

RESOLUTION NO. 23-2

A RESOLUTION OF THE SALARY SETTING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, SETTING THE SALARY FOR THE POSITION OF CITY CLERK FOR THE PERIOD JULY 1, 2023, TO JUNE 30, 2025, 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 three 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 2.20.015, the Salary Setting Commission is charged with establishing the compensation of the elected position of City Clerk 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 and March of 2023, during which time the compensation level for the position of City Clerk 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 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 compensation for the position of City Clerk, 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 elected 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. 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 understands that the position will be subject to a biennial increase in time commitment. The Commission further understands that in non-election years, the time commitment associated with discharging the duties of the position will be minimal. Additionally, the Assistant City Clerk performs much of the work associated with the elections.
4. Concurrently with the reduction in scope of official duties of the City Clerk in 2018, 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. In 2019, the Salary Setting Commission approved a decrease in the salary for the position of City Clerk to the sum of \$1,500 per month, for the reasons set forth in Commission Resolution 19-3.
6. 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.
7. 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.
8. At the current fully loaded rate of \$2,125.05 per month, the total compensation for the

position of City Clerk is below average current total compensation for the position in the two comparator agencies reviewed by the Commission.

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.

10. 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 \$27 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 reached agreements with the City's bargaining units whereby the employees represented by said units agreed to status quo compensation for a period of two years, in order to reduce ongoing general fund budget deficits; effectively, employees represented by some of these bargaining units were subject to a salary freeze for a period of two years.

11. The Commission discussed the possibility of a reduction in compensation for the position of City Clerk – which was, by no means, intended to be a commentary on performance – in order to clearly communicate the Commission's opinion that salary reductions for all positions should be considered as a means to address the budget shortfall. Upon consideration of various factors – including timing of the reduction, key legal

considerations, and the practical impact of such a reduction being negligible to the general fund – the Commission ultimately decided not to reduce the compensation.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE SALARY SETTING

COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the salary for the position of City Clerk shall remain at its current level (\$1,500 per month) for the period July 1, 2023, to June 30, 2025, inclusive.
2. 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 29th DAY OF MARCH, 2023, BY THE FOLLOWING VOTE:

AYES: 3 COMMISSIONERS: Kumar, Sontag, Lawson

NOES: 0 COMMISSIONERS:

ABSENT: 0 COMMISSIONERS:

ABSTAINED: 0 COMMISSIONERS:

ATTEST:



MV KUMAR, CHAIR
SALARY SETTING COMMISSION

Attachments incorporated by reference: None