



# City of Santa Clara

## Meeting Agenda

### Salary Setting Commission

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**Wednesday, February 24, 2021**

**5:30 PM**

**Virtual Meeting**

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Pursuant to the provisions of California Governor's Executive Order N-29-20, issued on March 17, 2020, to prevent the spread of COVID-19, Committee members will be attending the meeting remotely. The City of Santa Clara has implemented methods for the public to participate remotely via Zoom link or phone call in.

To join Zoom Meeting please use this URL to join.

<https://santaclaraca.zoom.us/j/99759762470>

Meeting ID: 997 5976 2470

#### **CALL TO ORDER AND ROLL CALL**

#### **CONSENT CALENDAR**

**21-338** [Action to Approve the Salary Setting Commission Meeting Minutes of February 17, 2021](#)

**Attachments:** [Salary Setting Commission Meeting Minutes 2-17-21](#)

#### **PUBLIC PRESENTATIONS**

#### **GENERAL BUSINESS**

**21-289** [Action to Consider Comparative Information and to Set the Salary of City Clerk \(Job Code 063\)](#)

**Attachments:** [Ordinance No. 1983.pdf](#)  
[Resolution No. 19-3.pdf](#)  
[Assistant City Clerk.docx](#)  
[City Clerk Survey.pdf](#)

**21-337** [Action to Consider Comparative Information and to Set Salaries of Mayor and City Council](#)

**Attachments:**     [Comparator Agency Information](#)  
                                 [Salary Survey, Mayor](#)  
                                 [Salary Survey, Council](#)  
                                 [Resolution for Mayor and Council Salaries 2019.pdf](#)

**STAFF REPORT**

**COMMISSIONERS REPORT**

**ADJOURNMENT**

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. If a person wishes to challenge the nature of the above section in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Santa Clara, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

If a member of the public submits a speaker card for any agenda items, their name will appear in the Minutes. If no speaker card is submitted, the Minutes will reflect "Public Speaker."

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Santa Clara will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities, and will ensure that all existing facilities will be made accessible to the maximum extent feasible. The City of Santa Clara will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities including those with speech, hearing, or vision impairments so they can participate equally in the City's programs, services, and activities. The City of Santa Clara will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities.

Agendas and other written materials distributed during a public meeting that are public record will be made available by the City in an appropriate alternative format. Contact the City Clerk's Office at 1 408-615-2220 with your request for an alternative format copy of the agenda or other written materials.

Individuals who require an auxiliary aid or service for effective communication, or any other disability-related modification of policies or procedures, or other accommodation, in order to participate in a program, service, or activity of the City of Santa Clara, should contact the City's ADA Coordinator at 408-615-3000 as soon as possible but no later than 48 hours before the scheduled event.



# City of Santa Clara

1500 Warburton Avenue  
Santa Clara, CA 95050  
santaclaraca.gov  
@SantaClaraCity

## Agenda Report

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21-338

Agenda Date: 2/24/2021

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### **REPORT TO SALARY SETTING COMMISSION**

#### **SUBJECT**

Action to Approve the Salary Setting Commission Meeting Minutes of February 17, 2021

#### **RECOMMENDATION**

Approve the Meeting Minutes of February 17, 2021.



# City of Santa Clara

## Meeting Minutes

### Salary Setting Commission

02/17/2021

5:30 PM

Virtual Meeting

Pursuant to the provisions of California Governor's Executive Order N-29-20, issued on March 17, 2020, to prevent the spread of COVID-19, Committee members will be attending the meeting remotely. The City of Santa Clara has implemented methods for the public to participate remotely via Zoom link or phone call in.

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Meeting ID: 997 5976 2470

#### **CALL TO ORDER AND ROLL CALL**

**Chair Sontag called the Salary Setting Commission Meeting to order at 5:33 PM.**

- Present** 4 - Commissioner Marjorie Banko , Vice Chair MV Kumar , Chair John Sontag, and Commissioner Eric Chu
- Absent** 1 - Commissioner David Stealey

Chair Sontag announced that Commissioner Stealey submitted his resignation from the Salary Setting Commission.

#### **CONSENT CALENDAR**

[21-300](#)

Action to Approve the Salary Setting Commission Meeting Minutes of February 10, 2021

**A motion was made by Commissioner Banko, seconded by Vice Chair Kumar, to approve the February 10, 2021 Salary Setting Commission Meeting Minutes.**

- Aye:** 4 - Commissioner Banko , Vice Chair Kumar, Chair Sontag, and Commissioner Chu

- Absent:** 1 - Commissioner Stealey

**PUBLIC PRESENTATIONS**

None

**GENERAL BUSINESS**

[21-293](#)

Action to Consider Comparative Information and to Set Salaries of Mayor and City Council

**The Commission decided to continue this item to the February 24, 2021 Salary Setting Commission Meeting so they can review the 2019 Resolution that the prior Commission approved to set the salaries for the Mayor and Council.**

