

RESOLUTION NO. RES-2022-199

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AMENDMENT NO. 4 TO THE CITY'S EMPLOYMENT AGREEMENT WITH CITY ATTORNEY TO PROVIDE (1) A 5% MERIT INCREASE IN SALARY, AND (2) A 3% INCREASE IN DEFERRED COMPENSATION FOR A TOTAL CITY CONTRIBUTION OF 8%, EFFECTIVE AND RETROACTIVE TO MAY 8, 2022

WHEREAS, the Council approved the City Attorney's Employment Agreement dated April 18, 2017 ("Employment Agreement"); and

WHEREAS, on June 26, 2018, the Council approved Amendment No. 1 to the Employment Agreement by resolution RES-2018-109; and

WHEREAS, on December 3, 2019, the Council approved Amendment No. 2 to the Employment Agreement by resolution RES-2019-176; and

WHEREAS, on March 15, 2022, the Council approved Amendment No. 3 to the Employment Agreement by resolution RES-2022-049; and

WHEREAS, the Employment Agreement states, "In addition, upon completion of an annual performance evaluation as set forth in section 5, the City Council shall consider whether to provide a merit increase in the City Attorney's salary subject to the maximum salary range established for the City Attorney classification. Whether to provide a merit increase, and the amount of any such increase, shall be in the exclusive discretion of the City Council, and such determinations shall be final. In setting the City Attorney's annual compensation, the Council recognizes the City Attorney's salary should be set at a reasonable differential higher than the salaries of the attorneys whom she supervises, giving consideration for the comprehensive responsibilities of managing the City Attorney's Office."

WHEREAS, the Council has completed the City Attorney's annual performance evaluation and Council indicate universal appreciation for the City Attorney and rated her as exceptional; and

WHEREAS, the City Attorney's salary has historically been under market.

NOW, THEREFORE, BE IT RESOLVED that the Council approves a 5% merit increase to salary effective May 8, 2022.

BE IT FURTHER RESOLVED that the Council approves a 3% increase in deferred compensation, for a total City contribution of 8%, effective May 8, 2022.

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BE IT FURTHER RESOLVED that the Council of the City of Santa Rosa, in accordance with the provisions set forth in the Employment Agreement for the City Attorney, approves Amendment No. 4 to the City Attorney's Employment Agreement, attached to this resolution as Exhibit A and made a part of herein.

IN COUNCIL DULY PASSED this 27th day of September, 2022.

AYES: (6) Mayor C. Rogers, Vice Mayor Alvarez, Council Members Fleming, MacDonald, N. Rogers, Sawyer

NOES: (0)

ABSENT: (1) Council Member Schwedhelm

ABSTAIN: (0)

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM: _____
Chief Assistant City Attorney

Exhibit A – Amendment No. 4 to Employment Agreement