$10,000	\$0	\$10,000	\$2,000
32	Sanitation and Waste Management	\$10,000	\$10,000	\$0	\$10,000	\$2,000
33	Small Business	\$10,000	\$10,000	\$0	\$10,000	\$2,000
34	State and Federal Legislation	\$10,000	\$10,000	\$0	\$10,000	\$2,000
35	Technology	\$10,000	\$10,000	\$0	\$10,000	\$2,000
36	Transportation	\$10,000	\$10,000	\$0	\$10,000	\$2,000
37	Veterans	\$10,000	\$10,000	\$0	\$10,000	\$2,000
38	Waterfronts	\$10,000	\$10,000	\$0	\$10,000	\$2,000
39	Zoning	\$4,000	\$4,000	\$0	\$4,000	\$800
40	Landmarks	\$4,000	\$4,000	\$0	\$4,000	\$800
41	Planning Dispositions	\$4,000	\$4,000	\$0	\$4,000	\$800
42	Drug Abuse (Mental Health)	\$4,000	\$4,000	\$0	\$4,000	\$800
43	Public Housing (Housing and Buildings)	\$4,000	\$4,000	\$0	\$4,000	\$800
44	Senior Centers (Aging)	\$4,000	\$4,000	\$0	\$4,000	\$800
45	Community Development	\$4,000	\$4,000	\$0	\$4,000	\$800
46	Libraries	\$4,000	\$4,000	\$0	\$4,000	\$800
	<b>Total</b>	<b>\$483,000</b>	<b>\$483,000</b>	<b>\$0</b>	<b>\$483,000</b>	<b>\$96,600</b>

**Eye on the News**

**SETH BARRON**  
**Six-figure Schmoozers**  
*Overpaid already, New York City lawmakers propose a big, fat raise.*  
 November 12, 2015

The news that six city council members are angling to give themselves a 75 percent raise will test even New Yorkers' high tolerance for chutzpah. The pay proposal, if approved, would boost council member salaries from \$142,000 to a staggering \$199,000. The city's 35-member council would become the highest-paid legislative body in the nation—including Congress—and council members would receive a higher base pay than any state governor.

Council speaker Melissa Mark-Viverito dismissed the suggestion that council members would receive such an extravagant raise, and said that she awaits the advice of a commission appointed to make recommendations about elected officials' salaries. New York's lawmakers haven't received a raise since 2006, when their \$90,000 salary was bumped up 22 percent, to its current level. (Mayor Michael Bloomberg opted not to convene the so-called Quadrennial Commission in 2010 because of the recession.) While a 75 percent raise sounds absurd, it's likely intended as a highball opening bid so that any eventual increase—say, a mere 20 or 30 percent—will be seen as a reasonable compromise.

But the proposal has raised an important question: what do city council members do to justify the six-figure salaries they already enjoy? Their jobs, after all, are meant to be part-time. By law, the city council must meet twice each month, except during July and August. At these so-called "stated meetings," votes are held and bills are introduced. After winning the speakership, Mark-Viverito promised to run the meetings efficiently, and indeed she starts them on time and typically adjourns them within 90 minutes or so. Almost every council member—except for the handful of Republicans and the speaker's political enemies—gets assigned chairmanship of a committee, which usually meets once a month.

Council members serve on a number of these committees and are expected to attend committee hearings. They routinely show up just long enough to be marked "present" or to ask a question that could get them

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on the evening news. Each council member has a district office and a staff to deal with constituent services, media inquiries, and legislative matters. Council members keep themselves busy by attending events at senior centers or schools, meeting with local businesspeople, breakfasting with civic groups, and talking to other elected officials. To outsiders—whether employed in the public or private sector—it seems that council members make good money for doing what amounts to schmoozing for a living.

And the schmoozing comes with perks. Committee chairs are granted an additional "hull" (payment in lieu of expenses) of \$5,000 to compensate for time spent overseeing one committee hearing per month. The council's majority leader, a position with no specific duties, gets a \$15,000 hull. The speaker gets an extra \$25,000.

Advocates for the pay raise, in what they tout as a reformist measure, pledge to forego outside income and give up their hulls for the higher salaries. Earning outside income through a professional practice or a business, they suggest, is an inherently corrupting influence on the honorable execution of the "people's business." But the offer to go "full-time" in exchange for more money is just a bluff. Virtually no council members are capable of earning outside income, because few of them have any nongovernmental work experience. One-third of the 35 council members have zero significant prior work experience, except as aides to elected officials—frequently the council member whose seat they now occupy. Another six council members are former public school teachers. Several, including speaker Mark-Viverito, were union staffers or community organizers. Aside from a handful of lawyers who could possibly maintain private practices and an evangelical minister who continues to preach every Sunday, it's hard to imagine that many members of the New York city council have much earning potential in the real world.

Council member Peter Koo, an immigrant from Hong Kong, is the exception. In 1975, Koo came to New York penniless. He worked his way through pharmacy school and now owns a successful chain of drugstores in Flushing. In a sad irony, if the council votes itself this raise and foregoes outside income, the only member of the body who actually employs people and generates revenue may have to step down.

**Seth Barron Maps out the New York City Council at City Council Watch.**

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City	Council salary	Number of council members	Total population, 2013	Median household income, 2013
Los Angeles, California	\$184,810	15	3,884,307	\$48,486
Washington, District of Columbia	\$132,990	13	646,449	\$67,572
Philadelphia, Pennsylvania	\$127,085	17	1,553,165	\$36,836
Seattle, Washington	\$119,976	9	652,405	\$70,172
Chicago, Illinois	\$112,567	50	2,716,762	\$47,099
New York, New York	\$112,500	51	8,405,837	\$52,223
San Francisco, California	\$105,723	11	837,442	\$77,485
Boston, Massachusetts	\$67,500	13	645,966	\$53,583
San Jose, California	\$81,000	10	998,537	\$80,977
Denver, Colorado***	\$80,753	13	649,495	\$51,089
Detroit, Michigan	\$76,840	9	688,701	\$24,820
San Diego, California	\$76,388	9	1,355,896	\$63,456
Austin, Texas	\$70,075	10	885,400	\$56,351
Houston, Texas	\$62,409	16	2,195,914	\$45,353
Phoenix, Arizona	\$61,600	8	1,513,367	\$46,601
Columbus, Ohio	\$52,585	7	822,553	\$44,426
Jacksonville, Florida	\$44,100	19	842,583	\$47,424
Dallas, Texas**	\$37,500	14	1,257,676	\$41,976
El Paso, Texas	\$30,450	8	674,433	\$41,129
Memphis, Tennessee	\$29,070	13	653,450	\$36,722
Charlotte, North Carolina	\$26,784	11	792,862	\$51,034
Fort Worth, Texas	\$25,000	9	792,727	\$52,430
Nashville	\$16,000	40	634,484	\$48,803

2015

	LuLus	Base Sala	Adj	Base Salary
1 Mark-Viverito	Speaker	\$25,000	\$112,500	\$137,500
	Deputy Leader/Economic			
2 Garodnick	Development	\$15,000	\$112,500	\$127,500
	Majority Leader/Culturel			
	Affairs, Libraries &			
	International Intergroup			
3 Van Bramer	Relations	\$20,000	\$112,500	\$132,500
	Deputy Leader/Oversight			
4 Gentile	and Investigation	\$15,000	\$112,500	\$127,500
5 Ignizo	Minority Leader	\$15,000	\$112,500	\$127,500
	Deputy Leader/Public			
6 Torres	Housing	\$15,000	\$112,500	\$127,500
	Deputy			
7 vacca	Leader/Technology	\$15,000	\$112,500	\$127,500
	Deputy Leader/Housing			
8 Williams	and Buildings	\$15,000	\$112,500	\$127,500
	Deputy			
9 Rose	Leader/Waterfronts	\$15,000	\$112,500	\$127,500
	Deputy Leader/Rules,			
10 Lander	Privelegs and Elections	\$15,000	\$112,500	\$127,500
	Standing Committee		\$112,500	\$112,500
11 Ferreras	Finance	\$15,000	\$112,500	\$127,500
12 Greenfield	Land Use	\$15,000	\$112,500	\$127,500
	Mental			
	Health,Developmental			
	Disability, Alcoholism,			
	Drug Abuse and			
13 Cohen	Disability Services	\$8,000	\$112,500	\$120,500
14 Cumbo	Women's Issue		\$112,500	\$112,500
15 Chin	Aging	\$8,000	\$112,500	\$120,500
16 Mealy	Civil Rights	\$8,000	\$112,500	\$120,500
17 Miller	Civil Service & Labor	\$8,000	\$112,500	\$120,500
18 Arroyo	Community Development	\$8,000	\$112,500	\$120,500
19 Espinal	Consumer Affairs	\$8,000	\$112,500	\$120,500
20 Rosenthal	Contracts	\$8,000	\$112,500	\$120,500
21 Dromm	Education	\$8,000	\$112,500	\$120,500
22 Constantinides	Environmental Protection	\$8,000	\$112,500	\$120,500
23 Crowley	Fire and Criiminal Justice	\$8,000	\$112,500	\$120,500
24 Levin	General Welfare	\$8,000	\$112,500	\$120,500
25 Kallos	Governmental Operatons	\$8,000	\$112,500	\$120,500
26 Johnson	Health	\$8,000	\$112,500	\$120,500
27 Barron	Higher Education	\$8,000	\$112,500	\$120,500
28 Menchaca	Immigraiton	\$8,000	\$112,500	\$120,500
29 Cabrera	Juvenile Justice	\$8,000	\$112,500	\$120,500
30 Levine	Parks and recreation	\$8,000	\$112,500	\$120,500
31 Gibson	Public Safety	\$8,000	\$112,500	\$120,500
32 Trayger	Recovery and Resiliency	\$8,000	\$112,500	\$120,500
33 Reynoso	Sanitation and Solid Wast	\$8,000	\$112,500	\$120,500
34 Cornegy	Small Business	\$8,000	\$112,500	\$120,500
35 Maisel	Standard and Ethics	\$8,000	\$112,500	\$120,500
36 Koslowitz	State and Federal Legisla	\$8,000	\$112,500	\$120,500
37 Rodriguez	Transportation	\$8,000	\$112,500	\$120,500
38 Ulrich	Veterans	\$8,000	\$112,500	\$120,500
39 Cumbo	Women's Issue	\$8,000	\$112,500	\$120,500
40 Eugene	Youth Services	\$8,000	\$112,500	\$120,500
	Sub Committes			
42 Richards	Zoning	\$8,000	\$112,500	\$120,500
42 Koo	Landmarks	\$8,000	\$112,500	\$120,500
43 Dickens	Planning Dispositions	\$8,000	\$112,500	\$120,500
44 Wills	Drug Abuse (Mental Healt	\$8,000	\$112,500	\$120,500
45 Vallone	Senior Center (aging)	\$8,000	\$112,500	\$120,500
46 King	libraries	\$8,000	\$112,500	\$120,500
47 Deutsch	Non Public Schools (educ:	\$8,000	\$112,500	\$120,500
		\$467,000		



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November 20, 2015

Frederick A.O. Schwarz, Jr., Chairman  
Quadrennial Advisory Commission for the  
Review of Compensation Levels for Elected Officials  
c/o Brennan Center for Justice  
161 Avenue of the Americas  
New York, New York 10013

*Re: District Attorney salary compensation*

Dear Chairman Schwarz:

I want to thank you and the Commission for offering me the opportunity to comment on this important issue. I have served as Acting District Attorney since May and I am fully aware of the functions and duties of the position.

A District Attorney in New York City is essentially the equivalent of a managing partner in a large law firm. The duties of such an individual necessarily include overseeing the hiring of employees, setting employee policies and policies pertaining to the prosecution of crimes in the county, meeting regularly with bureau chiefs and young assistants to discuss cases, being ultimately responsible for the professional training of ADAs, and having intimate knowledge of the office's budgetary needs and priorities.

In addition to these duties, the District Attorney performs a highly visible role in the borough, the city and the state in that he or she keeps a public schedule, appears before the media at press conferences and other events, and participates in citywide and statewide law enforcement efforts to implement new programs and to enforce existing ones. The District Attorney is also expected to opine in ongoing discussions concerning changes to criminal law and procedures debated at the city and state level.

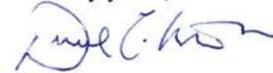
The current salary, set by statute at \$190,000, undervalues the work the District Attorneys perform. While comparing salaries in the public sector to the private sector is like comparing apples to oranges, at some point the level of private sector compensation must be used as a reference point in order to ensure both fairness and the ability to attract the best qualified individuals to public service. In this respect, it is a fact that many large law firms in New York City pay starting associates a base salary of \$160,000. This number is often enhanced by various

bonuses or other forms of compensation. Within a few years, the salaries of these newly-minted lawyers outstrips the salaries of the city's sitting District Attorneys.

One should expect to make sacrifices when entering public service, but those sacrifices must be reasonable. At the current level, I believe the compensation for District Attorneys is unreasonably low. One only need to refer to the level of compensation in other major cities across the country to realize that other jurisdictions have already considered this issue and decided on higher salary levels for their chief law enforcement officers.

I appreciate the opportunity to reflect on this very important issue of salary compensation and again want thank the Commission for considering my comments on the matter.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Daniel L. Master, Jr.", with a stylized flourish at the end.

Daniel L. Master, Jr.  
Acting District Attorney  
Richmond County



**TESTIMONY of DICK DADEY**  
**Executive Director, Citizens Union of the City of New York**  
**Before the Quadrennial Commission on Compensation**  
**on Compensation of Elected Officials**  
**November 23, 2015**

---

Good evening, Chair Schwartz, and Commissioners Bright and Quintero. My name is Dick Dadey, and I am the executive director of Citizens Union of the City of New York, a nonpartisan good government group dedicated to making democracy work for all New Yorkers. Citizens Union serves as a civic watchdog, combating corruption and fighting for political reform.

Citizens Union is pleased that the Quadrennial Commission (Commission) has been formed by Mayor Bill de Blasio, as the Commission's work is essential to ensure that potential salary increases for city elected officials are considered deliberatively and openly, based on objective criteria. In fact, the Commission represents the opposite of what has been reported in the press recently of elected officials considering pay increases that are far more than the taxpayers should be expected to pay for, without the benefit of public discussions like you are having today. We would also like to acknowledge the Commission's work to operate transparently by including memoranda on its website, as well as all submitted public comments and Commission responses, and in particular thank you – Commissioners Schwartz, Bright and Quintero – for your public service.

Citizens Union believes strongly that given the population size of the city of New York, the demanding responsibilities placed upon most of our elected officials to manage a complex operation city government with a budget of \$73 billion, and the myriad of constituent services these elected officials are called upon to provide, the offices of the city's elected officials need to be well compensated in order to attract individuals to public life who are talented, committed, and well qualified to carry out their jobs as successfully as they can.

Given that our city elected officials have not received a salary increase since 2006, there is a strong reason for them to receive one, but it should not be the sole basis upon which the Commission makes its recommendation. Keep in mind that all of our current 64 elected officials were elected in 2013 or 2015, knowing full well what the salary is for their office for the four-year term. To claim that they have not received a raise in 8 years is a red herring since only 27 of them have held the office for more than one term; 22 were first elected to their posts just two years, so arguments that they deserve a raise because they have not received a raise in eight years does not apply to a large portion of the current Council.

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Peter J.W. Sherwin, Chair Dick Dadey, Executive Director

## 1. The Process By Which Compensation is Determined and Raises Considered – 37 Current Councilmembers Support A Raise But Only If It Is Prospective

Under the current provision of the New York City Administrative Code governing elected official compensation - though it was not followed in 2003, 2007, 2011 – members of the Council have been and continue to be placed in the undesirable position of having to vote on a recommendation to raise their own salaries while serving their current term in office. It was not followed in 2007, because an off-year use of it occurred in 2006. Though we know that when the process was first established nearly twenty-eight years ago, the intent of the present structure was to schedule the work of the Commission as far away as possible from any election, so that it is less likely that a vote on the proposal will become a major campaign issue.

We believe philosophically that currently serving Councilmembers should not vote themselves a raise, and that the structure of the system that puts them in that position needs to be changed. In fact, 37 current councilmembers in response to Citizens Union candidate questionnaires supported our proposal that any future increase in councilmember salary only apply prospectively to the following term, a change which is also supported by Mayor de Blasio. See the attached listing of members' support at the end of my testimony.

Going forward, we suggest that the Quadrennial Commission recommend that future commissions meet in the last year of the four year term of city elected officials so that any recommendation for prospective salary increases would take effect upon the start of the next four year term, ensuring that future City Councils are not put in the position on voting on their salaries while currently holding office.

As part of whatever compensation package is ultimately decided this year, we urge the City Council to also seek a simultaneous change in the New York City Administrative Code that would accomplish this goal. We recommend that the Administrative Code be changed so that the next Commission would be required to meet in 2020 to determine salaries for officials elected to serve beginning January 1, 2022, and every four years thereafter.

## 2. City Council Salary

We support giving the office of City Council Member a significant raise, provided that the following changes are made to their overall compensation:

- **END LULUS.** Committee chair stipends otherwise known as “lulus” should be abolished and kept for only truly senior leadership positions like the Speaker and Majority Leader. Currently, lulus range from \$5,000 to \$25,000. Committee chairs receive \$5,000 or \$8,000, the 10-member leadership team receives \$15,000 each, the majority leader receives \$20,000 and the speaker \$25,000.<sup>1</sup> Given the large number of committees – 38 – in addition to 6 subcommittees and 2 task forces, the addition of a stipend applies to nearly all members, and likely has driven the large number of committees. Many members have also forgone their lulus due to public pressure to reform this system, with 31 current members on the record supporting reforming them according to Citizens Union’s candidate questionnaire (see the listing at the end of this testimony). The

<sup>1</sup> See the following for information on current stipends:

<http://observer.com/2014/02/councilman-changes-tune-on-lulu/>

<http://www.nydailynews.com/new-york/mark-viverito-awards-posts-pals-zilch-opponents-article-1.1588377>

<http://www.gothamgazette.com/index.php/government/5915-do-new-york-elected-officials-deserve-a-raise>

declinations of these lulus and their frequency together speaks to the need to eliminate them for committee chairs, and instead factor them into an across the board salary increase.

- **A CAP ON OUTSIDE EARNED INCOME OF NO MORE THAN 25 PERCENT WITH FULL DISCLOSURE.** Eliminating outside income altogether for term limited offices is not advisable given the goal of attracting candidates with varied private sector experience; however, providing a limit will help to prevent potential conflicts of interest arising from outside income.

A fair raise would include: a) a cost of living adjustment to cover the past eight years and b) an additional increase of \$10,000 for ending the unnecessary practice of committee chair stipends. An additional increase to account for limits on outside income should also be considered. This comes to about \$143,000 - a good place to start the discussion.

### 3. Salaries of Other Elected Officials

Recognizing that the Quadrennial Commission also has the responsibility for examining the salaries for the mayor, public advocate, comptroller, borough presidents, and district attorneys, Citizens Union also supports adjusting these salaries based on changes in the cost of living, and the roles and responsibilities of these positions working in an increasingly complex government. We in particular recognize the important role that the district attorneys play in investigating public corruption, and support a salary that will attract candidates from the legal profession who will be able to utilize their skills and experience in promoting public integrity.

### 4. Further Reforms

Beyond the size of the salaries themselves, Citizens Union supports reforms to the overall system of elected official compensation. Specifically, we support:

- **Online disclosure of all annual financial disclosure for elected officials.** Currently financial disclosure forms detailing outside income of officials must be requested from the Conflicts of Interest Board and viewed in person or photocopied, and are not available electronically. Further, officials are notified of requests for this information. This is antiquated given the city's work to open data to the public through online portals and otherwise promote accessibility, and runs counter to the practice at the state level; the financial disclosure forms of all New York State elected officials are available online, without the need for requests to be made or notifications. The information from the disclosures should be submitted electronically and be made available in spreadsheet form to allow for independent analysis.

I thank you for the opportunity to present Citizens Union's thoughts and recommendations on this important topic, and am available to answer any questions you have.

COUNCILMEMBER POSITIONS ON COMPENSATION REFORM				
District	Member of the City Council	Year First Elected	Position on Ending Lulus for Committee Chairs	Position on Making Salary Increases Prospective <sup>2</sup>
1	Margaret Chin	2009	"Chairing a Committee comes with extra responsibilities, and I have always used the extra funds directly for the staff. Without the extra funds, I would have more difficulty funding the legislative staff I need for committee work. I would support a reform that standardizes the amount received based on committee chair leadership."	Support
2	Rosie Mendez	2005	Support	Support
3	Corey Johnson	2013	Support	Support
4	Dan Garodnick	2005	Support	Support
5	Ben Kallos	2013	Support	Support - "Council pay should be tied to local economic indicators, rising or dropping with local average individual incomes"
6	Helen Rosenthal	2013	Support	Support
7	Mark Levine	2013	Support	Support
8	Melissa Mark-Viverito	2005	Oppose	Support
9	Inez Dickens	2005	Oppose	Oppose
10	Ydanis Rodriguez	2009	Support	Support
11	Andy Cohen	2013	Support	Support
12	Andy King	2012	Support	Support
13	Jimmy Vacca	2005	N/A	N/A
14	Fernando Cabrera	2009	Support	Oppose
15	Ritchie Torres	2013	Support	Support
16	Vanessa Gibson	2013	N/A	"Would Strongly Consider"
17	Maria Arroyo	2005	N/A	N/A
18	Annabel Palma	2003	N/A	N/A
19	Paul Vallone	2013	Support	Support
20	Peter Koo	2009	Support	Support
21	Julissa Ferreras	2009	N/A	N/A
22	Costa Constantinides	2013	Support	Support

<sup>2</sup> Responses to Citizens Union candidate questionnaires unless otherwise noted. Questionnaires available at: [http://www.citizensunion.org/site\\_res\\_view\\_folder.aspx?id=c9c1b946-f4b4-4f30-ae4-9deec77a2765](http://www.citizensunion.org/site_res_view_folder.aspx?id=c9c1b946-f4b4-4f30-ae4-9deec77a2765)

<b>COUNCILMEMBER POSITIONS ON COMPENSATION REFORM</b>				
<b>District</b>	<b>Member of the City Council</b>	<b>Year First Elected</b>	<b>Position on Ending Lulus for Committee Chairs</b>	<b>Position on Making Salary Increases Prospective<sup>2</sup></b>
23	Barry Grodenchik	2015	N/A	Support (commitment made to NY Daily News)
24	Rory Lancman	2013	N/A	N/A
25	Danny Dromm	2009	Support	Support
26	Jimmy Van Bramer	2009	Support	Support
27	Daneek Miller	2013	N/A	Support
28	Ruben Wills	2010	N/A	N/A
29	Karen Koslowitz	1991/2009	Support	Support
30	Elizabeth Crowley	2008	Support	Support
31	Donavan Richards	2013	Support	Support
32	Eric Ulrich	2009	Support	Support
33	Stephen Levin	2009	Support	Support
34	Antonio Reynoso	2013	Support	Support
35	Laurie Cumbo	2013	Oppose	Support
36	Robert Cornegy	2013	Support	Support
37	Rafael Espinal	2013	Oppose	Support
38	Carlos Menchaca	2013	Support	Support
39	Brad Lander	2009	Support	Support - "With the exception of using the commission to equalize Council Member salaries in order to eliminate most lulus in the upcoming term."
40	Mathieu Eugene	2007	N/A	N/A
41	Darlene Mealy	2005	N/A	N/A
42	Inez Barron	2013	N/A	N/A
43	Vinny Gentile	2003	Support	Support
44	David Greenfield	2010	Support	Support
45	Jumaane Williams	2009	Oppose	Support - "I would like to discuss this further."
46	Alan Maisel	2013	N/A	Support
47	Mark Treyger	2013	Support	Support
48	Chaim Deutsch	2013	Oppose	Oppose
49	Debi Rose	2009	Support	Support
50	Steve Matteo	2013	Support	Support
51	Joe Borelli	2015	N/A	N/A
		<b>Total Support</b>	<b>31</b>	<b>37</b>
		<b>Total Oppose</b>	<b>6</b>	<b>3</b>
		<b>Other</b>	<b>1</b>	<b>1</b>



**TESTIMONY  
OF THE  
NEW YORK PUBLIC INTEREST RESEARCH GROUP  
BEFORE THE  
2015 NEW YORK CITY QUADRENNIAL SALARY COMMISSION  
BROOKLYN LAW SCHOOL,  
BROOKLYN, NEW YORK  
NOVEMBER 23, 2015**

My name is Gene Russianoff and I am a senior attorney at the New York Public Interest Research Group, NYPIRG. NYPIRG is a non-partisan, not-for-profit, research and advocacy organization. Consumer protection, environmental preservation, health care, higher education, and governmental reforms are key areas of concern. We appreciate the chance to testify.