**STAFF REPORT**

None

**COMMISSIONERS REPORT**

None

**ADJOURNMENT**

**A motion was made by Commissioner Chu, seconded by Commissioner Banko, to adjourn the Salary Setting Commission Meeting at 6:18 PM.**

**Aye:** 4 - Commissioner Banko , Vice Chair Kumar, Chair Sontag, and Commissioner Chu

**Absent:** 1 - Commissioner Stealey

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## Agenda Report

21-289

Agenda Date: 2/24/2021

### REPORT TO SALARY SETTING COMMISSION

#### SUBJECT

Action to Consider Comparative Information and to Set the Salary of City Clerk (Job Code 063)

#### BACKGROUND

The City Clerk (Job Code 063) position is an elected position under City Charter Section 660. City Municipal Code Section 2.20.015 requires the Commission to set the City Clerk's compensation on July 1, 2019 and every two years thereafter. Charter Section 702 provides that salaries so established by the Commission shall not exceed one hundred ten percent (110%) of the previous figure.

#### DISCUSSION

City Charter Section 903 sets forth the duties for the position of City Clerk. It also states that the City Council may, in its discretion, appoint any other officer or employee of the City as City Clerk and grant such person additional compensation for the performance of such duties.

On July 17, 2018, the City Council adopted Ordinance 1983 (Attachment 1) that limits the duties of the City Clerk. The Ordinance also assigns the other professional responsibilities of the City Clerk to a City employee (Assistant City Clerk (Job Code 010)) possessing substantive knowledge of professional standards in democratic processes and legislative actions in compliance with federal, state, and local statutes that govern the City Clerk's Office.

#### ***City Clerk (Job Code 063)***

Pursuant to Ordinance 1983, the City Clerk's duties and responsibilities include:

- a) Be the custodian of the seal of the City
- b) Have charge of all City elections

On June 20, 2019, the Salary Setting Commission approved a resolution to set the salary for the position of City Clerk at \$1,500/month (Attachment 2).

#### ***Assistant City Clerk (Job Code 010)***

The Assistant City Clerk is now responsible for the day-to-day operations of the City Clerk's Office and expands the assigned duties to include overseeing all professional administrative aspects of the City Clerk's Office. These duties include:

- a) The recording and maintaining of full and true records of all the proceedings of the City Council.
- b) Publishing and attesting to the publication of all official notices.
- c) Administering oaths or affirmations and taking affidavits and depositions pertaining to



the affairs of the City.

- d) The issuance of certified copies of official records as required and requested.
- e) Officially recording the rights, titles and interests in all real properties acquired by the City.
- f) The handling of all Council correspondence unless otherwise specifically designated.
- g) Preparing of the agenda and supplemental material for Council meetings in cooperation with the City Manager.
- h) Routing Council assignments to the respective officers having primary responsibility for their execution.
- i) Duplicating and distributing the minutes, ordinances, resolutions, policies and orders of the City Council to the various boards, commissions and administrative officers.
- j) Coordinate and respond to Public Records Acts requests.

The classification specification for the position of Assistant City Clerk is attached (Attachment 3).

### ***Comparator Information for City Clerk***

Staff completed a compensation survey that includes comparator agencies for the classification of City Clerk (Attachment 4). This compensation survey is consistent with the information presented to the Salary Setting Commission in 2019.

### **ENVIRONMENTAL REVIEW**

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

### **FISCAL IMPACT**

Any costs associated with approved salary increases will be incorporated in the development of future budgets.

### **COORDINATION**

This report has been coordinated with the City Attorney's Office.

### **PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

### **RECOMMENDATION**

Staff has no recommendation other than to encourage the Commission to consider the available information, and when ready, act to set the salary of the City Clerk.

Reviewed by: Aracely Azevedo, Director of Human Resources

Approved by: Nadine Nader, Chief Operating Officer/Assistant City Manager

**ATTACHMENTS**

1. Ordinance No. 1983
2. Resolution No. 19-3
3. Assistant City Clerk Classification Specification (Job Code 010)
4. City Clerk Survey

**ORDINANCE NO. 1983**

**AN ORDINANCE OF THE CITY OF SANTA CLARA, CALIFORNIA, ADDING A NEW SECTION 2.20.015 (COMPENSATION), AMENDING SECTION 2.20.020 (“DUTIES AND RESPONSIBILITIES”) AND AMENDING SECTION 2.20.030 (“ASSISTANT CITY CLERK”) OF CHAPTER 2.20 (“CITY CLERK”) OF “THE CODE OF THE CITY OF SANTA CLARA, CALIFORNIA”**

**BE IT ORDAINED BY THE CITY OF SANTA CLARA AS FOLLOWS:**

**WHEREAS**, the City Clerk position is an elected position under City Charter Section 600;

**WHEREAS**, the powers and duties of the City Clerk position are enumerated under City Charter Section 903;

**WHEREAS**, the City Council may, in its discretion, appoint any other officer or employee of the City as City Clerk and grant such person additional compensation for the performance of such duties, under City Charter Section 903;

**WHEREAS**, the City Council deems it to be in the best interest of the City of Santa Clara to formally assign professional responsibilities of the City Clerk to a City employee possessing substantive knowledge of professional standards and methods in democratic processes and legislative actions in compliance with federal, state, and local statutes that govern the City Clerk’s Office; and

**WHEREAS**, the City Council hereby designates the Assistant City Clerk as responsible for the day-to-day operations of the City Clerk’s Office and expands the assigned duties to include overseeing all professional administrative aspects of the City Clerk’s Office.

