



City of Santa Clara

Meeting Agenda

Salary Setting Commission

Thursday, May 9, 2019

7:00 PM

City Hall - Council Chambers
1500 Warburton Avenue
Santa Clara, CA 95050

CALL TO ORDER AND ROLL CALL

CONSENT CALENDAR

- 1 19-559 [Action to Approve the Meeting Minutes of March 28, 2019](#)

Recommendation: Approve the Meeting Minutes of March 28, 2019.

PUBLIC PRESENTATIONS

GENERAL BUSINESS

- 2 19-428 [Discussion of, and possible action on, salary setting for Police Chief pursuant to SCCC 2.80.015, and update to Chief of Police Total Monthly Compensation Survey](#)

Recommendation: This item is for information and discussion only, there is no recommendation at this time.

- 3 19-493 [Continued discussion on Salary Setting for City Clerk](#)

Recommendation: This item is for information and discussion only, there is no recommendation at this time.

- 4 19-496 [Discussion of Adding Additional Meeting Dates in 2019 to the Salary Setting Commission](#)

Recommendation: Staff makes no recommendation.

STAFF REPORT

COMMISSIONERS REPORT

ADJOURNMENT

The next regularly scheduled meeting is May 23, 2019



City of Santa Clara

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

Agenda Report

19-559

Agenda Date: 5/9/2019

SUBJECT

Action to Approve the Meeting Minutes of March 28, 2019

RECOMMENDATION

Approve the Meeting Minutes of March 28, 2019.

ATTACHMENT

1. Meeting Minutes of March 28, 2019



City of Santa Clara

Meeting Minutes

Salary Setting Commission

03/28/2019

7:00 PM

City Hall - Council Chambers
1500 Warburton Avenue
Santa Clara, CA 95050

CALL TO ORDER AND ROLL CALL

Chairperson Sontag called the meeting to order at 7:00 PM.

Present 5 - Commissioner Pilar Arquero , Commissioner Marjorie Banko ,
Commissioner MV Kumar , Commissioner John Sontag, and
Commissioner David Stealey

CONSENT CALENDAR

[19-389](#) Action to Approve the Meeting Minutes of March 14, 2019

Recommendation: Approve the Meeting Minutes of March 14, 2019.

**A motion was made by Commissioner Stealey, seconded by
Commissioner Arquero, to approve the Meeting Minutes of March
14, 2019.**

Aye: 5 - Commissioner Arquero, Commissioner Banko , Commissioner
Kumar, Commissioner Sontag, and Commissioner Stealey

PUBLIC PRESENTATIONS

None

GENERAL BUSINESS

[19-372](#) Discussion of, and Possible Action On, Salary Setting for City Clerk
Pursuant to SCCC 2.20.015

Recommendation: This item is for information and discussion only, there is no
recommendation at this time.

**A motion was made by Commissioner Kumar, seconded by
Commissioner Aquero to table the Discussion of, and Possible
Action On, Salary Setting for the City Clerk Pursuant to SCCC
2.20.015.**

**By Consensus, the Salary Setting Commission tabled the
discussion of this item.**

[19-374](#)

Discussion of, and Possible Action On, Salary Setting for Police Chief Pursuant to SCCC 2.80.015

Recommendation: This item is for information and discussion only, there is no recommendation at this time.

The Salary Setting Commission discussed this item and by consensus, continued the item to the next meeting.

STAFF REPORT

None

COMMISSIONERS REPORT

A motion was made by Commissioner Kumar, seconded by Commissioner Banko, to cancel the next regularly scheduled meeting of April 11, 2019.

Aye: 4 - Commissioner Arquero, Commissioner Banko , Commissioner Kumar, and Commissioner Stealey

Nay: 1 - Commissioner Sontag

ADJOURNMENT

Chairperson Sontag adjourned the meeting at 9:12 p.m to the next meeting on April 18, 2019.

A motion was made by Commissioner Arquero, seconded by Commissioner Stealey, to adjourn the meeting at 9:12 PM.

