



City of Santa Clara

Meeting Agenda

Salary Setting Commission

Wednesday, March 3, 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.

To join Zoom Meeting please use this URL to join.

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

Dial by your location

+1 669 900 6833 US (San Jose)

Meeting ID: 997 5976 2470

CALL TO ORDER AND ROLL CALL

CONSENT CALENDAR

1. **21-380** [Action to Approve the Salary Setting Commission Meeting Minutes of February 24, 2021](#)

Recommendation: Approve the Meeting Minutes of February 24, 2021.

PUBLIC PRESENTATIONS

GENERAL BUSINESS

2. **21-377** [Action on Resolution Setting the Salaries of Mayor and Council Members as unchanged for the Period July 1, 2021, to June 30, 2023, Pursuant to City Charter Section 702](#)

Recommendation: Adopt the Resolution Setting the Salaries of Mayor and Council Members as unchanged for the Period July 1, 2021, to June 30, 2023, Pursuant to City Charter Section 702

3. 21-378 [Action to Consider Comparative Information and to Set the Salary of City Clerk \(Job Code 063\)](#)

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.

4. 21-384 [Action to Consider Comparative Information and to Set the Salary of Police Chief \(Job Code 141\)](#)

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 Police Chief.

STAFF REPORT

COMMISSIONERS REPORT

ADJOURNMENT

The next regularly scheduled Salary Setting Commission Meeting is on March 10, 2021.

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

21-380

Agenda Date: 3/3/2021

REPORT TO SALARY SETTING COMMISSION

SUBJECT

Action to Approve the Salary Setting Commission Meeting Minutes of February 24, 2021

RECOMMENDATION

Approve the Meeting Minutes of February 24, 2021.



City of Santa Clara

Meeting Minutes

Salary Setting Commission

02/24/2021

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

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 5 - Commissioner Marjorie Banko , Vice Chair MV Kumar , Chair John Sontag, Commissioner Eric Chu, and Commissioner Ram Misra

Chair Sontag introduced and welcomed Commissioner Misra to the Salary Setting Commission.

CONSENT CALENDAR

[21-338](#)

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

A motion was made by Commissioner Banko, seconded by Vice Chair Kumar, to approve the February 17, 2021 Salary Setting Commission Meeting Minutes.

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

Abstained: 1 - Commissioner Misra

PUBLIC PRESENTATIONS

None

GENERAL BUSINESS

[21-289](#)

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

A motion was made by Vice Chair Kumar, seconded by Commissioner Chu, to move this item after item 21-337.

Aye: 5 - Commissioner Banko , Vice Chair Kumar, Chair Sontag, Commissioner Chu, and Commissioner Misra

The Salary Setting Commission requested that staff reach out to the City Clerk to gather information on the current responsibilities and activities of the City Clerk position and time allocated to perform duties. This item is to be continued at the March 3, 2021 Salary Setting Commission meeting.

[21-337](#)

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

A motion was made by Chair Sontag, seconded by Vice Chair Kumar, to maintain the current salaries of the Mayor and City Council.

Aye: 5 - Commissioner Banko , Vice Chair Kumar, Chair Sontag, Commissioner Chu, and Commissioner Misra

A motion was made by Vice Chair Kumar, seconded by Commissioner Banko, to have staff prepare a Resolution that maintains the current salaries of the Mayor and Council and incorporates items listed in the preamble section of the 2019 Mayor and Council Salary Resolution, as well as additional factors discussed during the meeting.

Aye: 5 - Commissioner Banko , Vice Chair Kumar, Chair Sontag, Commissioner Chu, and Commissioner Misra

STAFF REPORT

None

COMMISSIONERS REPORT

None

ADJOURNMENT

The meeting was adjourned at 6:37 PM.

A motion was made by Commissioner Banko, seconded by Commissioner Misra, to adjourn the meeting.

Aye: 5 - Commissioner Banko , Vice Chair Kumar, Chair Sontag, Commissioner Chu, and Commissioner Misra

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.

