



# City of Santa Clara

## Meeting Agenda

### Salary Setting Commission

Monday, February 3, 2025

4:00 PM

Hybrid Meeting  
City Hall Council Chambers/Virtual  
1500 Warburton Avenue  
Santa Clara, CA 95050

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/86182883656pwd=wXE6fByYmu0qDfQrnZncfrBOdFJ9E.1>

Webinar ID 861 8288 3656

Passcode:332206

Or

Phone: 1-669-900-6833

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

*Pledge of Allegiance*

#### **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**

1. **25-150** [Election of Salary Setting Commission Chair and Vice-Chair](#)

**Recommendation:** Staff recommends that the Commission conduct an election for Chair and Vice Chair.

2. **25-157** [Action To Set Future Commission Meeting Dates](#)

**Recommendation:** Poll Commissioners and take action to set future meeting dates.

#### **STAFF REPORT**

3.     **25-151**     [Informational Presentation and Overview of Relevant Provisions of Brown Act and Public Records Act](#)

4.     **25-171**     [Informational Report Regarding City Employment and Labor Agreements](#)

**Recommendation:** This item is for information only; no action is required at this time.

5.     **25-172**     [Overview of Legislative Actions; Review of Comparator Agency Information; Recommendations for Process to Review and Set Elected Legislative Officials Compensation, and Provide Direction to Staff Regarding Same](#)

**Recommendation:** This item is for information, discussion, and direction to staff regarding the process to be used to review and set elected officials' compensation, no formal action is required at this time.

#### **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.



## Agenda Report

25-150

Agenda Date: 2/3/2025

### REPORT TO SALARY SETTING COMMISSION

#### **SUBJECT**

Election of Salary Setting Commission Chair and Vice-Chair

#### **BACKGROUND**

City Charter, Article X, Section 1003 provides, "As soon as practicable, following the first day of July of every year, each of such boards and commissions shall organize by electing one of its members to serve as presiding officer at the pleasure of such board or commission."

#### **DISCUSSION**

The City Charter requires that commissions elect one of its members to serve as presiding officer by majority vote. There is no Charter requirement that a Vice Chair be elected but many commissions do so to ensure there is continuity in the event the Chair is absent.

#### **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(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

#### **FISCAL IMPACT**

There is no fiscal impact associated with this item aside from administrative cost and expenses.

#### **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 recommends that the Commission conduct an election for Chair and Vice Chair.

Reviewed by: Aracely Azevedo, Director of Human Resources

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



## Agenda Report

25-157

Agenda Date: 2/3/2025

### REPORT TO SALARY SETTING COMMISSION

#### **SUBJECT**

Action To Set Future Commission Meeting Dates

#### **BACKGROUND**

Charter Section 702 requires the Salary Setting Commission (Commission) to set the compensation of the Mayor and Council prior to March 15, 2025, and thereafter, every two years. The Salary Setting Commission is also responsible for setting the salaries for the City Clerk and Police Chief on or before the end of the fiscal year.

#### **DISCUSSION**

The Commission will meet as often as necessary to conduct its business and set compensation rates prior to the dates designated in the City Charter and City Code.

Given the Charter deadline of March 15, 2025, for setting the Mayor and Council salaries, staff identified possible dates listed below with meetings set at 4:00 pm. The Salary Setting Commission is also responsible for setting the salaries for the City Clerk and Police Chief on or before the end of the fiscal year. The following dates are recommended to provide adequate time for the Commission to set the salaries.

February 10, 24  
March 3, 10, 17, 24, 31  
April 7, 14, 21, 28  
May 5, 12, 19  
June 2, 9, 16, 23, 30

#### **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**

There is no additional cost to the City other than administrative staff time.

#### **PUBLIC CONTACT**

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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**

Poll Commissioners and take action to set future meeting dates.

Reviewed by: Aracely Azevedo, Director of Human Resources

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



# City of Santa Clara

1500 Warburton Avenue  
Santa Clara, CA 95050  
[santaclaraca.gov](http://santaclaraca.gov)  
[@SantaClaraCity](https://twitter.com/SantaClaraCity)

## Agenda Report

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25-151

Agenda Date: 2/3/2025

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### REPORT TO SALARY SETTING COMMISSION

#### **SUBJECT**

Informational Presentation and Overview of Relevant Provisions of Brown Act and Public Records Act

#### **DISCUSSION**

Public meetings require adherence to state open meeting laws (the Ralph M. Brown Act) and are generally conducted in accordance with Robert's Rules of Order. Commissioners are also subject to the Public Records Act. Staff will provide a brief presentation on both to assist in the Commission's business and governance.

