



# City of Santa Clara

## Meeting Agenda

### Salary Setting Commission

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**Monday, March 24, 2025**

**4:00 PM**

**Hybrid Meeting  
Sparacino Conference  
Room/Virtual  
1500 Warburton Avenue  
Santa Clara, CA 95050**

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The City of Santa Clara is conducting the Salary Setting Commission meetings in a hybrid manner (in-person and a method for the public to participate remotely).

- Via Zoom: <https://santaclaraca.zoom.us/j/86182883656?pwd=wXE6fByYmu0qDfQrnZncrfrBOdFJ9E.1>

Webinar ID: 861 8288 3656

Passcode: 332206

Or

Phone: 1-669-900-6833

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

*Pledge of Allegiance*

#### **CONSENT CALENDAR**

- 1. 25-389** [Action to Approve the Salary Setting Commission Meeting Minutes of March 17, 2025](#)

**Recommendation:** Approve the Meeting Minutes of March 17, 2025.

#### **PUBLIC PRESENTATIONS**

*[This item is reserved for persons to address the body on any matter not on the agenda that is within the subject matter jurisdiction of the body. The law does not permit action on, or extended discussion of, any item not on the agenda except under special circumstances. The governing body, or staff, may briefly respond to statements made or questions posed, and appropriate body may request staff to report back at a subsequent meeting.]*

#### **GENERAL BUSINESS**

2.     **25-390**     [Discussion and Possible Action to Set the Salary for the Position of Police Chief \(Job Code 141\)](#)

**Recommendation:** Staff has no recommendation other than to encourage the Commission to consider the available information, and if/when ready, act to set the salary of the Police Chief.

**STAFF REPORT**

**COMMISSIONERS REPORT**

**ADJOURNMENT**

**MEETING DISCLOSURES**

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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25-389

Agenda Date: 3/24/2025

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### REPORT TO SALARY SETTING COMMISSION

#### SUBJECT

Action to Approve the Salary Setting Commission Meeting Minutes of March 17, 2025

#### RECOMMENDATION

Approve the Meeting Minutes of March 17, 2025.



# City of Santa Clara

## Meeting Minutes

### Salary Setting Commission

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03/17/2025

4:00 PM

Sparacino Conference Room  
1500 Warburton Avenue  
Santa Clara, CA 95050

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• Via Zoom: <https://santaclaraca.zoom.us/j/86182883656?pwd=wXE6fByYmu0qDfQrnZncrfrBOdFJ9E.1>

Webinar ID: 861 8288 3656  
Passcode: 332206

Or

Phone: 1-669-900-6833

#### CALL TO ORDER AND ROLL CALL

Chair Kumar called the meeting to order at 4:02pm. All Commissioners were present, with the exception of Commissioner Humphries. Commissioner Humphries was absent and the absence is unexcused.

- Present** 4 - Commissioner Mihir Kakkad, Commissioner David Kertes, Chair MV Kumar , and Vice Chair John Sontag
- Absent** 1 - Commissioner Natasha Humphries

#### CONSENT CALENDAR

1. Action to Approve the Salary Setting Commission Meeting Minutes of March 10, 2025  
**A motion was made by Commissioner Kertes, seconded by Commissioner Kakkad to approve the Salary Setting Commission Meeting Minutes of March 10, 2025.**  
**Aye:** 4 - Commissioner Kakkad, Commissioner Kertes, Chair Kumar, and Vice Chair Sontag  
**Absent:** 1 - Commissioner Humphries

**PUBLIC PRESENTATIONS**

**Marguerite Malloy, Assistant City Attorney with the City Attorney's Office was introduced to the Commission.**

**GENERAL BUSINESS**

- 2. Action on Resolution Increasing the Salary for the City Clerk by Approximately 10% Over the Period July 1, 2025, to June 30, 2027, Pursuant to City Charter Section 702 and SCCC 2.20.015

**A motion was made by Vice Chair Sontag, seconded by Commissioner Kertes to approve the Resolution to Increase the Salary for the City Clerk by approximately 10% over the period of July 1, 2025 to June 30, 2027, Pursuant to City Charter Section 702 and SCCC 2.20.015, with a correction to Page 2, Section 5, to change the word month to year.**

**Aye:** 4 - Commissioner Kakkad, Commissioner Kertes, Chair Kumar, and Vice Chair Sontag

**Absent:** 1 - Commissioner Humphries

- 3. Discussion and Possible Action to Set the Salary for the Position of Police Chief (Job Code 141)