Since 1986, NYPIRG has testified at every City salary commission appointed, five in all. Like the rest of the city's government reform community, NYPIRG felt the salary commissions were exactly the right forum for governmental reforms directly related to pay hikes. At the top of our list were: meaningful restrictions on outside earned income; elimination of legislative stipends (lulu's); and prohibiting increasing salaries during one's own term of office.

All of these reforms have a direct impact on the income of public officials. NYPIRG strongly believes that each of these reforms must be put in place as part of any compensation increase. The Congressional system offers the best model for limiting outside income,<sup>1</sup> the use of lulus is rare in municipal governments and, of course, adds compensation to the Council Members, and, like the state, we believe that increases in compensation must be prospective.<sup>2</sup>

Unfortunately, past salary commissions thought that these issues would be better addressed by, say, a charter revision commission and did not directly tie compensation increases to reforms.

**NYPIRG Testimony  
Page 2**

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<sup>1</sup> For a more detailed examination of the Congressional model and NYPIRG's views, "Serving Two Masters: Outside Income and Conflict of Interest in Albany" report. Written by NYPIRG, February 23, 2015.

<sup>2</sup> For a discussion on these last two measures, "Advisory Commission for the Review of Compensation Levels for Elected Officials," 2006, p. 22-24.

Albert Einstein has been quoted as saying: “The definition of insanity is doing the same thing over and over again and expecting different result”

So call me crazy, but like a spurned but ever hopeful suitor, I am back. The Commission is a perfect forum to debate these distinctly compensated-related reforms. The failure of your predecessors to link compensation increases to reform issues had the predictable effect. Those reforms were dead upon non-arrival.

NYPIRG urges you to take up compensation-linked reform issues as part of any final compensation agreement. We believe that our reform package (Congressional-style limits on outside income, ending lulus, and mandating that pay increases be approved for future officials, not one that are currently in office) are three of the measures that should be included. In addition, following your own list of potential questions, the Commission should:

- canvass the relevant literature and engage well-regarded scholars of the legislature to analyze the merits of these issues; and
- hold a panel of respected experts to debate the pros and cons of compensation-related governmental reforms.

If the Commission concludes it supports any or all of these compensation-related measures, we urge that, in its official recommendations, the Commission:

- opposes any pay hike for Council Members unless directly tied to enacting these political compensation reforms as: meaningful restrictions on outside earned income; elimination of legislative stipends (lulu’s); and prohibiting increasing salaries for one’s own term of office.
- confirms that the Commission is the legally appropriate place to debate these clear issues of compensation of City officials; and
- determines what constitutes a “meaningful” restriction on outside earned income.

Finally, NYPIRG notes that the City Council’s unfettered power remains to pass local laws dictating compensation for elected City officials.

Thank you for the opportunity to testify.

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Gale A. Brewer, Borough President

**Testimony of Manhattan Borough President Gale A. Brewer  
Independent Quadrennial Advisory Commission  
November 24, 2015**

I am Gale A. Brewer, currently the Manhattan Borough President, but prior to this I served 12 years in the City Council -- four as chair of the Committee on Government Operations.

The Independent Quadrennial Advisory Commission (the "Commission") is required by the New York City Charter ("Charter") to be called every four years to review the compensation of elected officials in New York City.

There has not been a Commission called since 2006, making this the longest period without a review of salaries. 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 a 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 it makes your jobs much more difficult.

Section 3-601 of the Charter mandates the Commission consider at least the following factors: the duties and responsibilities of each position; current salaries; the length of time since the last change; any change in the cost of living; salary compression for other city officers and employees; and trends for similar positions in government and the private sector.

Nationally since 2007, the cost of living has increased approximately 15 percent. According to a recent *Crain's* report,<sup>1</sup> 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.

During this same period, in 2011, when the last Commission was supposed to be empaneled by Mayor Bloomberg, hundreds of thousands of City workers were working without contracts. The inflation rate for 2010 was 1.6 percent and for the prior year was negative 0.4 percent and there was concern over deflation. Real wages were declining and unemployment was at or near 10 percent. So it is unclear, what, if any, raises a pay raise commission would have recommended. I believe it is fair to say they would not have been large.

Further support for a 15 percent increase over the nine year period is found in the managerial pay raises given over this time period. According to a *New York Times* report, in 2009 Mayor Bloomberg gave a 4 percent managerial pay increase retroactive to 2008 and a 4 percent increase for 2009.<sup>ii</sup> Then, recently Mayor de Blasio gave city managers a total of a 7 percent increase from 2011 to 2015, for a total of 15 percent.<sup>iii</sup>

A look at the 5 largest cities in the U.S. appears to indicate that modest raises should be recommended. 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	D.A.	Borough President	Public Advocate
New York	\$225,000	\$185,000	\$112,500	\$190,000	\$160,000	\$165,000
Los Angeles <sup>iv</sup>	\$245,753	\$207,945	\$189,041	\$317,685 <sup>v</sup>	N/A	N/A
Chicago <sup>vi</sup>	\$216,210	\$133,545	\$117,333	\$192,789 <sup>vii</sup>	N/A	N/A
Philadelphia <sup>viii</sup>	\$217,820	\$133,329	\$129,373	\$172,791 <sup>ix</sup>	N/A	N/A
Houston <sup>x</sup>	\$234,000	\$156,000	\$ 62,400	\$170,810	N/A	N/A

So given the criteria established by 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.

I also 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 this commission should strongly urge the Mayor to do two things: First, commit now to empanel another pay raise commission in 2019; and second, to introduce legislation that contains an effective date of January 1, 2018 -- the first day of the next term of office for all New York City elected offices. This will put the City back in compliance with the Charter and allow smaller raises to occur more regularly. In times of economic turmoil this would allow Commissions to decline to recommend raises -- as very well may have occurred after September 11th or the financial crisis. 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, while it is the City Charter and not the salary levels that make the job of City Council Member part time and allow for stipends or "lulus," 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.

Currently, in addition to their salaries of \$112,500, the vast majority of Council Members receive stipends ranging from \$5000 to \$25,000. The vast majority get stipends of \$8,000 or \$15,000. I think “lulus” have become a way of giving all but the least favored Council Members additional compensation.

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. If the Council enacts rules prohibiting lulus and requiring full time schedules, then a local law should provide for an additional \$20,000 a year or just under a 20 percent salary adjustment. This would be in addition to the 15 percent increase for all offices but would require the elimination of lulus and a change to full-time status. This adjustment should sunset if the rules are ever repealed. The City Charter should eventually be changed to reflect this.

Thank you for the invitation to share my thoughts with you and thank you for your service on this Commission. As unpopular as any decision you make may be, it is important that we have a commission made up of citizens such as you dedicated to serving their city but not employed by government making these recommendations.

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<sup>i</sup> *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.

<sup>ii</sup> “Comptroller criticizes Bloomberg over Raises, *The New York Times*, Michael Barbaro, July 13, 2009.

<sup>iii</sup> NYC Citywide Administrative Services, Memorandum, Mayor’s Personnel Order Nos. 2015/1 and 2015/2. If the 2016 managerial raise is included which is effective September 1, 2016 the total managerial pay increase rises to 18 percent.

<sup>iv</sup> 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.

<sup>v</sup> <http://ceo.lacounty.gov/forms/06%20Salary%20Tenure.pdf>

<sup>vi</sup> [http://www.cityofchicago.org/city/en/depts/dhr/dataset/current\\_employeenamessalariesandpositiontitles.html](http://www.cityofchicago.org/city/en/depts/dhr/dataset/current_employeenamessalariesandpositiontitles.html). Alderman salaries appear to vary by a few thousand dollars but appear to range up to \$117,333.

<sup>vii</sup> BallotPedia (this number is likely outdated as most information appeared to be from 2010-2012).

<sup>viii</sup> City Council, Mayor’s and Controller’s salaries provided by the Philadelphia City Council Human Resources Department, November 24, 2015.

<sup>ix</sup> Found in City of Philadelphia Budget Detail.

<sup>x</sup> 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.



THE DISTRICT ATTORNEY  
BRONX COUNTY

ROBERT T. JOHNSON

November 25, 2015

Frederick A.O. Schwarz, Jr., Chair  
Quadrennial Advisory Commission for the  
Review of Compensation Levels for Elected Officials  
c/o Brennan Center for Justice  
161 Avenue of the Americas  
New York, New York 10013

Dear Chairman Schwarz:

I received your letter of November 3, asking for some details about my job, "beyond the formalities" of my duties and responsibilities. In response, I will attempt to provide some details beyond what is set forth in the joint letter which you have already received.

To begin, please understand that the position of District Attorney is a full time job. That is, there is no outside legal practice. In response to your question concerning the amount of time I spend on official business, it is quite difficult to quantify, in a very real sense. My fellow District Attorneys and I are always on duty, and we are often consulted at length, or even called out, at all hours of the day in high-profile situations, such as police shootings. I am available in the office beyond what is considered to be a normal work week, plus an hour or two of reading at home per day, plus frequent attendance at community meetings and events, as well as meetings with police and other governmental organizations.

You also ask about the most challenging parts of the job, again, this is difficult to specify. My duties are multifaceted. First, every day, I must make prosecutorial decisions in the most difficult cases- what to charge or not to charge, whether to allow a treatment alternative to incarceration, what plea to offer or accept, etc. Sometimes I must explain those decisions to the press, or to the families of crime victims. In addition to that, I must organize and coordinate my office's relationship with elected officials and outside agencies at all levels of government, as well as with non-governmental groups or organizations. I also run an office of nearly 900 people, and in that capacity must make varied personnel decisions, involving issues like raises, complaints between staff members, and the personal problems of staff members.

I am sure that the above is not complete, but I hope it gives you some additional insight. I know that the joint letter pointed out that the last Quadrennial Advisory Commission issued its report in late 2006 and recommended that the next Commission should be appointed in 2011, as required by statute. Of course, that did not happen. Indeed, by my calculation in my 27 years as District Attorney the Commission has been convened only three times (in 1995, 1999, and 2006). I am glad to see that this is happening at last.

Thank you, and please let me know if there is anything else I can do.

Very truly yours,

A handwritten signature in black ink, appearing to read "R. T. Johnson", written over a light blue horizontal line.



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November 24, 2015

Frederick A. O. ("Fritz") Schwarz, Jr.  
Brennan Center for Justice  
161 6<sup>th</sup> Avenue  
12<sup>th</sup> Floor  
New York, NY 10013

Dear Mr. Schwarz:

Thank you for reaching out today. I hope that the enclosed materials provide you with some of the answers you are looking for, and are helpful in guiding your thought process as the work of the commission moves forward.

Please feel free to reach out to me directly if you have any questions or comments.

Sincerely,



Ruben Diaz Jr.



## DETECTIVE INVESTIGATORS' ASSOCIATION

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Frederick A.O. Schwarz, Jr., Chairman  
Quadrennial Advisory Commission for the  
Review of Compensation Levels for Elected Officials  
c/o Brennan Center for Justice  
161 Avenue of the Americas  
New York, New York 10013

December 2, 2015

Dear Chairman Schwarz:

I write to provide you and the Quadrennial Advisory Commission important information regarding the compensation level of the District Attorneys in New York City.

I am the President of the New York City District Attorneys Detective Investigators Association ("DIA"), and have been the President since 2001. The DIA is the sole and exclusive collective bargaining representative of approximately 266 detective investigators that are employed by the five District Attorney Offices in New York City and the Office of the Special Narcotic Prosecutor (the "DAs"). The DAs employ my members. (The New York City Board of Collective Bargaining has determined that the City of New York is not a joint employer of my members.)

Section B, subdivision (4) of the 2015 Quadrennial Advisory Commission: Plans & Process indicates that heads of New York City unions are relevant sources of information for the Commission to consider. It is in this capacity that I write since, as President of the DIA, I possess unique information regarding the contract status of my members who are employed by the DAs.

As you are aware, the public policy of the state and the purpose of the Public Employees' Fair Employment Act (commonly referred to as the Taylor Law) is to promote harmonious and cooperative relations between government and its employees. *See* Article 14, Section 200 of the NYS Civil Service Law. One of the most important responsibilities of an employer is to negotiate the terms and conditions of employment with their employees in a fair and responsible manner. That has not been the case here.

As elected officials sworn to uphold the law and protect the community, the DAs are charged with not only prosecutorial duties but an ever increasing amount of investigative work in order to keep the communities of this City safe. My members, the detective investigators, perform that investigative work as they have full police officer status. *See* Section 1.20(34) of the New York Criminal Procedure Law and Section 12-134 of the New York City Administrative Code. My members remain the last employees



who work for the DAs to have not received any raise since 2008. The main reason for this delay was the Bloomberg Administration's decision to litigate whether or not the City is a joint employer of detective investigators. The DeBlasio Administration resolved that litigation but it still has been almost two years since the change in administration and there is still no resolution for my members, notwithstanding the fact that we are simply looking for the same raises as other similarly situated unions and nothing more.

The failure to reach a new contract has led to a mass exodus of detective investigators over the years. For example, since 2013 the District Attorney's Office for Kings County has lost 47 out of 60 detective investigators, and the District Attorney's Office for Bronx County has lost 18 out of 51. At present count there are 266 detective investigators citywide. They have on average 24 years of police experience. The operational effect of this exodus is hundreds of years of institutional knowledge lost every year.

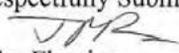
Moreover, the starting salary for these detective investigators is \$47,944, and the average salary is just \$61,000. The requirements to be considered for such a position are a bachelor degree and two years of full time investigative experience in a police position. The vast majority of new candidates possess over ten years of police experience though. Due to the poor starting salary they usually leave within two years.

What makes matters worse is the fact the DAs just provided all assistant district attorneys retroactive raises to 2010. They also provided raises to all senior administrative staff. In my quest to address this disparate treatment I attempted to meet with each District Attorney but have not been able to achieve any resolution.

As of the date of this letter, the DIA remains without a current collective bargaining agreement. DIA members should be placed in the same position that the DAs are seeking to be in – to achieve wage increases retroactive to January 2010, when our previous contract expired. It is my understanding that all other DAs' employees have received raises during this time period, and all or at least more than approximately 95% of City employees have also received raises for this period. Six years have passed since our last raise, morale is terrible, and no District Attorney has taken the lead to resolve these issues. Our contract is a small financial matter. The pattern wage increases we are seeking for the approximate 260 members is very small considering the size of the City budget, which has budgeted these increases for all other employees, and further considering the hundreds of millions of dollars the DAs give to the City from asset forfeiture seizures each year by agreement with the City.

I include for your review a letter to the DAs from City Council persons Daneeq I Miller and Vanessa L. Gibson, who have offered their assistance in this matter. I also include an administrative ruling by the New York City Office of Collective Bargaining which outlines the issues surrounding our lack of a contract.

Respectfully Submitted,

  
John Fleming  
President



THE COUNCIL  
OF  
THE CITY OF NEW YORK  
CITY HALL  
NEW YORK, NY 10007

MELISSA MARK-VIVERITO  
SPEAKER

TELEPHONE  
(212) 788-7210

December 3, 2015

Frederick A. O. Schwarz, Jr.  
Chair  
Quadrennial Advisory Commission for the Review of  
Compensation Levels of Elected Officials

**VIA EMAIL**

Dear Chairman Schwarz:

On behalf of the Council, I would like to thank you and the other members of the Quadrennial Advisory Commission for your service. It is a privilege to lead this body and I am proud of the work we do. As the City's legislative body, the Council plays a vital role in its governance, both at the City-wide level and on the ground in each neighborhood and community. As you are aware, the compensation level for Council Members has not changed in close to a decade. As discussed in greater detail below, during the past ten years the Council has become more productive and its work and processes far more complex. At the same time the cost of living in the City has risen significantly and Member salaries are not on par with other private and public sector jobs with comparable duties and obligations. It is critical that Council Member compensation accurately reflect the essential nature of their service, as well as the economic realities of living in the City; not just for the benefit of current Council Members but so the institution can continue to attract future legislators who are the very best our City has to offer. I therefore believe it is clear that Council Member salaries should be increased. I have attached documents detailing the work of the Council for your consideration.

The modern Council's role in the governance of the City was established by referendum in the 1989 Charter. Pursuant to the Charter, Members have extensive citywide and district-based responsibilities. The Council establishes policy through legislation; conducts oversight of City agencies and other matters affecting the lives of New Yorkers; provides advice and consent for certain Mayoral appointments; reviews citywide procurement policies; reviews and votes on land use and development matters; and oversees, adopts and modifies the City's budget. At the local level, Council Members are an essential link between City residents and their

government. Each Member represents on average about 160,000 New Yorkers, and much of their impact is felt on the ground by their constituents. The time commitment for Council Members is considerable and most describe their jobs as ‘24/7’, requiring them to be available around-the-clock.

The Council performs its functions through a committee structure comprised of 37 standing committees including the Finance and Land Use committees, and six subcommittees. Each Member sits on an average of six different committees. The Council never goes out of session and meets as a body twice per month except for July and August when it meets once per month. Committees are required to meet at least once every two months though nearly all meet much more frequently.

The Council has been an extremely active and productive body over the past decade. The Council has passed legislation touching on virtually every aspect of City life including public safety, women’s reproductive rights, policing, campaign finance, environmental protection, transportation and the rights of immigrants. Legislation creating an inspector general for the police department has affected real change in policing in the City. Legislation requiring employers to provide paid sick time to their employees has greatly improved the lives of working New Yorkers. Legislation limiting campaign contributions by anyone doing business with the City, as well as lobbyists, has greatly reduced the influence of money in our elections and our public campaign finance system is widely considered one of the best and strongest in the nation. Our legislation often serves as a national model. Our “Green Buildings” law has had a significant impact on the City’s carbon footprint and has informed such efforts in other localities nation-wide. Legislation limiting our involvement in the enforcement of federal immigration law has affected a change in federal enforcement policies and made New York a safer and more welcoming place for immigrants.

Indeed, from a legislative perspective, the current Council has been even more active than in prior sessions.<sup>1</sup> Council Members have already made 105% more bill and resolution drafting requests, introduced 41% more bills and enacted 32% more Local Laws than through the same time period in the immediately preceding session.

Since 2006, the Council has also held well over 2,300 oversight hearings covering every aspect of life in the City. Each of these hearings involves extensive preparation by staff as well as study by the Committee Chairs and Members. Many of our oversight hearings result in legislative and policy changes. For example, through the Council’s extensive multi-agency hearings on Superstorm Sandy and the blizzard of 2009 we learned of deficiencies in preparation and response to natural disasters in the City. As a result of the hearings the Council passed numerous pieces of legislation designed to address these core operational challenges and to plan for the future.

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<sup>1</sup> Each Council legislative session comprises four calendar years, with the current session running from 2014-2017.

Beyond legislation, the Council Members must review land use issues and approve, among other things, zoning changes, housing and urban renewal plans, landmark designations, community development plans and the disposition of City-owned property. These powers give our body perhaps the most significant voice in the growth and development of the City. Our decisions in such matters are often the result of years of work – planning, analysis and community consultation – leading up to a Council vote. Over the past decade the Council has considered and voted on rezonings that have dramatically changed the landscape of the City. From the rezoning of Downtown Jamaica, Queens to the Coney Island Comprehensive Plan to the Columbia University expansion the Council has been faced with monumental change and has provided sensitive and smart stewardship. In many cases, as with the East Midtown and East Harlem re-zonings, Council Members lead extensive efforts to achieve consensus—a process of in-depth study, consultation and negotiation. Council Members are also deeply involved in advocating for better development outcomes – organizing communities, developing new policy tools, and communicating with their constituents about planning issues in their district.

In addition to these activities, the Council has refined its rules to make it a more democratic, productive and ethical body. Indeed, rules reform has been an important part of every new Council agenda since the advent of term limits.

In 2006, the Council amended its rules to enhance a Member’s ability to have a bill discharged from a committee and brought directly to the floor for a vote. The rule on floor amendments was liberalized. The Council improved public notice provisions for committee hearings. Further, the Council proposed a number of reforms to the city’s lobbying laws designed to reduce the impact of the lobbying culture and special interests at City Hall, and adopted strict rules limiting access by lobbyists to certain areas of City Hall including the Members’ lounge, the Speaker’s office, the Council chambers and Council Member dais during hearings. Another new rule required staff where practicable to provide drafts of legislation to Council members within 60 days of a request.

In 2008, the Council established new internal procedures designed to ensure integrity and transparency in the discretionary funding process. Specifically, the Council created a new Independent Compliance Office whose duties include the development of best practices for discretionary spending. All groups seeking funding are now required to file applications which are posted online and rigorously reviewed by the Council to ensure that each group is eligible for funding, capable of providing the services for which it seeks funding, and in compliance with all applicable laws and rules including conflict of interest rules. Funding requests of \$10,000 or more are also vetted by the Mayor’s Office of Contract Services. All allocations of discretionary funds are now posted online in a searchable database. Finally, all allocations are now either included in the budget, budget modifications or in discretionary spending “transparency resolutions”. In 2012, the Council promulgated rules codifying these procedures.

Most recently in 2014, the Council made major amendments to its rules designed to further empower Members, increase transparency and improve core Council operations. The rules now include deeper disclosure requirements for the Council's internal budget, greater public access to legislative information (including posted plain language summaries of all bills), the creation of a dedicated bill drafting unit and improved legislative tracking technology. Further, Committee Chairs now have greater control over committee agendas, staffing and procedures. Bill sponsors now have greater power to bring their bills to the floor. The Council once again addressed member item reform, this time requiring that all members receive equal amounts of core discretionary fund amounts with additional funding for anti-poverty programs in needier districts.

While all these changes come with much greater responsibility and workload for Members, they have made the Council a more vibrant, effective, efficient and ethically sound body.

At the local level, providing constituent services remains a fundamental part of a Council Member's job. Indeed, Council Members work long hours connecting with their constituents at local events and offer comfort and assistance at the scene of emergencies such as fires, weather-related events, crime scenes and other tragic incidents. Further, the Council has worked hard to realize the ideal of participatory democracy, seizing each opportunity to foster constituent involvement in our work. A prime example of this is our participatory budgeting program, in which community members participate directly in the allocation of tax dollars. I, and three of my colleagues, Brad Lander, Eric Ulrich, and Jumaane Williams, launched the program in 2011 to allow residents to decide how to allocate a portion of their capital discretionary funds. The idea caught on. In 2014, 24 Council Members participated, 127 neighborhood assemblies were held and over 50,000 people voted across the City. This year, 27 Council Members are participating in the process, giving the community real decision-making power over more than \$32 million in taxpayer money. Harvard University's John F. Kennedy School of Government recognized participatory budgeting in New York City by awarding the Council the Ash Center Innovation Award for Public Engagement in Government.

Our CouncilStat initiative adds another tool to connect with constituents by streamlining the intake process for constituent concerns on a web-based database platform. This technology enables the Council to compare and analyze constituent issues within and across districts in order to improve the Council's response to community needs and helps us in developing our legislative agenda and budget priorities. Tens of thousands of constituent matters are logged into the system annually and we have seen a dramatic increase in the system's usage over the past several years. We have also launched a new social media campaign designed to give constituents a greater voice in our activities.

The Council also puts a great deal of work into the budget review and adoption process. New York City's \$78.3 billion budget is the largest budget of any city in the

nation and is larger than the vast majority state budgets. The budget process is complicated and work intensive. The Council conducts extensive budget hearings, reviewing the budget of each agency in detail. The Council's Budget Negotiating Team, comprised of 15 members, reviews all budget items, establishes priorities and assists in our negotiations with the Mayor. The Council also reviews budget modifications submitted by the Mayor throughout the year

The Council's role in the governance of the City is a vital one and if it is to live up to the promise of the 1989 Charter, its Members must be compensated fairly for the responsibilities they bear and the service they perform. I look forward to reviewing the Commission's recommendation.