**NOW THEREFORE, BE IT FURTHER ORDAINED BY THE CITY OF SANTA CLARA, AS FOLLOWS:**

**SECTION 1:** Chapter 2.20 (entitled “City Clerk”) of Title 2 (entitled “Administration and Personnel”) of “The Code of the City of Santa Clara, California,” (“SCCC”) is amended to add a new section to be numbered and entitled and to read as follows:

**2.20.015      City Clerk – Compensation.**

The elected City Clerk shall receive as compensation the sum of two thousand dollars (\$2,000) per month. Commencing on July 1, 2019, and every two years on July 1 thereafter, the compensation of the City Clerk shall be set by a Salary Setting Commission consisting of five members to be

appointed by the Civil Service Commission, as set forth in City Charter Section 702.

**SECTION 2:** That Section 2.20.020 of Chapter 2.20 of Title 2 of “The Code of the City of Santa Clara, California,” (“SCCC”) is amended to read as follows:

Except for the following the duties and responsibilities of the City Clerk as set forth in City Charter Section 903 shall performed by the Assistant City Clerk as appointed to do so in Section 2.20.030:

- (a) Be the custodian of the seal of the City
- (b) Have charge of all City elections.

**SECTION 3:** That Section 2.20.030 (entitled “Assistant City Clerk”) of Chapter 2.20 (entitled “City Clerk”) of Title 2 (entitled “Administration and Personnel”) of “The Code of the City of Santa Clara, California,” (“SCCC”) is amended to read as follows:

**“2.20.030      Assistant City Clerk – Duties and responsibilities.**

The position of Assistant City Clerk is hereby created, which position is placed in the unclassified service of the office of the City Clerk. The Assistant City Clerk shall assist the City Clerk in the performance of the Clerk's duties and shall act for the City Clerk in his/her absence. The City Council hereby appoints the Assistant City Clerk pursuant to Section 903 of the City Charter to perform the following duties and responsibilities:

- (a) The recording and maintaining of a full and true record of all the proceedings of the City Council.
- (b) Publishing and attesting the publication of all official notices.
- (c) Administering oaths or affirmations and taking affidavits and depositions pertaining to the affairs of the City.
- (d) The issuance of certified copies of official records as required and requested.
- (e) Officially recording the rights, titles and interests in all real properties acquired by the City.
- (f) The handling of all Council correspondence unless otherwise specifically designated.
- (g) Preparing of the agenda and supplemental material for Council meetings in cooperation with the City Manager.


(h) Routing Council assignments to the respective officers having primary responsibility for their execution.

(i) Duplicating and distributing the minutes, ordinances, resolutions, policies and orders of the City Council to the various boards, commissions and administrative officers.”

**SECTION 4:** This ordinance shall take effect thirty (30) days after its final adoption; however, prior to its final adoption it shall be published in accordance with the requirements of Section 808 and 812 of “The Charter of the City of Santa Clara, California.”


**PASSED FOR THE PURPOSE OF PUBLICATION** this 5<sup>th</sup> day of JULY, 2018, by the following vote:

AYES:	COUNCILORS:	Davis, Kolstad, O’Neill, and Watanabe and Mayor Gillmor
NOES:	COUNCILORS:	Mahan
ABSENT:	COUNCILORS:	None
ABSTAINED:	COUNCILORS:	None

ATTEST:   
JENNIFER YAMAGUMA  
ACTING CITY CLERK  
CITY OF SANTA CLARA

**FINALLY PASSED AND ADOPTED** BY THE CITY COUNCIL OF THE CITY OF SANTA CLARA this 17<sup>th</sup> day of JULY, 2018, by the following vote:

AYES:	COUNCILORS:	Davis, Kolstad, O’Neill, and Watanabe and Mayor Gillmor
NOES:	COUNCILORS:	Mahan
ABSENT:	COUNCILORS:	None
ABSTAINED:	COUNCILORS:	None

ATTEST:   
JENNIFER YAMAGUMA  
ACTING CITY CLERK  
CITY OF SANTA CLARA

Attachments incorporated by reference:  
1. None

**RESOLUTION NO. 19-3**

**A RESOLUTION OF THE SALARY SETTING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, SETTING THE SALARIES OF THE POSITION OF CITY CLERK FOR THE PERIOD JULY 1, 2019, TO JUNE 30, 2021, INCLUSIVE, PURSUANT TO CITY CHARTER SECTION 702 AND SANTA CLARA CITY CODE SECTION 2.20.015**

**BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:**

**WHEREAS**, in accordance with City Charter Section 702, a Salary Setting Commission consisting of five qualified electors of the City was appointed by the Civil Service Commission in November 2018, to commence performance of its duties in January 2019;