**The Commission requested that staff provide a list of items received by employees represented by the Unclassified Police Management Association (Unit 9A); and to update the survey to add the cost of the current healthcare benefit received by Unit 9A, if extended to the Police Chief.**

**STAFF REPORT**

None

**COMMISSIONERS REPORT**

None

**ADJOURNMENT**

**A motion was made by Commissioner Kertes, seconded by Commissioner Kakkad, to adjourn the Salary Setting Commission meeting at 5:00pm.**

**MEETING DISCLOSURES**

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## Agenda Report

25-390

Agenda Date: 3/24/2025

### REPORT TO SALARY SETTING COMMISSION

#### SUBJECT

Discussion and Possible Action to Set the Salary for the Position 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.

Recently, the organizational structure reverted to the traditional (pre-2020) structure of a single Assistant Chief position, with four Captains, all reporting to the Chief of Police.

### ***Comparator Information for Police Chief***

Staff completed a compensation survey that includes comparator agencies for the classification of Police Chief (Attachment 2). At the March 3, 2025 meeting, the Commission requested that compensation information be added to the survey for the counties of Alameda, Santa Clara, and San Mateo. The City was able to obtain information from Santa Clara County and San Mateo County, which has been included. At the March 10, 2025 meeting, the Commission requested the maximum for the position of Assistant Police Chief be added to the survey for the agency's listed. At the March 17, 2025 meeting, the Commission requested that the survey be updated to add the cost of healthcare to the Police Chief currently provided to employees represented by Unit 9A. The Commission also requested a list of all the paid items received by employees represented by Unit 9A.

### **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 if/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. Resolution No. 23-3
4. Comparison of Police Chief and Assistant Police Chief
5. List of Items under the Unit 9A Memorandum of Agreement

**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.

Agency	Classification	Top Step Salary	HEALTH BENEFITS (FAMILY) <sup>(1)</sup>					TOTAL BENEFITS	TOTAL RETIREMENT (CLASSIC) <sup>(3)</sup>	TOTAL OTHER BENEFITS <sup>(4)</sup>	TOTAL COMPENSATION	BY TOTAL COMPENSATION		
			Life	Medical <sup>(1)</sup>	Dental	LTD	Vision					RANK (Current)	RANK (Healthcare Change Only)	RANK (10% Pay Increase Only)
<b>SANTA CLARA</b>	<b>POLICE CHIEF</b>	<b>\$379,566</b>	<b>\$46</b>	<b>\$15,755</b>	<b>\$267</b>	<b>\$ -</b>	<b>\$108</b>	<b>\$16,175</b>	<b>\$166,436</b>	<b>\$21,378</b>	<b>\$583,555</b>			<b>1</b>
MOUNTAIN VIEW	POLICE CHIEF	\$385,175	\$648	\$36,071	\$3,002	\$103	\$ -	\$39,824	\$153,454	\$3,452	\$581,905	1	1	2
HAYWARD	CHIEF OF POLICE	\$354,224	\$ -	\$33,597	\$2,015	\$ -	\$372	\$35,985	\$153,357	\$30,467	\$574,033	2	2	3
SANTA CLARA (COUNTY)	SHERIFF - U	\$352,657	\$612	\$32,722	\$1,410	\$530	\$105	\$35,379	\$149,597	\$27,400	\$565,034	3	3	4
SAN MATEO (COUNTY)	SHERIFF - ELECTIVE	\$361,858	TBD <sup>(6)</sup>	\$27,777	\$1,388	TBD <sup>(6)</sup>	\$192	\$29,357	\$138,230	\$27,139	\$556,584	4	4	5
PALO ALTO	POLICE CHIEF	\$367,702	\$410	\$27,120	\$2,644	\$446	\$153	\$30,773	\$147,007	\$2,400	\$547,882	5	5	6
<b>SANTA CLARA</b>	<b>POLICE CHIEF</b>	<b>\$345,060</b>	<b>\$46</b>	<b>\$31,250</b>	<b>\$267</b>	<b>\$ -</b>	<b>\$108</b>	<b>\$31,671</b>	<b>\$151,305</b>	<b>\$19,653</b>	<b>\$547,689</b>		<b>6</b>	
SAN JOSE	CHIEF OF POLICE	\$389,597	\$720	\$28,314	\$1,798	\$ -	\$192	\$31,024	\$119,073	\$4,875	\$544,570	6	4	7
FREMONT	POLICE CHIEF	\$362,369	\$101	\$32,400	\$1,610	\$665	\$362	\$35,138	\$133,569	\$8,747	\$539,824	7	8	8
MILPITAS	CHIEF OF POLICE	\$357,123	\$84	\$34,722	\$2,427	\$86	\$205	\$37,524	\$130,671	\$8,850	\$534,168	8	9	9
<b>SANTA CLARA</b>	<b>POLICE CHIEF</b>	<b>\$345,060</b>	<b>\$46</b>	<b>\$15,755</b>	<b>\$267</b>	<b>\$ -</b>	<b>\$108</b>	<b>\$16,175</b>	<b>\$151,305</b>	<b>\$19,653</b>	<b>\$532,194</b>	<b>9</b>		
SAN MATEO	CHIEF OF POLICE	\$333,731	\$102	\$31,250	\$1,650	\$1,268	\$149	\$34,419	\$122,646	\$8,792	\$499,588	10	10	10
BERKELEY	POLICE CHIEF	\$323,129	\$113	\$30,683	\$2,044	\$3,231	\$ -	\$36,071	\$126,741	\$5,900	\$491,841	11	11	11
DALY CITY	CHIEF OF POLICE	\$307,678	\$ -	\$32,986	\$ -	\$ -	\$200	\$33,186	\$103,811	\$1,000	\$445,675	12	12	12
<b>CURRENT</b>														
<b>AVG (NO CSC)</b>		<b>\$354,113</b>										<b>\$534,646</b>		
<b>AVG (BELOW/ABOVE)</b>		<b>-2.56%</b>										<b>-0.46%</b>		
<b>10% PAY INCREASE ONLY</b>														
<b>AVG (NO CSC)</b>		<b>\$354,113</b>										<b>\$534,646</b>		<b>9.15%</b>
<b>AVG (BELOW/ABOVE)</b>		<b>7.19%</b>												
<b>HEALTHCARE CHANGE ONLY</b>														
<b>AVG (NO CSC)</b>		<b>\$354,113</b>										<b>\$534,646</b>		<b>2.44%</b>
<b>AVG (BELOW/ABOVE)</b>		<b>-2.56%</b>												