Aye: 5 - Commissioner Arquero, Commissioner Banko , Commissioner Kumar, Commissioner Sontag, and Commissioner Stealey



Agenda Report

19-428

Agenda Date: 5/9/2019

REPORT TO SALARY SETTING COMMISSION

SUBJECT

Discussion of, and possible action on, salary setting for Police Chief pursuant to SCCC 2.80.015, and update to Chief of Police Total Monthly Compensation Survey

BACKGROUND

At the March 28, 2019 meeting, staff provided the Commission with a Total Monthly Compensation survey that was provided for review and consideration, as the Salary Setting Commission discussed the total compensation for the City's Police Chief. The Total Monthly Compensation Survey included 2018 information for the classification of Police Chief. During the meeting, it was identified that the Management Leave amount for the Police Chief was incorrect and POST pay was inadvertently excluded.

DISCUSSION

Human Resources has updated the Total Monthly Compensation Survey to reflect 2019 information (Attachment 1). This includes updates to various agencies, including the City of Santa Clara. The survey was also provided to the Police Chief in advance of the Salary Setting Commission meeting for his review. Following his review of the updated survey, the Police Chief requested the attached letter be submitted to the Salary Setting Commission for your consideration during salary setting deliberations (Attachment 2).

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 fiscal impact associated with this report.

COORDINATION

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

PUBLIC CONTACT

Public contact was made by posting the Salary Setting Commission 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 or at the public information desk at any City of Santa Clara public

library.

RECOMMENDATION

This item is for information and discussion only, there is no recommendation at this time.

Reviewed by: Teresia Zadroga-Haase, Director, Human Resources

Approved by: Nadine Nader, Assistant City Manager

ATTACHMENTS

1. Total Monthly Compensation Survey for Police Chief
2. Letter to the Salary Setting Commission from the Police Chief dated April 11, 2019

CONFIDENTIAL
CITY OF SANTA CLARA
TOTAL MONTHLY COMPENSATION SURVEY
POLICE CHIEF

Agency	Top Step Salary	Insurance					Soc. Sec. Medicare	Employer Retire. Rate	ER Paid EE Ret.	Deferred Comp	Auto Allow.	Prof. Devel.	POST pay (%)	POST pay (\$)	Uniform Allowance	Retiree Medical	Total Compensation	
		Life	Medical	Dental	LTD	Vision												
City of Mountain View	23,591.34	66.00	2,322.39	224.76	37.91	10.00	342.62	10,604.39	0.00	0.00	0.00	83.33	0.0%	0.00	37.50	2,322.39	39,642.63	
City of Palo Alto	23,209.33	33.96	2,172.00	214.89	37.20	15.90	361.78	12,397.67	0.00	0.00	0.00	250.00	7.5%	1,740.70	0.00	2,172.00	42,605.42	
City of Milpitas	20,599.95	7.00	1,997.45	221.22	0.00	17.05	300.33	9,159.25	0.00	75.00	0.00	0.00	0.0%	0.00	112.50	768.25	33,258.00	
City of Redwood City	22,323.00	25.65	1,797.71	99.86	17.40	10.81	340.76	9,718.06	0.00	892.92	0.00	62.50	5.0%	1,116.15	61.67	1,065.75	37,532.23	
City of Hayward	19,363.07	23.24	2,311.15	148.08	60.58	14.35	309.93	8,810.52	0.00	0.00	0.00	350.00	10.0%	1,936.31	75.00	768.25	34,170.47	
County of Santa Clara	24,099.76	195.14	2,733.72	54.27	0.00	4.59	349.45	10,112.02	0.00	0.00	0.00	0.00	0.0%	0.00	0.00	0.00	37,548.94	
County of San Mateo	21,891.58	4.50	3,087.30	127.22	14.47	16.06	342.43	15,126.12	0.00	0.00	1,111.50	0.00	7.5%	1,641.87	82.67	4,273.82	47,719.54	
County of Alameda	21,434.40	5.14	1,296.45	38.93	0.00	25.22	330.96	13,966.39	0.00	0.00	0.00	0.00	6.0%	1,286.06	104.17	558.00	39,045.72	
Survey Average:		22,064.05															38,940.37	
City of Santa Clara	26,141.00	5.60	848.94	0.00	0.00	0.00	398.72	13500.99	0.00	0.00	0.00	0.00	5.0%	1307.05	50.00	364.00	42,616.35	

