

ORDINANCE NO. ORD-2018-017

ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA INCREASING THE COMPENSATION OF THE CITY ATTORNEY BY PROVIDING, EFFECTIVE JULY 8, 2018, (1) A 3% COST OF LIVING SALARY ADJUSTMENT, AND (2) A CONTRIBUTION BY THE CITY EQUAL TO 0.5% OF BASE WAGE TO THE CITY ATTORNEY'S RETIREE HEALTH SAVINGS PLAN

THE PEOPLE OF THE CITY OF SANTA ROSA DO ENACT AS FOLLOWS:

Section 1. Pursuant to the Employment Agreement between the City and the City Attorney dated April 18, 2017 ("Employment Agreement"), "the City Attorney's compensation shall change by the percentage of the cost of living salary adjustment, if any, paid to the City's executive management employees for the 2018-19 fiscal year and each fiscal year thereafter. The City Attorney's compensation shall also change by the benefits adjustment, if any, paid to the City's executive management for the 2017-18 fiscal year and each fiscal year thereafter." Additionally, the Employment Agreement provides, "A Retiree Health Savings Plan (RHS) shall be provided under the same terms it is provided to other executive management employees."

Section 2. To match the cost of living salary adjustment the Council approved by Resolution RES-2017-146 in July 2017 for executive management for the 2018-19 fiscal year, the salary of the City Attorney shall be increased by a three percent (3%) cost of living salary adjustment, so that the monthly salary for the City Attorney shall be \$17,595.84, effective July 1, 2018.

Section 3. To match the RHS contribution by the City the Council approved in July 2017 to take effect the first full pay period following July 1, 2018 for executive management for the 2018-2019 fiscal year, commencing July 8, 2018, the City shall contribute for the 2018-2019 fiscal year an amount equal to one-half percent (0.5%) of base wage to the City Attorney's RHS,

Section 4. Except as provided by this Ordinance, the other compensation and benefits payable to the City Attorney shall remain unchanged as provided in the Employment Agreement.

Section 5. Environmental Determination. The Council finds that the adoption and implementation of this ordinance are exempt from the provisions of the California Environmental Quality Act under section 15061(b)3 in that the Council finds there is no possibility that the implementation of this ordinance may have significant effects on the environment.

Section 6. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid and/or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 7. Effective Date. This ordinance shall take effect on the 31st day following its adoption. Notwithstanding the effective date of this ordinance, the cost of living increase and RHS contribution set forth in this ordinance shall be effective as of July 8, 2018 and may be paid retroactively if necessary to implement the change as of July 8, 2018.

This ordinance was introduced by the Council of the City of Santa Rosa on June 26, 2018.

IN COUNCIL DULY PASSED this 10th day of July, 2018.

AYES: (6) Mayor Coursey, Vice Mayor Rogers, Council Members Olivares, Sawyer, Schwedhelm, Tibbetts

NOES: (0)

ABSENT: (1) Council Member Combs

ABSTAIN: (0)

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM:

Assistant City Attorney