18-487 **Agenda Date: 7/17/2018**

REPORT TO COUNCIL

SUBJECT

Action on Adoption of Ordinance No. 1983 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

Proposed Ordinance No. 1983 was passed for the purpose of publication on July 5, 2018. Pursuant to City Charter Sections 808 and 812, proposed Ordinance No. 1983 was published on July 11, 2018, and copies were posted in at least three public places.

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 the 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) Preparation 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.

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.

RECOMMENDATION

Adopt Ordinance No. 1983 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.

Reviewed by: Brian Doyle, City Attorney
Approved by: Deanna J. Santana, City Manager

ATTACHMENTS
1. Ordinance No. 1983