- NOTES:** (1) City of Santa Clara Police Chief receives benefits available to Unclassified Police Management Employees (Unit 9A) in effect as of 2018-2023 MOU. The Healthcare figure was amended to reflect the current amount the Police Chief would be eligible for under the 2018-2023 MOU (Kaiser + \$200).
- (2) Includes Social Security and Medicare (only Santa Clara (County) and San Mateo (County) pay for both Social Security and Medicare). All others pay for Medicare only (except San Jose). For pension, the Employer Rate is the Normal Cost only as provided for Classic employees in CalPERS valuation reports. San Jose and San Mateo (County) are not in CalPERS.
- (4) Other Benefits include, where available: POST Pay, Deferred Compensation, Uniform Allowance, Auto Allowance, and Professional Development
- (5) Awaiting on information from agency. Total Compensation Survey will be updated once this information is received.

**RESOLUTION NO. 23-3**

**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, 2023, TO JUNE 30, 2025, INCLUSIVE, PURSUANT TO CITY CODE SECTION 2.80.015 AND 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 qualified electors of the City was appointed by the Civil Service Commission, and commenced performance of its duties in February 2023;

**WHEREAS**, pursuant to City Code Section 2.80.015 and City Charter Section 702, the Salary Setting Commission is charged with establishing the compensation of the Chief of Police for the period commencing on July 1, 2023, and ending on June 30, 2025;

**WHEREAS**, the Salary Setting Commission met during the months of February through May of 2021, during which the compensation level for the position of Chief of Police was discussed;

**WHEREAS**, the Salary Setting Commission was presented with, and took into consideration, various data points including, but not limited to, the history of compensation for the position of Chief of Police; comparator agency salary levels; comparisons of the positions of Chief of Police and Assistant Chief of Police under the City Charter, City Code, and job specifications; compensation levels for the position of Assistant Chief of Police; City budget projections; potential impacts upon decision-making of future commissions; 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.