This is an informational report, no action is to be taken by the Commission.



# **Salary Setting Commission**

**Overview of the Brown Act,  
Robert's Rules of Order,  
and the Public Records Act**

**February 3, 2025**





# The Brown Act

- State law, passed by the State Legislature in 1953
- Incorporated into the State Constitution in 2004
- Intended to:
  - Provide openness and transparency
  - Ensure that the public has meaningful access to its agencies
  - Provide the public with the means to provide their input



- Core tenet of the Brown Act: “All **meetings** of the **legislative body** of a **local agency** shall be **open and public**, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.” Gov’t. Code § 54953(a)
- Is Santa Clara a “local agency?” YES
- Is the Salary Setting Commission a “legislative body?” YES



- What constitutes a meeting? (GC § 54952.2)
  - A majority of the Commission to be present
  - The Commissioners must be in the same location at the same time (teleconference included)
  - The purpose is “to hear, discuss, deliberate, or take action on any item”
  - The item being discussed or decided is within the subject matter jurisdiction of the Commission



- Exceptions to the definition of “meeting”
  - Attending a conference
  - Attending a community meeting
  - Attending an open/noticed meeting of another local agency legislative body
  - Attending a social/ceremonial event
- DO NOT discuss Commission business
- Also, communications of less than a majority



- What is a “serial” meeting?
  - A series of communications of any kind (including any type of electronic means), either directly or through intermediaries, to discuss/deliberate/decide an issue within your jurisdiction
  - Daisy Chain (A to B, then B to C, then C to D, etc.)
  - Hub and Spoke (A to B, then C, then D, or intermediary contacts A, then B, then C, etc.)
  - Most common error: EMAIL (no “Reply All”)



- Teleconferencing – new laws
  - Traditional pre-pandemic teleconferencing
    - Notice and posting
  - Just cause and emergency circumstances exceptions to notice and posting requirements



- Social media constraints
  - No “discussions” on social media
    - Cannot respond in any way (including posting comment or using the “like” button) to a post by another commissioner relating to something within the subject matter jurisdiction of the CSC



- How can we make meetings “open and public?”
  - First, we provide notice via published agendas
  - Second, public can provide their input
    - Public comment allowed both generally (“Public Presentations”) and specifically as to each item on the agenda
  - Third, no substantive non-agendized discussions





- Open vs. Closed Session
  - Default is that everything is on open session
  - Certain issues may be discussed in closed session – litigation exception
  - Confidentiality
- Penalties/Enforcement



# Robert's Rules of Order

- City Code § 2.10.020 requires that City Council meetings be conducted pursuant to Robert's Rules of Order and Boards & Commissions follow this requirement as well
- The purpose of such rules is to promote orderly conduct, clarity, and protect the rights of the minority by facilitating discussion



- **Establish Quorum with Roll Call**
  - Quorum = minimum number to make decision
    - 50% +1 of the entire membership of the body (3)
    - If only a quorum is present, the meeting may continue, but all motions must be unanimous to pass
    - Charter Section 1003, “The affirmative or negative vote of a majority of the entire membership of such board or commission shall be necessary for it to take action. ”



- Format for each agenda item:
  1. Chair reads the agenda item description
  2. Chair asks for staff report/presentation
  3. Members can ask questions of staff
  4. Chair invites public comment on the item
  5. Chair invites a motion and second
  6. Chair asks Members to discuss motion
  7. Vote is taken



# Public Records Act

- Followed the Brown Act, same policy intent
- Enacted in 1968, modeled on FOIA
- Was incorporated into the Cal Const.
- Basic tenet: Public records shall be disclosed to the public, upon request, unless there is a legal basis not to do so (exemptions)
- As a legislative body of the City, the work of the SSC is subject to the PRA



- What is a public record?

