

24. Resolution and Agreement Amendment Reflecting the Positive City Clerk Evaluation Conducted on April 16, 2024, and Approving an Adjusted Annual Salary for the City Clerk; and Resolution Approving the Council Appointee Salary Schedule in Compliance with the California Public Employees' Retirement System (CalPERS) and Title 2 of the California *Code of Regulations section 570.5*

Department(s):

Recommended Action: 1. Adopt a resolution reflecting the positive City Clerk performance evaluation conducted on April 16, 2024 and approving an adjusted annual salary for the City Clerk, and

RESOLUTION NO. 2024-XXX entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AFFIRMING A POSITIVE PERFORMANCE EVALUATION AND APPROVING A SALARY ADJUSTMENT FOR THE CITY CLERK

2. Approve a first amendment to City Clerk employment agreement to reflect adjusted annual salary (Agreement No. A-2024-XXX), and

3. Adopt a resolution updating the City's Classification and Compensation Plan with the amended annual salary for City Clerk, and approving the Council Appointee Salary Schedule in compliance with the California Public Employees' Retirement System (CalPERS) and Title 2 of the California Code of Regulations section 570.5.

RESOLUTION NO. 2024-XXX entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA TO EFFECT CERTAIN CHANGES TO THE CITY'S CLASSIFICATION AND COMPENSATION PLAN



City of Santa Ana
20 Civic Center Plaza, Santa Ana, CA 92701
Staff Report
May 7, 2024

TOPIC: City Clerk Performance Evaluation and Salary Adjustment

AGENDA TITLE

Resolution and Agreement Amendment Reflecting the Positive City Clerk Evaluation Conducted on April 16, 2024, and Approving an Adjusted Annual Salary for the City Clerk; and Resolution Approving the Council Appointee Salary Schedule in Compliance with the California Public Employees' Retirement System (CalPERS) and Title 2 of the California *Code of Regulations* section 570.5.

RECOMMENDED ACTION

1. Adopt a resolution reflecting the positive City Clerk performance evaluation conducted on April 16, 2024 and approving an adjusted annual salary for the City Clerk, and

RESOLUTION NO. 2024-XXX entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AFFIRMING A POSITIVE PERFORMANCE EVALUATION AND APPROVING A SALARY ADJUSTMENT FOR THE CITY CLERK

2. Approve a first amendment to City Clerk employment agreement to reflect adjusted annual salary (Agreement No. A-2024-XXX), and
3. Adopt a resolution updating the City's Classification and Compensation Plan with the amended annual salary for City Clerk, and approving the Council Appointee Salary Schedule in compliance with the California Public Employees' Retirement System (CalPERS) and Title 2 of the California *Code of Regulations* section 570.5.

RESOLUTION NO. 2024-XXX entitled A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA TO EFFECT CERTAIN CHANGES TO THE CITY'S CLASSIFICATION AND COMPENSATION PLAN

GOVERNMENT CODE §84308 APPLIES: No

DISCUSSION

The City Clerk's employment agreement with Jennifer Hall was approved on February 7, 2023 with an annual salary of \$172,000. The City Charter provides that the City Council shall conduct performance evaluations of its appointees on an annual basis. In addition, the City Clerk's employment agreement provides for an annual performance evaluation and the opportunity for salary adjustments based on positive evaluations.

The City Council conducted a performance evaluation of the City Clerk on April 16, 2024. The City Clerk received a positive performance evaluation and it is recommended that the City Clerk's annual salary be adjusted to \$182,320 effective April 16, 2024. The first proposed resolution affirms the positive performance evaluation and approves an adjusted City Clerk annual salary (Exhibit 1). Also included is an amendment to the City Clerk's employment agreement to reflect the annual salary adjustment (Exhibit 2) and a resolution to amend the City's Classification and Compensation Plan and approve the Council Appointee Salary Schedule to reflect the aforementioned City Clerk salary adjustment (Exhibit 3).

FISCAL IMPACT

The City Council's adoption of the proposed resolutions will result in an annual total increase in costs of approximately \$10,320, with a Fiscal Year 2023-24 impact of approximately \$3,214. There are sufficient funds in the City Clerk's Office budget (account 01107031-61000) to cover the increased costs.

EXHIBIT(S)

1. Resolution affirming a positive performance evaluation and approving an annual salary adjustment for the City Clerk
2. First Amendment to City Clerk Employment Agreement
3. Resolution amending the City's Classification and Compensation Plan and approving the amended Council Appointee Salary Schedule

Submitted By: Lori Schnaider, Acting Executive Director of Human Resources

Approved By: Alvaro Nuñez, Acting City Manager

RESOLUTION NO. 2024-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SANTA ANA AFFIRMING A POSITIVE
PERFORMANCE EVALUATION AND APPROVING A
SALARY ADJUSTMENT FOR THE CITY CLERK

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANTA ANA AS
FOLLOWS:

Section 1. The City Council of the City of Santa Ana (“City”) and Jennifer Hall (“City Clerk”) entered into a City Clerk Employment Agreement (“Agreement”) dated February 7, 2023, whereby she agreed to serve as the City Clerk of the City.

Section 2. The Agreement and City Charter Section 705, provide that the City Council shall conduct an annual performance evaluation of the City Clerk.