- a. 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).
  - b. 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.
2. 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.
3. Unlike the other elected positions in the City, the position of Chief of Police is a full time regular employee of the City.
4. Currently, the salary level of \$26,141 per month is approximately 3% lower than the average salary level for the position in the comparator agencies reviewed by the Salary Setting Commission. When taking into consideration medical and other benefits, the current total compensation is approximately 2% lower than the average total compensation paid by the comparator agencies.
5. Currently, the average salary of the two incumbents in the position of Assistant Chief of Police Salary is approximately \$29,000, which is approximately 11% higher than the current monthly salary for the position of Chief of Police. The Unit 9A Memorandum of Understanding ("MOU"), which covers the position of Assistant Chief of Police, expires in December 2023 and a successor MOU may result in a wage increase for that position. The Salary Setting Commission is concerned about the potential consequences of continuation and exacerbation of compaction of the salaries for these two positions.



6. The next Salary Setting Commission will meet in early 2025 to again analyze the salary level for the position of Chief of Police. By that time, if the Assistant Chief of Police position receives a wage increase under the new MOU (and in light of the 10% maximum salary increase under Charter Section 702), the Salary Setting Commission may not be in a position to adequately or meaningfully address compaction.
7. 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. The Commission does not believe that the salary increase granted to the position of Chief of Police will negatively impact, in any meaningful way, the City's financial position.

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

1. In accordance with Resolution 21-3 of the Salary Setting Commission, up to and including June 30, 2023, the monthly salary for the position of Chief of Police shall be \$26,141.00. For the period July 1, 2023, to June 30, 2025, inclusive, the monthly salary for the position of Chief of Police shall be increased by 10% for a new monthly salary of \$28,755.00.
2. That for the period July 1, 2023, to June 30, 2025, inclusive, the position of the Chief of Police shall continue to receive benefits equivalent to those currently received by members of the Unclassified Police Management Unit (9A) under the Memorandum of Understanding set to expire on December 25, 2023.
3. That for the period July 1, 2023, to June 30, 2025, inclusive, any accrued leave balances held by the Chief of Police shall continue to 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).
4. 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 8<sup>th</sup> DAY OF MAY, 2023,  
BY THE FOLLOWING VOTE:

AYES: 3 COMMISSIONERS: Kumar, Sontag, Lawson

NOES: 0 COMMISSIONERS:

ABSENT: 1 COMMISSIONERS: Humphries

ABSTAINED: 0 COMMISSIONERS:

ATTEST:



\_\_\_\_\_  
MV KUMAR, CHAIR  
SALARY SETTING COMMISSION

Attachments incorporated by reference: None

**POLICE CHIEF COMPARISON WITH ASSISTANT POLICE CHIEF**  
**(Base Pay Only)**

<b>Rank</b>	<b>Agency</b>	<b>Classification</b>	<b>Top Step Salary</b>	<b>Classification</b>	<b>Top Step Salary</b>	<b>Difference (\$)</b>	<b>Difference (%)</b>
1	HAYWARD	CHIEF OF POLICE	\$354,224	DEPUTY POLICE CHIEF <sup>(1)</sup>	None available <sup>(1)</sup>	N/A	N/A
2	SAN MATEO	CHIEF OF POLICE	\$333,731	DEPUTY POLICE CHIEF	\$270,185	\$63,546	19.04%
3	SAN MATEO (COUNTY)	SHERIFF - ELECTIVE <sup>(2)</sup>	\$361,858	UNDERSHERIFF - UNCLASSIFIED	\$296,837	\$65,021	17.97%
4	BERKELEY	POLICE CHIEF	\$323,129	DEPUTY CHIEF OF POLICE	\$275,600	\$47,529	14.71%
5	FREMONT	POLICE CHIEF	\$362,369	POLICE DEPUTY CHIEF	\$321,377	\$40,992	11.31%
6	MOUNTAIN VIEW	POLICE CHIEF	\$385,175	POLICE CAPTAIN	\$341,863	\$43,313	11.24%
7	PALO ALTO	POLICE CHIEF	\$367,702	ASSISTANT CHIEF OF POLICE-AD	\$326,810	\$40,892	11.12%
8	SAN JOSE	CHIEF OF POLICE	\$389,597	ASSISTANT CHIEF OF POLICE	\$348,230	\$41,368	10.62%
9	DALY CITY	CHIEF OF POLICE	\$307,678	DEPUTY POLICE CHIEF	\$287,147	\$20,531	6.67%
10	MILPITAS	CHIEF OF POLICE	\$357,123	ASSISTANT POLICE CHIEF	\$340,127	\$16,997	4.76%
11	SANTA CLARA (COUNTY)	SHERIFF - U <sup>(2)</sup>	\$352,657	UNDERSHERIFF - U	\$345,298	\$7,359	2.09%
<b>12</b>	<b>SANTA CLARA</b>	<b>POLICE CHIEF<sup>(2)</sup></b>	<b>\$345,060</b>	<b>ASSISTANT POLICE CHIEF</b>	<b>\$396,219<sup>(3)</sup></b>	<b>\$(51,159)</b>	<b>-14.83%</b>