Sincerely,



**MELISSA MARK-VIVERITO**  
Speaker

cc: Jill Bright, Commissioner, Quadrennial Advisory Commission  
Paul Quintero, Commissioner, Quadrennial Advisory Commission

Attachments

***Measures of Legislative Productivity, Current Session to Date Compared to Equivalent Portion of Previous Session***

	Session 8 (2010-2013)		Session 9 (2014-2017)	
	Through 11/11/11	Total	Through 11/11/15	Increase to Date
Introductions	713	1231	1003	<b>41%</b>
Local Laws	125	359	165	<b>32%</b>
Legislative Service Requests	3050	5250	6250	<b>105%</b>

## Local Laws

Session #	Session Dates	Total Local Laws Enacted	Local Laws which are Street Names	Total Local Laws without Street Names
<b>Session 5</b>	<b>1998-2001</b>	<b>296</b>	<b>135</b>	<b>161</b>
<b>Session 6</b>	<b>2002-2003</b>	<b>133</b>	<b>7</b>	<b>126</b>
<b>Session 7</b>	<b>2004-2005</b>	<b>201</b>	<b>5</b>	<b>196</b>
<b>Session 8</b>	<b>2006-2009</b>	<b>288</b>	<b>13</b>	<b>275</b>
<b>Session 9</b>	<b>2010-2013</b>	<b>362</b>	<b>11</b>	<b>351</b>
<b>Session 10 (Less than half of Session 10)</b>	<b>2014 - Present</b>	<b>171*</b>	<b>4</b>	<b>167</b>

\* Two Local Laws from Session 9 were vetoed by the Mayor on December 27, 2013. The Council overrode both vetoes on February 4, 2014.

\* 3 other bills were approved by Council on November 10 and are awaiting the Mayor's signature to become a Local Law, which would bring this total to 174.

## Resolutions

Session #	Session Dates	Resolutions Introduced	Resolutions Adopted
Session 5	1998-2001	2196	1621
Session 6	2002-2003	1242	814
Session 7	2004-2005	1335	830
Session 8	2006-2009	2332	1541
Session 9	2010-2013	2110	1345
Session 10 (Less than half of Session 10)	2014 - Present	907	491

\* Additionally, there are 179 Resolutions completed by the Legislative Division and are awaiting Council Members approval.

## Oversight Hearings

Year and Session #	Session Dates	Hearings Scheduled	Hearings Deferred	Total Hearings Held
2006 - Session 8	2006-2009	272	0	272
2007 - Session 8	2006-2009	282	0	282
2008 - Session 8	2006-2009	258	0	258
2009 - Session 8	2006-2009	246	6	240
<b>TOTAL FOR FULL SESSION</b>		<b>1058</b>	<b>6</b>	<b>1052</b>
2010 - Session 9	2010-2013	240	7	233
2011 - Session 9	2010-2013	235	2	233
2012 - Session 9	2010-2013	200	28	172
2013 - Session 9	2010-2013	233	10	223
<b>TOTAL FOR FULL SESSION</b>		<b>908</b>	<b>47</b>	<b>861</b>
2014 - Session 10	2014 - 2017	211	10	201
*2015 - Session 10	2014 - 2017	238	12	226
<b>*TOTAL AS OF 11/20/15 (Less than half of Session 10)</b>		<b>449</b>	<b>22</b>	<b>427</b>



Via Website

Quadrennial Advisory Commission for the Review of Compensation Levels for Elected Officials  
Frederick A.O. Schwarz, Jr., Chair  
Jill Bright, Commissioner  
Paul Quintero, Commissioner  
c/o Brennan Center for Justice  
161 Avenue of the Americas  
New York, New York 10013

Additional Comments

Dear Commissioners,

Common Cause/NY submits these comments supplementing the testimony which we gave at the November 24, 2015 public hearing. We take this opportunity to again thank the Commission for its dedication to transparency and its follow-through on that principle.

1. Scope of Commission Recommendations

We are sensitive to the Commission's concerns that it not overstep its authority. Nevertheless, we believe that the Commission is in a unique position to make recommendations which relate to, but may not be solely limited to, the specific salary level for a particular office. In particular, we believe that a Commission recommendation regarding ending administrative committee stipends (lulus), particularly if the Council receives a substantial raise, and a suggestion that it is time to re-examine whether NYC Charter Sec. 26(c) has been successful in creating more transparency and accountability regarding lulus would have significant positive impact.

2. Retroactivity of Any Proposed Raises

We believe that the Commission should include a recommendation regarding the retroactivity of any recommended raise, particularly in light of the District Attorneys' request that they receive a substantial raise and that it be retroactive to 2011. Common Cause/NY strongly opposes making any recommended raises for any offices retroactive. Those holding office were aware of the salary level for the offices they sought when they chose to run and were elected. Any recommended raises should be *prospective* only. We believe that the Commission should address retroactivity in its recommendations.

3. Timing for Any Proposed Raise

Common Cause/NY agrees with the recommendation of Manhattan Borough President Gale Brewer that any raises recommended should be effective as of January 1, 2018. This recommendation follows the example of the 27<sup>th</sup> Amendment to the U.S. Constitution, which we believe is the preferred procedure. We believe that adopting 2018 as the prospective date of adoption for recommended raises is a reasonable position and required by basic fairness. Councilmembers voting on their own immediate raises is an obvious conflict of interest which offends the public. Having this Commission make its recommendations far in advance of the next Municipal General Election and have the raise take place after that election is politically astute and desirable for several reasons. It allows passions to cool a bit and encourages the public to evaluate the raise on a more objective basis, while still allowing voters to hold those up for re-election who supported the raise accountable at the ballot box.

Respectfully submitted,

  
Susan Lerner  
Executive Director



## CHANGES OVER TIME IN NYC MEDIAN HOUSEHOLD INCOME AND CONSUMER PRICE INDEX

YEAR	MEDIAN HOUSEHOLD INCOME	PERCENT CHANGE IN MEDIAN HOUSEHOLD INCOME	CPI-U	PERCENT CHANGE IN CPI-U
1989	\$29,810		130.600	
1999	\$38,293	28.46%	177.000	35.53%
2005	\$43,434	13.43%	212.700	20.17%
2006	\$46,480	7.01%	220.700	3.76%
2007	\$48,631	4.63%	226.940	2.83%
2008	\$51,116	5.11%	235.782	3.90%
2009	\$50,033	-2.12%	236.825	0.44%
2010	\$48,743	-2.58%	240.864	1.71%
2011	\$49,461	1.47%	247.718	2.85%
2012	\$50,895	2.90%	252.588	1.97%
2013	\$52,223	2.61%	256.833	1.68%
2014	\$52,996	1.48%	260.230	1.32%
1989-1999		28.46%		35.53%
1999-2009		30.66%		33.80%
1989-2009		67.84%		81.34%
2006-2014		14.02%		17.91%

Since 2005, the U.S. Census Bureau has gathered median household income yearly via the American Community Survey. Data for 2005-14 reflects that information. Earlier data on median household income comes from the decennial U.S. Census. The 1989 and 1999 numbers are from the U.S. Census 1990 and U.S. Census 2000, respectively. Inflation numbers are from the U.S. Bureau of Labor Statistics (Consumer Price Index for All Urban Consumers, New York-Northern New Jersey-Long Island area). Percentages are rounded to the nearest hundredth.

## CHANGES OVER TIME IN NYC ELECTED OFFICIALS' SALARIES AND THE CONSUMER PRICE INDEX

<b>MAR 87</b>	<b>MAYOR</b>	<b>PUBLIC ADVOCATE</b>	<b>COMPTROLLER</b>	<b>BOROUGH PRESIDENTS</b>	<b>CITY COUNCIL MEMBERS</b>	<b>DISTRICT ATTORNEYS</b>
CURRENT	\$110,000	\$90,000	\$90,000	\$80,000	\$47,500	\$82,000
RECOMMENDED RAISE	\$20,000	\$15,000	\$15,000	\$15,000	\$7,500	\$15,000
RECOMMENDED SALARY	\$130,000	\$105,000	\$105,000	\$95,000	\$55,000	\$97,000
PERCENT RAISE RECOMMENDED	18.18%	16.67%	16.67%	18.75%	15.79%	18.29%
AVERAGE CPI-U, 1983 ANNUAL	99.80	99.80	99.80	99.80	99.80	99.80
CPI-U, JAN. 1987	114.70	114.70	114.70	114.70	114.70	114.70
PERCENT INCREASE IN CPI-U, 1983 - FEB. 1987	14.93%	14.93%	14.93%	14.93%	14.93%	14.93%
1983 SALARY ADJUSTED BY CPI-U	\$126,422.85	\$103,436.87	\$103,436.87	\$91,943.89	\$54,591.68	\$94,242.48

City Council compensation does not include allowances ("lulus").  
Percentage calculations are rounded to the nearest hundredth.

<b>SEP 91</b>	<b>MAYOR</b>	<b>PUBLIC ADVOCATE</b>	<b>COMPTROLLER</b>	<b>BOROUGH PRESIDENTS</b>	<b>CITY COUNCIL MEMBERS</b>	<b>DISTRICT ATTORNEYS</b>
CURRENT	\$130,000	\$105,000	\$105,000	\$95,000	\$55,000	\$97,000
RECOMMENDED RAISE	\$23,000	\$10,000	\$17,500	\$10,000	\$10,000	\$18,000
RECOMMENDED SALARY	\$153,000	\$115,000	\$122,500	\$105,000	\$65,000	\$115,000
PERCENT RAISE RECOMMENDED	17.69%	9.52%	16.67%	10.53%	18.18%	18.56%
AVERAGE CPI-U, 1987 ANNUAL	118.00	118.00	118.00	118.00	118.00	118.00
CPI-U, JUL. 1991	145.20	145.20	145.20	145.20	145.20	145.20
PERCENT INCREASE IN CPI-U, 1987 - JUL. 1991	23.05%	23.05%	23.05%	23.05%	23.05%	23.05%
1987 SALARY ADJUSTED BY CPI-U	\$159,966.10	\$129,203.39	\$129,203.39	\$116,898.31	\$67,677.97	\$119,359.32

City Council compensation does not include allowances ("lulus").  
Percentage calculations are rounded to the nearest hundredth.

<b>OCT 95</b>	<b>MAYOR</b>	<b>PUBLIC ADVOCATE</b>	<b>COMPTROLLER</b>	<b>BOROUGH PRESIDENTS</b>	<b>CITY COUNCIL MEMBERS</b>	<b>DISTRICT ATTORNEYS</b>
CURRENT	\$130,000	\$105,000	\$105,000	\$95,000	\$55,000	\$97,000
RECOMMENDED RAISE IN 1991	\$23,000	\$10,000	\$17,500	\$10,000	\$10,000	\$18,000
RECOMMENDED RAISE ABOVE 1991 REC.	\$12,000	\$10,000	\$10,500	\$9,000	\$5,500	\$10,000
RECOMMENDED SALARY	\$165,000	\$125,000	\$133,000	\$114,000	\$70,500	\$125,000
PERCENT RAISE RECOMMENDED ABOVE 1991 REC. SALARY	7.84%	8.70%	8.57%	8.57%	8.46%	8.70%
AVERAGE CPI-U, 1991 ANNUAL	144.80	144.80	144.80	144.80	144.80	144.80
CPI-U, AUG. 1995	162.80	162.80	162.80	162.80	162.80	162.80
PERCENT INCREASE IN CPI-U, 1991 - AUG. 1995	12.43%	12.43%	12.43%	12.43%	12.43%	12.43%
1991 RECOMMENDED SALARY ADJUSTED BY CPI-U	\$172,019.34	\$129,295.58	\$137,727.90	\$118,052.49	\$73,080.11	\$129,295.58

City Council compensation does not include allowances ("lulus").  
Percentage calculations are rounded to the nearest hundredth.

<b>JUN 99</b>	<b>MAYOR</b>	<b>PUBLIC ADVOCATE</b>	<b>COMPTROLLER</b>	<b>BOROUGH PRESIDENTS</b>	<b>CITY COUNCIL MEMBERS</b>	<b>DISTRICT ATTORNEYS</b>
CURRENT	\$165,000	\$125,000	\$133,000	\$114,000	\$70,500	\$136,700
RECOMMENDED RAISE	\$30,000	\$25,000	\$27,000	\$21,000	\$19,500	\$13,300
RECOMMENDED SALARY	\$195,000	\$150,000	\$160,000	\$135,000	\$90,000	\$150,000
PERCENT RAISE RECOMMENDED	18.18%	20.00%	20.30%	18.42%	27.66%	9.73%
AVERAGE CPI-U, 1995 ANNUAL	162.2	162.2	162.2	162.2	162.2	162.2
CPI-U, APR. 1999	176.00	176.00	176.00	176.00	176.00	176.00
PERCENT INCREASE IN CPI-U, 1995 - APR. 1999	8.51%	8.51%	8.51%	8.51%	8.51%	8.51%
1995 SALARY ADJUSTED BY CPI-U	\$179,038.22	\$135,635.02	\$144,315.66	\$123,699.14	\$76,498.15	\$148,330.46

City Council compensation does not include allowances ("lulus").  
Percentage calculations are rounded to the nearest hundredth.

<b>OCT 06</b>	<b>MAYOR</b>	<b>PUBLIC ADVOCATE</b>	<b>COMPTROLLER</b>	<b>BOROUGH PRESIDENTS</b>	<b>CITY COUNCIL MEMBERS</b>	<b>DISTRICT ATTORNEYS</b>
CURRENT	\$195,000	\$150,000	\$160,000	\$135,000	\$90,000	\$150,000
RECOMMENDED RAISE	\$30,000	\$15,000	\$25,000	\$25,000	\$22,500	\$40,000
RECOMMENDED SALARY	225,000	\$165,000	\$185,000	\$160,000	\$112,500	\$190,000
PERCENT RAISE RECOMMENDED	15.38%	10.00%	15.63%	18.52%	25.00%	26.67%
AVERAGE CPI-U, 1999 ANNUAL	177.00	177.00	177.00	177.00	177.00	177.00
CPI-U, AUG. 2006	224.10	224.10	224.10	224.10	224.10	224.10
PERCENT INCREASE IN CPI-U, 1999 - AUG. 2006	26.61%	26.61%	26.61%	26.61%	26.61%	26.61%
1999 SALARY ADJUSTED BY CPI-U	\$246,889.83	\$189,915.25	\$202,576.27	\$170,923.73	\$113,949.15	\$189,915.25

City Council compensation does not include allowances ("lulus").  
Percentage calculations are rounded to the nearest hundredth.

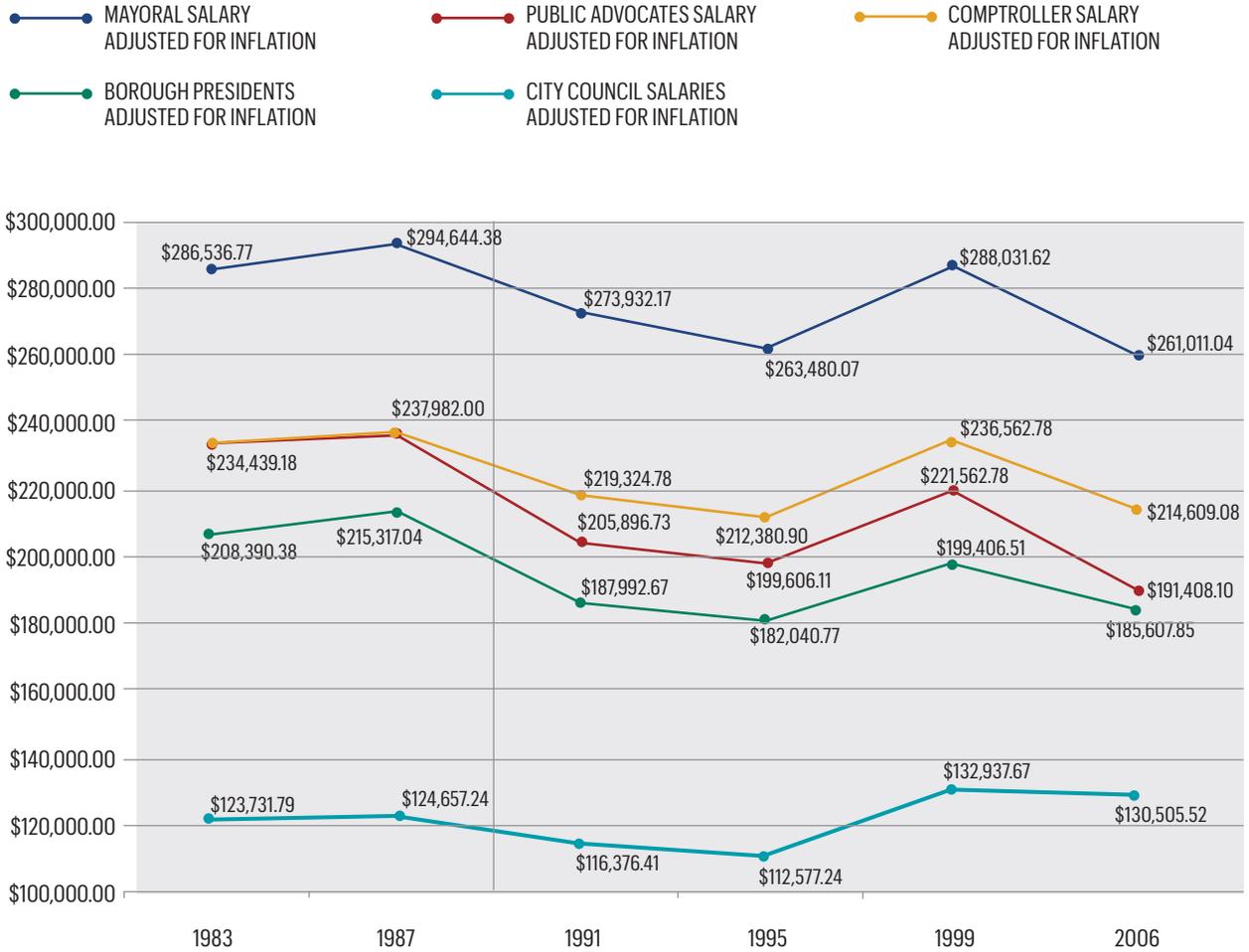
<b>CHANGES FROM 1983-CURRENT</b>	<b>MAYOR</b>	<b>PUBLIC ADVOCATE</b>	<b>COMPTROLLER</b>	<b>BOROUGH PRESIDENTS</b>	<b>CITY COUNCIL MEMBERS</b>	<b>DISTRICT ATTORNEYS</b>
1983	\$110,000	\$90,000	\$90,000	\$80,000	\$47,500	\$82,000
CURRENT	\$225,000	\$165,000	\$185,000	\$160,000	\$112,500	\$190,000
SALARY INCREASE FROM 1983 TO CURRENT	\$115,000	\$75,000	\$95,000	\$80,000	\$65,000	\$108,000
PERCENT INCREASE IN SALARY FROM 1983 TO CURRENT	104.55%	83.33%	105.56%	100.00%	136.84%	131.71%
AVERAGE CPI-U, 1983 ANNUAL	99.80	99.80	99.80	99.80	99.80	99.80
AVERAGE CPI-U, 2006 ANNUAL	220.70	220.70	220.70	220.70	220.70	220.70
PERCENT INCREASE IN CPI-U, 1983-2006	121.14%	121.14%	121.14%	121.14%	121.14%	121.14%
1983 SALARY ADJUSTED BY CPI-U	\$243,256.51	\$199,028.06	\$199,028.06	\$176,913.83	\$105,042.59	\$181,336.67

City Council compensation does not include allowances ("lulus").  
Percentage calculations are rounded to the nearest hundredth.

<b>CHANGES FROM NOV 06-SEP 15</b>	<b>MAYOR</b>	<b>PUBLIC ADVOCATE</b>	<b>COMPTROLLER</b>	<b>BOROUGH PRESIDENTS</b>	<b>CITY COUNCIL MEMBERS</b>	<b>DISTRICT ATTORNEYS</b>
CURRENT	\$225,000	\$165,000	\$185,000	\$160,000	\$112,500	\$190,000
AVERAGE CPI-U, 2006 ANNUAL	220.70	220.70	220.70	220.70	220.70	220.70
CPI-U, SEP. 2015	261.887	261.887	261.887	261.887	261.887	261.887
PERCENT INCREASE IN CPI-U 2006 - SEP. 2015	18.66%	18.66%	18.66%	18.66%	18.66%	18.66%
2006 SALARY ADJUSTED BY CPI-U	\$266,989.47	\$195,792.27	\$219,524.67	\$189,859.18	\$133,494.73	\$225,457.77

City Council compensation does not include allowances ("lulus").  
Percentage calculations are rounded to the nearest hundredth.

# NYC ELECTED OFFICIAL SALARIES ADJUSTED TO 2015 REAL DOLLARS (BASED ON THE CPI-U FOR THE NEW YORK-NORTHERN NEW JERSEY-LONG ISLAND AREA FOR THE FIRST HALF OF 2015)



Y axis crosses at 1989, the year in which the New York City Charter was significantly revised, affecting all elected offices except the office of District Attorney.

## CURRENT NEW YORK CITY COUNCIL BUDGETED ALLOWANCES

Note that some members decline the allowance budgeted for their positions.

	BUDGETED ALLOWANCE
<b>OFFICERS</b> IF AN OFFICER SERVES CONCURRENTLY AS COMMITTEE CHAIR, BOTH ROLES ARE NOTED.	
SPEAKER	\$25,000
MAJORITY LEADER / CULTURAL AFFAIRS	\$20,000
MINORITY LEADER	\$15,000
DEPUTY LEADER / ECONOMIC DEVELOPMENT	\$15,000
DEPUTY LEADER / OVERSIGHT AND INVESTIGATION	\$15,000
DEPUTY LEADER / WATERFRONTS	\$15,000
DEPUTY LEADER / PUBLIC HOUSING	\$15,000
DEPUTY LEADER / TECHNOLOGY	\$15,000
DEPUTY LEADER / HOUSING AND BUILDINGS	\$15,000
DEPUTY LEADER FOR POLICY / RULES, PRIVILEGES AND ELECTIONS	\$15,000
MINORITY WHIP	\$5,000
<b>STANDING COMMITTEES</b>	
FINANCE	\$15,000
LAND USE	\$15,000
AGING	\$8,000
CIVIL RIGHTS	\$8,000
CIVIL SERVICE AND LABOR	\$8,000
COMMUNITY DEVELOPMENT	\$8,000
CONSUMER AFFAIRS	\$8,000
CONTRACTS	\$8,000
COURTS AND LEGAL SERVICES	\$8,000
EDUCATION	\$8,000
ENVIRONMENTAL PROTECTION	\$8,000
FIRE AND CRIMINAL JUSTICE SERVICES	\$8,000
GENERAL WELFARE	\$8,000

2015	BUDGETED ALLOWANCE
<b>STANDING COMMITTEES (CONT.)</b>	
GOVERNMENTAL OPERATIONS	\$8,000
HEALTH	\$8,000
HIGHER EDUCATION	\$8,000
IMMIGRATION	\$8,000
JUVENILE JUSTICE	\$8,000
MENTAL HEALTH, DEVELOPMENTAL DISABILITY, ALCOHOLISM, DRUG ABUSE AND DISABILITY	\$8,000
PARKS AND RECREATION	\$8,000
PUBLIC SAFETY	\$8,000
RECOVERY AND RESILIENCY	\$8,000
SANITATION AND SOLID WASTE MANAGEMENT	\$8,000
SMALL BUSINESS	\$8,000
STANDARDS AND ETHICS	\$8,000
STATE AND FEDERAL LEGISLATION	\$8,000
TRANSPORTATION	\$8,000
VETERANS	\$8,000
WOMEN'S ISSUES	\$8,000
YOUTH SERVICES	\$8,000
<b>SUBCOMMITTEES</b>	
LANDMARKS, PUBLIC SITING AND MARITIME USES (LAND USE)	\$8,000
PLANNING, DISPOSITIONS AND CONCESSIONS (LAND USE)	\$8,000
ZONING AND FRANCHISES (LAND USE)	\$8,000
LIBRARIES (CULTURAL AFFAIRS)	\$8,000
NON-PUBLIC SCHOOLS (EDUCATION)	\$8,000
SENIOR CENTERS (AGING)	\$8,000
<b>TOTAL BUDGETED FOR ALLOWANCES</b>	<b>\$472,000</b>

SOURCES: N.Y.C. Comm. No. M 0013-2014; N.Y.C. Res. No. 0407-2014; N.Y.C. Res. No. 0766-2015; N.Y.C. Res. No. 0795-2015. Section 26(b) of the New York City Charter provides that council members receive a yearly salary of \$112,500, and “[i]n addition any council member, while serving as a committee chairperson or other office of the council, may also be paid, in addition to such a salary, an allowance fixed by resolution, after a hearing, for the particular and additional services pertaining to the additional duties of such position.” Some members do not accept the allowance budgeted for their position.