**WHEREAS**, pursuant to City Code Section 2.20.015, the Salary Setting Commission is charged with establishing the compensation of the City Clerk for the period commencing on July 1, 2019, and ending two years thereafter;

**WHEREAS**, the Salary Setting Commission met on twelve occasions from January 8, 2019, through June 20, 2019, inclusive, during which the compensation for City Clerk was discussed on several occasions;

**WHEREAS**, the Salary Setting Commission was presented with, and took into consideration, various data points including, but not limited to, the history of compensation received by the City Clerk, comparator agency salary levels, modification of the duties of the City Clerk under the Charter and the City Code, and City budget projections; and

**WHEREAS**, the final decision of the Salary Setting Commission as to the City Clerk salary, as set forth in this Resolution, is based upon the following:

1. Charter Section 903 sets forth generally the various duties of a City Clerk including attending Council meetings and maintaining the minutes of said meetings, maintaining the official contracts entered into by the City, acting as custodian of the City seal, and having charge of all City elections.
2. In July 2018, the City Council by ordinance (SCCC 2.20.020) reduced the scope of the

City Clerk's duties to having charge of City elections and acting as custodian of the City seal; the remainder of the duties listed in the Charter were assigned to the Assistant City Clerk (SCCC 2.20.030).

3. At this time, the primary duty of the City Clerk is to manage (i.e., "have charge of") the City elections. Because elections are generally held every two years, the Commission anticipates that the position will be subject to a biennial increase in time commitment. The Commission further anticipates that in non-election years, the time commitment associated with discharging the duties of the position will be minimal.
4. Concurrently with the reduction in scope of official duties of the City Clerk, the City Council also reduced the salary associated with the position to the sum of \$2,000 per month, which is the same salary earned by Council Members.
5. The City Clerk is not a "regular" employee of the City, subject to internal performance review. Rather, the City Clerk is elected by the voters of the City of Santa Clara; it is, therefore, solely within the purview of the voters to determine the quality of performance by the current office holder. Accordingly, the role of the Salary Setting Commission is to set the salary for the position of City Clerk, irrespective of the identity or performance of the current office holder.
6. The position of City Clerk is similar to that of Council Member in that it is an elected, part-time, executive-level position, and the office holder may hold separate full-time employment in addition to service in his/her elected position. However, unlike the position of Council Member, the City Clerk has no formal requirements for meeting attendance or other specific activities related to his/her City service.
7. At the current rate (\$2,000 per month), the City Clerk salary is approximately 350% higher than the average salary level for the position in the comparator agencies reviewed by the Commission. When taking into consideration medical benefits, the current salary is approximately 11% higher than the average total compensation paid by the

comparator agencies. The comparator agencies reviewed were the cities of Antioch, Fairfield and Morgan Hill.

8. The Commission has reviewed and considered the short- and long-term budget projections provided by staff; the Commission strives to arrive at a prudent and fiscally responsible decision.
9. The Commission appreciates the importance of the position of City Clerk as it relates to properly managing the City elections and strives to strike a balance between acting in a fiscally responsible manner, properly aligning compensation with the duties of the position, and attracting capable candidates for this important position.

**NOW THEREFORE, BE IT FURTHER RESOLVED BY THE SALARY SETTING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:**

1. That for the period July 1, 2019, until such time as the individual elected to the position of City Clerk at the next election for that position takes office (if such oath of office is taken before June 30, 2021), the salary for the position of the City Clerk shall remain at its current level of \$2,000 per month.
2. That for the period beginning when the individual elected to the position of City Clerk at the next election for that position takes office (if such oath of office is taken before June 30, 2021) and ending on June 30, 2021, the salary for the position of City Clerk shall be \$1,500 per month.

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3. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE SALARY SETTING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 20<sup>th</sup> DAY OF JUNE, 2019, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS: Arquero, Banko, Kumar, Stealey, and Chair Sontag

NOES: COMMISSIONERS: None

ABSENT: COMMISSIONERS: None

ABSTAINED: COMMISSIONERS: None

ATTEST:   
\_\_\_\_\_  
JOHN SONTAG, CHAIR  
SALARY SETTING COMMISSION

Attachments incorporated by reference: None

**CITY OF SANTA CLARA, CALIFORNIA**  
**ASSISTANT CITY CLERK**  
(Unclassified)  
(010)

**EDUCATION AND EXPERIENCE**

- Combination of education and experience equivalent to completion of an Associate of Arts Degree (60 semester or 90 quarter units) in Public Administration, Business Administration, or related field **and**
- Five years of increasingly responsible experience which includes public contact, clerical, or office management, at least one year of which should be supervisory.
- Experience using word processing, electronic spreadsheets, and records management systems is required.
- Notary Public or willingness to achieve certification is required.
- Bachelor's degree in a related field and/or Certified Municipal Clerk certification or progress towards certification, and/or American Records Management Association training or equivalent is desirable.
- Experience working in a City Clerk or Municipal Clerk's Office is highly desirable.

