

RESOLUTION NO. RES-2019-176

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA APPROVING AMENDMENT NO. 2 TO THE CITY'S EMPLOYMENT AGREEMENT WITH CITY ATTORNEY TO PROVIDE, EFFECTIVE MAY 12, 2019 (1) A 7.5% MERIT INCREASE, AND (2) 2.5% INCREASE IN DEFERRED COMPENSATION FOR A TOTAL CONTRIBUTION OF 5% OF BASE PAY, AND EFFECTIVE JULY 7, 2019, (1) A 2.5% COST OF LIVING SALARY ADJUSTMENT, AND (2) AN INCREASE IN CONTRIBUTION BY THE CITY FOR THE 2019-2020 FISCAL YEAR EQUAL TO 0.25% OF BASE WAGE TO THE CITY ATTORNEY'S RETIREE HEALTH SAVINGS PLAN, FOR A TOTAL CONTRIBUTION OF 0.75% OF BASE WAGE

WHEREAS, the City Attorney's Employment Agreement with the City dated April 18, 2017 ("Employment Agreement") states, "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. 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 establish for the City Attorney classification"; and

WHEREAS, the Employment Agreement further states "A Retiree Health Savings Plan (RHS) shall be provided under the same terms it is provided to other executive management employees."; and

WHEREAS, on July 18, 2017, the Council approved a three-year Wages, Hours and other Terms and Conditions of Employment for Employees in the City's Unit 10 – Executive Management (Unit 10 Agreement); and

WHEREAS, the Unit 10 Agreement provided effective the first full pay period following July 1, 2017, a 3% cost of living salary adjustment, and a City contribution, for the 2017-2018 fiscal year, in an amount equal to 0.25% of base wage to the Retiree Health Savings Plan, provided effective the first full pay period following July 1, 2018, a 3% cost of living salary adjustment, and an increase in City contribution, for the 2018-2019 fiscal year, in an amount equal to 0.25% of base wage to the Retiree Health Savings Plan, for a total contribution of 0.5% of base wage and additionally provided effective the first full pay period following July 1, 2019, a 2.5% cost of living salary adjustment, and an increase in City contribution, for the 2019-2020 fiscal year, in an amount equal to 0.25% of base wage to the Retiree Health Savings Plan, for a total contribution of 0.75% of base wage; and

WHEREAS, on June 26, 2018, the City Council approved Amendment No. 1 to the Employment Agreement by resolution providing, a 3% cost of living adjustment in the City Attorney's salary effective July 8, 2018, and an increase in the contribution to the City Attorney's 0.25% of base salary contribution to the City Attorney's Retiree Health Savings Plan for a total City contribution of 0.5% of base wage; and

WHEREAS, the City Council has completed the City Attorney's annual performance evaluation; and

WHEREAS, the City Attorney's salary is currently 10% below those of comparable cities.

NOW, THEREFORE, BE IT 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. 2 to the City Attorney's Employment Agreement, attached hereto as Exhibit A, providing, effective May 12, 2019, (the first pay period following her anniversary date), (1) A seven and a half percent (7.5%) merit increase, (2) a two and a half percent (2.5%) increase in deferred compensation for a total contribution of five percent (5%) of base pay, and effective July 7, 2019, (the date benefit increases were received by Executive Management), (1) a two and a half percent (2.5%) cost of living salary adjustment, and (2) an increase in contribution by the City for the 2019-2020 fiscal year in an amount equal to one-quarter percent (0.25%) of the City Attorney's base wage toward her Retiree Health Savings Plan, for a total contribution by the City of point seven five percent (0.75%) of base wage.

IN COUNCIL DULY PASSED this 3rd day of December, 2019.

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

NOES: (0)

ABSENT: (0)

ABSTAIN: (0)

ATTEST: _____
Acting City Clerk

APPROVED: _____
Mayor

APPROVED AS TO FORM:

Chief Assistant City Attorney

Exhibit A – Amendment No. 2 to Employment Agreement