Santa Clara above/below average salary: **18.48%**
Above

Santa Clara above/below average total compensation: **9.44%**
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

City of Santa Clara Total Monthly Compensation Survey
Police Chief
Page 2 (NOTES)

Retirement:

	<u>Agency Base</u>	<u>Agency-Paid Employee Contribution</u>	
City of Mountain View	44.879%	0%	3.0@50
City of Palo Alto	49.690%	0%	3.0@50
City of Milpitas	44.221%	0%	3.0@50
City of Redwood City	41.352%	0%	3.0@50
City of Hayward	41.220%	0%	3.0@50
County of Santa Clara	41.959%	0%	3.0@50
County of San Mateo	64.050%	0%	3.0@50
County of Alameda	61.190%	0%	3.0@50
City of Santa Clara	49.098%	0%	3.0@50

44.683% contribution rate, but employee pays 7% as cost share amount

Paid Holidays:

	<u>No. Holidays</u>
City of Mountain View	12
City of Palo Alto	12
City of Milpitas	13
City of Redwood City	14
City of Hayward	14.5
County of Santa Clara	12
County of San Mateo	0
County of Alameda	11
City of Santa Clara	13

Vacation:

	<u>No. Days</u>
City of Mountain View	17
City of Palo Alto	25
City of Milpitas	36
City of Redwood City	15
City of Hayward	15
County of Santa Clara	0
County of San Mateo	0
County of Alameda	0
City of Santa Clara	24

City of Santa Clara Total Monthly Compensation Survey

Police Chief

Page 3 (NOTES, Continued)

Management Leave:

	<u>No. of Days</u>
City of Mountain View	12
City of Palo Alto	10
City of Milpitas	16.25
City of Redwood City	20
City of Hayward	10
County of Santa Clara	0
County of San Mateo	0
County of Alameda	0
City of Santa Clara	10

Sick Leave

	<u>No. of Days</u>
City of Mountain View	12
City of Palo Alto	12
City of Milpitas	12
City of Redwood City	12
City of Hayward	12
County of Santa Clara	0
County of San Mateo	0
County of Alameda	0
City of Santa Clara	12

Date: April 11, 2019

To: Salary Setting Commission

From: Michael J. Sellers, Chief of Police

Subject: Salary Setting Commission Consideration for the Chief of Police Salary

I am submitting this letter to the Salary Setting Commission for your consideration because I believe it is important that the Commission has a historical perspective to serve as a foundation for future discussions.

I have been a Santa Clara Police Department Officer for over 34 years. I rose up through the ranks to Assistant Police Chief. In 2012, I was elected as Chief of Police. The City of Santa Clara has the only elected Chief of Police position in the State of California. Generally, Sheriff's, District Attorneys and the Attorney General are the only other elected law enforcement officials across the state.

Based upon the Council Agenda Report dated February 10, 1994, the Chief of Police position was a member of Bargaining Unit 9A (Unclassified Police Management). On July 5, 1994, City Council voted unanimously that the Chief of Police shall not be assigned as a represented employee in any employee bargaining unit but would receive the same annual cost-of-living and other benefit increases as negotiated by Bargaining Unit 9A. Bargaining Unit 9A also has past practice of a "Me To" clause with the Police Officers Association Bargaining Unit 2, to address pay compaction between the ranks. The "Me To" past practice for the Chief of Police ended as a result of City Council action on March 20, 2018. The City Council decided to end the long-standing practice for unknown reasons.

The Police Officers Association Unit 2 negotiates salary and benefits directly with the city and is eventually approved by City Council. As Chief of Police, I am not involved with proposing or approving any salary or benefits with any of the bargaining units.

The Police Officers Association (POA) bargaining Unit 2 consists of all sworn police officers up to the rank of Police Lieutenant. Bargaining Unit 9A consists of Captains and the Assistant Police Chief. Unit 9A and the Chief of Police also can receive merit increases above and beyond the MOU contract increases. It is the city's past practice to provide merit increases to the Chief of Police. Merit increases are generally tied to performance and range on a scale of 0-5%.

