

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE REAPPOINTING SHIVAUN NURRE AS THE INDEPENDENT POLICE AUDITOR, APPROVING TERMS OF COMPENSATION AND BENEFITS, AND AMENDING THE CITY OF SAN JOSE PAY PLAN

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

1. Shivaun Nurre is reappointed as the Independent Police Auditor for a term beginning January 1, 2021 through December 31, 2024, and the terms of compensation and benefits set forth in Attachment A are hereby approved;
2. That a 2.5% merit increase for the Independent Police Auditor effective July 1, 2020, is hereby approved and that the City of San Jose Pay Plan shall be amended, if necessary;
3. That a 2.5% merit increase for the Independent Police Auditor effective July 1, 2021, is hereby approved and that the City of San Jose Pay Plan shall be amended, if necessary;
4. That the granting of an additional forty (40) hours of executive leave to the Independent Police Auditor for the payroll calendar year 2021 is hereby approved;
5. That the granting of an additional forty (40) hours of executive leave to the Independent Police Auditor for the payroll calendar year 2022 is hereby approved; and
6. That the City of San Jose Pay Plan is amended to increase the salary range for the position of Independent Police Auditor to \$145,117 to \$263,000 annually, effective July 1, 2021.
7. The general terms of compensation and benefits are set out and described in the memorandum to the City Council from Mayor Sam Liccardo, dated June 21, 2021, attached hereto as Attachment A, and incorporated in this Resolution.

ADOPTED this ____ day of _____, 2021, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk



Memorandum

TO: CITY COUNCIL

FROM: Mayor Sam Liccardo

SUBJECT: INDEPENDENT POLICE
AUDITOR APPOINTMENT,
MERIT INCREASES,
ADDITIONAL EXECUTIVE
LEAVE AND AMENDING
THE CITY OF SAN JOSE
PAY PLAN

DATE: June 16, 2021

Approved:

Date:

June 21, 2021

RECOMMENDATION

Adopt a resolution:

- A. Reappointing Shivaun Nurre as Independent Police Auditor (IPA) and approving compensation for services as Independent Police Auditor for a term beginning January 1, 2021 and ending December 31, 2024;:
- B. Approving a 2.5% merit increase for the Independent Police Auditor effective July 1, 2020, and amending the City of San Jose Pay Plan, if necessary;
- C. Approving a 2.5% merit increase for the Independent Police Auditor effective July 1, 2021, and amending the City of San Jose Pay Plan, if necessary;
- D. Granting an additional forty (40) hours of executive leave to the Independent Police Auditor for the payroll calendar year 2021;
- E. Granting an additional forty (40) hours of executive leave to the Independent Police Auditor for the payroll calendar year 2022; and
- F. Amending the City of San Jose Pay Plan to increase the salary range for the position of Independent Police Auditor to \$145,117 to \$263,000 annually, effective July 1, 2021.

BACKGROUND

Pursuant to City Charter Section 809, the Independent Police Auditor shall serve a term ending four (4) years from and after the date of expiration of the immediately preceding term. The previous term expired December 31, 2020. The term of Shivaun Nurre will end December 31, 2024.

Council Appointees are subject to annual performance reviews by the City Council, and the Council must approve merit increases for Council Appointees based on job performance. Based on Shivaun Nurre's favorable annual performance review, I recommend the following consistent with the process we've implemented for Unit 99 performance evaluations under the MPP program: approve a 2.5% merit increase for the Independent Police Auditor effective July 1, 2020, and amending the City of San Jose Pay Plan, if necessary, and an additional forty (40) hours of executive leave for the calendar year 2021; and approve a 2.5% merit increase for the Independent Police Auditor effective July 1, 2021, and amending the City of San Jose Pay Plan, if necessary, and an additional forty (40) hours of executive leave for the calendar year 2022.

Adoption of this resolution and authorization to approve compensation changes will result in a merit increase and additional executive leave for the Independent Police Auditor for the performance review period of July 1, 2019 through June 30, 2020 and for the performance review period of July 1, 2020 through June 30, 2021, as applicable.

In the 27 years that the IPA office has existed, there have been six Independent Police Auditors and the current IPA has served as Interim IPA three times (2009, 2015, and 2017) before being appointed as the current IPA in 2018. Aside from the first IPA who served for 11 years, the average length of service for her predecessors has been one to five years. The IPA's salary affects the office's ability to attract and retain highly skilled and experienced police auditors. With the IPA's salary currently at the top of her salary range, our ability to remain competitive in salary with other cities will be crucial in attracting and keeping top talent.

A simple salary survey readily reveals that the current Independent Police Auditor salary — \$223,925, plus a 5% non-pensionable supplement, for a total of \$235,121 — lies between several comparable large cities. With a city of 1.1 million people and the County's largest police force, the IPA provides independent oversight of the police department. In November 2020, more than 77% of voters approved the expansion of the IPA's powers to create more transparency and accountability from police. Here is a snapshot of a few comparable large cities:

<u>Jurisdiction</u>	<u>Salary Range</u>
San Francisco	\$178,000 - \$227,000
Los Angeles	\$136,744 - \$262,065

The current annual compensation range for Independent Police Auditor is \$145,117 to \$226,227. The IPA is currently at the top of her salary range, which has a direct impact on potential annual merit increases. With the proposed merit increases, the annual Independent Police Auditor salary

Honorable Mayor and City Council

June 15, 2021

Subject: Independent Police Auditor Appointment and Compensation Package

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compensation range cap should be increased as well to allow for future annual performance merit increases. The proposed annual compensation range for the position of Independent Police Auditor, effective July 1, 2021, should be adjusted to \$145,117 to \$263,000, after the merit increases described above.

These actions will be absorbed by the Council Appointee Office budget.