**DISTINGUISHING CHARACTERISTICS**

This is a key leadership position in the unclassified service responsible for assisting the City Clerk in the administration of the City Clerk's Department. The incumbent will provide leadership to employees through coaching, enabling and facilitating a team environment and working collaboratively with internal and external customers.

As a member of the City's Unclassified Service this is an "at-will" position and the incumbent serves at the discretion of the City Manager. An incumbent in this classification: demonstrates strong ethical, professional, and service-oriented leadership and interpersonal skills, sets a good example; and correctly applies the tenets of the City's Code of Ethics and Values.

This position is distinguished from other City office administrative classes in that it requires in-depth knowledge of and the ability to interpret the comprehensive laws, rules and regulations related to all legislative and election functions of the City Clerk's Department to provide information and advice to City Council Members, Department Heads, candidates for office, City staff, contractors, and the general public. This position is further distinguished in that it is expected to serve as Acting City Clerk as assigned.

**TYPICAL DUTIES:**

Under general direction the incumbent will:

- Coordinate and prepare City Council, Stadium Authority, Sports and Open Space Authority Agendas and special meeting notices under tight time deadlines; compile agenda items for meetings of same; prepare, proof and arrange for the printing of agenda packets; assemble and distribute agenda packets to Council Members, the press and other parties as applicable;

- Recommend and coordinate the development and maintenance of computerized applications and systems; maintain the centralized records management system, archives, microfilm center and records retention;
- Research public records and provide information to the public and staff members concerning City Council, , Stadium Authority, and Sports and Open Space Authority actions, laws, ordinances, codes, procedures and projects; independently compose responses to requests for information;
- Assist in the development and implementation of the Department's goals, objectives, policies, procedures and work standards;
- Supervise, train, motivate and evaluate clerical support staff; provide technical assistance and guidance to staff;
- Attend meetings of the City Council, Stadium Authority, and Sports and Open Space Authority at the direction of and in the absence of the City Clerk;
- Record and assist in the preparation of the Official Minutes of the proceedings of above mentioned legislative bodies;
- Assist in the work involved in the holding of general and/or special municipal elections;
- Administer required oaths/affirmations to City Officials and Employees, and take affidavits and depositions pertaining to the affairs of the City;
- Assist in the publication of legal notices and attest, certify, index and file copies of Ordinances, Resolutions, Official Minutes, and other Public Records;
- Manage the Records Management System for the City and the operation of the Records Retention Center for the orderly storage, care, management and safeguarding of both permanently stored and microfilmed records of the various Departments and Offices of the City;
- Assist in the recording of the right, titles, and interests in all real properties and easements acquired by the City;
- Assist in the administration of the State campaign financing and conflict of interest/disclosure laws for elected and certain designated officials of the City;
- Assist in the preparation and administration of the operating budget for the Department;
- Conduct bid openings at the direction of or in the absence of the City Clerk;
- Perform other related duties as required.

#### KNOWLEDGE, SKILLS, & ABILITIES

Knowledge of:

- Modern office methods, and procedures related to the City Clerk's Office;
- Business letter writing and basic report preparation;
- Basic and advanced record keeping methods;
- Principles, codes, regulations and laws governing records management and the California Election Code;
- Federal, state and local laws and regulations relating to the functions of the City Clerk's Office;
- Environmental and safety practices, procedures and standards; and
- English usage, spelling, grammar and punctuation.

Ability to:

- Establish and maintain cooperative working relationships with those contacted in the course of business, including the general public;
- Effectively handle multiple priorities, organize workload, and meet strict deadlines;
- Work in a team based environment to achieve common goals;
- Communicate effectively both verbally and in writing;
- Read, interpret and apply laws, rules, and regulations;
- Train, supervise, evaluate assigned staff;
- Prepare Agendas and official Minutes;
- Carry out necessary work involved in the conduct of Municipal Elections;
- Index, file, and retrieve official records;
- Implement records retention schedules and manage the City's Records Management Program, including SIRE;
- Deal tactfully with the public and supervise clerical support staff;
- Type from clear copy at a net rate of 50 words per minute; and
- Enter and retrieve data from a computer.

SUPERVISION RECEIVED

Works under the direction of the City Clerk.

SUPERVISION EXERCISED

Supervises clerical support staff.

SPECIAL CONDITION:

May be required to work unusual hours (nights and weekends) and to be available on an on-call basis.

CONFLICT OF INTEREST

Incumbents in this position are required to file a Conflict of Interest statement upon assuming office, annually and upon leaving office, in accordance with City Manager Directive 100.