## NYC ELECTED OFFICIAL AGENCIES: HEADCOUNTS, BUDGETS, AND SALARIES

2015	OCTOBER 2015 ACTUAL HEADCOUNT: FULL-TIME AND FULL-TIME EQUIVALENT POSITIONS			TOTAL BUDGET FY16 AS OF FY16 ADOPTION	TITLES & SALARIES AS OF SEPT. 2015 PCEF	
	FULL-TIME	FTE	FT + FTE			
BOROUGH PRESIDENT - MANHATTAN	52	1	53	\$4,713,671	DEPUTY BOROUGH PRESIDENT	\$145,652
BOROUGH PRESIDENT - BRONX	57	1	58	\$5,645,332	DEPUTY BOROUGH PRESIDENT	\$159,876
BOROUGH PRESIDENT - BROOKLYN	62	4	66	\$5,863,733	DEPUTY BOROUGH PRESIDENT	\$142,100
BOROUGH PRESIDENT - QUEENS	59	1	60	\$5,154,832	DEPUTY BOROUGH PRESIDENT	\$13,000
BOROUGH PRESIDENT - STATEN ISLAND	36	2	38	\$4,332,706	DEPUTY BOROUGH PRESIDENT	\$148,820
COMPTROLLER	713	12	725	\$93,864,810	FIRST DEPUTY COMPTROLLER	\$205,896
PUBLIC ADVOCATE	43	3	46	\$3,374,778	FIRST ASSISTANT TO THE PUBLIC ADVOCATE	\$143,371
CITY COUNCIL	310	347	657	—	—	—
DISTRICT ATTORNEY - MANHATTAN	1,393	6	1,399	\$98,575,081	CHIEF ASSISTANT DISTRICT ATTORNEY	\$195,000
DISTRICT ATTORNEY - BRONX	867	1	868	\$58,022,210	CHIEF ASSISTANT DISTRICT ATTORNEY	\$198,000
DISTRICT ATTORNEY - BROOKLYN	1,102	17	1,119	\$93,475,423	CHIEF ASSISTANT DISTRICT ATTORNEY	\$189,000
DISTRICT ATTORNEY - QUEENS	634	1	635	\$55,982,882	CHIEF ASSISTANT DISTRICT ATTORNEY	\$203,320
DISTRICT ATTORNEY - STATEN ISLAND	106	3	109	\$9,969,372	CHIEF ASSISTANT DISTRICT ATTORNEY	\$198,705
SPECIAL NARCOTICS	204	2	206	\$21,440,563	CHIEF ASSISTANT DISTRICT ATTORNEY	\$192,000

From the NYC Office of Management and Budget

## NEW YORK CITY MAYORAL AGENCIES: HEADCOUNTS

(Excludes the Elected Official Agencies (BPs, DAs, City Council, Comptroller, Public Advocate))

2015		FULL-TIME	FTE	FT + FTE
1	DEPARTMENT OF EDUCATION	126,832	12,701	139,533
2	POLICE	50,060	1,563	51,623
3	FIRE	16,222	75	16,297
4	DEPARTMENT OF SOCIAL SERVICES	13,340	227	13,567
5	CORRECTION	10,499	57	10,556
6	C.U.N.Y.	6,051	4,181	10,232
7	SANITATION	9,755	121	9,876
8	PARKS & RECREATION	3,853	2,443	6,296
9	ADMIN. FOR CHILDREN'S SVCES	5,841	41	5,882
10	ENVIRONMENTAL PROTECTION	5,574	103	5,677
11	HEALTH AND MENTAL HYGIENE	4,181	1,166	5,347
12	TRANSPORTATION	4,463	403	4,866
13	HPD	2,137	28	2,165
14	DEPARTMENT OF HOMELESS SERVICES	2,130	1	2,131
15	CITYWIDE ADMINISTRATIVE SERVICES	1,951	139	2,090
16	FINANCE	1,880	50	1,930
17	LAW	1,427	101	1,528
18	DOITT	1,281	2	1,283
19	DESIGN & CONSTRUCTION	1,251	10	1,261
20	BUILDINGS	1,159	21	1,180
21	MAYORALTY	954	12	966
22	PROBATION	946	4	950
23	BOARD OF ELECTIONS	363	278	641
24	AGING	276	360	636
25	TAXI & LIMOUSINE	533	60	593
26	YOUTH & COMMUNITY DEVELOPMENT	460	27	487
27	FISA	425	3	428
28	CONSUMER AFFAIRS	364	-	364
29	OATH	233	110	343

2015		FULL-TIME	FTE	FT + FTE
30	CITY PLANNING	262	22	284
31	INVESTIGATION	276	1	277
32	SBS	235	30	265
33	COMMUNITY BOARDS	154	22	176
34	CIVILIAN COMPLAINT REVIEW BOARD	156	4	160
35	OFFICE OF EMERGENCY MANAGEMENT	153	4	157
36	PAYROLL ADMINISTRATION	153	1	154
37	CAMPAIGN FINANCE BOARD	89	7	96
38	HUMAN RIGHTS COMMISSION	78	-	78
39	BUSINESS INTEGRITY COMMISSION	75	-	75
40	LANDMARKS PRESERVATION	69	3	72
41	CITY CLERK	64	4	68
42	CULTURAL AFFAIRS	47	16	63
43	DORIS	45	8	53
44	TAX	38	10	48
45	OFFICE OF THE ACTUARY	36	-	36
46	INDEPENDENT BUDGET OFFICE	35	-	35
47	CONFLICTS OF INTEREST BOARD	22	-	22
48	BOARD OF CORRECTION	17	-	17
49	COLLECTIVE BARGAINING	17	-	17
50	CIVIL SERVICE COMMISSION	7	3	10
51	PA - NEW YORK	10	-	10
52	PA - BROOKLYN	10	-	10
53	EQUAL EMPLOYMENT PRACTICES	9	-	9
54	PA - BRONX	8	-	8
55	PA - QUEENS	8	-	8
56	PA - STATEN ISLAND	5	-	5
	<b>SUBTOTALS</b>	<b>276,519</b>	<b>24,422</b>	
	<b>TOTAL FULL-TIME AND FULL-TIME EQUIVALENT EMPLOYEES</b>			<b>300,941</b>

From the New York City Office of Management and Budget

## LIST OF NYC MAYORAL APPOINTMENTS TO BOARDS AND COMMISSIONS

NO.	TOTAL MEMBERS	MAYORAL APPOINTMENTS	BOARD/COMMISSION NAME
1	28	1	AGE-FRIENDLY NYC COMMISSION
2	2	31	AGING ADVISORY COUNCIL (DFTA)
3	8	4	AIRPORT BOARD, JOINT
4	24	1	AIRPORT OPPORTUNITY, COUNCIL FOR
5	7	4	ANIMAL CARE & CONTROL OF NEW YORK CITY, INC.
6	10	10	APPOINTMENTS, MAYOR'S COMMITTEE ON
7	5	3	ARCHIVAL REVIEW BOARD
8	7	4	AUDIT COMMITTEE - OFFICE OF THE COMPTROLLER
9	3	1	BANKING COMMISSION - DEPARTMENT OF FINANCE
10	10	3	BED BUG ADVISORY BOARD
11	17	9	BROOKLYN BRIDGE PARK CORPORATION
12	12	6	BROOKLYN BRIDGE PARK DEVELOPMENT CORPORATION
13	31	29	BROOKLYN NAVY YARD DEVELOPMENT CORPORATION - BOARD OF DIRECTORS
14	38	11	BROOKLYN PUBLIC LIBRARY - BOARD OF TRUSTEES
15	10	6	(SOUTH) BROOKLYN RAILWAY COMPANY - BOARD OF DIRECTORS
16	15	11	BUILD NYC RESOURCE CORPORATION
17	3	3	BUILDING PARTNERSHIP, INC.
18	6	1	BUSINESS INTEGRITY COMMISSION
19	10	2	BUSINESS RELOCATION ASSISTANCE CORPORATION
20	5	3	CAMPAIGN FINANCE BOARD
21	15	1	CATSKILL WATERSHED CORPORATION - BOARD OF DIRECTORS
22	60	5	CENTRAL PARK CONSERVANCY - BOARD OF TRUSTEES
23	11	2	CHILD FATALITY REVIEW ADVISORY TEAM
24	13	7	CITY PLANNING COMMISSION
25	7	1	CITY UNIVERSITY CONSTRUCTION FUND - BOARD OF TRUSTEES
26	17	5	CITY UNIVERSITY OF NEW YORK - BOARD OF TRUSTEES
27	5	5	CIVIL SERVICE COMMISSION
28	6	4	CIVIL SERVICE COMMISSION - SCREENING COMMITTEE
29	13	13	CIVILIAN COMPLAINT REVIEW BOARD
30	32	22	CLIMATE CHANGE ADAPTATION TASK FORCE
31	13	13	CLIMATE CHANGE, NEW YORK CITY PANEL ON
32	7	4	COLLECTIVE BARGAINING, BOARD OF
33	45	6	COMMUNITY ACTION BOARD (DYCD)
34	8	2	COMMUNITY INVESTMENT ADVISORY BOARD

NO.	TOTAL MEMBERS	MAYORAL APPOINTMENTS	BOARD/COMMISSION NAME
35	15	15	COMMUNITY SERVICES BOARD (MENTAL HYGIENE ADVISORY BOARD)
36	11	11	COMMUNITY SERVICES BOARD - SUBCOMMITTEE ON MENTAL HEALTH
37	9	9	COMMUNITY SERVICES BOARD - SUBCOMMITTEE ON CHEMICAL DEPENDENCY
38	9	9	COMMUNITY SERVICES BOARD - SUBCOMMITTEE ON MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES
39	11	3	COMPOST FACILITY SIGHTING TASK FORCE - DEPARTMENT OF SANITATION
40	13	7	CONEY ISLAND DEVELOPMENT CORPORATION - BOARD OF DIRECTORS
41	5	5	CONFLICTS OF INTEREST BOARD
42	13	12	CONSUMERS COUNCIL - DEPARTMENT OF CONSUMER AFFAIRS
43	14	2	CONVENTION CENTER DEVELOPMENT CORPORATION - BOARD OF DIRECTORS
44	21	4	CONVENTION CENTER OPERATING CORPORATION - BOARD OF DIRECTORS
45	9	6	CORRECTION, BAORD OF - DEPARTMENT OF CORRECTION
46	21	21	CULTURAL AFFAIRS ADVISORY COMMISSION - DEPARTMENT OF CULTURAL AFFAIRS
47	45	45	CULTURAL INSTITUTIONS - MAYOR'S REPRESENTATIVES
48	9	2	CULTURAL INSTITUTIONS RETIREMENT SYSTEM - BOARD OF TRUSTEES
49	9	6	CULTURAL RESOURCES, TRUST FOR
50	0	9	CULTURE SHED, INC. BOARD OF DIRECTORS
51	6	2	DANGEROUS DOG ADVISORY BOARD (DOHMH)
52	7	1	DEFERRED COMPENSATION BOARD
53	15	7	DISTRICTING COMMISSION 2012
54	14	4	DOMESTIC VIOLENCE FATALITY REVIEW COMMITTEE
55	11	6	EASTSIDE GREENWAY AND PARK BOARD (EGAP)
56	27	17	ECONOMIC DEVELOPMENT CORPORATION - BOARD OF DIRECTORS
57	32	32	ECONOMIC OPPORTUNITY, COMMISSION FOR
58	14	8	EDUCATIONAL POLICY, PANEL FOR
59	3	2	EDUCATIONAL CONSTRUCTION FUND
60	9	9	ELECTION MODERNIZATION TASK FORCE
61	6	6	ENERGY CONSERVATION STEERING COMMITTEE
62	17	17	ENERGY POLICY TASK FORCE
63	13	6	ENVIRONMENTAL CONTROL BOARD
64	5	2	EQUAL EMPLOYMENT PRACTICES COMMISSION
65	3	3	FINANCIAL INFORMATION SERVICES AGENCY (FISA)
66	12	1	FIRE DEPARTMENT PENSION FUND (AND RELATED FUNDS)
67	6	1	FISCAL YEAR 2005 SECURITIZATION CORPORATION
68	10	2	FRANCISE AND CONCESSION REVIEW COMMITTEE
69	18	6	NYC GLOBAL PARTNERS, INC. - BOARD OF DIRECTORS
70	13	9	GOVERNOR'S ISLAND - TRUST FOR GOVERNOR'S ISLAND

NO.	TOTAL MEMBERS	MAYORAL APPOINTMENTS	BOARD/COMMISSION NAME
71	18	18	GRACIE MANSION CONSERVANCY - BOARD OF DIRECTORS
72	35	35	GROWNYC
73	3	1	HANDSCHU AUTHORITY
74	9	4	HAZARDOUS SUBSTANCE ADVISORY BOARD
75	11	9	HEALTH, BOARD OF
76	16	10	HEALTH AND HOSPITALS CORPORATION, BOARD OF
77	3	3	HEALTH AND HOSPITALS CORPORATION - PERSONNEL REVIEW BOARD
78	7	1	HISTORIC PROPERTIES FUND
79	19	19	HIV/AIDS, NYC COMMISSION ON
80	11	6	HIV/AIDS SERVICES ADMINISTRATION (HASA) ADVISORY BOARD
81	61	50	HIV HEALTH AND HUMAN SERVICES PLANNING COUNCIL
82	3	2	HOUSING ASSISTANCE CORPORATION
83	7	7	HOUSING AUTHORITY BOARD / NYCHA
84	7	2	HOUSING DEVELOPMENT CORPORATION
85	14	1	HOUSING PART, ADVISORY COUNCIL FOR THE NYC CIVIL COURT
86	13	5	HUDSON RIVER PARK TRUST - BOARD OF DIRECTORS
87	27	2	HUDSON RIVER VALLEY GREENWAY COMMUNITIES COUNCIL
88	15	15	HUMAN RIGHTS, COMMISSION ON
89	7	3	INDUSTRIAL AND COMMERCIAL INCENTIVE BOARD
90	15	15	INDUSTRIAL AND MANUFACTURING BUSINESS COUNCIL
91	13	1	INDUSTRIAL BUSINESS ZONE BOUNDARY COMMISSION
92	15	11	INDUSTRIAL DEVELOPMENT AGENCY
93	5	1	IN REM FORECLOSURE RELEASE BOARD
94	38	1	INTERAGENCY COORDINATING COUNCIL (DYCD)
95	19	19	JUDICIARY, MAYOR'S ADVISORY COMMITTEE ON THE
96	11	11	JUVENILE JUSTICE ADVISORY BOARD
97	11	11	(CITYWIDE) JUSTICE AND MENTAL HEALTH INITIATIVE STEERING COMMITTEE
98	5	5	LAND DEVELOPMENT CORPORATION
99	11	11	LANDMARKS PRESERVATION COMMISSION
100	40	40	LATIN MEDIA AND ENTERTAINMENT COMMISSION
101	5	5	LOBBYING COMMISSION (JOINT APPOINTMENTS WITH THE SPEAKER)
102	11	11	LOFT BOARD
103	16	8	LOWER MANHATTAN DEVELOPMENT CORPORATION
104	46	83	MARSHALS, NYC
105	15	15	MARSHALS, MAYOR'S COMMITTEE ON CITY
106	49	49	MAYOR'S FUND TO ADVANCE NYC
107	23	4	METROPOLITAN TRANSPORTATION AUTHORITY - BOARD OF DIRECTORS

NO.	TOTAL MEMBERS	MAYORAL APPOINTMENTS	BOARD/COMMISSION NAME
108	6	1	MTA CAPITAL PROGRAM REVIEW BOARD
109	22	22	MIDTOWN CITIZENS COMMITTEE
110	6	2	MOYNIHAN STATION DEVELOPMENT CORPORATION
111	5	3	MUSEUM OF THE MOVING IMAGE - BASE RENT COMMITTEE
112	22	22	MWBE ADVISORY BOARD - DEPARTMENT OF SMALL BUSINESS SERVICES
113	11	1	NYC EMPLOYEES' RETIREMENT SYSTEM
114	12	1	NEW YORK COMMUNITY TRUST / COMMUNITY FUNDS, INC.
115	71	5	NYC & CO. BOARD OF DIRECTORS
116	15	15	OBESITY TASK FORCE
117	2	2	PAYROLL ADMINISTRATION, OFFICE OF - BOARD OF DIRECTORS
118	6	6	POLICE CORRUPTION, COMMISSION TO COMBAT
119	12	1	POLICE DEPARTMENT PENSION FUND
120	25	1	PRIMARY CARE DEVELOPMENT CORPORATION
121	11	1	PROCUREMENT LOBBYING, ADVISORY COUNCIL ON - NEW YORK STATE
122	5	3	PROCUREMENT POLICY BOARD
123	3	1	PROCUREMENT TRAINING INSTITUTE BOARD
124	35	2	PROSPECT PARK ALLIANCE - BOARD OF DIRECTORS
125	11	7	PUBLIC DESIGN COMMISSION (THE ART COMMISSION)
126	11	2	PUBLIC INFORMATION & COMMUNICATION, COMMISSION ON
127	3	3	QUADRENNIAL ADVISORY COMMISSION ON COMPENSATION LEVELS OF ELECTED OFFICIALS
128	23	10	QUEENS BOROUGH PUBLIC LIBRARY - BOARD OF TRUSTEES
129	17	1	RANDALL'S ISLAND COMMUNITY ACCESS TASK FORCE
130	37	5	RANDALL'S ISLAND PARK ALLIANCE, INC.
131	9	9	RENT GUIDELINES BOARD
132	9	2	RESIDENTIAL MORTGAGE INSURANCE CORPORATION
133	9	2	ROOSEVELT ISLAND OPERATING CORPORATION - BOARD OF DIRECTORS
134	3	2	SCHOOL CONSTRUCTION AUTHORITY - BOARD OF TRUSTEES
135	19	2	SEPTEMBER 11 WORKER PROTECTION TASK FORCE
136	9	7	SOIL & WATER CONSERVATION DISTRICT BOARD - BOARD OF DIRECTORS
137	5	5	STANDARDS & APPEALS, BOARD OF
138	11	5	SURFACING MATERIALS, ADVISORY COMMITTEE ON THE SAFETY OF NEW
139	18	18	SUSTAINABILITY ADVISORY BOARD
140	10	4	SWMP CONVERTED MARINE TRANSFER STN. COMM. ADV. GROUP - EAST 91ST ST.
141	10	4	SWMP CONVERTED MARINE TRANSFER STN. COMM. ADV. GROUP - NORTH SHORE
142	10	4	SWMP CONVERTED MARINE TRANSFER STN. COMM. ADV. GROUP - HAMILTON AVE.
143	10	4	SWMP CONVERTED MARINE TRANSFER STN. COMM. ADV. GROUP - SW BROOKLYN

NO.	TOTAL MEMBERS	MAYORAL APPOINTMENTS	BOARD/COMMISSION NAME
144	3	3	TAX APPEALS TRIBUNAL
145	7	7	TAX COMMISSION
146	9	9	TAXI & LIMOUSINE COMMISSION
147	15	15	TLC ADVISORY BOARD
148	7	2	TEACHERS' RETIREMENT BOARD - TEACHERS' RETIREMENT SYSTEM
149	12	12	TECHNOLOGY AND INNOVATION, MAYOR'S COUNCIL ON
150	7	7	TECHNOLOGY DEVELOPMENT CORPORATION
151	8	3	THEATER SUBDISTRICT COUNCIL LOCAL DEVELOPMENT CORPORATION
152	15	5	TRANSIT RIDERS COUNCIL - NYC TRANSIT AUTHORITY ADVISORY COUNCIL
153	10	10	TRUANCY AND CHRONIC ABSENTEEISM INTERAGENCY TASK FORCE
154	15	5	UNITED NATIONS DEVELOPMENT CORPORATION - BOARD OF DIRECTORS
155	9	5	VETERANS ADVISORY BOARD - MAYOR'S OFFICE OF VETERAN'S AFFAIRS
156	9	3	VOTER ASSISTANCE ADVISORY COMMITTEE
157	7	7	WATER BOARD
158	7	2	WATER FINANCE AUTHORITY, MUNICIPAL
159	17	12	WATERFRONT MANAGEMENT ADVISORY BOARD
160	27	3	WATERSHED PROTECTION AND PARTNERSHIP COUNCIL
161	10	1	WATERSHED PPC - EAST OF HUDSON ADVISORY COMMITTEE
162	14	1	WATERSHED PPC - TECHNICAL ADVISORY COMMITTEE
163	46	46	WOMEN'S ISSUES, COMMISSION ON
164	40	33	WORKFORCE INVESTMENT BOARD
165	5	5	WORLD TRADE CENTER CAPTIVE INSURANCE COMPANY, INC.
166	15	15	WORLD TRADE CENTER MEDICAL WORKING GROUP
167	10	1	WORLD TRADE CENTER RESPONDERS STEERING COMMITTEE
168	24	24	YOUNG MEN'S INITIATIVE ADVISORY BOARD
169	28	28	YOUTH BOARD
		<b>TOTAL BOARD/ COMMISSION MAYORAL APPOINTMENTS</b> <b>1,483</b>	

## NYC ELECTED OFFICIALS' PENSION BENEFITS\*

2015	MAYOR	DISTRICT ATTORNEYS	COMPTROLLER	PUBLIC ADVOCATE	BOROUGH PRESIDENTS	CITY COUNCIL
SALARY	\$225,000	\$190,000	\$185,000	\$165,000	\$160,000	\$112,500
STIPENDS <sup>(1)</sup>	\$0	\$0	\$0	\$0	\$0	\$9,255
<b>TOTAL YEARLY COMPENSATION (A)</b>	<b>\$225,000</b>	<b>\$190,000</b>	<b>\$185,000</b>	<b>\$165,000</b>	<b>\$160,000</b>	<b>\$121,755</b>
<b>YEARS OF SERVICE <sup>(2)</sup> (B)</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>8</b>
<b>BENEFIT PERCENTAGE (C)</b>	<b>1.67%</b>	<b>1.67%</b>	<b>1.67%</b>	<b>1.67%</b>	<b>1.67%</b>	<b>1.67%</b>
<b>ANNUAL RETIREMENT BENEFIT = A X B X C = (D)</b>	<b>\$30,060</b>	<b>\$25,384</b>	<b>\$24,716</b>	<b>\$22,044</b>	<b>\$21,376</b>	<b>\$16,266</b>
LIFE EXPECTANCY <sup>(3)</sup>	80	80	80	80	80	80
LESS: RETIREMENT AGE	62	62	62	62	62	62
<b>EQUALS: YEARS OF BENEFIT</b>	<b>12</b>	<b>12</b>	<b>12</b>	<b>12</b>	<b>12</b>	<b>12</b>
ASSUMED COST OF LIVING FACTOR <sup>(4)</sup>	3.0%	3.0%	3.0%	3.0%	3.0%	3.0%
<b>TOTAL EXPECTED PENSION PAYMENTS <sup>(5)</sup></b>	<b>\$426,612</b>	<b>\$360,250</b>	<b>\$350,770</b>	<b>\$312,849</b>	<b>\$303,369</b>	<b>\$230,854</b>
PER YEAR OF SERVICE	\$53,327	\$45,031	\$43,846	\$39,106	\$37,921	\$28,857
AS % OF TOTAL YEARLY COMPENSATION	23.7%	23.7%	23.7%	23.7%	23.7%	23.7%
<b>PRESENT VALUE <sup>(6)</sup></b>						
<b>SEVEN YEARS TO RETIREMENT (AGE 55 TODAY)</b>	<b>\$388,055</b>	<b>\$327,691</b>	<b>\$319,067</b>	<b>\$284,573</b>	<b>\$275,950</b>	<b>\$209,989</b>
PER YEAR OF SERVICE	\$48,507	\$40,961	\$39,883	\$35,572	\$34,494	\$26,249
AS % OF TOTAL YEARLY COMPENSATION	21.6%	21.6%	21.6%	21.6%	21.6%	21.6%
<b>TEN YEARS TO RETIREMENT (AGE 52 TODAY)</b>	<b>\$375,839</b>	<b>\$317,375</b>	<b>\$309,023</b>	<b>\$275,616</b>	<b>\$267,264</b>	<b>\$203,379</b>
PER YEAR OF SERVICE	\$46,980	\$39,672	\$38,628	\$34,452	\$33,408	\$25,422
AS % OF TOTAL YEARLY COMPENSATION	20.9%	20.9%	20.9%	20.9%	20.9%	20.9%

(1) Council members earn an average of \$9,255 (or \$472,000 divided by 51 council members).