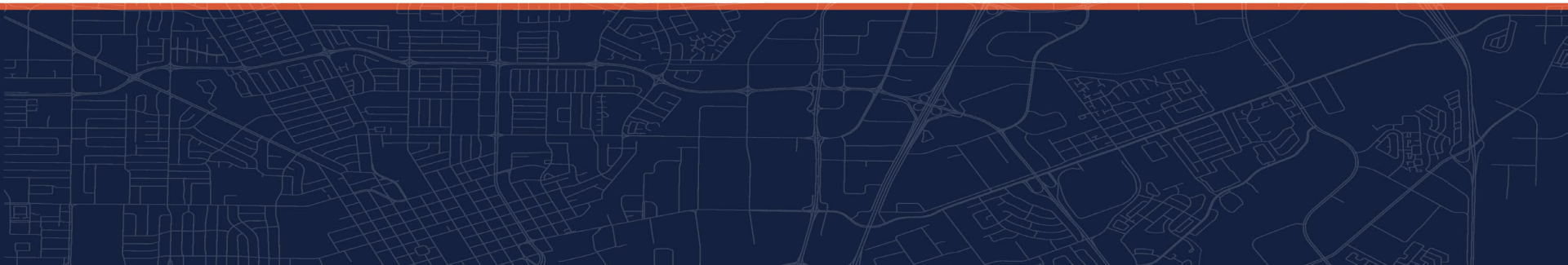
The PRA defines “public records” as “***any writing*** containing information relating to the ***conduct of the public’s business prepared, owned, used, or retained*** by any state or local agency regardless of physical form or characteristics.”

- Record retention requirements
- Penalties/Enforcement



# City of Santa Clara

The Center of What's Possible





## Agenda Report

25-171

Agenda Date: 2/3/2025

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### REPORT TO SALARY SETTING COMMISSION

#### **SUBJECT**

Informational Report Regarding City Employment and Labor Agreements

#### **BACKGROUND AND DISCUSSION**

Pursuant to Commission request, staff will present information on the City's Employment and Labor Agreements. The City Administration recently negotiated several agreements, that were ratified by the units' membership and approved by City Council. Additionally, the City Council recently approved compensation actions for the City Attorney. This information is relevant and should be reviewed and considered when setting the compensation for the Mayor and Council, City Clerk and Police Chief. As this is an informational report, no action is required.

#### **PUBLIC CONTACT**

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#### **RECOMMENDATION**

This item is for information only; no action is required at this time.

#### **ATTACHMENTS**

1. Employment and Labor Agreements





# Employment and Labor Contracts

## Human Resources Department

**February 3, 2025**



# Budgeted Positions

Bargaining Group	Unit	FTE
Mayor and Council	Elected	7
City Manager	Appointee	1
City Attorney	Appointee	1
Police Chief	Elected	1
City Clerk	Elected	1
Firefighters Association (IAFF)	1	144
Police Officers Association (POA)	2	147
Electrical Workers (IBEW)	3	89
Engineers Association	4	50
Employees' Association	5,7,8	327.25
American Federation of State County and Municipal Employees (AFSCME)	6	134
Unclassified Management	9	189
Police Management	9A	5
Fire Management	9B	11
Public Safety Non-Sworn	10	70
TOTAL Budgeted Positions		1,177.25



# Recent Council Actions

- December 12, 2023
  - City Manager
- June 4, 2024
  - Employees Association (Unit 5,7,8)
- November 19, 2024
  - Miscellaneous Unclassified Management (Unit 9)
- December 3, 2024
  - City Attorney
- January 14, 2025
  - AFSCME (Unit 6)



# Council Appointees

Appointee	January 2024	March 2024
	Cost of Living Adjustment	
City Manager	2.00%	
City Attorney		3.25%



# Recently Negotiated Labor Contracts

Calendar Year	AFSCME	Employees Association	Unclassified Management
2024		5.0% (June)	
2025	5.0%	3.0%	0% for Assistant City Manager and above 3% for Directors 5% for all others
2026	3.5%	3.0%	3.0%
2027	3.5%	3.0%	3.0%
2028	3.0%		3.0%

# Current/Upcoming Negotiations





## Bargaining Units

Unit No	Bargaining Unit	MOU Expiration
1	Santa Clara Firefighters, IAFF Local 1171	December 31, 2025
2	Police Officers Association	December 31, 2025
3	International Brotherhood of Electrical Workers (IBEW), Local 1245	December 31, 2025
4	Engineers of the City of Santa Clara	June 30, 2025
9A	Unclassified Police Management	December 31, 2025
9B	Unclassified Fire Management	December 31, 2025
10	Public Safety Non-Sworn Employees Association	December 20, 2025