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Agenda Report

21-377

Agenda Date: 3/3/2021

REPORT TO SALARY SETTING COMMISSION

SUBJECT

Action on Resolution Setting the Salaries of Mayor and Council Members as unchanged for the Period July 1, 2021, to June 30, 2023, Pursuant to City Charter Section 702

BACKGROUND

City Charter Section 702 requires that the Setting Commission establish the salaries for the positions of Mayor and Council Member for the period July 1, 2019, and ending two years thereafter. The Salary Setting Commission has met on four occasions over the period January through March 2021, and the members of the Commission have thoroughly reviewed and discussed the various data points pertaining to, and aspects of, the issue of salary setting for these elected officials. The Charter requires that the Commission make their compensation decision by March 15th. At their February 24th meeting, the Commission voted unanimously to leave the current salary levels of Mayor and Council Member unchanged for the subject period, and directed staff to return at the next meeting with a resolution setting forth the Commission's decision.

DISCUSSION

In arriving at its decision to maintain current salary levels for Mayor and Council, the Commission took into consideration the following:

- The Preamble section of the 2019 Mayor and Council Salary Resolution
- The Commission discussed reducing the salary, primarily due to the City's budget deficit projections, and to have the City's elected officials demonstrate fiscal discipline and lead by example. The consideration to reduce the salaries was not based on performance. Due to other prevailing factors, the Commission approved to leave the current salary levels of Mayor and Council Member unchanged.
- The Commission encourages and would applaud the Mayor and Council Members if each member voluntarily agreed to donate a portion of the stipend to other City causes.

At the Commission's request, staff has incorporated the factors above into a Resolution, included herewith for the Commission's 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)(4) in that it is a fiscal activity that does not involve any commitment to any specific project which may result in a potential significant impact on the environment.

FISCAL IMPACT

As there is no change to the Mayor and Council salary levels, there will be no change to the expected budget.

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>> or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

Adopt the Resolution Setting the Salaries of Mayor and Council Members as unchanged for the Period July 1, 2021, to June 30, 2023, Pursuant to City Charter Section 702

Reviewed by: Aracely Azevedo, Director of Human Resources

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

ATTACHMENTS

1. Resolution Setting the Salaries of Mayor and Council Members for the Period July 1, 2021, to June 30, 2023, Pursuant to City Charter Section 702

RESOLUTION NO. 21-1

A RESOLUTION OF THE SALARY SETTING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, SETTING THE SALARIES OF THE POSITIONS OF MAYOR AND CITY COUNCIL MEMBER FOR THE PERIOD JULY 1, 2021, TO JUNE 30, 2023, INCLUSIVE, 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, and commenced performance of its duties in January 2021;

WHEREAS, pursuant to the City Charter, the Salary Setting Commission is charged with establishing the compensation of the Mayor and Council Members for the period commencing on July 1, 2021, and ending on June 30, 2023;

WHEREAS, the Salary Setting Commission met on four occasions in January and February of 2021, during which the compensation levels for the positions of Mayor and Council Member were discussed in detail;

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 Mayor and Council, comparator agency salary levels, the scope of the duties of the positions, and City's current fiscal outlook; and

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

1. The Commission finds that the pertinent history of Mayor and Council Member compensation is as follows:
 - a. 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.

- b. 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.
 - c. 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%.
 - d. In 2019, the Salary Setting Commission resolved to keep unchanged the compensation for the positions of Mayor and Council Member for the period July 1, 2019 through June 30, 2021.
2. 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 Commission's 2019 Resolution.
 3. 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.
 4. The positions of Mayor and Council Member are service-oriented, executive-level, positions paid a monthly stipend. 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 compensation level for these positions.