(2) Some electeds are term limited to two terms of four year each. For purposes of this analysis, we assume 8 years.

(3) Expected age ranges from 75.7 - 84.5, depending on gender (females live longer) and borough.

(4) The annual retirement benefit is increased by a cost-of-living adjustment equal to CPI.

(5) Equals cumulative total of annual retirement benefit x expected life expectancy x cost of living increases each year.

(6) Discounted at 7 and 10 year US Treasury as of 11-25-15 (1.66% and 2.24%, respectively). Source: Federal Reserve Bank.

\* Calculations based on Tier 4 of the New York City Employees' Retirement System

# NEW YORK CITY FRINGE BENEFITS COMPARED TO PRIVATE INDUSTRY AND OTHER GOVERNMENTS

2015	NYC			NYC				NORTHEAST		
	CIVILIAN FRINGE BENEFIT RATE	PRIVATE INDUSTRY FRINGE BENEFIT RATE	VARIANCE	UNIFORMED EMPLOYEES FRINGE BENEFIT RATE	POLICE DEPARTMENT FRINGE BENEFIT RATE	CORRECTIONS DEPARTMENT FRINGE BENEFIT RATE	SANITATION DEPARTMENT FRINGE BENEFIT RATE	AVERAGE FRINGE BENEFIT RATE	PRIVATE INDUSTRY FRINGE BENEFIT RATE	VARIANCE
PENSIONS/RETIREMENT	18.23%	4.30%	13.93%	74.91%	66.60%	42.16%	37.82%	55.37%	4.3%	51.07%
SOCIAL SECURITY	7.50%	7.50%	0.00%	7.50%	7.50%	7.50%	7.50%	7.50%	7.5%	0.00%
HEALTH INSURANCE	15.38%	8.30%	7.08%	17.64%	17.64%	17.64%	17.64%	17.64%	8.3%	9.34%
SUPPLEMENTAL EMPLOYEE WELFARE BENEFITS/PAY	5.39%	5.70%	-0.31%	3.14%	3.54%	3.61%	4.06%	3.59%	5.7%	-2.11%
WORKER'S COMPENSATION	1.09%	1.40%	-0.31%	0.67%	0.66%	6.51%	0.66%	2.13%	1.4%	0.73%
UNEMPLOYMENT INSURANCE	0.18%	0.90%	-0.72%	0.18%	0.18%	0.18%	0.18%	0.18%	0.9%	-0.72%
MTA PAYROLL TAX	0.33%	N/A	0.33%	0.33%	0.33%	0.33%	0.33%	0.33%	N/A	0.33%
<b>TOTAL FRINGE AS % OF SALARY</b>	<b>48.10%</b>	<b>28.10%</b>	<b>20.00%</b>	<b>104.37%</b>	<b>96.45%</b>	<b>77.93%</b>	<b>68.19%</b>	<b>86.74%</b>	<b>28.10%</b>	<b>58.64%</b>
2015	CIVILIAN FRINGE BENEFIT RATE	STATE/LOCAL GOVT. FRINGE BENEFIT RATE	VARIANCE	UNIFORMED EMPLOYEES FRINGE BENEFIT RATE	POLICE DEPARTMENT FRINGE BENEFIT RATE	CORRECTIONS DEPARTMENT FRINGE BENEFIT RATE	SANITATION DEPARTMENT FRINGE BENEFIT RATE	AVERAGE FRINGE BENEFIT RATE	STATE/LOCAL GOVT. FRINGE BENEFIT RATE	VARIANCE
PENSIONS/RETIREMENT	18.23%	10.2%	8.03%	74.91%	66.60%	42.16%	37.82%	55.37%	10.2%	45.17%
SOCIAL SECURITY	7.50%	7.5%	0.00%	7.50%	7.50%	7.50%	7.50%	7.50%	7.5%	0.00%
HEALTH INSURANCE	15.38%	11.9%	3.48%	17.64%	17.64%	17.64%	17.64%	17.64%	11.9%	5.74%
SUPPLEMENTAL EMPLOYEE WELFARE BENEFITS/PAY	5.39%	0.8%	4.5%	3.14%	3.54%	3.61%	4.06%	3.59%	0.8%	2.76%
WORKER'S COMPENSATION	1.09%	1.3%	-0.21%	0.67%	0.66%	6.51%	0.66%	2.13%	1.3%	0.83%
UNEMPLOYMENT INSURANCE	0.18%	0.2%	-0.02%	0.18%	0.18%	0.18%	0.18%	0.18%	0.2%	-0.02%
MTA PAYROLL TAX	0.33%	N/A	0.33%	0.33%	0.33%	0.33%	0.33%	0.33%	N/A	0.33%
<b>TOTAL FRINGE AS % OF SALARY</b>	<b>48.10%</b>	<b>31.9%</b>	<b>16.20%</b>	<b>104.37%</b>	<b>96.45%</b>	<b>77.93%</b>	<b>68.19%</b>	<b>86.74%</b>	<b>31.9%</b>	<b>54.84%</b>

Source: NYC Office of Management and Budget (November 2015). For Northeast and National rates, based on June 2015 Bureau of Labor Statistics (BLS) news release on 9-9-15 (excludes paid leave). Please note that in prior years there were two separate rates - Gross (non-grants) and Fixed (grants). Starting with Fiscal Year 2015 there will only be one rate posted. This rate may be used for Federal and State grant reimbursements; the calculation of fees, licenses, budgeting and IFA purposes. It is also appropriate for use when calculating the full cost of City Civilian employees for other non-grant-related purposes.

## TWENTY-FIVE LARGEST U.S. CITIES BY POPULATION: GENERAL AND ECONOMIC INFORMATION

2015	RESIDENT POPULATION <sup>1</sup>	NUMBER OF DAYTIME COMMUTERS <sup>2</sup>	% CHANGE DUE TO COMMUTERS	MEDIAN HOUSEHOLD INCOME <sup>3</sup>	ESTIMATED AVERAGE EFFECTIVE RENT <sup>4</sup>	ESTIMATED MEDIAN GROSS RENT <sup>5</sup>
NEW YORK	8,491,079	608,654	7.5	\$52,996	\$4,033	\$1,276
LOS ANGELES	3,928,864	170,093	4.5	\$50,544	\$1,751	\$1,214
CHICAGO	2,722,389	177,457	6.6	\$48,734	\$1,256	\$968
HOUSTON	2,239,558	577,301	27.9	\$45,460	\$955	\$877
PHILADELPHIA	1,560,297	106,246	7.1	\$39,043	\$1,159	\$936
PHOENIX	1,537,058	132,212	9.1	\$47,929	\$811	\$883
SAN ANTONIO	1,436,697	102,964	8.0	\$45,339	\$848	\$873
SAN DIEGO	1,381,069	167,080	13.0	\$67,799	\$1,545	\$1,412
DALLAS	1,281,047	243,613	20.5	\$43,003	\$908	\$861
SAN JOSE	1,015,785	-50,414	-5.4	\$87,210	\$2,281	\$1,668
AUSTIN	912,791	146,944	19.2	\$58,458	\$1,093	\$1,084
JACKSONVILLE	853,382	75,547	9.3	\$44,591	\$832	\$937
SAN FRANCISCO	852,469	162,455	20.6	\$85,070	\$2,701	\$1,587
INDIANAPOLIS	848,788	139,423	17.2	\$42,370	\$763	\$794
COLUMBUS	835,957	80,099	10.4	\$46,481	\$794	\$845
FORT WORTH	812,238	58,447	8.3	\$52,273	\$908	\$913
CHARLOTTE	809,958	129,323	18.3	\$55,178	\$897	\$943
DETROIT	680,250	49,568	6.5	\$25,769	\$830	\$737
EL PASO	679,036	7,036	1.1	\$41,221	No Data	\$745
SEATTLE	668,342	157,587	26.5	\$70,975	\$1,279	\$1,202
DENVER	663,862	156,130	27.0	\$54,941	\$1,210	\$993
WASHINGTON	658,893	461,636	79.0	\$71,648	\$1,570	\$1,360
MEMPHIS	656,861	116,697	17.8	\$34,704	No Data	\$834
BOSTON	655,884	241,700	40.1	\$56,902	\$1,747	\$1,352
NASHVILLE	644,014	102,114	17.4	\$47,211	\$954	\$887

Percent changes are rounded to the nearest tenth.

<sup>1</sup> Resident population estimates as of July 1, 2014, from the U.S. Census Bureau, Population Division's Annual Estimates of the Resident Population for Incorporated Places of 50,000 or More, Ranked by July 1, 2014 Population: April 1, 2010 to July 1, 2014. Data Source: U.S. Census Bureau, Population Division

<sup>2</sup> Number of daytime commuters reflects a city's net increase (positive values) or decrease (negative values) in population due to work-related commuting. The numbers herein are averages over five years (2006-2010). Values are from the U.S. Census Bureau, Population Division's Journey to Work and Migration Statistics Branch. Data Source: U.S. Census Bureau, Commuter Adjusted Daytime Population: 2006-2010 5-Year ACS

<sup>3</sup> Data on median income come from the American Community Survey and reflect estimated median household income for 2013. Median household income refers to the total income of the householder and all other people 15 years and older in the

household, regardless of familial relation. Income includes the sum of all regularly received income (e.g., wages, salary, rental income, interest, dividends, Social Security or Railroad Retirement income, Supplemental Security Income, public assistance, pensions, etc.). Data Source: U.S. Census Bureau, American FactFinder

<sup>4</sup> Average effective rent is an estimate for the year 2014. Effective rent is the rent asked, minus concessions (e.g., free rent, excess tenant improvement allowances, relocation allowances, etc.). Data Source: Marcus & Millichap, 2015 National Apartment Report: Real Estate Investment Research

<sup>5</sup> Data on gross rents are based on estimates in the 2014 American Community Survey. Gross rent is the amount of contract rent plus estimated average monthly utilities and fuel costs. It is intended to eliminate cost differentials stemming from varied practices regarding the inclusion of utilities and fuel costs in some rental payments. Data Source: U.S. Census Bureau, American FactFinder

## SALARY DIFFERENTIALS BETWEEN NEW YORK CITY AND OTHER TWENTY-FIVE LARGEST U.S. CITIES BY POPULATION

2015	LOCAL CITY		NY COUNTY		DIFFERENTIAL		NY COUNTY		DIFFERENTIAL		QUEENS		DIFFERENTIAL		QUEENS		DIFFERENTIAL	
	SALARY	SALARY	SALARY	COST OF LIVING	(A)	(B)	(A)/(B)	COST OF LIVING	(A)/(B)	(B)	QUEENS COUNTY SALARY	(C)	COST OF LIVING	(C)/(D)	QUEENS COUNTY COST OF LIVING	(D)	(C)/(D)	
NEW YORK	\$100,000	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
LOS ANGELES	\$100,000	\$107,543	7.5%	\$28,331	28.3%	26.6%	\$107,543	7.5%	26.6%	28.3%	\$115,288	15.3%	15.3%	49.3%	\$115,288	15.3%	49.3%	
CHICAGO	\$100,000	\$112,124	12.1%	\$156,812	56.8%	21.3%	\$112,124	12.1%	21.3%	56.8%	\$140,874	40.9%	40.9%	29.7%	\$140,874	40.9%	29.7%	
HOUSTON	\$100,000	\$117,207	17.2%	\$216,312	116.3%	14.8%	\$117,207	17.2%	14.8%	116.3%	\$194,326	94.3%	94.3%	18.2%	\$194,326	94.3%	18.2%	
PHILADELPHIA	\$100,000	\$112,007	12.0%	\$146,283	46.3%	25.9%	\$112,007	12.0%	25.9%	46.3%	\$131,415	31.4%	31.4%	38.2%	\$131,415	31.4%	38.2%	
PHOENIX	\$100,000	\$120,562	20.6%	\$151,993	52.0%	39.5%	\$120,562	20.6%	39.5%	52.0%	\$136,545	36.5%	36.5%	56.3%	\$136,545	36.5%	56.3%	
SAN ANTONIO	\$100,000	\$125,663	25.7%	\$198,482	98.5%	26.1%	\$125,663	25.7%	26.1%	98.5%	\$178,308	78.3%	78.3%	32.8%	\$178,308	78.3%	32.8%	
SAN DIEGO	\$100,000	\$110,828	10.8%	\$132,035	32.0%	33.8%	\$110,828	10.8%	33.8%	32.0%	\$118,615	18.6%	18.6%	58.2%	\$118,615	18.6%	58.2%	
DALLAS	\$100,000	\$117,242	17.2%	\$179,941	79.9%	21.6%	\$117,242	17.2%	21.6%	79.9%	\$161,652	61.7%	61.7%	28.0%	\$161,652	61.7%	28.0%	
SAN JOSE	\$100,000	\$99,898	-0.1%	\$120,872	20.9%	-0.5%	\$99,898	-0.1%	-0.5%	20.9%	\$108,587	8.6%	8.6%	-1.2%	\$108,587	8.6%	-1.2%	
AUSTIN	\$100,000	\$122,402	22.4%	\$197,838	97.8%	22.9%	\$122,402	22.9%	22.9%	97.8%	\$177,730	77.7%	77.7%	28.8%	\$177,730	77.7%	28.8%	
JACKSONVILLE	\$100,000	\$126,174	26.2%	\$189,637	89.6%	29.2%	\$126,174	26.2%	29.2%	89.6%	\$170,363	70.4%	70.4%	37.2%	\$170,363	70.4%	37.2%	
SAN FRANCISCO	\$100,000	\$96,560	-3.4%	\$112,615	12.6%	-27.3%	\$96,560	-3.4%	-27.3%	12.6%	\$101,169	1.2%	1.2%	-294.3%	\$101,169	1.2%	-294.3%	
INDIANAPOLIS	\$100,000	\$122,593	22.6%	\$213,038	113.0%	20.0%	\$122,593	22.6%	20.0%	113.0%	\$191,385	91.4%	91.4%	24.7%	\$191,385	91.4%	24.7%	
COLUMBUS	\$100,000	\$120,071	20.1%	\$188,660	88.7%	22.6%	\$120,071	20.1%	22.6%	88.7%	\$169,485	69.5%	69.5%	28.9%	\$169,485	69.5%	28.9%	
FORT WORTH	\$100,000	\$119,742	19.7%	\$177,498	77.5%	25.5%	\$119,742	19.7%	25.5%	77.5%	\$159,457	59.5%	59.5%	33.2%	\$159,457	59.5%	33.2%	
CHARLOTTE	\$100,000	\$118,170	18.2%	\$189,637	89.6%	20.3%	\$118,170	18.2%	20.3%	89.6%	\$170,363	70.4%	70.4%	25.8%	\$170,363	70.4%	25.8%	
DETROIT	\$100,000	\$118,241	18.2%	\$186,295	86.3%	21.1%	\$118,241	18.2%	21.1%	86.3%	\$167,926	67.9%	67.9%	26.9%	\$167,926	67.9%	26.9%	
EL PASO	\$100,000	\$140,119	40.1%	\$201,764	101.8%	39.4%	\$140,119	40.1%	39.4%	101.8%	\$181,257	81.3%	81.3%	49.4%	\$181,257	81.3%	49.4%	
SEATTLE	\$100,000	\$110,310	10.3%	\$154,040	54.0%	19.1%	\$110,310	10.3%	19.1%	54.0%	\$138,384	38.4%	38.4%	26.9%	\$138,384	38.4%	26.9%	
DENVER	\$100,000	\$116,662	16.7%	\$173,132	73.1%	22.8%	\$116,662	16.7%	22.8%	73.1%	\$155,535	55.5%	55.5%	30.0%	\$155,535	55.5%	30.0%	
WASHINGTON, D.C.	\$100,000	\$106,803	6.8%	\$114,662	14.7%	46.4%	\$106,803	6.8%	46.4%	14.7%	\$103,008	3.0%	3.0%	226.2%	\$103,008	3.0%	226.2%	
MEMPHIS	\$100,000	\$124,181	24.2%	\$233,121	133.1%	18.2%	\$124,181	24.2%	18.2%	133.1%	\$209,427	109.4%	109.4%	22.1%	\$209,427	109.4%	22.1%	
BOSTON	\$100,000	\$109,176	9.2%	\$131,183	31.2%	29.4%	\$109,176	9.2%	29.4%	31.2%	\$117,849	17.8%	17.8%	51.4%	\$117,849	17.8%	51.4%	
NASHVILLE	\$100,000	\$124,799	24.8%	\$204,698	104.7%	23.7%	\$124,799	24.8%	23.7%	104.7%	\$183,893	83.9%	83.9%	29.6%	\$183,893	83.9%	29.6%	
AVERAGE			16.6%		70.8%	22.6%		16.6%	22.6%	70.8%		16.6%		16.6%		16.6%		16.6%
MEDIAN			17.7%		78.7%	22.8%		17.7%	22.8%	78.7%		17.7%		17.7%		17.7%		17.7%

Source: Salary.com as of 11-25-15. The "Cost of Living Wizard" only has the boroughs of New York and Queens counties in the City of New York. [http://swz.salary.com/costoflivingwizard/ayoutscripts/coll\\_start.aspx](http://swz.salary.com/costoflivingwizard/ayoutscripts/coll_start.aspx)

## TWENTY-FIVE LARGEST U.S. CITIES BY POPULATION: FORM OF GOVERNMENT

NEW YORK	Mayor-Council
LOS ANGELES	Mayor-Council
CHICAGO	Mayor-Council
HOUSTON	Mayor-Council
PHILADELPHIA	Mayor-Council
PHOENIX	Council-Manager
SAN ANTONIO	Council-Manager
SAN DIEGO	Mayor-Council
DALLAS	Council-Manager
SAN JOSE	Council-Manager
AUSTIN	Council-Manager
JACKSONVILLE	Mayor-Council
SAN FRANCISCO	Mayor-Council
INDIANAPOLIS	Mayor-Council
COLUMBUS	Mayor-Council
FORT WORTH	Council-Manager
CHARLOTTE	Council-Manager
DETROIT	Mayor-Council
EL PASO	Council-Manager
SEATTLE	Mayor-Council
DENVER	Mayor-Council
WASHINGTON	Mayor-Council
MEMPHIS	Mayor-Council
BOSTON	Mayor-Council
NASHVILLE	Mayor-Council

### NOTE ON FORMS OF GOVERNMENT

Form of government for each city comes from the International City/County Management Association (ICMA).

ICMA defines a Council-Manager form of government as one in which a “council is the governing body of the city, elected by the public, and the manager is hired by the council to carry out the policies it establishes.” The council legislates and the manager administers based on council recommendations. The mayor serves as the city’s political head but generally sits as a council member and does not have veto power.

ICMA defines a Mayor-Council government as one that “closely parallels the American federal government with an elected legislature and a separately elected executive. The mayor or elected executive is designated as the head of the city or county government.” The mayor generally has power to veto legislation, hire (and fire) department heads, and prepare and administer the city budget.

For details on these and other forms of government, see ICMA’s Forms of Local Government, available for download at [http://icma.org/en/icma/knowledge\\_network/documents/kn/Document/9135/Forms\\_of\\_Local\\_Government\\_Structure](http://icma.org/en/icma/knowledge_network/documents/kn/Document/9135/Forms_of_Local_Government_Structure).

## TWENTY-FIVE LARGEST U.S. CITIES BY POPULATION: EXECUTIVE SALARY

2015	MAYORAL SALARY		CITY MANAGER SALARY		COST OF LIVING INDEX, THIRD QUARTER 2015		MAYORAL SALARY, ADJUSTED (MANHATTAN)+		MAYORAL SALARY, ADJUSTED (BROOKLYN)+		CITY MANAGER SALARY, ADJUSTED (MANHATTAN)+		CITY MANAGER SALARY, ADJUSTED (BROOKLYN)+	
	YEAR	SALARY	YEAR	SALARY	2015	2014	2015	2014	2015	2014	2015	2014	2015	2014
NEW YORK	\$225,000	2015			236.1	171.4								
					MANHATTAN	BROOKLYN								
LOS ANGELES	\$239,993	2015					\$393,761.97	\$285,856.85						
CHICAGO	\$216,210	2015					\$430,777.90	\$312,729.06						
HOUSTON	\$234,031	2014					\$572,587.76	\$415,677.86						
PHILADELPHIA	\$210,806	2015					\$420,365.68	\$305,170.17						
* PHOENIX	\$88,000	2015	\$314,999	2014			\$212,877.05	\$154,540.98	\$762,000.65	\$553,184.72				
* SAN ANTONIO	\$61,725	2015	\$400,000	2015			\$169,653.93	\$123,162.57	\$1,099,417.93	\$798,137.37				
SAN DIEGO	\$100,464	2016					\$158,978.22	\$115,412.40						
* DALLAS	\$80,000	2016	\$400,000	2015			\$196,545.27	\$142,684.70	\$982,726.33	\$713,423.52				
* SAN JOSE	\$14,000	2015	\$253,750	2014					NO COST OF LIVING DATA					
* AUSTIN	\$82,000	2014	\$279,198	2014			\$202,724.61	\$147,170.68	\$690,247.62	\$501,094.63				
JACKSONVILLE	\$138,473	2014					\$336,006.94	\$243,928.80						
SAN FRANCISCO	\$281,537	2014					\$373,222.27	\$270,945.77						
INDIANAPOLIS	\$102,620	2013					\$265,373.30	\$192,651.35						
COLUMBUS	\$172,981	2015					\$450,781.61	\$327,251.03						
* FORT WORTH	\$29,000	2015	\$314,995	2015			\$66,929.62	\$48,588.47	\$726,982.60	\$527,762.88				
* CHARLOTTE	\$22,660	2014	\$245,000	2014			\$55,154.91	\$40,040.45	\$596,335.05	\$432,917.53				
DETROIT	\$158,558	2014					\$388,335.52	\$281,917.44						
* EL PASO	\$45,000	2015	\$300,000	2015			\$116,624.59	\$84,665.20	\$777,497.26	\$564,434.69				
SEATTLE	\$175,320	2014					\$284,488.33	\$206,528.16						
DENVER	\$155,211	2015					\$332,534.64	\$241,408.03						
WASHINGTON	\$200,000	2015					\$316,275.95	\$229,604.82						
MEMPHIS	\$170,817	2014					\$486,488.46	\$353,172.90						
BOSTON	\$164,903	2014					\$267,217.56	\$193,990.21						
NASHVILLE	\$136,500	2014					\$333,274.56	\$241,945.19						

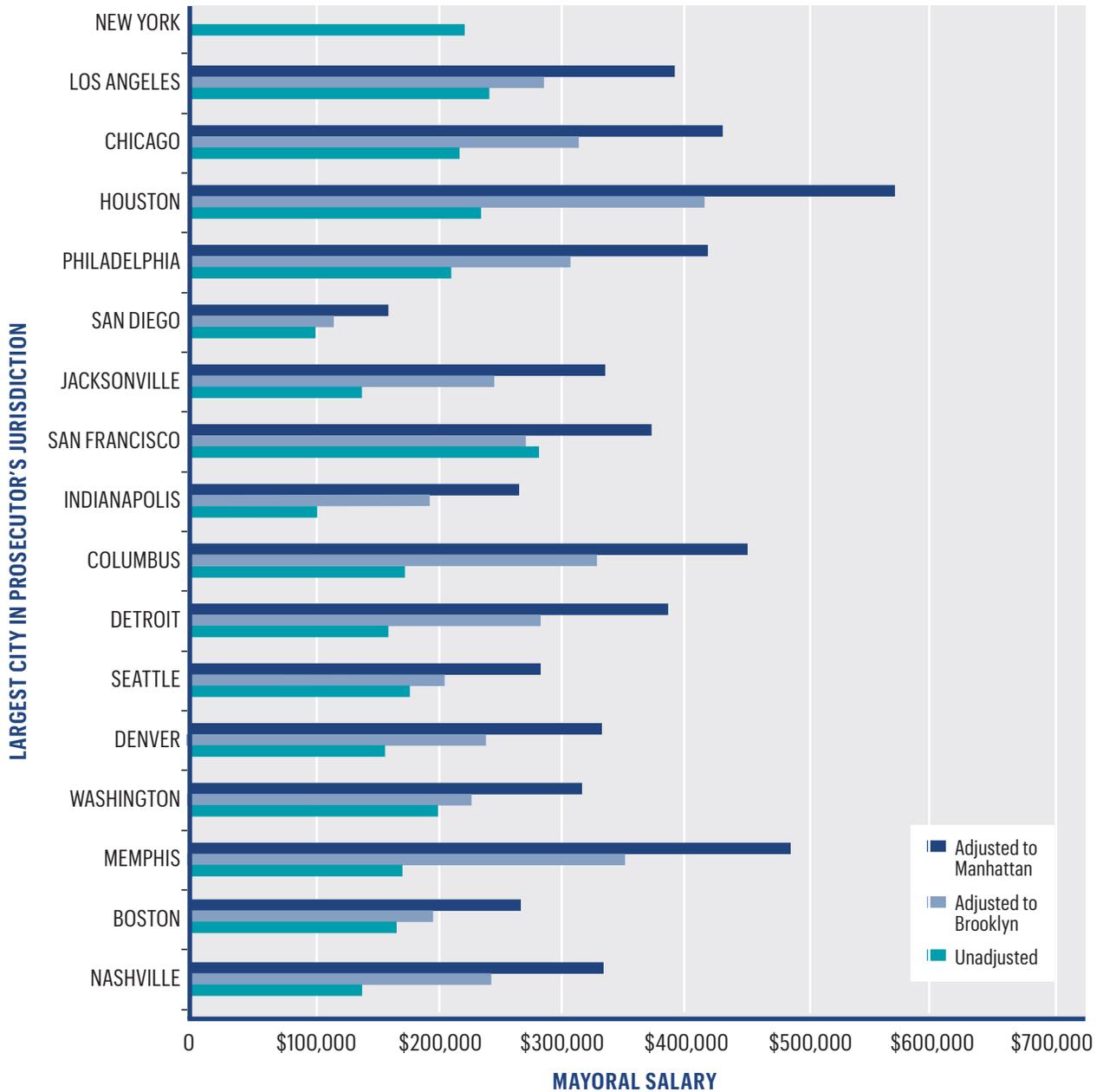
\* Cities with a Council-Manager form of government, in which a council-appointed City Manager carries out most or all of the city's day-to-day operations.