**CONFIDENTIAL  
CITY OF SANTA CLARA  
TOTAL MONTHLY COMPENSATION ARRAY  
CLASS: CITY CLERK**

*Note: Unless otherwise noted, the salary information included in this report was in effect on February 2021*

Insurance														
Agency	Top Step Salary	Life	Medical	Dental	Vision	LTD	Soc. Sec. Medicare	Employer Retire. Rate	Employer-Pd Employee Retirement	Deferred Comp	Auto Allow.	Prof. Devel.	Retiree Medical	Total Compensation
City of Antioch	\$1,600.04	\$3.13	\$1,549.10			\$0.00	\$0.00	\$623.39	\$0.00	\$0.00	\$350.00	\$0.00	\$0.00	\$4,125.66
City of Fairfield	\$190.00	\$2.40	\$1,883.84	\$111.38	\$13.25	\$0.00	\$2.76	\$70.07	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,273.70
City of Morgan Hill	Comparator is no longer a match and will be removed, since it is now a full-time position for the City.													

**Survey Median: \$895.02 \$3,199.68**  
**Survey Average \$895.02 \$3,199.68**

City of Santa Clara	\$2,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$29.00	\$763.26	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,792.26
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**Santa Clara above/below median salary: 123.46% Above**

**Santa Clara above/below average salary: 123% Above**

**Santa Clara above/below median total compensation: -15% Below**

**Santa Clara above/below average total compensation: -15% Below**

Retirement: Agency Base  
 City of Antioch 38.96%  
 City of Fairfield 36.88%

*\*City of Antioch: Agency was unable to provide 2021 rates for employer contribution for life insurance and individual costs for medical, dental, and vision. Rates provided are from 2019 information.*



## Agenda Report

21-337

Agenda Date: 2/24/2021

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### REPORT TO SALARY SETTING COMMISSION

#### **SUBJECT**

Action to Consider Comparative Information and to Set Salaries of Mayor and City Council

#### **BACKGROUND**

Charter Section 702 requires the Salary Setting Commission (Commission) to set the compensation of the Mayor and Council prior to March 15, 2019 and thereafter, every two years. The Charter provision also provides that salaries so established by the Commission shall not exceed one hundred ten percent (110%) of the previous figure.

#### **DISCUSSION**

At its previous meeting on January 27, 2020, staff presented a survey of comparative agencies for the Mayor and Council. A total compensation survey for Mayor and Council has also been completed and included for review and consideration.

#### **ENVIRONMENTAL REVIEW**

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

#### **FISCAL IMPACT**

Any costs associated with approved salary increases will be incorporated in the development of future budgets.

#### **COORDINATION**

This report has been coordinated with the City Attorney's Office.

#### **PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

#### **RECOMMENDATION**

Staff has no recommendation other than to encourage the Commission to consider the available information, and when ready, act to set the salaries of the Mayor, and Council.

Reviewed by: Aracely Azevedo Director of Human Resources  
Approved by: Nadine Nader, Chief Operating Officer/Assistant City Manager

**ATTACHMENTS**

1. Comparator Agency Information
2. Salary Survey, Mayor
3. Salary Survey, Council
4. Resolution for Mayor and Council Salaries 2019

**CITY OF SANTA CLARA  
TOTAL MONTHLY SALARY  
(Mayor and City Council)**

<b>AGENCY</b>	<b>GENERAL LAW OR CHARTER</b>	<b>TOP STEP SALARY (Mayor)</b>	<b>TOP STEP SALARY (City Council)</b>
<b>City of Cupertino</b>	General Law	<u>\$ 743.07</u>	<u>\$ 743.07</u>
<b>City of Fremont</b>	General Law	<u>\$ 3,993.78</u>	<u>\$ 2,247.93</u>
<b>City of Mountain View</b>	Charter	<u>\$ 1,446.23</u>	<u>\$ 1,156.94</u>
<b>City of Palo Alto</b>	Charter	<u>\$ 1,150.00</u>	<u>\$ 1,000.00</u>
<b>City of Sunnyvale</b>	Charter	<u>\$ 3,591.10</u>	<u>\$ 2,693.32</u>
	<b>Survey Median:</b>	<b>\$ 1,446.23</b>	<b>\$ 1,156.94</b>
	<b>Survey Average:</b>	<b>\$ 2,184.84</b>	<b>\$ 1,568.25</b>
<b>City of Santa Clara</b>	Charter	<u>\$ 2,500.00</u>	<u>\$ 2,000.00</u>

<b>Santa Clara above/below Median Salary:</b>	<b>72.86%</b> <b>Above</b>	<b>72.87%</b> <b>Above</b>
<b>Santa Clara above/below Average Salary:</b>	<b>14.43%</b> <b>Above</b>	<b>27.53%</b> <b>Above</b>



**CONFIDENTIAL**  
**CITY OF SANTA CLARA**  
**TOTAL MONTHLY COMPENSATION ARRAY**  
**CLASS: MAYOR**

Note: Unless otherwise noted, the salary information included in this report was in effect on February 2, 2021