5. The current salary levels for Mayor (\$2,500 per month) and Council Member (\$2,000) are not inconsistent with the current total compensation levels for these positions in the comparator agencies reviewed by the Salary Setting Commission.
6. 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.
 - a. The Covid-19 pandemic has, among other things, drastically reduced available revenue sources, resulting in a present budget deficit in excess of \$40 million, with the expectation of ongoing (albeit significantly smaller) budget deficits over the next several fiscal years.
 - b. To address these fiscal challenges, the City has taken measures such as instituting a hiring freeze, eliminating as-needed staff positions, limiting expenditures, and renegotiating existing collective bargaining agreements.
 - c. The City has thus far reached agreements with several bargaining units whereby the employees represented by said units will forego previously negotiated cost of living and merit-based or step structure compensation adjustments for a period of two years, in order to reduce ongoing general fund budget deficits; effectively, these employees are subject to a salary freeze for a period of two years.
7. The Commission is encouraged by the progress made to reduce labor-related expenses and is hopeful that such cost-saving measures will continue with the remaining bargaining units.
8. The Commission firmly believes that at this time, when the City's short-term fiscal condition is so critical that much of the City's staff has agreed to a salary freeze, demonstrated leadership by the City's elected officials is likewise critical in modeling the

virtue of fiscal discipline.

9. The Commission discussed the possibility of a reduction in compensation for the positions of Mayor and Council Member – which was, by no means, intended to be a commentary on performance – in order to clearly communicate the Commission’s opinion that salary reductions should be considered by the Council to address the budget shortfall. Upon consideration of various factors, including parity with the bargaining units and key legal considerations, the Commission ultimately decided not to reduce the compensation.
10. In the spirit of demonstrated leadership, the Commission is hopeful that the Mayor and Council Members may consider a charitable donation (in their individual, personal, capacity) of some portion of their stipend, to causes or funds that will assist members of the Santa Clara community particularly affected by the epidemic.

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, 2021, to June 30, 2023.
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, 2021, to June 30, 2023.
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 3rd DAY OF MARCH, 2021, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:
NOES: COMMISSIONERS:
ABSENT: COMMISSIONERS:

ABSTAINED:

COMMISSIONERS:

ATTEST: _____
JOHN SONTAG, CHAIR
SALARY SETTING COMMISSION

Attachments incorporated by reference: None



Agenda Report

21-378

Agenda Date: 3/3/2021

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>> 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. Revised 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 5th 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 17th 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 20th 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	\$1,500.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$21.75	\$572.45	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$2,094.20
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Santa Clara above/below median salary: 67.59% Above

Santa Clara above/below average salary: 68% Above

Santa Clara above/below median total compensation: -53% Below

Santa Clara above/below average total compensation: -53% 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

21-384

Agenda Date: 3/3/2021

REPORT TO SALARY SETTING COMMISSION

SUBJECT

Action to Consider Comparative Information and to Set the Salary of Police Chief (Job Code 141)

BACKGROUND

The Police Chief (Job Code 141) position is an elected position under City Charter Section 600. City Municipal Code Section 2.80.015 requires the Commission to set the Police Chief'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

Police Chief (Job Code 141)

City Charter Section 906 sets forth the duties for the position of Police Chief.

The Chief of Police shall have power and be required to:

- (a) Preserve the public peace;
- (b) Execute and return all process issued to him/her by legal authority; and
- (c) Exercise all the powers that are now or may hereafter be conferred upon sheriffs and other police officers by the laws of the State. (Amended by electors at an election held March 7, 2000, Charter Chapter 11 of the State *Statutes of 2000*)

The current Charter Section 701.1 was adopted in 2000 (Measure I) and introduced the requirement that the Chief of Police be able to satisfy the state law qualification requirements imposed upon candidates for County Sheriff. Prior to the 2000 election, the only requirements were that the Chief of Police be a City resident and qualified registered voter. The requirements of the state law are not stringent. Government Code Section 24004.3 sets forth the requirements for County Sheriff as follows:

- (1) An active or inactive advanced certificate issued by the Commission on Peace Officer Standards and Training.
- (2) One year of full-time, salaried law enforcement experience, and possesses a master's degree from an accredited college or university.
- (3) Two years of full-time, salaried law enforcement experience, and possesses a bachelor's degree from an accredited college or university.
- (4) Three years of full-time, salaried law enforcement experience, and possesses an associate in arts or associate in science degree, or the equivalent, from an accredited college.

- (5) Four years of full-time, salaried law enforcement experience, and possesses a high school diploma or the equivalent.

