

## RESOLUTION NO. 19-3

### A RESOLUTION OF THE SALARY SETTING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, SETTING THE SALARIES OF THE POSITION OF CITY CLERK FOR THE PERIOD JULY 1, 2019, TO JUNE 30, 2021, INCLUSIVE, PURSUANT TO CITY CHARTER SECTION 702 AND SANTA CLARA CITY CODE SECTION 2.20.015

#### BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

**WHEREAS**, in accordance with City Charter Section 702, a Salary Setting Commission consisting of five qualified electors of the City was appointed by the Civil Service Commission in November 2018, to commence performance of its duties in January 2019;

**WHEREAS**, pursuant to City Code Section 2.20.015, the Salary Setting Commission is charged with establishing the compensation of the City Clerk for the period commencing on July 1, 2019, and ending two years thereafter;

**WHEREAS**, the Salary Setting Commission met on twelve occasions from January 8, 2019, through June 20, 2019, inclusive, during which the compensation for City Clerk was discussed on several occasions;

**WHEREAS**, the Salary Setting Commission was presented with, and took into consideration, various data points including, but not limited to, the history of compensation received by the City Clerk, comparator agency salary levels, modification of the duties of the City Clerk under the Charter and the City Code, and City budget projections; and

**WHEREAS**, the final decision of the Salary Setting Commission as to the City Clerk salary, as set forth in this Resolution, is based upon the following:

1. Charter Section 903 sets forth generally the various duties of a City Clerk including attending Council meetings and maintaining the minutes of said meetings, maintaining the official contracts entered into by the City, acting as custodian of the City seal, and having charge of all City elections.
2. In July 2018, the City Council by ordinance (SCCC 2.20.020) reduced the scope of the

City Clerk's duties to having charge of City elections and acting as custodian of the City seal; the remainder of the duties listed in the Charter were assigned to the Assistant City Clerk (SCCC 2.20.030).

3. At this time, the primary duty of the City Clerk is to manage (i.e., "have charge of") the City elections. Because elections are generally held every two years, the Commission anticipates that the position will be subject to a biennial increase in time commitment. The Commission further anticipates that in non-election years, the time commitment associated with discharging the duties of the position will be minimal.
4. Concurrently with the reduction in scope of official duties of the City Clerk, the City Council also reduced the salary associated with the position to the sum of \$2,000 per month, which is the same salary earned by Council Members.
5. The City Clerk is not a "regular" employee of the City, subject to internal performance review. Rather, the City Clerk is elected by the voters of the City of Santa Clara; it is, therefore, solely within the purview of the voters to determine the quality of performance by the current office holder. Accordingly, the role of the Salary Setting Commission is to set the salary for the position of City Clerk, irrespective of the identity or performance of the current office holder.
6. The position of City Clerk is similar to that of Council Member in that it is an elected, part-time, executive-level position, and the office holder may hold separate full-time employment in addition to service in his/her elected position. However, unlike the position of Council Member, the City Clerk has no formal requirements for meeting attendance or other specific activities related to his/her City service.
7. At the current rate (\$2,000 per month), the City Clerk salary is approximately 350% higher than the average salary level for the position in the comparator agencies reviewed by the Commission. When taking into consideration medical benefits, the current salary is approximately 11% higher than the average total compensation paid by the

comparator agencies. The comparator agencies reviewed were the cities of Antioch, Fairfield and Morgan Hill.

8. The Commission has reviewed and considered the short- and long-term budget projections provided by staff; the Commission strives to arrive at a prudent and fiscally responsible decision.
9. The Commission appreciates the importance of the position of City Clerk as it relates to properly managing the City elections and strives to strike a balance between acting in a fiscally responsible manner, properly aligning compensation with the duties of the position, and attracting capable candidates for this important position.

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

1. That for the period July 1, 2019, until such time as the individual elected to the position of City Clerk at the next election for that position takes office (if such oath of office is taken before June 30, 2021), the salary for the position of the City Clerk shall remain at its current level of \$2,000 per month.
2. That for the period beginning when the individual elected to the position of City Clerk at the next election for that position takes office (if such oath of office is taken before June 30, 2021) and ending on June 30, 2021, the salary for the position of City Clerk shall be \$1,500 per month.

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3. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE SALARY SETTING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 20<sup>th</sup> DAY OF JUNE, 2019, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS: Arquero, Banko, Kumar, Stealey, and Chair Sontag

NOES: COMMISSIONERS: None

ABSENT: COMMISSIONERS: None

ABSTAINED: COMMISSIONERS: None

ATTEST:   
JOHN SONTAG, CHAIR  
SALARY SETTING COMMISSION

Attachments incorporated by reference: None