+ The Council for Community and Economic Research (C2ER) does not collect data for Bronx, Queens, or Staten Island.

NOTE ON COST OF LIVING INDEX AND ADJUSTMENTS: Adjustments to annual salaries are based on Cost of Living Index: Comparative Data for 265 Urban Areas for the third quarter of 2015, published by the Council for Community and Economic Research (C2ER). The Cost of Living Index measures relative price levels for consumer goods and services, weighted to reflect costs for professional and executive households in the top income quartile. The "adjusted" salary values are the base salaries elected officials would need to make in Manhattan and Brooklyn in order to maintain the same lifestyle as enjoyed in their cities. C2ER does not collect data for Bronx, Queens, or Staten Island.

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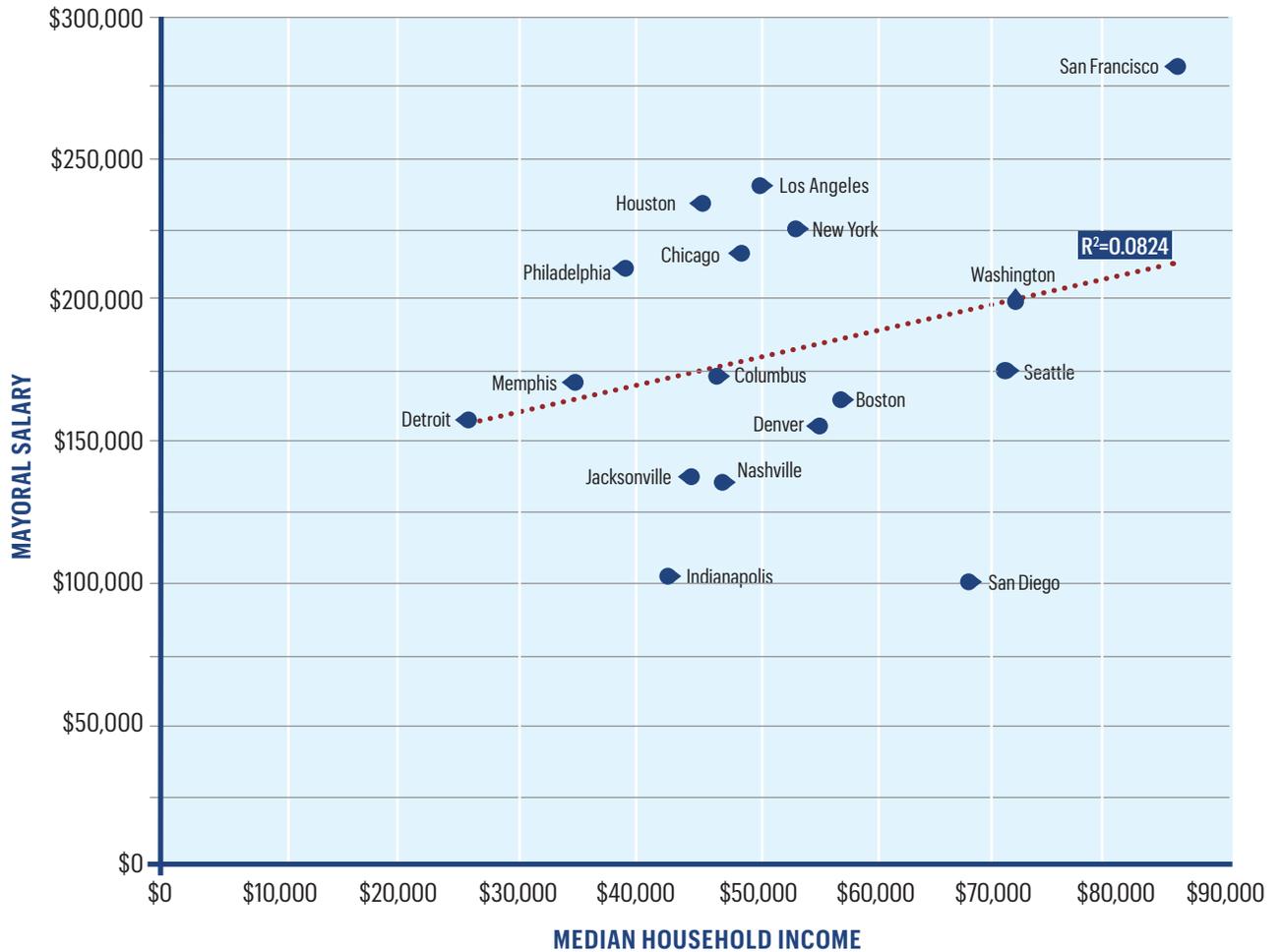
## MAYORAL SALARIES IN MAYOR-COUNCIL CITIES ADJUSTED TO COST OF LIVING IN NEW YORK CITY\*



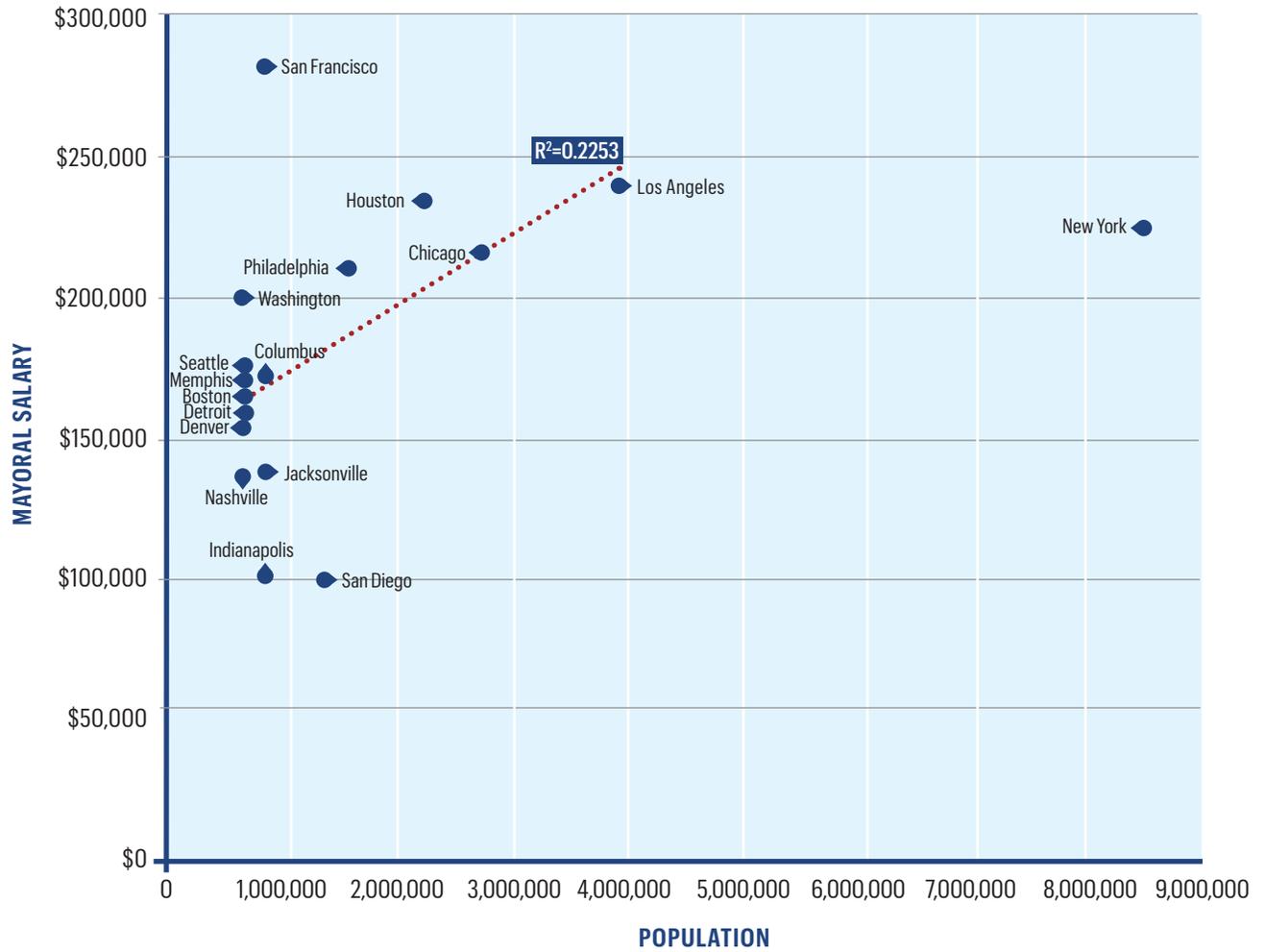
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## MAYORAL SALARIES AND MEDIAN HOUSEHOLD INCOME IN MAYOR-COUNCIL CITIES

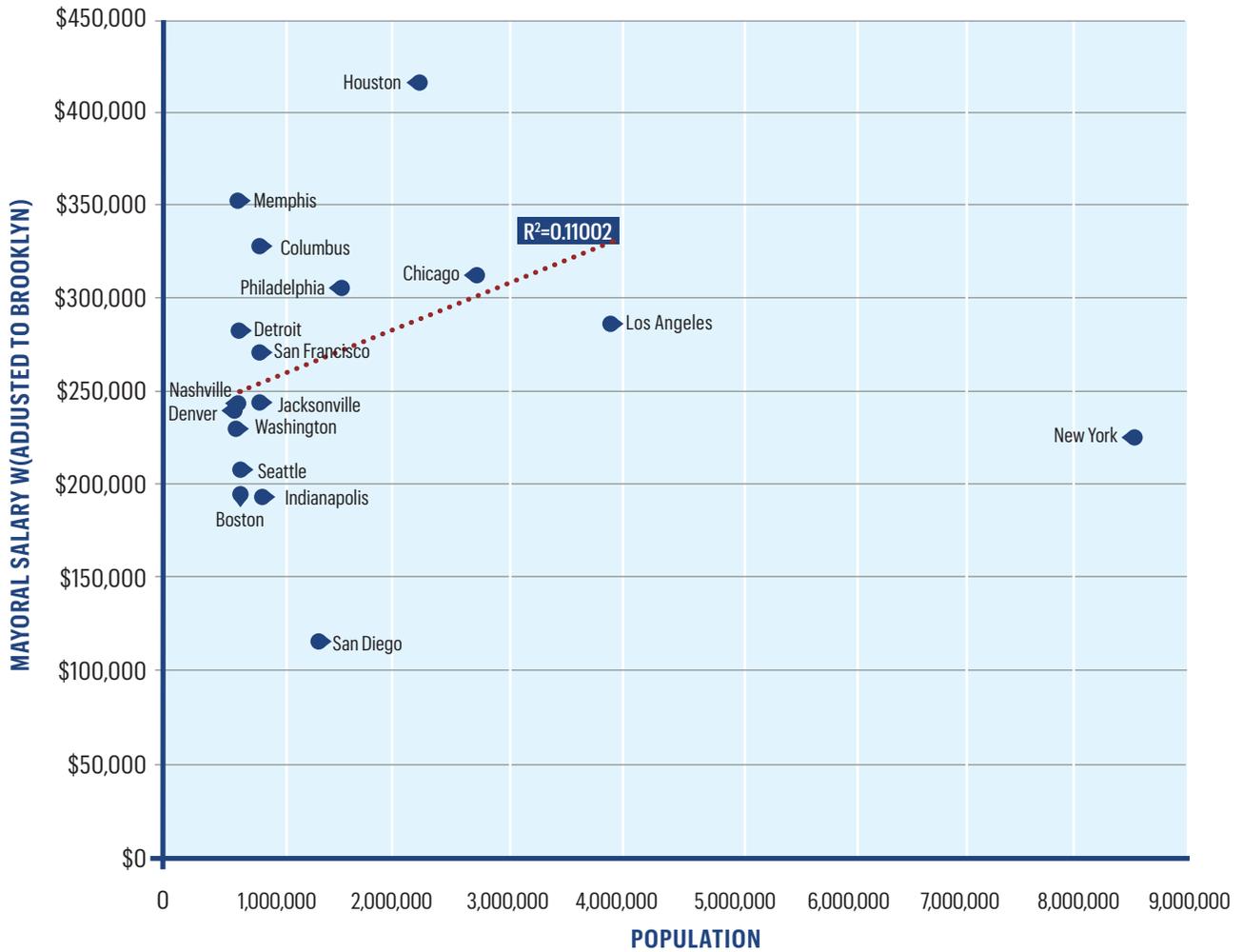


## POPULATION AND MAYORAL SALARIES IN MAYOR-COUNCIL CITIES



New York is excluded from the trendline because its population is a significant outlier (z 3.44).

## POPULATION AND MAYORAL SALARIES IN MAYOR-COUNCIL CITIES (ADJUSTED TO COST OF LIVING IN BROOKLYN<sup>+</sup>)

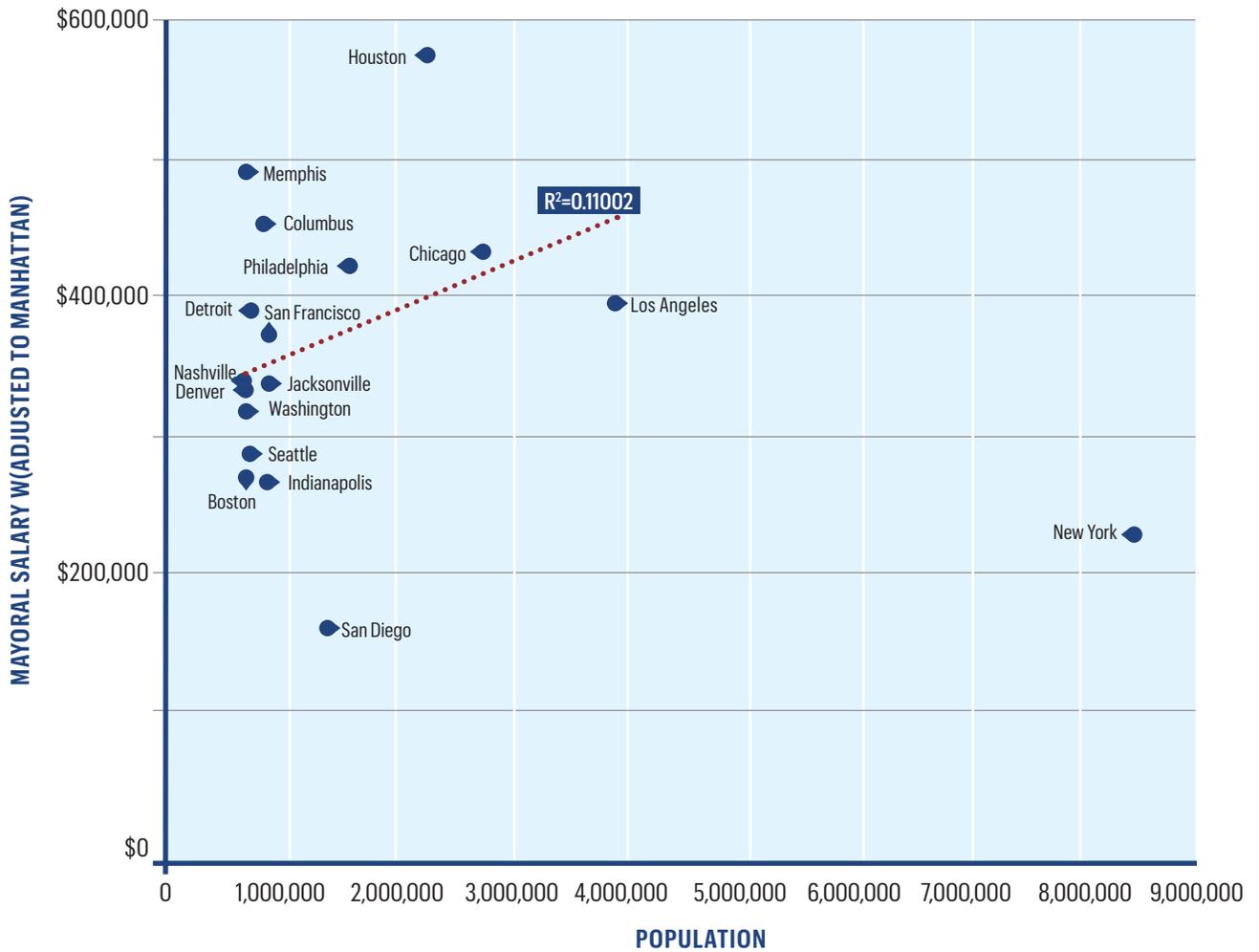


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## POPULATION AND MAYORAL SALARIES IN MAYOR-COUNCIL CITIES ADJUSTED FOR COST OF LIVING IN MANHATTAN<sup>+</sup>



New York is excluded from the trendline because its population is a significant outlier (z 3.44).

<sup>+</sup> The Council for Community and Economic Research (C2ER) does not collect data for Bronx, Queens, or Staten Island.

**NOTE ON COST OF LIVING INDEX AND ADJUSTMENTS:** Adjustments to annual salaries are based on Cost of Living Index: Comparative Data for 265 Urban Areas for the third quarter of 2015, published by the Council for Community and Economic Research (C2ER). The Cost of Living Index measures relative price levels for consumer goods and services, weighted to reflect costs for professional and executive households in the top income quartile. The “adjusted” salary values are the base salaries elected officials would need to make in Manhattan and Brooklyn in order to maintain the same lifestyle as enjoyed in their cities. C2ER does not collect data for Bronx, Queens, or Staten Island.

## TWENTY-FIVE LARGEST U.S. CITIES BY POPULATION: LEGISLATIVE SALARY AND MAYORAL SALARY COMPARED

	ANNUAL LEGISLATIVE SALARY (EXCLUDING ALLOWANCES)	YEAR	ANNUAL MAYORAL SALARY	YEAR	LEGISLATIVE SALARY AS % OF MAYORAL SALARY
NEW YORK	\$112,500	2015	\$225,000	2015	50%
LOS ANGELES	\$184,610	2015	\$239,993	2015	77%
CHICAGO	\$117,333	2015	\$216,210	2015	54%
HOUSTON	\$62,409	2014	\$234,031	2014	27%
PHILADELPHIA	\$127,085	2014	\$210,806	2015	60%
* PHOENIX	\$61,600	2015	\$88,000	2015	70%
* SAN ANTONIO	\$45,722	2015	\$61,725	2015	74%
SAN DIEGO	\$75,386	2016	\$100,464	2016	75%
* DALLAS	\$60,000	2016	\$80,000	2016	75%
* SAN JOSE	\$81,000	2015	\$114,000	2015	71%
* AUSTIN	\$70,075	2015	\$82,000	2014	85%
JACKSONVILLE	\$44,100	2014	\$138,473	2014	32%
SAN FRANCISCO	\$108,049	2014	\$281,537	2014	38%
INDIANAPOLIS	\$11,400	2014	\$102,620	2013	11%
COLUMBUS	\$52,585	2015	\$172,981	2015	30%
* FORT WORTH	\$25,000	2015	\$29,000	2015	86%
* CHARLOTTE	\$18,396	2014	\$22,660	2014	81%
DETROIT	\$76,840	2015	\$158,558	2014	48%
* EL PASO	\$30,450	2015	\$45,000	2015	68%
SEATTLE	\$119,517	2014	\$175,320	2014	68%
DENVER	\$83,332	2015	\$155,211	2015	54%
WASHINGTON	\$132,990	2015	\$200,000	2015	66%
MEMPHIS	\$29,070	2014	\$170,817	2014	17%
BOSTON	\$87,500	2014	\$164,903	2014	53%
NASHVILLE	\$15,000	2014	\$136,500	2014	11%

Percentages rounded to nearest whole number.

\* Cities with a Council-Manager form of government, in which a council-appointed City Manager carries out most or all of the city's day-to-day operations.