Assistant Police Chief (Job Code 027)

Beginning June 2020, in collaboration with the Police Chief, the City Manager appointed two Assistant Police Chiefs. Having two experienced leaders in this role will help broaden the department's ability to respond to critical, time sensitive matters and lead the department and serve the community.

The classification specification for Assistant Chief of Police requires both an advanced certificate and a management certificate from POST and it is desirable to possess completion certificates from POST Supervisory Leadership Institute (SLI), FBI National Academy, or POST Command College. Please refer to Attachment 1. Classification Specification for Assistant Police Chief.

Comparator Information for Police Chief

Staff completed a compensation survey that includes comparator agencies for the classification of Police Chief (Attachment 2). 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>> 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 Police Chief.

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

ATTACHMENTS

1. Classification Specification for Assistant Police Chief
2. Police Chief Survey
3. 2019 Police Chief Resolution

CITY OF SANTA CLARA, CALIFORNIA
ASSISTANT POLICE CHIEF

(Unclassified)

(027)

EDUCATION AND EXPERIENCE

Any education or experience equivalent to:

- Possession of a Bachelor's Degree in Criminal Justice, Police Science, Business Administration, or an approved related field, and
- Minimum of two (2) years experience as a Police Lieutenant with the City of Santa Clara.

Desirable experience to include:

- Successful completion (and application of the concepts) of the P.O.S.T. Supervisory Leadership Institute (SLI), FBI National Academy, or P.O.S.T. Command College;
- At least two (2) years experience at the Police Sergeant level or higher in one of the following assignments: Personnel, Training, Professional Standards, Reserve Police Unit Director, or Traffic Lieutenant;
- Applicant should have served as a Police Sergeant or Police Lieutenant in more than one division for at least two (2) years; and
- Consideration will be given to applicants who have actively sought a diversity of assignments.

LICENSES

Possession of an appropriate, valid California driver's license is required.

CERTIFICATION

Possession of an Advanced P.O.S.T. Certificate and P.O.S.T. Management Certificate is required.

DISTINGUISHING CHARACTERISTICS

This is a sworn leadership position in the Police Department. The Assistant Police Chief is responsible for the overall daily operation of the Police Department, requiring thorough knowledge of all department operations, as well as a complete working knowledge of the Department's budget, including its preparation, administration, and oversight. The incumbent acts as the Chief of Police in his/her absence. This position will oversee the administration of the functions of the Professional Standards Unit and other persons as required.

An incumbent in this classification: demonstrates strong ethical, professional, and service-oriented leadership and interpersonal skills; commands the respect of, and sets a good example for, his/her superiors, peers, and subordinates; understands, accepts, and correctly applies the tenets of the Department's philosophy and values; has established and maintains a good rapport with other City departments and Department Heads; exercises good independent judgment and discretion; manages and directs employees as required; formulates and oversees administrative policies for the effective use of assigned personnel and budgets; and consistently demonstrates a

ASSISTANT POLICE CHIEF (continued)

willingness to cooperate with the remainder of the Management Team, other members of the Department, and other City offices.

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.

TYPICAL DUTIES

This description may not include all the duties listed below, nor do the examples cover all duties that may be performed.

With general direction:

- Manages the various functions of all divisions, in formulating and revising general orders on policy and procedure, in analyzing operations, and in the assignment of personnel;
- Studies and does research on police field activities and in administrative matters;
- Takes over responsible charge of the personnel, activities and equipment of the Police Department in the absence of the Chief of Police;
- Maintains discipline;
- Confers with officers and supervisors in regards to departmental working relationships;
- Periodically inspects and appraises all officers' work during tours of duty;
- Assists in the preparation of the annual budget and the annual report;
- Receives reports forwarded to the Chief's Office and refers to the Chief of Police all matters of importance requiring his/her attention;
- Consults with and keeps City Manager informed of matters of importance; gives such information as may be desired upon police questions, and acts on or disposes of them in accordance with the policy of the Chief of Police;
- Maintains effective public relations in the field and in the office, including addressing public gatherings;
- Initiates correspondence;
- Prepares special reports;
- Coordinates the investigation of complaints referred to the Chief's Office by the City Manager, other City Departments, or members of the public;
- Handles routine assignments; and does related work as required, and
- Performs other duties as assigned.

