



Fw: 2nd ORR from Ken Martin re : council pay  
Mark Sokolow to: ken  
Bcc: patberryman, Paul Brandenburg

03/15/2010 02:48 PM

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Dear Mr. Martin:

You requested the following:

**REQUEST NO. 1. Of the total amount paid to Berryman, a total of \$600 was paid in the first quarter through issuance of four checks for "BASE OP EXP". Please provide copies of those four checks and explain, in plain English, what "BASE OP EXP" means.**

RESPONSE: Attached is Agenda Item No. T. and minutes for the Council Meeting of April 8, 2008. Base Operational Expense compensation is delineated in Item T. It states the following:

"Base Operational Expense compensation is intended to defer a portion of the normal expenses incurred while serving in the office, transportation costs and maintaining communication with constituents. This monthly payment should be \$300 for each council member and \$450 for the mayor. No expense statement or accounting of the detailed expenses incurred will be required."

The 2/12/2010 printout from finance shows that checks were issued in the first quarter of this year for a gross of \$2200 and one check that was issued at the end of last year for a gross of \$15,800. The net was for lesser amounts due to deductions for Federal Taxes, FICA and Medicare. A request for an attorney general opinion will be made as to this portion of your request as to preserve the privacy of Councilmember Berryman as to the type of deductions that she received for Federal Taxes, FICA and Medicare as well as to protect from disclosure the endorsements on the back of the checks which lists her bank and her bank account number.

**REQUEST NO. 2. A single check for \$13,600 was issued in the fourth quarter for "P EXP REIM". Please provide a copy of that check and explain, in plain English, what "P EXP REIM" means.**

RESPONSE: The gross was \$13,600. The net was for a lesser amount which had a deduction for Federal Taxes, FICA and Medicare. A request for an attorney general opinion will be made as to this portion of your request as to preserve the privacy of Councilmember Berryman as to the type of deductions that she received for Federal Taxes, FICA and Medicare as well as to protect from disclosure the endorsements on the back of the check which lists her bank and her bank account number.

Attached is Agenda Item No. T. and minutes for the Council Meeting of April 8, 2008. Personal Expense compensation is delineated in Item T. It states the following:

"Personal Expense compensation is intended to be an optional stipend for those council members and the mayor who wish to accept it as a way to partially offset the economic loss they incur as a result of serving on the council. A payment of \$800 per month for council members and for the mayor is recommended to be an annual option available."

**REQUEST NO. 3. Please provide copies of any and all documents that explain the purpose for which the \$13,600 check was issued, e.g., legal opinions, city council actions, and any other pertinent documents.**

RESPONSE: Attached is the following:

December 15, 2009 email from Council member Berryman regarding reimbursements for expenses and the purposes of the expenses that she incurred which was forwarded to the City's auditor on December 22, 2009.

**REQUEST NO. 4. Although Berryman is serving her third term on the council, according to the information on the city's website at <http://government.georgetown.org/city-council/> the Payroll History Reports you provided do not indicate that Berryman was paid during the previous fiscal year. Please provide documents and/or information to indicate why Berryman was not paid, as the other council members were during that period.**

RESPONSE: Attached is the July 16, 2008 letter from Paul Brandenburg, City Manager which indicated that she could not receive salaries, but that she could be reimbursed for actual expenses incurred for mileage, meals and cell phone usage. There was no further correspondence on this matter until December, 2009.

**REQUEST NO. 5. Please provide copies of any and all documents that authorized the mayor and city councilmembers to be paid for serving in their elected positions, to include base pay and expenses, e.g., council minutes that reflect the dates, agenda items, motions, and votes of each councilmember to authorize such payments, and the effective date that such payments were authorized to begin.**

RESPONSE: The following documents are attached:

- Section 2.15 of Article II of the City Charter
- Minutes dated April 8, 2008
- Agenda Item T for the April 8, 2008 Council Meeting

I am also attaching a letter from the auditor that indicates that the City's reimbursement of Council member Berryman's expenses would not constitute salary payments and would not be in conflict with the stipulations of her position with the State.

If you have any other questions, please contact this office.

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