**NOTES:** Information on who the “second in command” of the department is based on available organization charts or from information available online

- (1) Hayward’s organization chart shows Deputy Police Chief as under the Chief of Police; however, no job class specification or salary information is available
- (2) Elected positions
- (3) Maximum of the salary range for Assistant Police Chief. When compared to the incumbent’s current salary, there is an approximate -12.23% difference between the Police Chief and Assistant Police Chief.

**Unclassified Police Management (Unit 9A) Notable Benefits**

Notable <u>Unit 9A</u> Benefit	Details	Received by/Eligible for Police Chief?	Can be received by Police Chief?
Bereavement Leave	<ul style="list-style-type: none"> <li>▪ 40 hours or 3 work days or 1 work day depending on qualifying relative</li> <li>▪ Up to 5 additional work days (from sick leave balance) with City Manager approval</li> </ul>	N/A	No
Cash in Lieu	When enrolled in alternative healthcare coverage and not with the City: <ul style="list-style-type: none"> <li>▪ If hired on/before December 31, 2023 = \$835.66/mo</li> <li>▪ If hired on/after January 1, 2024 = \$250/mo</li> </ul>	Yes if eligible; it would be under the terms of the old MOU (\$835.66/mo)	Yes
Deferred Compensation	City contributes \$150/mo on behalf of each represented employee	Yes (unchanged from last Unit 9A MOU)	Yes
Dental Insurance	City pays toward dental premium equal to the lowest cost Employee Only premium	Yes (unchanged from last Unit 9A MOU)	Yes
Flexible Spending Account (FSA)	Voluntary employee benefit	Yes (unchanged from last Unit 9A MOU)	Yes
Health Insurance	<ul style="list-style-type: none"> <li>▪ 100% of Kaiser Premium for Employee Only and Employee+1</li> <li>▪ 90% of Kaiser Premium for Employee+2 or More</li> </ul>	No	Yes
Holiday Pay	Employees receive 13 holidays	N/A	No
Management Leave	<ul style="list-style-type: none"> <li>▪ 120 hours/year with max balance of 180 hours</li> <li>▪ Not subject to payout</li> </ul>	N/A	No
Merit Pay	Merit increases based on performance and % determined by City Manager	No	No
PDA/Smart Phone Stipend	\$80/month	Yes (unchanged from last Unit 9A MOU)	Yes
Personal Leave	<ul style="list-style-type: none"> <li>▪ 32 hours per calendar year drawn from sick leave balance</li> <li>▪ Police Chief's sick leave balance is frozen</li> <li>▪ Not subject to payout separate from sick leave payout</li> </ul>	N/A	No
POST Premium Pay	Peace Officer Standards and Training (POST) = 7.5% total <ul style="list-style-type: none"> <li>▪ Supervisory POST = 3.75%</li> <li>▪ Management POST = 3.75%</li> </ul>	Yes (currently receiving 7.5% since that is what he received in POA, but last Unit 9A MOU states it should be 5%)	Yes – tie to unit 9A
Retiree Medical Reimbursement Benefit	Currently up to \$425 monthly reimbursement	Yes (while dollar figure is updated annually, the term/benefit is otherwise unchanged from last Unit 9A MOU)	Yes
Sick Leave	Police Chief's sick leave balance is frozen	N/A – sick leave payout is at the rate of pay upon retirement, not when frozen or accrued	No
Uniform Allowance	\$600/year	Yes (unchanged from last Unit 9A MOU)	Yes
Vacation Accrual	Police Chief's vacation balance is frozen	N/A – vacation is paid out at the rate of pay upon retirement, not when frozen or accrued	No
VEBA	Voluntary Employee Beneficiary Association (VEBA) – City contributes \$100/mo	Yes (unchanged from last Unit 9A MOU)	Yes – recommend to NOT include with unit 9A vote
Vision Insurance	City pays toward vision insurance premium equal to lowest cost Employee Only premium	Yes (unchanged from last Unit 9A MOU)	Yes