KNOWLEDGE, SKILLS, AND ABILITIES

Thorough knowledge of:

- Personnel administration and police science.

Knowledge of:

- Laws, ordinances and regulations affecting the work of the Department. Familiarity with the Charter of the City of Santa Clara and commitment to the City Code of Ethics and values;

ASSISTANT POLICE CHIEF (continued)

- Principles and practices of effective leadership and management techniques, e.g. team building practices, problem solving and conflict resolution, project and workload planning and safety procedures and standards; and
- Supervisory personnel practices and procedures.

Ability to:

- Analyze reports and statistics concerning accidents, crimes, and juvenile delinquency;
- Prepare comprehensive reports;
- Establish and maintain effective working relationships with City officials, state and local authorities, and the general public;
- Plan, train, and supervise the work of police and non-sworn personnel;
- Work as team player and be willing to deliver excellent customer service to both internal and external City clients;
- Strong interpersonal skills and communicate effectively both orally and in writing to consistently represent facts and situations accurately, transmit information concisely and in an effective manner, and present a balanced picture of situations; and
- Be an active member of the executive management team and work effectively to achieve common goals.

SUPERVISION RECEIVED

Works under the general direction of the Chief of Police and City Manager.

SUPERVISION EXERCISED

Directly supervises the work of Police Captains and other persons as required, and, in the absence of the Chief of Police, of the entire Police Department.

OTHER REQUIREMENTS

Must be able to perform all of the essential functions of the job assignment.

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 SURVEY
POLICE CHIEF

Agency	Insurance																Total Compensation
	Top Step Salary	Life	Medical	Dental	LTD	Vision	Soc. Sec. Medicare	Employer Retire. Rate	ER Paid EE Ret.	Deferred Comp	Auto Allow.	Prof. Devel.	POST pay (%)	POST pay (\$)	Uniform Allowance	Retiree Medical	
City of Mountain View	23,893.32	66.00	2,798.83	224.76	37.91	10.00	347.00	0.00	0.00	0.00	0.00	83.33	0.0%	0.00	37.50	2,574.92	30,073.57
City of Palo Alto	23,906.13	35.86	2,260.00	210.62	37.20	15.59	372.64	0.00	0.00	208.33	0.00	41.67	7.5%	1,792.96	0.00	1,937.00	30,818.00
City of Milpitas	25,330.87	7.00	2,115.46	221.22	19.50	17.05	368.93	0.00	0.00	75.00	550.00	250.00	0.0%	0.00	112.50	813.64	29,881.17
City of Redwood City	23,798.00	61.87	1,775.21	126.30	59.50	13.14	0.00	0.00	0.00	475.96	400.00	62.50	0.0%	0.00	66.67	1,065.75	27,904.90
City of Hayward	19,363.07	20.33	2,356.93	148.08	78.66	14.35	309.37	0.00	0.00	0.00	0.00	350.00	10.0%	1,936.31	36.67	508.30	25,122.07
County of Santa Clara	25,835.68	18.05	2,040.20	111.80	51.20	9.08	374.62	0.00	0.00	0.00	0.00	0.00	0.0%	0.00	0.00	351.76	28,792.39
County of San Mateo	22,767.33	4.50	1,978.96	130.78	14.47	16.52	369.66	0.00	0.00	0.00	1,111.50	146.00	7.5%	1,707.55	1,019.08	4,273.82	33,540.18
County of Alameda	22,850.53	9.14	1,850.80	55.84	0.00	20.10	0.00	0.00	0.00	0.00	0.00	0.00	0.0%	0.00	104.17	578.00	25,468.58

Survey Average: **23,468.12** **28,950.11**

City of Santa Clara	26,141.00	3.82	1015.59	22.22	0.00	0.00	398.72	0.00	0.00	150.00	0.00	0.00	5.0%	1307.05	50.00	429.00	29,517.45
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Santa Clara above/below average salary: **11.39%**
Above

Santa Clara above/below average total compensation: **1.96%**
Above

NOTES:
 Santa Clara, Milpitas, Mountain View, Redwood City, and County of Santa Clara: Vehicle provided. Incumbents may elect an Auto Allowance in lieu of a vehicle
 Figures in red were not able to be obtained from the agency. These are data points from the survey completed in 2019.

