

Mr. Charles L. Benton

- 3 -

June 20, 1966

Article VI, Section 3(a) provides that the Board of Estimates, in preparing the ordinance of estimates, shall have the power "to increase or decrease the salaries of all municipal officers, except those of the members of the Board..."

Section 3(b) grants the City Council the power, by ordinance, "to increase or decrease the salaries of municipal officers comprising the Board of Estimates". No power is granted to the City Council to increase or decrease the salaries of any other specified employees of the City.

Section 3(d) provides:

"Except in cases of promotion, the salary or compensation of no officer or employee of the City shall be increased beyond that set forth in the material accompanying the proposed ordinance of estimates unless the increase be approved by the Board of Estimates upon the recommendation of the head of the agency concerned, and funds therefor are available in the appropriation allotted in the Ordinance of Estimates to the agency in question..."

Section 3(e) provides that "The salaries of all municipal officers and employees, whether or not fixed by the Charter, shall be paid at such intervals, but not less frequently than semi-monthly, as the Board of Estimates may determine from time to time."

Section 5 of Article VI provides that the Board shall fix the salary or wage scales of City employees in the Classified Civil Service, and to make the same uniform, so far as is practicable.

In the case of the Department of Education, Article VII, Section 59 of the Charter gives the Department of Education the power to fix the salaries of its employees, not to exceed the amount appropriated in the Ordinance of Estimates.

The provisions of the new Charter thus establish a clear and well-integrated framework of power vesting the fundamental responsibility for and control of salaries in the Board of Estimates. The City Council is given the power merely to "reduce or eliminate any of the amounts fixed by the Board