# Discussion/Questions







## Agenda Report

25-172

Agenda Date: 2/3/2025

### REPORT TO SALARY SETTING COMMISSION

#### **SUBJECT**

Overview of Legislative Actions; Review of Comparator Agency Information; Recommendations for Process to Review and Set Elected Legislative Officials Compensation, and Provide Direction to Staff Regarding Same

#### **BACKGROUND**

Charter Section 702 requires the Salary Setting Commission to set the salary of the Mayor and Council prior to March 15, 2019 and thereafter, every two years. The Charter provision also provides that salaries so established by the Commission shall not exceed one hundred ten percent (110%) of the previous figure. The Charter provision is included herewith as Attachment 1.

#### **DISCUSSION**

This report is to introduce the legislative provisions establishing the Commission's purpose, relative to Mayor and Council, to provide written guidelines and parameters to the Commission on how to proceed with its work, and to introduce and discuss compensation information for the City, its elected officials, and comparative information from other agencies.

Pursuant to the Brown Act, discussion of City Clerk and Chief of Police salary or compensation may only occur at regular meetings (rather than special meetings), and will be calendared accordingly once regular meeting dates are established. Further, setting the compensation of the Clerk and the Police Chief may involve other considerations that are not applicable to the Mayor and Council, staff will provide an analysis at a future regular meeting.

**Legislative provisions:** As described above, the governing legislative provision establishing the Commission's purpose and objectives is:

**City Charter Section 702:** "Commencing on July 1, 2017, each member of the City Council, other than the Mayor, shall receive as compensation the sum of two thousand dollars (\$2,000) per month. The Mayor shall receive as compensation the sum of two thousand five hundred dollars (\$2,500) per month.

Commencing on July 1, 2019, and every two years on July 1 thereafter, the compensation of the City Council and Mayor shall be set by a Salary Setting Commission consisting of five members to be appointed by the Civil Service Commission from the qualified electors of the City for a term of four years. The first members shall be appointed for a term commencing January 1, 2019. Initially, the Commissioners shall be appointed in a manner so that two are appointed for two-year terms and three are appointed for four-year terms. On or before March 15 of every odd year, the Salary Setting

Commission shall establish the salary of the Mayor and members of the City Council for the period commencing July 1 of that odd year and ending two years thereafter. Salaries so established by the Commission shall not exceed one hundred ten percent (110%) of the previous figure.

If a member of the City Council, including the Mayor, does not attend all meetings of the City Council or study sessions called on order of the City Council and held during the month, the compensation to him/her for such month shall be reduced by the sum of twenty-five dollars (\$25.00) for each meeting or study session not attended unless he/she is absent with the consent of or on order of the City Council.

Absence from five consecutive regular meetings, unless excused by resolution of the City Council, shall operate to vacate the seat of any member of the City Council so absent.”

**Recommended Process:**

The Commission is tasked with setting salary rates for the City’s elected legislative officials. In order to accomplish that task, the Commission will likely need to know the following:

- Current salary rates of the City’s elected legislative officials
- Legislative directives for setting compensation rates
- Compensation rates of other jurisdictions for similar positions
- Fiscal/Budgetary considerations

In general, employers, both private and public, survey their labor market to ensure their salary and benefit levels are sufficiently competitive and reflect the service performed. In the case of elected public officials, there is a broad spectrum of compensation due to the types of positions (city councils, boards of supervisors, etc.), agency size, and agency location. Staff has gathered and presented for the Commission’s consideration compensation information for other agencies based upon certain criteria:

- Nature of services provided (i.e., part time/full time officials)
- Geographical proximity of comparators
- Comparator population and form of government
- Economic similarity

Commissioners should keep in mind that the positions at issue (Mayor and Council) are part-time and unbenefited (except for an option to enroll in CalPERS retirement).

For the Commission’s first meeting, Staff recommends that the Commission become acquainted with existing salary and compensation levels for these positions and the survey information provided for comparators. Staff anticipates that the Commission will have information requests and it will be helpful in the first meeting for Staff to learn what other information the Commission needs so that there is adequate time to prepare and present it at upcoming meetings. Because the Charter specifically requires that the Commission set compensation for the Mayor and City Council by March 15, 2023, staff recommends that the Commission conclude that process first.

