



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 15-0244, Version: 1

REPORT TO COUNCIL

SUBJECT

Consider an Increase to City Attorney Compensation

BACKGROUND

The City Council met in closed session on February 17, 2015 as a follow-up to the City Attorney's annual performance evaluation held in December 2014. As a result, the City Council directed this report be heard as a public agenda item at a regular City Council meeting for discussion.

EXISTING POLICY

Council Policy 7.3.1 *Legislative Management - Goals and Policies*, Goal 7.3D: Maintain a quality work force, consistent with state and federal laws, City Charter, and adopted policies in order to assure that City services are provided in an effective, efficient, and high quality manner.

ENVIRONMENTAL REVIEW

N/A

DISCUSSION

The City Attorney's contract provides that Council may consider a salary adjustment following a successful annual performance evaluation. Accordingly, the City Attorney requested a 3% salary increase, and to be placed in the next higher PTO accrual level of 10.5 hours biweekly, which is the level of 10 to 17 years of service for Department Directors. The current control point for the City Attorney's classification is \$218,303, as identified in the current Salary Table for Regular Full-Time and Part-Time Employees. The City Attorney's current annual salary is at 100% of control point and her current PTO accrual is 9.0 hours biweekly, which is the level of 5 to 10 years of service for Department Directors.

The Department Directors increased their employee contribution to the CalPERS retirement system by 1% effective August 31, 2014, and are scheduled to further increase their employee contribution by 1% each fiscal year in 2015/16 and 2016/17. The City Attorney's Employment Agreement includes a provision that she follows Department Directors when employee CalPERS contribution rates increase.

FISCAL IMPACT

The current budget includes the City Attorney's salary at the current control point of \$218,303. Therefore, any increase to the control point would have a corresponding impact on the budget. A 3% increase can be absorbed for the remainder of this fiscal year. On an ongoing basis, the FY 2014/15 Adopted Budget assumes a 2% per year increase. The fully loaded cost of an additional percent increase would be approximately \$3,000 per year going forward. This additional cost can be absorbed in the FY 2015/16 budget and included during the FY 2016/17 operating budget cycle.

Adjustments to PTO accrual levels are made annually as part of the budget development process and the modest cost increase associated with the change in accrual rate can be absorbed as part of this process.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's website.

ALTERNATIVES

1. Authorize the Mayor to execute an Amendment to the Agreement for Services between the City of Sunnyvale and the City Attorney to adjust the salary schedule and/or PTO accrual based on the outcome of the discussion of the City Council.
2. Do not authorize an Amendment to the Agreement for Services between the City of Sunnyvale and the City Attorney.

STAFF RECOMMENDATION

Staff makes no recommendation.

Prepared by: Vienne Choi, Principal Human Resources Analyst

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Reviewed by: Grace K. Leung, Director, Finance

Reviewed by: Robert A. Walker, Assistant City Manager

Reviewed by: Deanna J. Santana, City Manager