## TWENTY-FIVE LARGEST U.S. CITIES BY POPULATION: LEGISLATIVE SALARIES

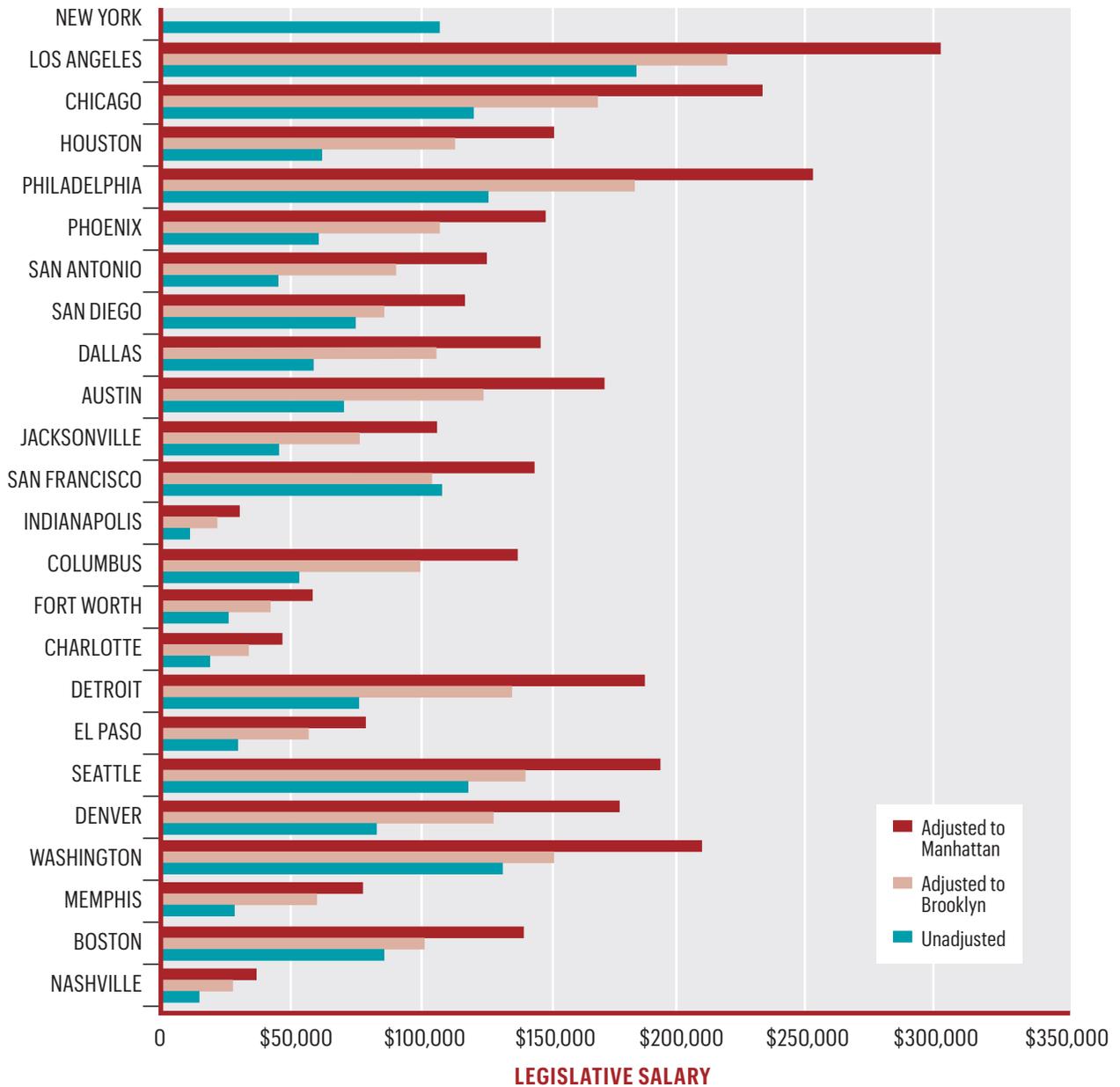
LEGISLATIVE SALARY (EXCLUDING ALLOWANCES)	YEAR	LEGISLATIVE SIZE	AVERAGE NUMBER OF PEOPLE REPRESENTED	C2ER COST OF LIVING INDEX, THIRD QUARTER 2015	LEGISLATIVE SALARY, ADJUSTED (MANHATTAN)+	LEGISLATIVE SALARY, ADJUSTED (BROOKLYN)+
				236.1		171.4
				MANHATTAN	BROOKLYN	
NEW YORK	2015	51	166,492			
LOS ANGELES	2015	15	261,924		\$302,893.82	\$219,889.88
CHICAGO	2015	50	54,448		\$233,774.86	\$169,712.04
HOUSTON	2014	16	139,972		\$152,691.86	\$110,848.73
PHILADELPHIA	2014	17	91,782		\$253,418.65	\$183,972.71
PHOENIX	2015	8	192,132		\$149,013.93	\$108,178.69
SAN ANTONIO	2015	10	143,670		\$125,668.97	\$91,231.09
SAN DIEGO	2016	9	153,452		\$119,293.80	\$86,602.95
DALLAS	2016	14	91,503		\$147,408.95	\$107,013.53
SAN JOSE	2015	10	101,579	NO COST OF LIVING DATA		
AUSTIN	2015	10	91,279		\$173,243.01	\$125,768.12
JACKSONVILLE	2014	19	44,915		\$107,009.35	\$77,684.89
SAN FRANCISCO	2014	11	77,497		\$143,236.21	\$103,984.27
INDIANAPOLIS	2014	29	29,269		\$29,480.18	\$21,401.53
COLUMBUS	2015	7	119,422		\$137,034.42	\$99,482.00
FORT WORTH	2015	9	90,249		\$57,697.95	\$41,886.61
CHARLOTTE	2014	11	73,633		\$44,776.24	\$32,505.92
DETROIT	2015	9	75,583		\$188,194.23	\$136,622.16
EL PASO	2015	8	84,880		\$78,915.97	\$57,290.12
SEATTLE	2014	9	74,260		\$193,937.89	\$140,791.85
DENVER	2015	13	51,066		\$178,536.16	\$129,610.75
WASHINGTON	2015	13	50,684		\$210,307.70	\$152,675.73
MEMPHIS	2014	13	50,528		\$82,791.64	\$60,103.72
BOSTON	2014	13	50,453		\$141,789.64	\$102,934.11
NASHVILLE	2014	40	16,100		\$36,623.58	\$26,587.38

+ The Council for Community and Economic Research (C2ER) does not collect data for Bronx, Queens, or Staten Island.

NOTE ON COST OF LIVING INDEX AND ADJUSTMENTS: Adjustments to annual salaries are based on Cost of Living Index: Comparative Data for 265 Urban Areas for the third quarter of 2015, published by the Council for Community and Economic Research (C2ER). The Cost of Living Index measures relative price levels for consumer goods and services, weighted to reflect costs for professional and executive households in the top income quartile. The "adjusted" salary values are the base salaries elected officials would need to make in Manhattan and Brooklyn in order to maintain the same lifestyle as enjoyed in their cities. C2ER does not collect data for Bronx, Queens, or Staten Island.

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## LEGISLATIVE BASE SALARIES IN THE TWENTY-FIVE\* LARGEST U.S. CITIES BY POPULATION ADJUSTED TO THE COST OF LIVING IN NEW YORK CITY<sup>+</sup>

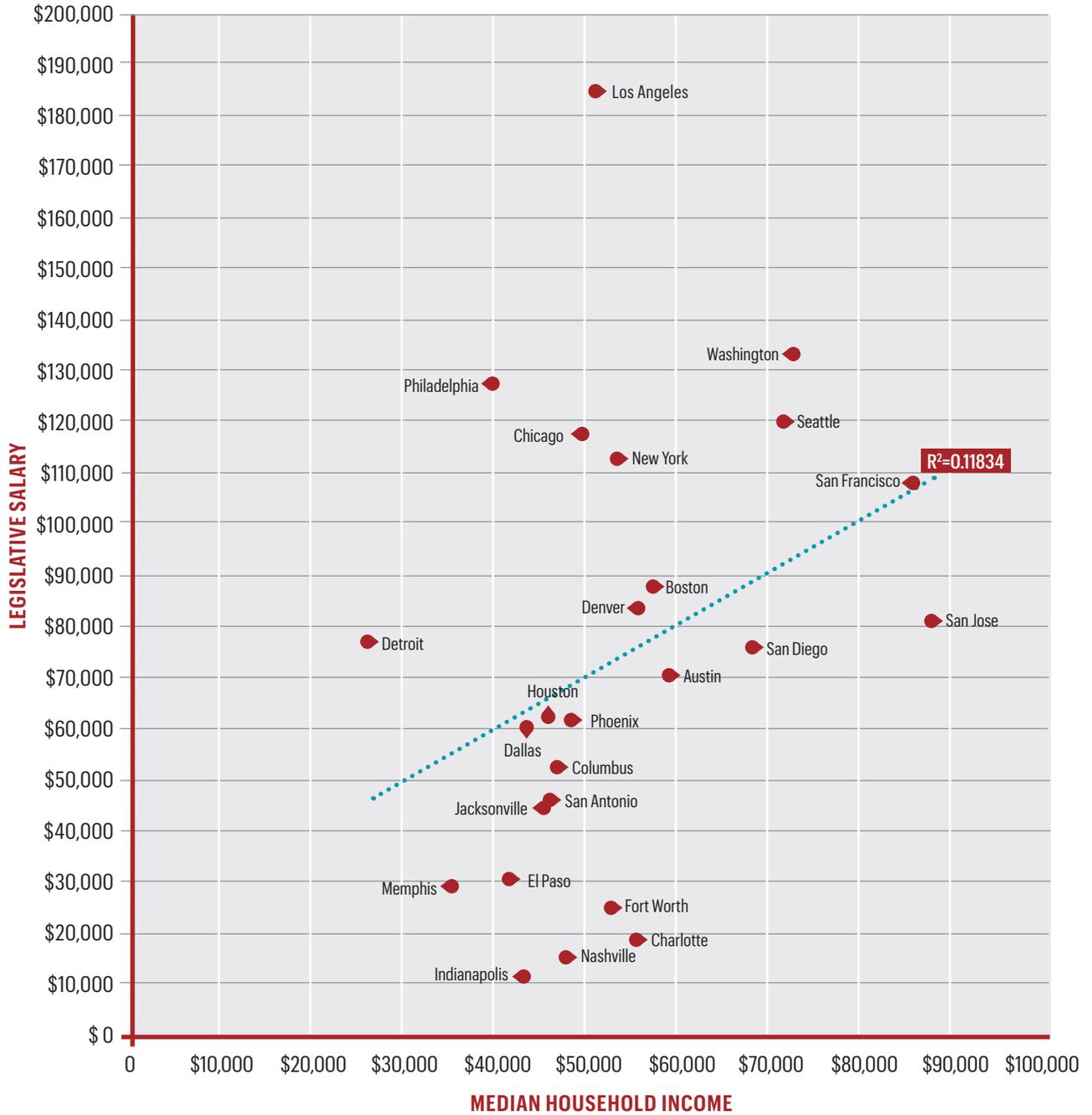


\* San Jose does not appear because the Council for Community and Economic Research (C2ER) does not collect cost of living information there.

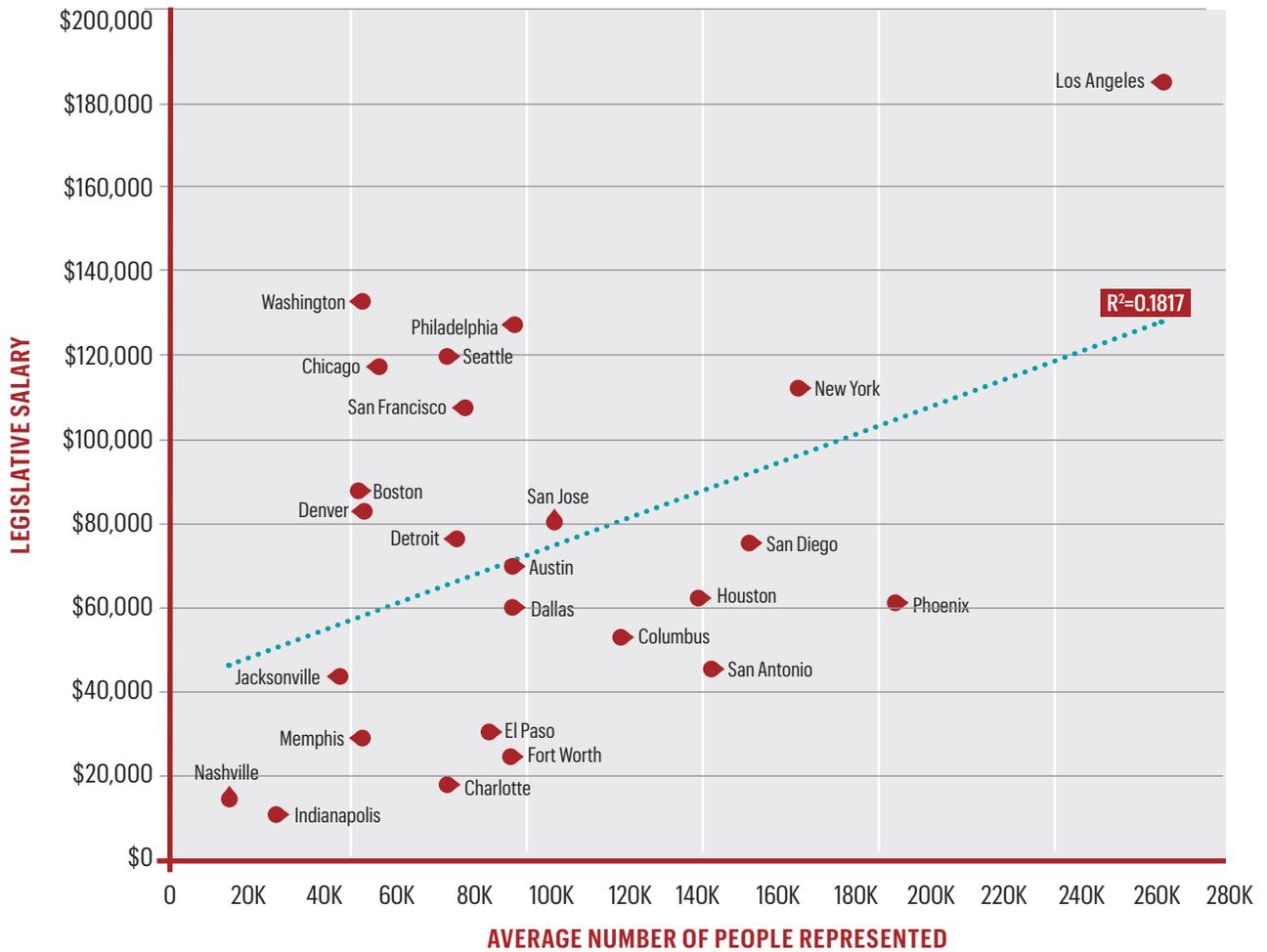
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# LEGISLATIVE SALARIES AND MEDIAN HOUSEHOLD INCOME IN THE TWENTY-FIVE LARGEST U.S. CITIES BY POPULATION

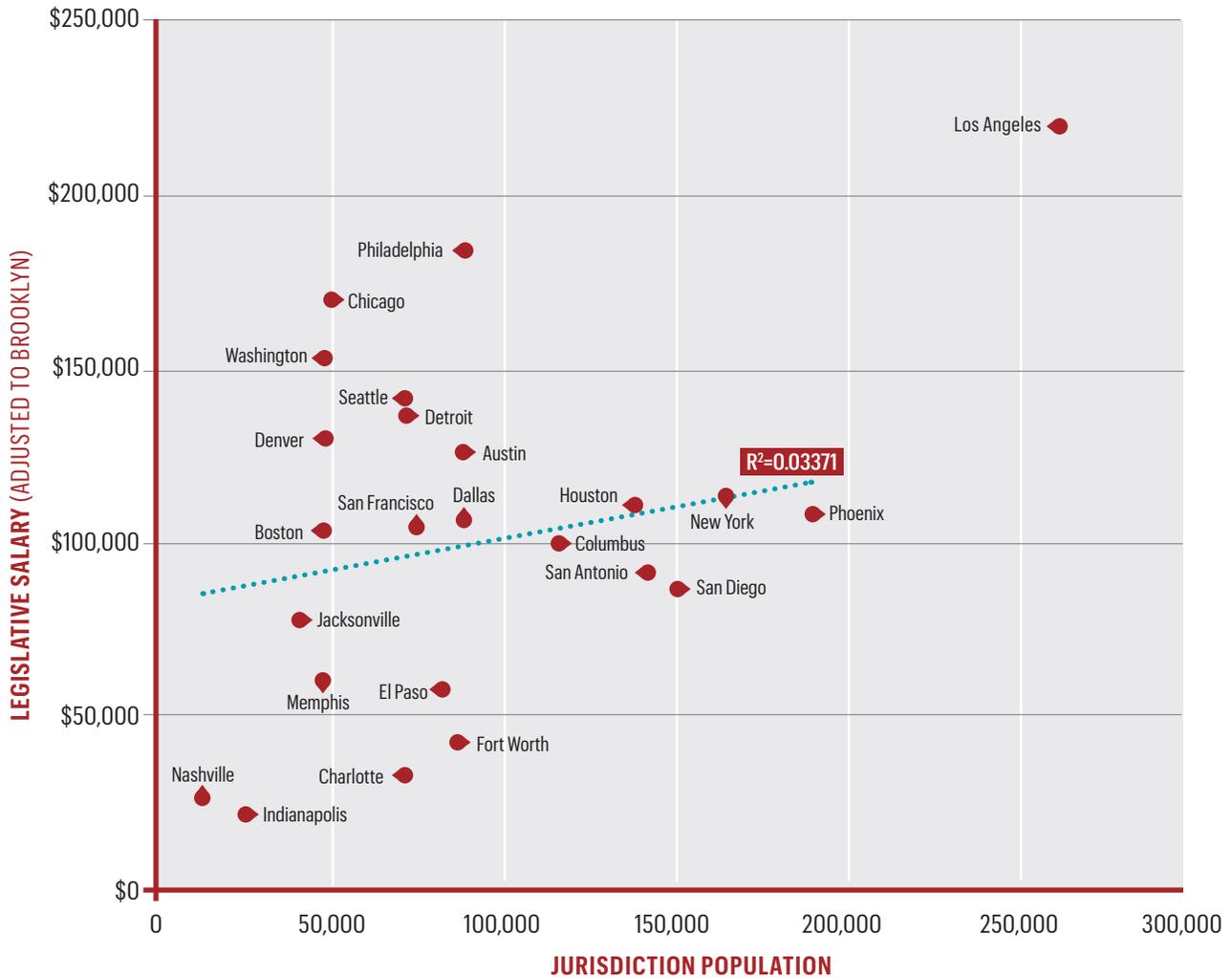


## LEGISLATIVE SALARIES AND AVERAGE NUMBER OF PEOPLE REPRESENTED



Los Angeles is excluded from the trendline because its population represented is a significant outlier (z 2.98).

## AVERAGE NUMBER OF PEOPLE REPRESENTED AND LEGISLATIVE BASE SALARIES ADJUSTED TO COST OF LIVING IN BROOKLYN +



Los Angeles is excluded from the trendline because its population represented is a significant outlier (z 2.98).

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## AVERAGE NUMBER OF PEOPLE REPRESENTED AND LEGISLATIVE BASE SALARIES ADJUSTED TO COST OF LIVING IN MANHATTAN +



Los Angeles is excluded from the trendline because its population represented is a significant outlier (z 2.98).

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## FIVE NEXT LARGEST CITIES IN THE STATE OF NEW YORK: SALARIES OF ELECTED COMPTROLLER/AUDITOR, IF ANY

	ELECTED CITY COMPTROLLER/ AUDITOR SALARY	YEAR	C2ER COST OF LIVING INDEX, THIRD QUARTER 2015*	ELECTED CITY COMPTROLLER/ AUDITOR SALARY, ADJUSTED (MANHATTAN)*	ELECTED CITY COMPTROLLER/ AUDITOR SALARY, ADJUSTED (BROOKLYN)*
BUFFALO	\$88,412	2015		\$216,536.03	\$157,197.27
SYRACUSE	\$53,101	2014	NO COST OF LIVING DATA		
ALBANY	\$98,423	2015		\$210,105.52	\$152,528.95

Sources for Elected Comptroller/Auditor:

Buffalo City Charter § 24-12

[Syracuse.com](http://Syracuse.com): Search the Syracuse City Payroll

Albany Common Council Meeting Minutes (Mar. 1, 2010), cross-referenced with SeeThroughNY.

## TWENTY-FIVE LARGEST U.S. CITIES BY POPULATION: SALARIES OF ELECTED COMPTROLLER/AUDITOR, IF ANY

	ELECTED OFFICIAL TITLE	SALARY	C2ER COST OF LIVING INDEX, THIRD QUARTER 2015	ELECTED COMPTROLLER/ AUDITOR SALARY, ADJUSTED (MANHATTAN)*	ELECTED COMPTROLLER/ AUDITOR SALARY, ADJUSTED (BROOKLYN)*
NEW YORK	COMPTROLLER	\$185,000.00	236.1 171.4 MANHATTAN BROOKLYN		
LOS ANGELES	CONTROLLER	\$203,071.00		\$333,183.20	\$241,878.87
CHICAGO	COMPTROLLER	\$165,000.00		\$328,746.84	\$238,658.23
HOUSTON	CONTROLLER	\$156,021.00		\$381,725.99	\$277,119.16
PHILADELPHIA	CONTROLLER	\$133,329.00		\$265,869.74	\$193,011.74
COLUMBUS	CITY AUDITOR	\$160,025.00		\$417,018.79	\$302,740.45
DENVER	AUDITOR	\$141,000.00		\$302,088.02	\$219,304.90

Most cities have a comptroller, auditor, or similar office; but in many cities the officer is appointed, not elected.

+ The Council for Community and Economic Research (C2ER) does not collect data for Bronx, Queens, or Staten Island.

\* C2ER does not collect data for Rochester, Yonkers, or Syracuse.

NOTE ON COST OF LIVING INDEX AND ADJUSTMENTS: Adjustments to annual salaries are based on Cost of Living Index: Comparative Data for 265 Urban Areas for the third quarter of 2015, published by the Council for Community and Economic Research (C2ER). The Cost of Living Index measures relative price levels for consumer goods and services, weighted to reflect costs for professional and executive households in the top income quartile. The "adjusted" salary values are the base salaries elected officials would need to make in Manhattan and Brooklyn in order to maintain the same lifestyle as enjoyed in their cities. C2ER does not collect data for Bronx, Queens, or Staten Island.

## PROSECUTOR SALARIES IN TWENTY-FIVE LARGEST US CITIES BY POPULATION

	JURISDICTION POPULATION	SALARY	YEAR	C2ER COST OF LIVING INDEX, THIRD QUARTER 2015		PROSECUTOR ANNUAL SALARY, ADJUSTED (MANHATTAN)*	PROSECUTOR ANNUAL SALARY, ADJUSTED (BROOKLYN)*
<b>NEW YORK CITY DISTRICT ATTORNEYS</b>	8,491,079	\$190,000	2014	236.1 MANHATTAN	171.4 BROOKLYN		
<i>BRONX COUNTY</i>	1,438,159						
<i>KINGS COUNTY</i>	2,621,793						
<i>NEW YORK COUNTY</i>	1,636,268						
<i>RICHMOND COUNTY</i>	473,279						
<i>QUEENS COUNTY</i>	2,321,580						
LOS ANGELES COUNTY DISTRICT ATTORNEY	10,116,705	\$320,500	2014			\$525,851.63	\$381,749.13
COOK COUNTY STATE'S ATTORNEY (CHICAGO)	5,246,456	\$192,789	2014			\$384,113.78	\$278,852.61
HARRIS COUNTY DISTRICT ATTORNEY (HOUSTON)	4,441,370	\$181,704	2014			\$444,562.84	\$322,736.43
PHILADELPHIA DISTRICT ATTORNEY	1,560,297	\$172,791	2014			\$344,560.43	\$250,138.32
MARICOPA COUNTY DISTRICT ATTORNEY (PHOENIX)	4,087,191	\$123,678	2014			\$299,184.18	\$217,196.82
BEXAR COUNTY DISTRICT ATTORNEY (SAN ANTONIO)	1,855,866	\$184,773	2014			\$507,856.87	\$368,685.59
SAN DIEGO COUNTY DISTRICT ATTORNEY	3,263,431	\$271,928	2013			\$430,309.66	\$312,389.14
DALLAS COUNTY DISTRICT ATTORNEY	2,518,638	\$210,173	2014			\$516,356.35	\$374,855.90
SANTA CLARA COUNTY DISTRICT ATTORNEY (SAN JOSE)	1,894,605	\$283,466	2013	NO COST OF LIVING DATA			
TRAVIS COUNTY DISTRICT ATTORNEY (AUSTIN)	1,151,145	\$175,298	2014			\$433,380.71	\$314,618.61
FLA. STATE'S ATTORNEY - 4TH JUDICIAL CIRCUIT (JACKSONVILLE)	1,174,115	\$154,100	2015			\$373,926.10	\$271,456.73
SAN FRANCISCO COUNTY DISTRICT ATTORNEY	852,469	\$260,813	2013			\$345,749.29	\$251,001.39
MARION COUNTY DISTRICT ATTORNEY (INDIANAPOLIS)	934,243	\$136,686	2013			\$353,467.30	\$256,604.39
FRANKLIN COUNTY PROSECUTING ATTORNEY (COLUMBUS)	1,231,393	\$121,323	2013			\$316,162.92	\$229,522.76
TARRANT COUNTY DISTRICT ATTORNEY (FORT WORTH)	1,945,360	\$193,404	2015			\$446,359.86	\$324,041.00

	JURISDICTION POPULATION	SALARY	YEAR	C2ER COST OF LIVING INDEX, THIRD QUARTER 2015	PROSECUTOR ANNUAL SALARY, ADJUSTED (MANHATTAN)*	PROSECUTOR ANNUAL SALARY, ADJUSTED (BROOKLYN)*
MECKLENBURG COUNTY DISTRICT ATTORNEY (CHARLOTTE)	1,012,539	\$121,737	2014		\$296,310.37	\$215,110.53
WAYNE COUNTY PROSECUTOR (DETROIT)	1,764,804	\$139,069	2014		\$340,603.64	\$247,265.84
EL PASO COUNTY DISTRICT ATTORNEY	833,487	\$160,191	2016		\$415,160.21	\$301,391.19
KING COUNTY PROSECUTING ATTORNEY (SEATTLE)	2,079,967	\$192,849	2013		\$312,932.29	\$227,177.45
DENVER DISTRICT ATTORNEY	663,862	\$207,000	2014		\$443,490.93	\$321,958.26
*U.S. ATTORNEY FOR THE DISTRICT OF COLUMBIA	658,893	MAX. \$158,700	2015		\$250,964.97	\$182,191.43
SHELBY COUNTY DISTRICT ATTORNEY GENERAL (MEMPHIS)	938,803	\$147,060	2015		\$418,828.30	\$304,054.09
SUFFOLK COUNTY DISTRICT ATTORNEY (BOSTON)	767,254	\$159,241	2014		\$258,042.55	\$187,329.49
DAVIDSON COUNTY DISTRICT ATTORNEY GENERAL (NASHVILLE)	668,347	\$167,060	2015		\$407,889.00	\$296,112.55

+ The Council for Community and Economic Research (C2ER) does not collect data for Bronx, Queens, or Staten Island.