**Compensation information:**

Currently, the compensation is \$2,500 per month for the position of Mayor, and \$2,000 per month for the position of Councilmember, as set by the City Charter. The last Salary Setting Commission left these salaries unchanged for the period July 1, 2023 through June 30, 2025. The Resolution approved by the Salary Setting Commission in March 2023 is included in this report (Attachment 2). The Charter limits biennial increases to 10%. The Commission may set percentage increases at any number between 0 and 10. The Commission may consider changes in cost of living and comparable compensation in other jurisdictions.

**Survey Information:**

Comparator information for the Mayor and Council is included in this report (Attachment 3). Staff will be prepared to answer Commissioner questions regarding the survey at the meeting.

**Governance & Ethics Referral:**

In August 2024, staff received a referral from the Governance and Ethics Committee for the Salary Setting Commission consideration. Specifically, the referral was:

*Consideration of Provision for Healthcare for Councilmembers*

Councilmember Jain, who is a member of the Governance & Ethics Committee requested that this item be reviewed for consideration. Since the Salary Setting Commission is responsible for setting the compensation for the Mayor and Councilmembers, it was referred to this body.

Historically, the Mayor and Councilmembers have been ineligible to receive healthcare benefits. The survey included in this packet includes a list of agencies that provide healthcare benefits.

**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**

There will be no action taken by the Commission at this meeting that will have a fiscal impact.

**PUBLIC CONTACT**

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**RECOMMENDATION**

This item is for information, discussion, and direction to staff regarding the process to be used to review and set elected officials’ compensation, no formal action is required at this time.

Reviewed by: Aracely Azevedo, Director of Human Resources

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

**ATTACHMENTS**

1. City Charter Section 702
2. Resolution for Mayor and Council Salaries - 2023
3. Mayor and Council Survey Salary and Health\_Jan 2025

**City of Santa Clara Charter Sec. 702 Compensation.**

Commencing on July 1, 2017, each member of the City Council, other than the Mayor, shall receive as compensation the sum of two thousand dollars (\$2,000) per month. The Mayor shall receive as compensation the sum of two thousand five hundred dollars (\$2,500) per month.

Commencing on July 1, 2019, and every two years on July 1 thereafter, the compensation of the City Council and Mayor shall be set by a Salary Setting Commission consisting of five members to be appointed by the Civil Service Commission from the qualified electors of the City for a term of four years. The first members shall be appointed for a term commencing January 1, 2019. Initially, the Commissioners shall be appointed in a manner so that two are appointed for two-year terms and three are appointed for four-year terms. On or before March 15 of every odd year, the Salary Setting Commission shall establish the salary of the Mayor and members of the City Council for the period commencing July 1 of that odd year and ending two years thereafter. Salaries so established by the Commission shall not exceed one hundred ten percent (110%) of the previous figure.

If a member of the City Council, including the Mayor, does not attend all meetings of the City Council or study sessions called on order of the City Council and held during the month, the compensation to him/her for such month shall be reduced by the sum of twenty-five dollars (\$25.00) for each meeting or study session not attended unless he/she is absent with the consent of or on order of the City Council.

Absence from five consecutive regular meetings, unless excused by resolution of the City Council, shall operate to vacate the seat of any member of the City Council so absent.

**RESOLUTION NO. 23-1**

**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 OF JULY 1, 2023, TO  
JUNE 30, 2025, 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 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 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, 2023, and ending on June 30, 2025;

**WHEREAS**, the Salary Setting Commission met on three occasions in February and March of 2023, 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, 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 the positions of the 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 \$1,000 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 and in 2021, the Salary Setting Commission resolved to keep unchanged the compensation for the positions of the Mayor and Council Member for the period of July 1, 2019 through June 30, 2023.

- 2. 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.
- 3. 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.
- 4. The salary levels for the positions of Mayor (\$2,500 per month) and Council Member (\$2,000) currently exceed the total compensation levels for these positions in some of the comparator agencies reviewed by the Salary Setting Commission.