Agency	General Law or Charter	Full-time/ Part-time	Top Step Salary (Monthly)	Insurance					Soc. Sec. Medicare	Employer Retire. Rate	Employer-Pd Employee Retirement	Deferred Comp	Auto Allow.	Prof. Devel.	Retiree Medical	Total Compensation
				Life	Medical (Family)	Dental	LTD	Vision								
City of Mountain View	Charter	Part-time	\$1,446.23	\$3.36	\$3,322.56	\$224.76	\$6.97	\$10.00	\$20.97	\$497.53	\$0.00	\$0.00	\$0.00	\$83.33	\$501.04	\$6,116.75
City of Palo Alto	Charter	Full-time	\$1,150.00	\$1.73	\$2,260.00	\$210.62	\$0.00	\$15.59	\$16.68	\$429.72	\$0.00	\$0.00	\$0.00	\$0.00	\$1,937.00	\$6,021.33
City of Cupertino	General Law	Part-time	\$743.07	\$3.84	\$1,969.81	\$114.30	\$0.00	\$14.94	\$10.77	\$221.53	\$0.00	\$0.00	\$0.00	\$0.00	\$1,937.00	\$5,015.27
City of Fremont	General Law	Part-time	\$3,993.78	\$5.66	\$450.00	\$139.10	\$0.00	\$20.48	\$0.00	\$249.61	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,858.63
City of Sunnyvale	Charter	Part-time	\$3,591.10	\$0.00	\$3,400.44	\$41.41	\$0.00	\$7.61	\$52.07	\$1,227.76	\$0.00	\$0.00	\$0.00	\$0.00	\$143.00	\$8,463.38

Survey Median: \$1,446.23 \$6,021.33  
 Survey Average: \$2,184.84 \$6,095.07

City of Santa Clara	Charter		\$2,500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$36.25	\$954.08	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,490.33
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Santa Clara above/below median salary: 72.86% Above 0.28

Santa Clara above/below average salary: 14.43% Above

Santa Clara above/below median total compensation: -73% Below

Santa Clara above/below average total compensation: -75% Below

**Notes:**

**City of Mountain View:** Paid on stipend and not based on hours or FTE schedule; same benefits as FT employees except leaves. For retirement, if PEPRA/New Classic hires as of 1/1/19 = 0%; or if Classic prior to 1/1/19 = Employer pays full Employee share. For Retiree Medical: Can choose defined benefit or defined contribution plan. If defined benefit, City pays max of 85% of HMO Plan (Single Coverage). Must work for 15 YOS continuous and retire with the City. If defined contribution, employer pays monthly contributions based on YOS (1-5 YOS = \$315.81. 6-10 YOS = \$408.43. 10+ YOS = \$501.04). Vests after 5 YOS.

**City of Palo Alto:** City Council votes and selects a Mayor each year; salary is the same as City Council. Mayor receives an extra \$150/mo and Vice Mayor receives extra \$100/mo.

**CONFIDENTIAL  
CITY OF SANTA CLARA  
TOTAL MONTHLY COMPENSATION ARRAY  
CLASS: CITY COUNCIL**

Note: Unless otherwise noted, the salary information included in this report was in effect as of February 2, 2021

Agency	General Law or Charter	Full-time/ Part-time	Top Step Salary	Insurance					Soc. Sec. Medicare	Employer Retire. Rate	Employer-Pd Employee Retirement	Deferred Comp	Auto Allow.	Prof. Devel.	Retiree Medical	Total Compensation
				Life	Medical (Family)	Dental	LTD	Vision								
City of Mountain View	Charter	Part-time	<u>\$1,156.94</u>	\$2.69	\$3,322.56	\$224.76	\$5.58	\$0.00	\$16.78	\$398.01	\$0.00	\$0.00	\$0.00	\$83.33	\$501.04	\$5,711.68
City of Palo Alto	Charter	Full-time	<u>\$1,000.00</u>	\$1.50	\$2,260.00	\$210.62	\$0.00	\$15.59	\$14.50	<u>\$376.37</u>	\$0.00	\$0.00	\$0.00	\$0.00	\$1,937.00	\$5,815.58
City of Cupertino	General Law	Part-time	<u>\$743.07</u>	\$3.84	<u>\$1,969.81</u>	\$ 114.30	\$0.00	\$14.94	\$10.77	\$221.53	\$0.00	\$0.00	\$0.00	\$0.00	\$1,937.00	\$5,015.27
City of Fremont	General Law	Part-time	<u>\$2,247.93</u>	\$5.66	\$450.00	\$139.10	\$0.00	\$20.48	\$0.00	\$728.67	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,591.84
City of Sunnyvale	Charter	Part-time	<u>\$2,693.32</u>	\$0.00	<u>\$3,400.44</u>	<u>\$41.41</u>	\$0.00	<u>\$7.61</u>	<u>\$39.05</u>	\$920.82	\$0.00	\$0.00	\$0.00	\$0.00	<u>\$143.00</u>	\$7,245.64

<b>Survey Median:</b>	<b>\$1,156.94</b>	<b>\$5,711.68</b>
<b>Survey Average</b>	<b>\$1,568.25</b>	<b>\$5,476.00</b>

City of Santa Clara	Charter		<u>\$2,000.00</u>	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$29.00	\$763.26	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,792.26
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Santa Clara above/below median salary: 72.87% Above

Santa Clara above/below average salary: 27.53% Above

Santa Clara above/below median total compensation: -105% Below

Santa Clara above/below average total compensation: -96% Below

**Notes:**

**City of Mountain View:** Paid on stipend and not based on hours or FTE schedule; same benefits as FT employees except leaves. For retirement, if PEPR/Classic hires as of 1/1/19 = 0%; or if Classic prior to 1/1/19 = Employer pays full Employee share. For Retiree Medical: Can choose defined benefit or defined contribution plan. If defined benefit, City pays max of 85% of HMO Plan (Single Coverage). Must work for 15 YOS continuous and retire with the City. If defined contribution, employer pays monthly contributions based on YOS (1-5 YOS = \$315.81. 6-10 YOS = \$408.43. 10+ YOS = \$501.04). Vests after 5 YOS.