Section 3. The Agreement provides that, as a result of a performance evaluation and, at the City Council’s sole discretion, City Council may provide a salary increase and/or performance bonus.

Section 4. The City Council conducted the City Clerk’s annual performance evaluation on April 16, 2024 resulting in a positive performance evaluation.

Section 5. At this time, the City Council desires to provide a compensation adjustment and approves an updated annual salary for the City Clerk in the amount of \$182,320 retroactively effective, April 16, 2024, and payable in installment payments in the same manner and at the same times as other City executive manager salaries are paid. Said salary adjustment shall be memorialized in an amendment to the Agreement presented concurrently with this Resolution.

Section 6. This Resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall attest to and certify the vote adopting this Resolution.

ADOPTED this 7th day of May 2024.

Valerie Amezcua
Mayor

APPROVED AS TO FORM:

Sonia R. Carvalho

City Attorney

By: Laura A. Rossini

Laura A. Rossini

Chief Assistant City Attorney

AYES: Councilmembers _____

NOES: Councilmembers _____

ABSTAIN: Councilmembers _____

NOT PRESENT: Councilmembers _____

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, _____, City Clerk, do hereby attest to and certify the attached Resolution No. 2024-___ to be the original resolution adopted by the City Council of the City of Santa Ana on May 7, 2024.

Date: _____

City Clerk

City of Santa Ana

FIRST AMENDMENT TO CITY CLERK EMPLOYMENT AGREEMENT

THIS FIRST AMENDMENT to the above-referenced agreement is entered into on May 7, 2024 by and between Jennifer Hall, an individual ("Employee") and the City of Santa Ana, a charter city and municipal corporation organized and existing under the Constitution and laws of the State of California ("City").

RECITALS

- A. City and Employee entered into Agreement No. A-2023-014 dated February 7, 2023, by which Employee agreed to appointment as City Clerk for City ("Agreement"); and
- B. City Charter Section 705 and the Agreement provide for an annual performance evaluation for Employee. On April 16, 2024, Employee received a positive performance evaluation; and
- C. The City Council now desires to adjust Employee's salary to reflect said positive performance evaluation.

The Parties therefore agree:

- 1. **Section 3.1, Salary**, is amended to increase the annual compensation from \$172,000 to \$182,320 effective April 16, 2024.
- 2. Except as modified by this First Amendment, all terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to the Agreement on the date and year first written above.

ATTEST

CITY OF SANTA ANA

City Clerk

Valerie Amezcua
Mayor

APPROVED AS TO FORM

Sonia R. Carvalho
City Attorney

EMPLOYEE

By: Laura A. Rossini
Laura A. Rossini
Chief Assistant City Attorney

Jennifer L. Hall

RESOLUTION NO. 2024-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SANTA ANA TO EFFECT CERTAIN CHANGES TO THE CITY'S
CLASSIFICATION AND COMPENSATION PLAN

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANTA ANA AS
FOLLOWS:

Section 1. The City Council of the City of Santa Ana ("City") hereby finds, determines, and declares as follows:

- A. Section 1004 of the City Charter of the City requires the City Manager to prepare, install, and maintain a position classification and pay plan subject to civil service rules and regulations and the approval of the City Council.
- B. It is the City's practice to assign job titles that reflect the duties and responsibilities of the classification and are consistent with other classifications within the City's organizational structure, as well as comparable job titles in the labor market, while maintaining internal pay equity relationships and attracting and retaining qualified candidates.
- C. The City Council regularly amends the City's classification and compensation plan for all full-time and part-time classifications of officers and employees of the City of Santa Ana.
- D. It is now desired to amend the City's classification and compensation plan.
- E. The City Council hereby approves a salary adjustment for the City Clerk after a positive performance evaluation; the amended annual salary for the City Clerk is \$182,320 retroactively effective April 16, 2024.

Section 2. The Santa Ana City Council hereby approves an updated Salary Schedule for the Council Appointee unit, attached to this Resolution as Exhibit A, reflecting classification and compensation amendments per this and previously approved City Council Resolutions, grouped by employee unit as recommended by the California Public Employees' Retirement System ("CalPERS"), and in compliance with CalPERS and Title 2 of the California *Code of Regulations* section 570.5.

Section 3. This Resolution shall take effect immediately upon its adoption by the City Council, and the City Clerk shall attest to and certify the vote adopting this Resolution.

ADOPTED this 7th day of May 2024.

Valerie Amezcua
Mayor

APPROVED AS TO FORM:
Sonia R. Carvalho
City Attorney

By: Laura A. Rossini
Laura A. Rossini
Chief Assistant City Attorney

AYES: Councilmembers _____

NOES: Councilmembers _____

ABSTAIN: Councilmembers _____

NOT PRESENT: Councilmembers _____

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, Jennifer Hall, City Clerk, do hereby attest to and certify the attached Resolution No. 2024-____ to be the original resolution adopted by the City Council of the City of Santa Ana on May 7, 2024.

Date: _____

Jennifer L. Hall
City Clerk
City of Santa Ana

**EXHIBIT A
COUNCIL APPOINTEE
SALARY SCHEDULE
REVISED MAY 7, 2024**

EFFECTIVE APRIL 16, 2024

JOB TITLE	JOB CODE	ANNUAL PAY RATE
City Manager (EM)	01790	326,181
City Clerk (EM)	01990	182,320