\* The U.S. Attorney for the District of Columbia is appointed, not elected.

NOTE ON COST OF LIVING INDEX AND ADJUSTMENTS: Adjustments to annual salaries are based on Cost of Living Index: Comparative Data for 265 Urban Areas for the third quarter of 2015, published by the Council for Community and Economic Research (C2ER). The Cost of Living Index measures relative price levels for consumer goods and services, weighted to reflect costs for professional and executive households in the top income quartile. The "adjusted" salary values are the base salaries elected officials would need to make in Manhattan and Brooklyn in order to maintain the same lifestyle as enjoyed in their cities. C2ER does not collect data for Bronx, Queens, or Staten Island.

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SOURCE FOR JURISDICTION POPULATION: Jurisdiction population estimates as of July 1, 2014, from the U.S. Census Bureau, Population Division's Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2014.

SOURCES FOR ELECTED PROSECUTOR SALARY:

New York City Charter Ch. 49, § 1125

Los Angeles County: California State Controller's Office: Government Compensation in California

Cook County: Better Government Association Payroll Database

Harris County: Houston Chronicle

[Philly.com](#) (citing City of Philadelphia, Department of Finance)

The Arizona Republic

San Antonio Express-News

San Diego County: California State Controller's Office: Government Compensation in California

Dallas County Approved Budget FY 2014

Santa Clara County: California State Controller's Office: Government Compensation in California

Office of Travis County Judge Sarah Eckhardt

State of Florida: Florida Has a Right to Know

San Francisco County: California State Controller's Office: Government Compensation in California

Indiana Transparency Portal

Ohio Secretary of State

Tarrant County Budget: FY 2015

North Carolina General Assembly Fiscal Research Division

Wayne County Executive: January 30, 2013 Letter to Prosecutor Kym Worthy

Data provided by County of El Paso

King County: The News Tribune

City and County of Denver Department of Law

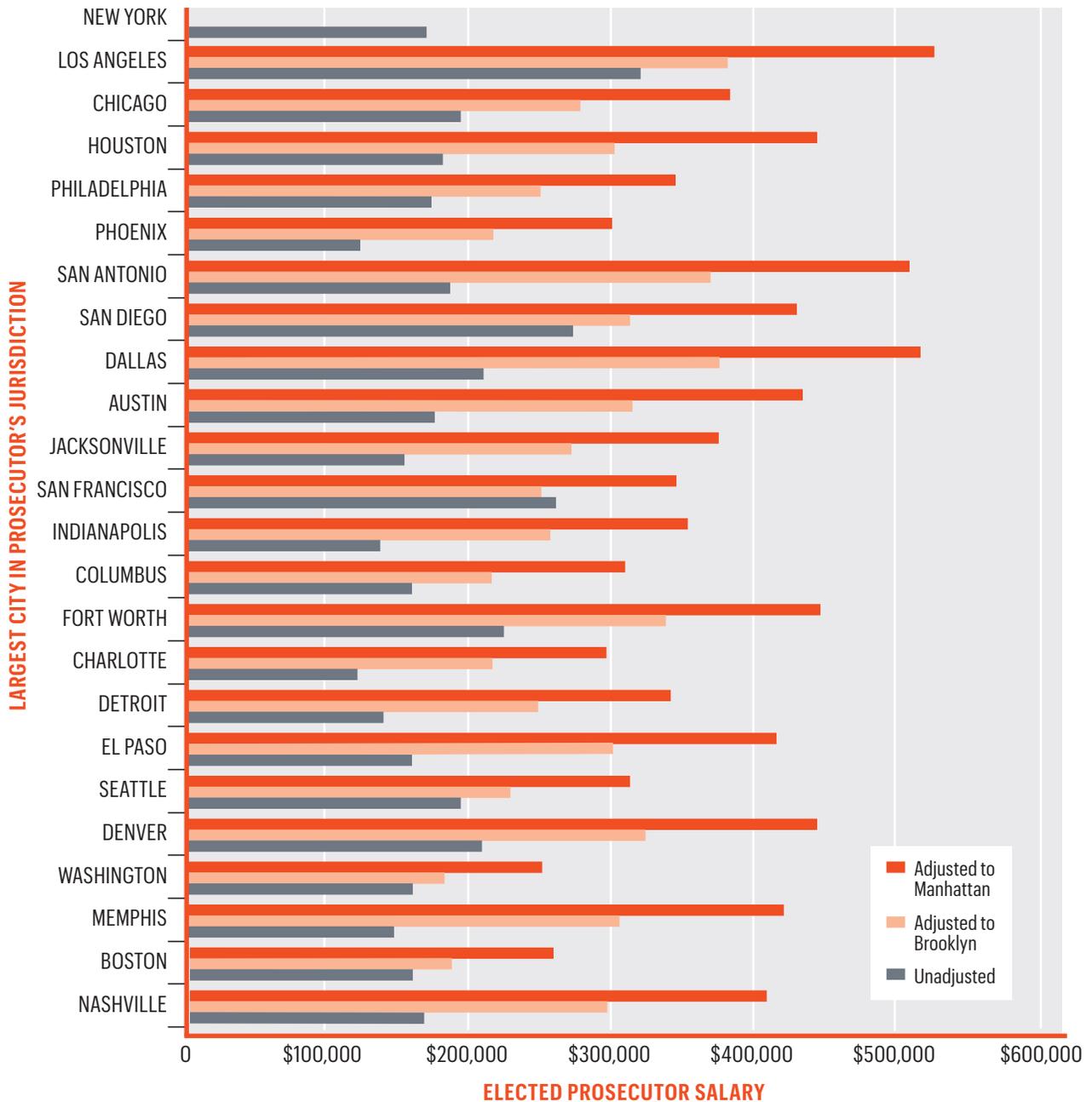
U.S. Department of Justice: Offices of the United States Attorneys

Shelby County: Transparent Tennessee

MassLive: Massachusetts State Employee Salary Database 2015

[Data.Nashville.Gov](#)

## PROSECUTOR SALARIES IN THE TWENTY-FIVE\* LARGEST U.S. CITIES BY POPULATION ADJUSTED TO THE COST OF LIVING IN NEW YORK CITY+

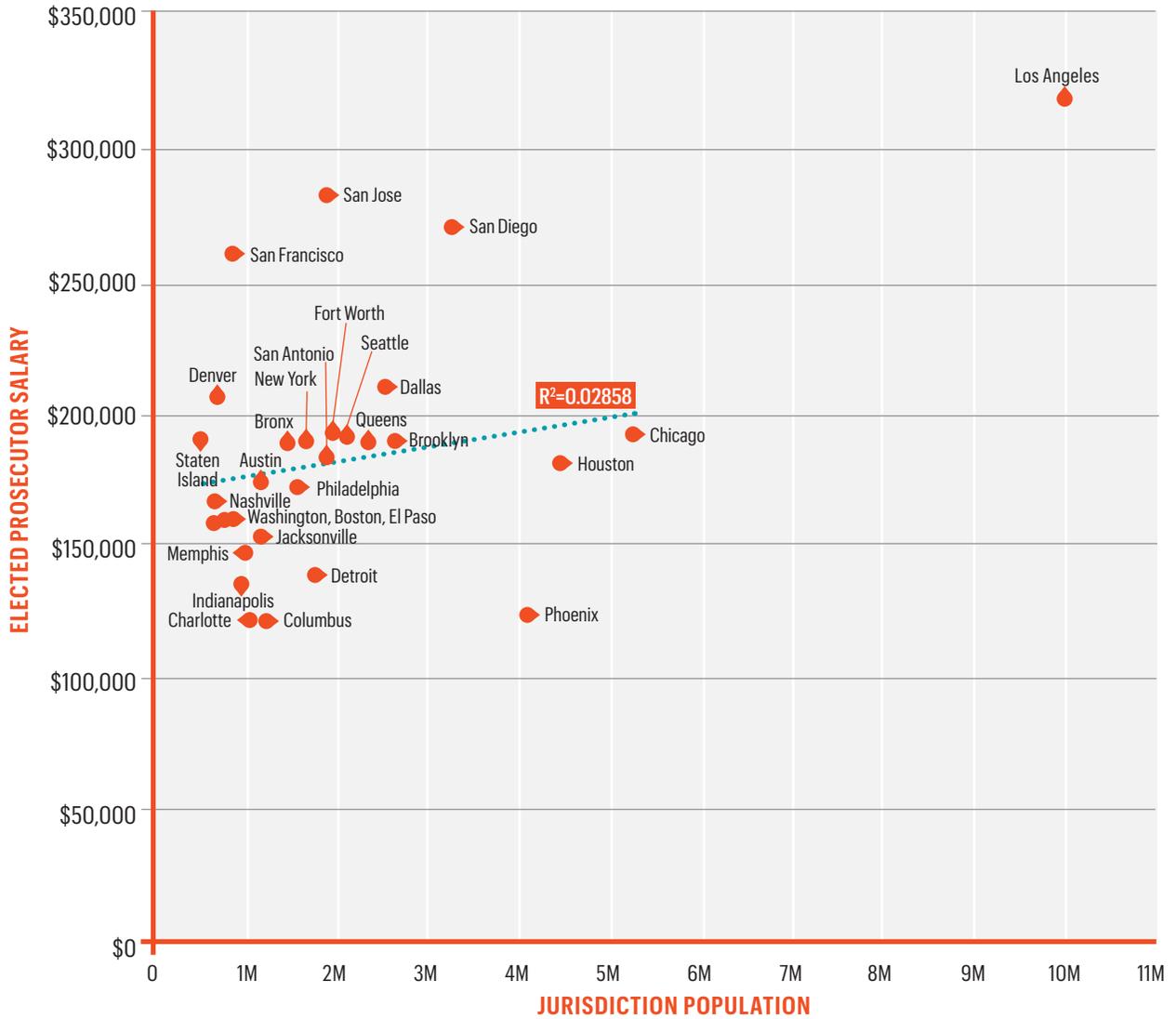


\* San Jose does not appear because the Council for Community and Economic Research (C2ER) does not collect cost of living information there.

+ C2ER does not collect data for Bronx, Queens, or Staten Island

NOTE ON COST OF LIVING INDEX AND ADJUSTMENTS: Adjustments to annual salaries are based on Cost of Living Index: Comparative Data for 265 Urban Areas for the third quarter of 2015, published by the Council for Community and Economic Research (C2ER). The Cost of Living Index measures relative price levels for consumer goods and services, weighted to reflect costs for professional and executive households in the top income quartile. The "adjusted" salary values are the base salaries elected officials would need to make in Manhattan and Brooklyn in order to maintain the same lifestyle as enjoyed in their cities. C2ER does not collect data for Bronx, Queens, or Staten Island.

## PROSECUTOR SALARIES AND JURISDICTION POPULATION



Data points are labeled by city (except N.Y.C. District Attorneys, which are labeled by borough) but correspond to the population of the prosecutor's jurisdictions. Los Angeles County is excluded from the trendline because its population is a significant outlier (z 4.12).





## FIVE NEXT LARGEST CITIES IN THE STATE OF NEW YORK: MAYORAL SALARIES

	MAYORAL SALARY	YEAR	C2ER COST OF LIVING INDEX, THIRD QUARTER 2015*	MAYORAL SALARY, ADJUSTED (MANHATTAN) +	MAYORAL SALARY, ADJUSTED (BROOKLYN) +
BUFFALO	\$105,000	2015		\$257,162.86	\$186,690.87
ROCHESTER	\$140,861	2015	NO COST OF LIVING DATA		
YONKERS	\$156,100	2015	NO COST OF LIVING DATA		
SYRACUSE	\$115,000	2014	NO COST OF LIVING DATA		
ALBANY	\$135,403	2015		\$289,047.45	\$209,837.92

+ The Council for Community and Economic Research (C2ER) does not collect data for Bronx, Queens, or Staten Island.

\* C2ER does not collect data for Rochester, Yonkers, or Syracuse.

NOTE ON COST OF LIVING INDEX AND ADJUSTMENTS: Adjustments to annual salaries are based on Cost of Living Index: Comparative Data for 265 Urban Areas for the third quarter of 2015, published by the Council for Community and Economic Research (C2ER). The Cost of Living Index measures relative price levels for consumer goods and services, weighted to reflect costs for professional and executive households in the top income quartile. The "adjusted" salary values are the base salaries elected officials would need to make in Manhattan and Brooklyn in order to maintain the same lifestyle as enjoyed in their cities. C2ER does not collect data for Bronx, Queens, or Staten Island.

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Sources for Mayoral Salaries:

Buffalo City Charter § 24-12

Rochester City Charter § 3-3.1

Yonkers City Charter § C3-3

[Syracuse.com](http://Syracuse.com): Search the Syracuse City Payroll

Albany Common Council Meeting Minutes (Mar. 1, 2010), cross-referenced with SeeThroughNY

## FIVE NEXT LARGEST CITIES IN THE STATE OF NEW YORK: LEGISLATIVE SALARIES

	LEGISLATIVE SALARY	YEAR	C2ER COST OF LIVING INDEX, THIRD QUARTER 2015*	LEGISLATIVE SALARY, ADJUSTED (MANHATTAN) +	LEGISLATIVE SALARY, ADJUSTED (BROOKLYN) +
BUFFALO	\$52,000	2015		\$127,356.85	\$92,456.43
ROCHESTER	\$33,800	2015	NO COST OF LIVING DATA		
YONKERS	\$36,826	2015	NO COST OF LIVING DATA		
SYRACUSE	\$21,224	2014	NO COST OF LIVING DATA		
ALBANY	\$20,314	2015		\$43,364.70	\$31,481.19

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\* C2ER does not collect data for Rochester, Yonkers, or Syracuse.

NOTE ON COST OF LIVING INDEX AND ADJUSTMENTS: Adjustments to annual salaries are based on Cost of Living Index: Comparative Data for 265 Urban Areas for the third quarter of 2015, published by the Council for Community and Economic Research (C2ER). The Cost of Living Index measures relative price levels for consumer goods and services, weighted to reflect costs for professional and executive households in the top income quartile. The "adjusted" salary values are the base salaries elected officials would need to make in Manhattan and Brooklyn in order to maintain the same lifestyle as enjoyed in their cities. C2ER does not collect data for Bronx, Queens, or Staten Island.

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Sources for Legislative Salaries:

Buffalo City Charter § 24-12

Rochester City Charter § 5-2

Yonkers: SeeThroughNY

[Syracuse.com](#): Search the Syracuse City Payroll

Albany: SeeThroughNY

## PROSECUTOR SALARIES IN COUNTIES BORDERING NYC AND FIVE NEXT LARGEST NY STATE CITIES

2014	JURISDICTION POPULATION	DISTRICT ATTORNEY ANNUAL SALARY
SUFFOLK CO. (N.Y.) DISTRICT ATTORNEY	1,502,968	\$189,298
NASSAU CO. (N.Y.) DISTRICT ATTORNEY	1,358,627	\$165,958
WESTCHESTER CO. (N.Y.) DISTRICT ATTORNEY	972,634	\$167,000
ERIE CO. (N.Y.) DISTRICT ATTORNEY	922,835	\$174,000
MONROE CO. (N.Y.) DISTRICT ATTORNEY	749,857	\$174,000
ALBANY CO. (N.Y.) DISTRICT ATTORNEY	308,171	\$167,300

Source for Jurisdiction Population: Jurisdiction population estimates as of July 1, 2014, from the U.S. Census Bureau, Population Division's Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2014.

Sources for Elected Prosecutor Salary:

Suffolk County: Newsday

Nassau County: Newsday

Westchester County 2015 Adopted Operating Budget

Erie County 2015 Budget Book A

2015 Monroe County Budget

2014 Albany County Budget

## SELECT NEW YORK CITY MAYORAL APPOINTEES

2015	BASE SALARY
FIRST DEPUTY MAYOR	\$256,819
CORPORATION COUNSEL	\$214,413
COMMISSIONER OF HEALTH	\$214,413
FIRE COMMISSIONER	\$214,413
POLICE COMMISSIONER	\$214,413
CHANCELLOR OF EDUCATION	\$212,614

SOURCES FOR MAYORAL APPOINTEE SALARIES: NYC Citywide Administrative Services

## HEADS OF CITY-OWNED CULTURAL INSTITUTIONS

	BASE SALARY	YEAR
PRESIDENT, LINCOLN CENTER FOR THE PERFORMING ARTS	\$1,848,316	2012
EXECUTIVE AND ARTISTIC DIRECTOR, CARNEGIE HALL	\$1,290,949	2013
DIRECTOR AND CHIEF EXECUTIVE OFFICER, METROPOLITAN MUSEUM OF ART	\$950,762	2013
PRESIDENT, AMERICAN MUSEUM OF NATURAL HISTORY	\$814,344	2013
PRESIDENT AND DIRECTOR, MUSEUM OF THE CITY OF NEW YORK	\$395,947	2013
PRESIDENT, BROOKLYN ACADEMY OF MUSIC	\$393,944	2013
PRESIDENT, BROOKLYN BOTANIC GARDEN	\$257,119	2013
EXECUTIVE DIRECTOR, BRONX MUSEUM OF THE ARTS	\$237,004	2013
PRESIDENT AND CHIEF EXECUTIVE OFFICER, BROOKLYN CHILDREN'S MUSEUM	\$140,382	2013
CHIEF EXECUTIVE OFFICER, STATEN ISLAND HISTORICAL SOCIETY	\$125,207	2013

NOTE ON CITY-OWNED CULTURAL INSTITUTIONS: The New York City Department of Cultural Affairs funds energy and a portion of operating support for 34 city-owned cultural institutions comprising the Cultural Institutions Group. See "Funding for Cultural Organizations" on the Department of Cultural Affairs' website and "Department of Cultural Affairs Overview" at page 1 of the Department's Report on the Fiscal 2016 Preliminary Budget and the Fiscal 2015 Preliminary Mayor's Management Report.

Sources for City-Owned Cultural Institutions

List of City-owned cultural institutions: New York City Department of Cultural Affairs

Base salaries: Each institution's Form 990 Return of Organization Exempt from Income Tax, available online from the Foundation Center

## SELECT NEW YORK CITY EMPLOYEES' STARTING SALARIES

2015	STARTING SALARY
ATTORNEY, NEW YORK CITY LAW DEPARTMENT	\$66,499
TEACHER, NEW YORK CITY PUBLIC SCHOOLS	\$49,908
POLICE OFFICER, NEW YORK CITY POLICE DEPARTMENT	\$42,819
FIREFIGHTER, FIRE DEPARTMENT OF THE CITY OF NEW YORK	\$42,623

SOURCES FOR STARTING SALARIES: New York City Office of Management and Budget and New York City Law Department in response to inquiries

## HEADS OF SELECT NEW YORK CITY MUNICIPAL UNIONS

2014	GROSS SALARY
EXECUTIVE DIRECTOR, DISTRICT COUNCIL 37	\$318,635
PRESIDENT, UNITED FEDERATION OF TEACHERS	\$256,208
PRESIDENT, SERVICE EMPLOYEES LOCAL UNION 1199	\$215,237
PRESIDENT, SERVICE EMPLOYEES INTERNATIONAL UNION 32BJ	\$214,020
PRESIDENT, UNITE HERE LOCAL UNION 6	\$162,788
PRESIDENT, COMMUNICATIONS WORKERS LOCAL 1180	\$123,634
PRESIDENT, TRANSPORT WORKERS UNION 100	\$2,866

SOURCES FOR UNION SALARIES: Each union's Form LM-2 Labor Organization Annual Report, available online from the U.S. Department of Labor

## NEW YORK CITY LAWYERS IN PRIVATE PRACTICE, 2015

2015	LARGE LAW FIRM (75+ LAWYERS)	MIDSIZE LAW FIRM (35-75 LAWYERS)	SMALL LAW FIRM (UP TO 10 LAWYERS)
FIRST YEAR ASSOCIATE LAWYER	\$158,113 - 193,210	\$110,852 - 152,205	\$75,408 - 107,725
LAWYER, 4-9 YEARS OF EXPERIENCE	\$218,230 - 304,410	\$180,909 - 271,745	\$103,208 - 189,388

According to the National Association for Law Placement, 75 percent of firms of more than 250 lawyers paid first-year associates \$160,000 in 2014. For firms of more than 700 lawyers, 90 percent reported paying first-year associates that amount. A Major, Lindsey & Africa survey of law firm partner compensation found the average salary for partners in New York City exceeded \$1 million in 2014.

SOURCE FOR NEW YORK CITY LAWYERS IN PRIVATE PRACTICE: Robert Half Legal's 2015 Salary Guide for the Legal Field.

## HEADS OF SELECT PUBLICLY TRADED COMPANIES IN THE NEW YORK CITY AREA

2014	CEO TOTAL COMPENSATION (IN MILLIONS)	REVENUE (IN MILLIONS)	NUMBER OF EMPLOYEES
PEPSICO	\$22.49	\$66,683	379,592
METLIFE INC.	\$15.16	\$73,316	66,000
CITIGROUP INC.	\$14.46	\$76,882	241,000
PHILIP MORRIS INTL.	\$14.12	\$29,767	9,900
IBM CORP.	\$13.97	\$92,793	379,592
NOVARTIS CORP.	\$12.65	\$53,634	135,696
AIG INC.	\$12.06	\$64,406	65,000
AVON PRODUCTS INC.	\$10.18	\$8,851	33,200

Source for Publicly Traded Companies' Compensation: [Morningstar.com](http://Morningstar.com)

Sources for Publicly Traded Companies' Employee Numbers: Yahoo Finance for all companies but Philip Morris, which was [www.NumberOf.net](http://www.NumberOf.net)

## NEW YORK STATE ELECTED OFFICIALS

2015	BASE SALARY
GOVERNOR	\$179,000
LIEUTENANT GOVERNOR	\$151,500
COMPTROLLER	\$151,500
ATTORNEY GENERAL	\$143,575
SENATE MEMBER (EXCLUDING ALLOWANCES)	\$79,500
ASSEMBLY MEMBER (EXCLUDING ALLOWANCES)	\$79,500

## HEADS OF SELECT PUBLIC AUTHORITIES IN NEW YORK STATE

FISCAL YEAR 2014	BASE SALARY
PRESIDENT, NEW YORK CITY HEALTH AND HOSPITALS CORPORATION	\$394,896
CHIEF EXECUTIVE OFFICER, METROPOLITAN TRANSPORTATION AUTHORITY	\$325,600
EXECUTIVE DIRECTOR, PORT AUTHORITY OF NEW YORK AND NEW JERSEY	\$289,667
CHIEF EXECUTIVE OFFICER, LONG ISLAND POWER AUTHORITY	\$275,000
PRESIDENT AND CHIEF EXECUTIVE OFFICER, POWER AUTHORITY OF THE STATE OF NEW YORK	\$235,000
PRESIDENT, BROOKLYN BRIDGE PARK CORPORATION	\$190,550
PRESIDENT, GOVERNOR'S ISLAND CORPORATION	\$175,000
PRESIDENT AND CHIEF EXECUTIVE OFFICER, ROOSEVELT ISLAND OPERATING CORPORATION	\$150,354

Sources for Public Authorities' Salaries

The Port Authority of New York & New Jersey: Employee Payroll Information

Other public authorities: New York State Authorities Budget Office

## SELECT OFFICIALS IN FEDERAL GOVERNMENT

2015	BASE SALARY
PRESIDENT	\$400,000
VICE PRESIDENT	\$235,300
CABINET MEMBERS	\$203,700
SENATOR	\$174,000
PRESIDENT PRO TEMPORE	\$193,400
SENATE MAJORITY LEADER AND MINORITY LEADER	\$193,400
REPRESENTATIVE	\$174,000
SPEAKER OF THE HOUSE OF REPRESENTATIVES	\$223,500
HOUSE MAJORITY LEADER AND MINORITY LEADER	\$193,400
CHIEF JUSTICE OF THE SUPREME COURT OF THE UNITED STATES	\$258,100
ASSOCIATE JUSTICES OF THE SUPREME COURT OF THE UNITED STATES	\$246,800

Sources for Federal Officials' Salaries:

President: 3 U.S.C. § 102

Cabinet Members: 5 U.S.C. § 5312 (setting cabinet-level positions at Level I of the Executive Schedule)

Other Officials: Executive Order 13,686 (listing salaries of the Vice President, Senators, Representatives, the Speaker, President pro tempore of the Senate, majority and minority leaders, Justices of the Supreme Court, and other federal officials)