



Agenda Report

18-957

Agenda Date: 7/5/2018

REPORT TO COUNCIL

SUBJECT

Introduction of an Ordinance Assigning Professional Responsibilities from the Elected City Clerk to the Assistant City Clerk and Setting the Salary of the Elected City Clerk Commensurate with the Stipend and Benefits of Council Members

BACKGROUND

On February 6, 2018, former City Clerk Rod Diridon, Jr. resigned leaving a vacancy in the elected City Clerk position. Charter Section 903 provides that the City Council may, in its discretion, appoint any other officer or employee of the City as City Clerk and grant such person additional compensation for the performance of such duties.

Following the course of discussing the Office of the City Clerk at five different Council meetings, on June 26, the Council directed that the City Attorney draft an Ordinance amending the City Code to specify the primary responsibilities of the elected City Clerk and Assistant City Clerk and to draft an Ordinance setting a stipend for the position of elected City Clerk and benefits comparable to what the current Council Members are eligible to receive.

DISCUSSION

Professional skills have evolved since the drafting of the City Charter duties and, as such, the City Clerk skills and technical requirements have also changed. After several hearings, the Council determined that the skill set and expertise needed to achieve and fulfill the day-to-day professional administrative functions of the City Clerk's Office are suited for a position where qualifications, experience and training are taken into account in order to perform the varying and complex democratic processes and legislative actions in compliance with federal, state, and local statutes that govern the City Clerk's Office.

Assigning the day-to-day professional administrative functions to the Assistant City Clerk will align the democratic processes and legislative actions that govern the City Clerk's Office to a City employee that possesses substantive knowledge of professional standards and method and this position would be required to obtain proper Municipal City Clerk certification. To retain the independence of the elected City Clerk, and with the expectation of effectively running impartial elections, the elected City Clerk will be primarily responsible for overseeing and administering all aspects of municipal elections for the City of Santa Clara.

As directed by the Council at the meeting of June 26, 2018, if adopted by Council, the proposed Ordinance would set the following:

Elected City Clerk Compensation

The elected City Clerk would receive a monthly stipend in the amount of \$2,000 per month and

benefits equivalent to City Council Members. Commencing on July 1, 2019, and every two years on July 1 thereafter, the compensation would be set by a Salary Setting Commission, as set forth in Charter Section 702.

Roles and Responsibilities of Elected City Clerk

The elected City Clerk would have the following primary roles and responsibilities:

- a) Be the custodian of the City seal
- b) Have charge of all City elections

Roles and Responsibilities of the Assistant City Clerk

As an unclassified position, the Assistant City Clerk would have the following primary roles and responsibilities:

- a) The recording and maintaining of a full and true record of all the proceedings of the City Council.
- b) Publishing and attesting the publication of all official notices.
- c) Administering oaths or affirmations and taking affidavits and depositions pertaining to the affairs of the City.
- d) The issuance of certified copies of official records as required and requested.
- e) Officially recording the rights, titles and interests in all real properties acquired by the City.
- f) The handling of all Council correspondence unless otherwise specifically designated.
- g) Preparing of the agenda and supplemental material for Council meetings in cooperation with the City Manager and City Attorney.
- h) Routing Council assignments to the respective officers having primary responsibility for their execution.
- i) Duplicating and distributing the minutes, ordinances, resolutions, policies and orders of the City Council to the various boards, commissions and administrative officers.

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

By establishing compensation and benefits for the elected City Clerk equivalent to what the City Council Members currently are entitled to, there is a savings in salary and benefits, which will be used to resolve the ongoing deficit as outlined in the City’s 10 Year Financial Outlook/Plan.

COORDINATION

This report was coordinated with the City Attorney’s Office and the City Manager’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>> or at the public information desk at any City of Santa Clara public library.

ALTERNATIVES

1. Approve the Introduction of an Ordinance Adding a New Section 2.20.015 (Compensation), Amending Section 2.20.020 (Duties And Responsibilities) and Amending Section 2.20.030 (Assistant City Clerk) of Chapter 2.20 (City Clerk) of "The Code Of The City Of Santa Clara, California" which would set the salary and assign primary roles and responsibilities of the elected City Clerk and assign the primary roles and responsibilities of the Assistant City Clerk.
2. Provide different direction to staff.

RECOMMENDATION

Approve the Introduction of an Ordinance Adding a New Section 2.20.015 (Compensation), Amending Section 2.20.020 (Duties And Responsibilities) and Amending Section 2.20.030 (Assistant City Clerk) of Chapter 2.20 (City Clerk) of "The Code Of The City Of Santa Clara, California" which would set the salary and assign primary roles and responsibilities of the elected City Clerk and assign the primary roles and responsibilities of the Assistant City Clerk.

Reviewed by: Jennifer Yamaguma, Acting City Clerk

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Draft Proposed Ordinance