5. 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 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.
6. 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 light of the City's ongoing fiscal challenges. Upon consideration of various factors, including those described below, the Commission ultimately decided not to reduce the compensation.
  - a. The voters, in passing Charter Section 702, stated clearly that the compensation for Mayor and Councilmember should be \$2,500 and \$2,000 respectively.
  - b. The voters included a limitation on the Commission's ability to increase compensation but did not include any language addressing or permitting a reduction in compensation.
  - c. State law, extended to the City of Santa Clara, does not allow for reduction of the



salary of an elected official during that official's current term of office. Any reduction of salary should be prospective in nature, applying only to the following term of the elected official.

- d. The Commission did not wish to make a compensation decision that would be applicable to some, but not all, of the councilmembers equally. Therefore, there was no action taken that would be applicable only to those councilmembers elected in the 2024 election.
- e. The current Salary Setting Commission will not take an action to set salaries in a manner that results in impairing the decision-making ability of future Salary Setting Commissions. Therefore, there was no action taken that would be applicable to Mayor and Councilmember positions beginning after the 2026 election (at which time all council districts would have been subject to an election for a new representative).
- f. Given the scope of the projected budget deficit as compared with the total amount of annual compensation for these elected positions, a reduction in compensation would not make a meaningful impact on the City's fiscal outlook.
- g. The Commission observed that an amendment to the Charter language to clearly address the issue of a potential decrease in compensation would likely be helpful to future Commissions in the discharge of their duties.

**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, 2023, to June 30, 2025.
- 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, 2023, to June 30, 2025.
- 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, AT A SPECIAL MEETING  
THEREOF HELD ON THE 13<sup>th</sup> DAY OF MARCH, 2023, BY THE FOLLOWING VOTE:

AYES: 3 COUNCILORS: Kumar, Sontag, and Lawson

NOES: 0 COUNCILORS:

ABSENT: 0 COUNCILORS:

ABSTAINED: 0 COUNCILORS:

ATTEST:



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MV KUMAR  
CHAIR

Mayor and Council Survey  
January 2025

AGENCY	CLASSIFICATION	FT or PT	MAX ANNUAL SALARY	Healthcare Coverage	EMPLOYER PAID
					HEALTH (Annual)
BERKELEY	<a href="#">Mayor</a>	FT	\$ 133,100.04	100% of Kaiser Premium	\$ 30,683.16
	<a href="#">Council Member</a>	FT	\$ 83,853.12		\$ 30,683.16
DALY CITY	Mayor	PT	\$ 28,675.92	\$2,748/month	\$ 32,986.32
	Council Member	PT	\$ 28,675.92		\$ 32,986.32
FREMONT	<a href="#">Mayor</a>	PT	\$ 55,485.96	\$450/month	\$ 5,400.00
	<a href="#">Council Member</a>	PT	\$ 31,230.72		\$ 5,400.00
MILPITAS	Mayor	PT	\$ 13,568.88	100% of Kaiser Premium	\$ 34,722.48
	Council Member	PT	\$ 10,852.40		\$ 34,722.48
MOUNTAIN VIEW	Mayor	PT	\$ 20,203.56	100% of Premium for any plan	\$ 50,595.96
	Council Member	PT	\$ 16,161.86		\$ 50,595.96
OAKLAND	<a href="#">Mayor</a>	FT	\$ 216,202.44	100% of Kaiser Premium	\$ 34,722.48
	<a href="#">Council Member</a>	FT	\$ 108,802.92		\$ 34,722.48
SAN JOSE	Mayor	FT	\$ 225,000.00	See Below	\$ 12,750.72
	Council Member	FT	\$ 169,000.00		\$ 12,750.72
SAN MATEO	Mayor	PT	\$ 14,400.00	90% of Kaiser Plan	\$ 31,250.23
	Council Member	PT	\$ 14,400.00		\$ 31,250.23
SANTA CLARA	Mayor	PT	\$ 30,000.00	None	\$ -
	Council Member	PT	\$ 24,000.00		\$ -
SUNNYVALE	Mayor	PT	\$ 48,441.38	\$3,901.04/month	\$ 46,812.48
	Council Member	PT	\$ 36,331.10		\$ 46,812.48

Note:

San Francisco and Hayward have not responded.

Mountain View: Survey includes highest premium plan - Health Net PPO

San Jose: City pays 85% of the full premium cost of the lowest priced Non-Deductible HMO Co-Pay Plan with the highest overall employee enrollment (Kaiser \$1500 deductible plan)