



# Agenda Report

May 19, 2025

**TO:** Honorable Mayor and City Council

**THROUGH:** Legislative Policy Committee (May 6, 2025)

**FROM:** City Clerk

**SUBJECT: REQUEST FOR CITY COUNCIL DIRECTION TO IMPLEMENT/TAKE ACTION ON TWO RECENT CITY CHARTER APPROVED AMENDMENTS: 1) DIRECT THE CITY ATTORNEY TO PREPARE AN ORDINANCE WITHIN 90 DAYS CODIFYING THE PROCESS FOR FILLING CITY COUNCIL DISTRICT VACANCIES BY APPOINTMENT; AND 2) DIRECT STAFF TO INITIATE THE PROCESS FOR CONVENING A COUNCIL COMPENSATION COMMITTEE**

## **RECOMMENDATION:**

It is recommended that the City Council:

- (1) Find that the proposed actions contained in the agenda report are exempt from review pursuant to the California Environmental Quality Act ("CEQA") in accordance with State CEQA Guidelines § 15061(b)(3), the "common sense" provision that CEQA only applies to projects that may have a significant effect on the environment;
- (2) Direct the City Attorney to prepare an ordinance within 90 days codifying the process to fill City Council District vacancies by appointment, and additionally refer this matter to the Legislative Policy Committee to assist City staff in developing the details of the ordinance, including provisions for a public outreach and community engagement plan when vacancies occur; and
- (3) Direct staff to initiate the process for convening a Committee on City Councilmembers' Compensation pursuant to City Charter Section 405 (as outlined in the agenda report), approve the proposed City staff support model for the work of the Committee, a timeline for the application period and Committee appointments by the City Council, and direction to staff to return with information regarding the scope of the Committee's compensation review.

## **BACKGROUND:**

On December 9, 2024, the City Council certified the election results for the November 5, 2024 Charter Amendment measures PA, PB, PC, PF, and PR, with all five measures approved by voters. Included with Measure PA were two changes to the City Charter which require further City Council action to implement:

- Article IV, Section 404 – VACANCY – APPOINTMENT OR SPECIAL ELECTION “The City Council shall adopt by ordinance the process to fill vacancies for City Council District offices.”
- Article IV, Section 405 – COMPENSATION “The Committee [on City Councilmember Compensation] shall be convened not less than once every five years.”

#### Ordinance Adopting City Council Appointment Process for Council Vacancies

Measure PA amended provisions in the City Charter Section 404 related to the appointment process for a vacancy occurring in a Council District seat. Besides limiting appointments to vacancies with less than two years remaining on an unexpired term, the amended Charter language also now requires the City Council to establish the appointment process by ordinance. This action will help to ensure consistency and transparency for future appointments by codifying the selection process and how it will be conducted. Additionally, the City Council is asked to incorporate and provide direction on the creation of a public outreach and engagement plan to be used as part of each appointment process.

For prior City Council appointments made to fill an unscheduled vacancy (in the last 10-15 years), the following elements have generally been part of those processes:

- Convening a Council ad hoc committee to prepare questions for applicant interviews and determine final details of the City Council appointment process;
- Requiring all applicants to complete an application and nomination petition – the application requires applicants to provide specific details related to serving as a Councilmember, including experience in the City, qualifications, and background; and the nomination petition requires each applicant to gather at least 25 verified signatures of registered voters from the district supporting the applicant’s appointment to the City Council;
- Inviting all qualified applicants to attend a special City Council meeting to provide a public statement of 5-7 minutes on background, qualifications, involvement in City and District issues, and interest in serving (order of applicant interview process determined by random alphabet draw);
- Conducting “interviews” of each applicant, with members of the City Council posing scripted and unscripted questions (allowing additional time for each Councilmember to question applicants, while taking care to generally ask the same questions to all applicants); and
- Sequestering applicants during “interviews” in a separate room, without access to phones or other electronic devices, to avoid any advantage or disadvantage based on the order of interviews; all applicants are invited into the Chamber to watch the Council’s deliberation process.

The following Charter language was added by the City Council regarding residency requirements for applicants seeking City Council appointment, which will be incorporated in the applicant verification process administered by the City Clerk's Office:

“Any person seeking an appointment to a City Council District vacancy shall be a resident of the City for not less than thirty (30) days immediately preceding the declaration of the vacancy.”

Staff is requesting the City Council direct the City Attorney's Office to prepare an ordinance within 90 days to codify the appointment process. Additionally, staff is suggesting that the matter be referred to the Legislative Policy Committee to assist City staff in drafting the specific provisions of the ordinance, including details on the outreach and engagement plan, prior to returning back to the full City Council for consideration.

Legislative Policy Committee Review and Comments: City staff presented the information above to the Legislative Policy Committee (LPC) on May 6, 2025. As part of that discussion, the LPC suggested that a Council ad hoc committee may not be necessary since the appointment process will be codified in the Municipal Code. The LPC expressed their general support for the approach outlined by staff.