RESOLUTION NO. 19-2

**A RESOLUTION OF THE SALARY SETTING COMMISSION OF
THE CITY OF SANTA CLARA, CALIFORNIA, SETTING THE
COMPENSATION FOR THE POSITION OF CHIEF OF POLICE
FOR THE PERIOD JULY 1, 2019, TO JUNE 30, 2021,
INCLUSIVE, PURSUANT TO CITY CODE SECTION 2.80.015
AND CHARTER SECTION 702**

BE IT RESOLVED BY THE SALARY SETTING COMMISSION:

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 2.80.015, the Salary Setting Commission is charged with establishing the compensation of the Chief of Police 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 11, 2019, inclusive, during which the compensation for Chief of Police 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 salary increases for the position of Chief of Police, compaction levels within the Police Department and City-wide, comparator agency salary levels, requirements for the position of Chief of Police under the City Charter, and City budget projections; and

WHEREAS, the final decision of the Salary Setting Commission as to compensation for the Chief of Police, as set forth in this Resolution, is based upon the following:

1. In the 2000 special election, the voters passed Measure I, adding Section 701.1 to the City Charter, which imposed upon candidates for the office of Chief of Police a requirement to meet the minimum eligibility and qualification requirements imposed by state law upon candidates for the office of county sheriff.

2. The minimum qualifications for the office of sheriff require only a California POST advanced certificate, and a combination of education (ranging from high school diploma to master's degree) and work experience (ranging from one to four years).
3. These Charter requirements are the only official substantive requirements for the position; because the position is elected, there exists no further job description or other requirement for seeking, or holding, the position of Chief of Police.
4. The Chief of Police, akin to a county sheriff, 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 Chief of Police, irrespective of the identity, experience, or performance of the current office holder.
5. Currently, the salary for the position of Chief of Police (\$26,141 per month) is approximately 18% higher than the average salary level for the position in the comparator agencies reviewed by the Salary Setting Commission. When taking into consideration medical benefits and specialty pays, the current compensation is approximately 9% higher than the average total compensation paid by the comparator agencies. The comparator agencies reviewed were the cities of Mountain View, Palo Alto, Redwood City, Hayward, and Milpitas, as well as the counties of Santa Clara, San Mateo and Alameda. When limiting the comparator agencies to those with elected public safety department heads (counties), the total compensation received by the current Chief of Police is approximately 3% greater than the total compensation received by the comparator agency sheriffs.
6. The comparator agencies with elected public safety department heads (counties with elected sheriffs) do not provide vacation, management leave or sick leave, due to the elected nature of the position. Currently, the position of Chief of Police accrues all three of these categories of leaves and is eligible for payout of unused leave balances upon

separation from City employment.

7. The Salary Setting Commission is not persuaded that salary compaction within the police department management ranks alone justifies an increase to the salary level for Chief of Police.
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 for the period July 1, 2019, to June 30, 2021, inclusive, the salary for the position of Chief of Police shall remain at its current level of \$26,141 per month.
2. That for the period July 1, 2019, until such time as the individual elected to the position of Chief of Police at the next election for that position takes office (if such oath of office is taken before June 30, 2021), the position of the Chief of Police shall receive benefits equivalent to those received by members of the Unclassified Police Management Unit (9A) under the Memorandum of Understanding that expired on December 22, 2018, plus an additional \$50 per month towards VEBA and \$150 per month towards deferred compensation. Such benefits shall not be retroactive.
3. That for the period beginning when the individual elected to the position of Chief of Police 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 position of Chief of Police shall receive the benefits set forth in paragraph 2, except that any accrued leave balances held by said newly-elected individual shall be "frozen" as of the date he/she takes office (i.e., shall neither accrue increases in leave balances, nor be subject to decreases in those balances, during his/her term of elected office).

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 11th 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