Working for the City of Santa Clara is much different than the private sector. I know in many cases the owner or CEO might not make as much salary as their subordinates, but they are given stock or other compensation options. In the public sector, department heads don't receive stock options or bonuses. Therefore, having a spread between ranks to avoid salary compaction is not only important to civil service employees, but it is a common practice amongst all public safety agencies and in all local government jobs.

Recommendations for the Commission to consider:

- The Committee should consider asking the Human Resources Director to provide salary compaction and benefit comparisons with other department heads and their second in commands within the City of Santa Clara. I believe the average salary separation is around 23% percent. The current separation between the Chief of Police and Assistant Chief of Police is about 11%. The compaction will potentially be less after Unit 2 and 9A negotiations are implemented. These comparisons should be verified and provided for the Commission to review.

- As a result of City Council action in March, 2018, the Assistant Chief currently receives 40 more hours of management leave and more money toward medical benefits than the Chief of Police. Prior to that action, the benefits were always the same.
- Ask Chief of Police to provide a list of his roles and responsibilities that are over and above the Assistant Chief.
- Ask Chief of Police to provide a list of accomplishments.
- Consider reinstating the long-standing past practice of the "Me To" clause of the Chief of Police to avoid salary compaction, differing benefit levels and eliminating politics from the salary setting practice. Establishing a process for merit increases for the Chief of Police whereby the community could have input on performance benchmarks and meeting established milestones.
- Alternatively, while the Chief of Police is not in a represented bargaining unit, the Commission could establish a process that would allow for the Chief of Police to similarly negotiate wage and benefit increases based upon performance or some metrics.
- Salary and benefits should be based on level of experience and contribution to the department. When the Chief of Police separates employment, the Salary Setting Commission should re-establish a new salary / benefits compensation package based on the new incumbents' qualifications. The Chief of Police current term will end December 2020.

Conducting a compensation study amongst Police Chiefs is important to understand their roles and responsibilities and compensation packages. The primary difference between an appointed Chief of Police and Santa Clara's Chief is the electorate process. No other municipal Chiefs' of Police are elected. Instead, they are "At Will" and are hired by the City Manager and approved by the City Council. The qualifications for an elected Chief of Police and appointed Chief of Police are similar and there is a set of very high standards for each. The position is the ultimate point person to foster public trust, to insure the organization is well run, well trained and professional. This position is one of the most visible to the public and is entrusted with police-community relations, accountability, and is ultimately responsible for the safety and security of our community.

Thank you for your consideration.

cc: Teresia Zadroga-Haase, Human Resources Director



City of Santa Clara

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

Agenda Report

19-493

Agenda Date: 5/9/2019

REPORT TO SALARY SETTING COMMISSION

SUBJECT

Continued discussion on Salary Setting for City Clerk

BACKGROUND AND DISCUSSION

Pursuant to Santa Clara Code Section 2.20.015, commencing on July 1, 2019, and every two years on July 1st thereafter, the compensation of the City Clerk shall be set by a Salary Setting Commission.

The item to discuss the salary for the City Clerk has been included on the Salary Setting Commission meeting Agenda since January 2019. This item has been continued for further discussion. Survey and other information requested by the Commission was provided with the agenda packet for the January 30, 2019 Commission meeting.

RECOMMENDATION

This item is for information and discussion only, there is no recommendation at this time.

Reviewed by: Teresia Zadroga-Haase, Director, Human Resources

Approved by: Nadine Nader, Assistant City Manager



City of Santa Clara

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

Agenda Report

19-496

Agenda Date: 5/9/2019

SUBJECT

Discussion of Adding Additional Meeting Dates in 2019 to the Salary Setting Commission

BACKGROUND

Commencing in January 2019, the Salary Setting Commission has had seven (7) meetings.

- January 8, 17, 30
- February 21, 28
- March 14, 28

On April 23, 2019, the City Council approved additional meeting dates for the Commission to include:

- May 9, 23, 30

DISCUSSION

There are currently no additional meetings scheduled for June 2019. The Salary Setting Commission typically meets on Thursdays. The following dates are available if the Salary Setting Commission is interested in meeting in June.

- June 6, 13

RECOMMENDATION

Staff makes no recommendation.

Reviewed by: Teresia Zadroga-Haase, Director, Human Resources

Approved by: Nadine Nader, Assistant City Manager