**City of Palo Alto:** City Council votes and selects a Mayor each year; salary is the same as City Council. Mayor receives an extra \$150/mo and Vice Mayor receives extra \$100/mo.

**RESOLUTION NO. 19-1**

**A RESOLUTION OF THE SALARY SETTING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, SETTING THE SALARIES OF THE POSITIONS OF MAYOR AND COUNCIL MEMBER FOR THE PERIOD JULY 1, 2019, TO JULY 1, 2021, PURSUANT TO CITY CHARTER SECTION 702**

**BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:**

**WHEREAS**, in accordance with City Charter Section 702, a Salary Setting Commission consisting of five qualified electors of the City was appointed by the Civil Service Commission in November 2018, to commence performance of its duties in January 2019;

**WHEREAS**, pursuant to the City Charter, the Salary Setting Commission is charged with establishing the salary of the Mayor and members of the City Council for the period commencing on July 1, 2019, and ending two years thereafter;

**WHEREAS**, the Salary Setting Commission met on six occasions from January 8, 2019, through March 14, 2019, inclusive, and discussed the setting of Mayor and Council salary levels at each of these meetings;

**WHEREAS**, the Salary Setting Commission was presented with, and took into consideration, various data points including, but not limited to, the history of salary increases for the Mayor and Council positions, comparator agency salary levels, and City budget projections; and

**WHEREAS**, the final decision of the Salary Setting Commission as to the Mayor and Council Member salaries, as set forth in this Resolution, is based upon the following:

1. In the 2000 special election, the voters passed Measure J amending Charter Section 702 to set the salary of the Council Members at \$600 per month and salary of the Mayor at \$1000 per month, and allowed for an automatic annual salary increase in the amount of the local Consumer Price Index.
2. By the time of the 2016 general election, as a result of the automatic CPI increases, the salary of the Council Members was \$855.27 per month and the salary of the Mayor was \$1,425.47 per month.

3. In the 2016 general election, the voters passed Measure O, which again amended Charter Section 702 to set the salary of the Council Members at \$2,000 per month and salary of the Mayor at \$2,500 per month. These salary increases more than doubled the Council Members' salaries and increased the Mayor's salary by approximately 75%.
4. The nature and scope of the positions of Mayor and Council Member – in terms of the number of meetings attended, time commitment involved, types of issues considered, etc. – does not appear to have substantially changed since the time of the 2016 election.
5. The Mayor and Council Members are not “regular” employees of the City, subject to internal performance review. Rather, the Mayor and Council Members are elected by the voters of the City of Santa Clara; it is, therefore, solely within the purview of the voters to determine the quality of performance by the current office holders. Accordingly, the role of the Salary Setting Commission is to set the salary for the positions of Mayor and Council Members, irrespective of the identities of the current office holders.
6. The positions of Mayor and Council Member are service-oriented, executive-level, positions paid on a monthly salary basis, rather than an hourly basis. In addition, there are no formal requirements for number of hours worked in City service per week, and the office holders may hold separate full time employment in addition to service in their elected position. Therefore, the Consumer Price Index is not wholly applicable to the determination of appropriate salary level for these positions.
7. The current salary levels for Mayor (\$2,500 per month) and Council Member (\$2,000) are not inconsistent with the current salary levels for these positions in the comparator agencies reviewed by the Salary Setting Commission.
8. The Salary Setting Commission reviewed and considered the short- and long-term budget projections provided by staff; the Commission strives to arrive at a prudent and fiscally responsible decision.

**NOW THEREFORE, BE IT FURTHER RESOLVED BY THE SALARY SETTING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:**

1. That the salary of the position of Mayor shall remain at its current level (\$2,500 per month) for the period July 1, 2019, to July 1, 2021.
2. That the salary of the position of Council Member shall remain at its current level (\$2,000 per month) for the period July 1, 2019, to July 1, 2021.
3. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE SALARY SETTING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 14<sup>TH</sup> DAY OF MARCH, 2019, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS: Arquero, Banko, Kumar, Stealey and Chair Sontag

NOES: COMMISSIONERS: None

ABSENT: COMMISSIONERS: None

ABSTAINED: COMMISSIONERS: None

ATTEST:   
JOHN SONTAG, CHAIR  
SALARY SETTING COMMISSION

Attachments incorporated by reference: None