

**Council Meeting: December 17, 2013****SUBJECT: Discussion and Possible Action to Increase the Compensation for the City Attorney****BACKGROUND**

The City Council met in closed session on December 10, 2013 with the City Attorney to discuss her annual performance evaluation. As a result of that discussion, the City Council requested that a public agenda item be added to the next regular City Council meeting to discuss compensation of the City Attorney. Based on that request, this Report to Council has been prepared to facilitate the public discussion.

EXISTING POLICY

Policy 7.3.1 Legislative Management – Goals and Policies

Goal 7.3D: Maintain a qualify workforce, 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.

CEQA REVIEW

N/A

DISCUSSION

The current control point for the City Attorney's classification is \$211,945, as identified in the current Salary Table for Regular Full-Time and Part-Time Employees. The City Manager, City Attorney and Department Directors increased their employee contribution to the CalPERS retirement system by 2% effective the first full pay period of July 1, 2013. The City Manager and Department Directors have received a 2% salary increase to address the increased employee contribution amount. The City Attorney has not received a corresponding increase to take the additional contribution into consideration. Further, with the completion of the annual performance evaluation, the City Council may have a discussion on an adjustment to the current control point for the City Attorney.

FISCAL IMPACT

The current budget includes the City Attorney's salary at the current control point of \$211,945. Therefore, any increase to the control point would have a corresponding impact on the budget. A 2% increase would cost approximately \$3,300 for the remainder of this fiscal year, and approximately \$6,500 annually thereafter. These amounts could be absorbed in the current budget and would be factored into the development of the FY 2014/15 budget.

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 Web site.

ALTERNATIVES

1. Authorize the Mayor to executive an Amendment to the Agreement for Services between the City of Sunnyvale and the City Attorney to adjust the salary schedule by an amount determined by the City Council.
2. Do not authorize an Amendment to the Agreement for Services between the City of Sunnyvale and the City Attorney.

RECOMMENDATION

Staff makes no recommendation.

Prepared by:

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Reviewed by:

Grace K. Leung, Director, Finance

Approved by:

Gary M. Luebbers
City Manager