### Council Compensation

City Charter Section 405 (see Attachment A) sets forth the process and requirements to study and make changes to City Council compensation through the formation of a Committee on City Councilmembers' Compensation (Compensation Committee). Measure PA amended Section 405 of the Charter to add a requirement that the Compensation Committee be convened not less than once every five years. This was done to address the issue of compensation not being studied for an extended number of years. The last Compensation Committee formed by the City Council to study compensation occurred in August 2001, over 20 years ago.

### Compensation Topics to be Studied

Since the City Charter restricts the review of City Council Compensation to a Compensation Committee, the Council's appointed Charter Study Task Force did not go in depth to study the details of Council Compensation. However, the Task Force did review the topic generally, and provided input on possible topics for a Compensation Committee to review. The Task Force supported the review of topics that could foster diversity on the City Council, and increase opportunities for a broader segment of the community to seek public office. Such topics include:

- Replacing the term “childcare” with “family care” as an eligible reimbursable expense of office. This broader definition would allow additional community members caring for a spouse or parent (not just children) to receive support while serving on the City Council.

- Consider applying annual Consumer Price Index (CPI) increases to benefits that fall outside of City Council monthly stipends or health and welfare benefits.

In addition, the Legislative Policy Committee at its May 6, 2025 meeting, suggested additional topics for possible review and consideration by the Compensation Committee:

- Create separate categories for certain eligible expenses (i.e., childcare/family care) that would be separate and apart from the current general expense reimbursement allowance.
- Take a fresh look at overall compensation to address issues related to diversity and ability to serve (goal: broaden the pool of residents able to serve).
- Consider additional benefit categories, such as education reimbursement.
- Consider a “cafeteria plan” approach for eligible expenses.
- Compare eligible benefits and expenses with those provided by other cities.

Recommended changes by a Compensation Committee work would likely involve edits to Pasadena Municipal Code Sections 2.05.210 (Attachment B) and/or 2.05.220 (Attachment C), which detail the compensation and benefits provided to members of the City Council. A summary table listing compensation and benefits of the City Council is also provided as Attachment D.

#### Compensation Committee Details and Support

The City Charter contains specific provisions detailing the Committee’s composition and purpose. Following are some of the important provisions related to the Committee:

- Charge: Study, take public input, and make recommendations regarding compensation paid to City Council, including benefits such as allowances and reimbursements;
- “Each member of the City Council shall nominate one person to the Committee, subject to the approval of City Council” (One appointment per member of the City Council for a total of eight Committee members);
- “Each member of the Committee shall be an elector of the City.”
- Former officers or employees of the City (serving in the last five years), or those with personal or business-related contractual relations with the City, are not eligible to serve on the Committee;
- Deadline for the Committee to complete its work and submit its report to the City Council is October 1, 2025;
- City Council may, by ordinance, adjust their compensation by an amount “not to exceed” the Committee’s recommendations, with a 2/3 majority vote of the City Council required to approve said ordinance;
- No more than one ordinance amending the compensation of City Council members may be adopted in any two calendar year period; and
- Any amount exceeding the Committee’s recommendation would require voter approval.

City staff is requesting that City Council assign staff support for the Compensation Committee to the City Manager, City Attorney, City Clerk, and Human Resources Department to organize meetings, as well as provide information, staff recommendations, and framework for the Committee to conduct its review.

Following is a rough timeline for the Compensation Committee to complete a review of the City Council’s current compensation:

Preliminary discussion on Compensation Committee	May 19, 2025
Members of the Council to seek out nominees to serve on the Committee (standard City Commission application)	May 20, 2025
City Council to appoint and convene Committee, as well as establish charge and scope of review	June 2, 2025 or June 9, 2025
Chair of Committee to provide an update and report back to City Council	August 18, 2025
Committee to complete work and submit Final Report and recommendations to the City Council	September 29, 2025

If so directed, staff will return on either June 2, 2025 or June 9, 2025 (depending on agenda) with a staff report outlining the charge, scope, and budget of the Compensation Committee. The City Council should begin the process to identify their nominee to serve on the Committee (City Charter Section 405 states, “...each member of the City Council shall nominate one person to the Committee, subject to the approval of the City Council.”).

**FISCAL IMPACT:**

Additional Fiscal Impact information will be provided at the time each of the above actions return to the full City Council in the coming weeks and months.

Respectfully submitted,

  
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Mark Jomsky  
City Clerk

**ATTACHMENTS:**

- Attachment A – City Charter Article IV, Section 405. - COMPENSATION
- Attachment B – Pasadena Municipal Code Section 2.05.210
- Attachment C – Pasadena Municipal Code Section 2.05.220
- Attachment D – Summary list of compensation and benefits provided to the City Council