

ORDINANCE NO. ORD-2023-005

ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA INCREASING THE COMPENSATION OF THE CITY MANAGER TO PROVIDE (1) A 5% MERIT INCREASE IN SALARY EFFECTIVE JANUARY 1, 2023, (2) A 2.5% COST OF LIVING SALARY ADJUSTMENT EFFECTIVE JULY 2, 2023, (3) A MERIT INCREASE EQUAL TO 5% OF \$276,750 EFFECTIVE DECEMBER 3, 2023, (4) A MERIT INCREASE EQUAL TO 6% OF \$276,750 EFFECTIVE AT THE BEGINNING OF THE FIRST PAY PERIOD IN JUNE, 2024, (5) AN ADDITIONAL MERIT INCREASE IN JUNE 2025 IF AND AS NEEDED TO ALIGN THE CITY MANAGER'S SALARY WITH THE THEN-AVERAGE CITY MANAGER SALARY IN COMPARABLE JURISDICTIONS, AND (6) AN ENHANCED WELLNESS BENEFIT OF \$4,800 YEARLY EFFECTIVE JANUARY 1, 2023

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

Section 1. Background

- A. The Employment Agreement between the City and the City Manager dated November 10, 2021, and as subsequently amended ("Employment Agreement") provides that , "The City Manager shall receive cost of living increases in salary, in accordance with the cost of living increases subsequently provided to other Executive Management employees of the City pursuant to the City's Compensation Plan for Executive Management employees," and further that "In addition, upon completion of each annual performance evaluation as set forth in section 6, the City Council shall consider whether to provide a merit increase in the City Manager's salary subject to the maximum salary range established for the City Manager classification. Whether to provide a merit increase, and the amount of any such increase, shall be in the exclusive discretion of the City Council."
- B. On November 9, 2021, 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). The Unit 10 Agreement includes provision for a 2.5% cost of living salary adjustment effective July 2, 2023.
- C. The Council has completed the City Manager's annual performance evaluation, has indicated its universal appreciation for the City Manager, and desires to adjust the City Manager's salary and benefits as further set forth herein.

Section 2. Salary and Benefits Adjustments. Pursuant to the terms of the City Manager's Employment Agreement and the provisions of the Unit 10 Agreement, the Council provides the following amendments to the City Manager's salary and benefits:

A. Salary:

- i. Effective January 1, 2023, the City Manager shall receive a 5% merit increase in salary, resulting in an annual salary of \$290,588 as of that date; and

- ii. Effective July 2, 2023, the City Manager's salary shall be increased by a 2.5% Cost of Living Salary Adjustment, in accordance with the Unit 10 Agreement; and
- iii. Effective December 3, 2023, the City Manager's annual salary shall be adjusted by a merit increase equal to 5% of \$279,750 (\$13,838 annually); and
- iv. Effective the beginning of the first pay period in June, 2024, the City Manager's annual salary shall be adjusted by a merit increase equal to 6% of \$276,750 (\$16,605 annually); and
- v. The intent of the foregoing merit increases is to bring the City Manager's salary into alignment with the current average salary for City Manager classifications in the City's current list of comparable jurisdictions; and
- vi. The City Manager will be entitled to receive an additional merit increase in June, 2025 if and as needed to align the City Manager's salary with the then-current average salary for City Manager classifications in the City's then-current list of comparable jurisdictions. The amount of such merit increase, if any, shall be fixed by ordinance in accordance with the City Charter.

B. Wellness: Effective January 1, 2023, the City Manager shall receive \$400 monthly (\$4,800 annually) to assist in health and wellness costs. The City Manager shall not in addition receive the \$500 annual wellness payment provided to other Executive Staff employees.

Section 3. Except as provided by this Ordinance, the other compensation and benefits payable to the City Manager shall remain unchanged as provided in the Employment Agreement.

Section 4. Environmental Determination. The Council finds that the adoption and implementation of this ordinance are exempt from the provisions of the California Environmental Quality Act (CEQA) in that the ordinance is not a project which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, pursuant to CEQA Guideline section 15378.

Section 5. 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 6. Effective Date. This ordinance shall take effect on the 31st day following its adoption and publication. To the extent that this ordinance includes provisions for salary and benefit increases prior to its effective date, all amounts accrued under those provisions shall be paid retroactively in the first full pay period following the effective date of this ordinance. All other salary and benefit adjustments shall take effect as provided herein.

This ordinance was introduced by the Council of the City of Santa Rosa on May 23, 2023.

IN COUNCIL DULY PASSED AND ADOPTED this 6th day of June, 2023.

AYES: (7) Mayor N. Rogers, Vice Mayor MacDonald, Council Members Alvarez, Fleming, Okrepkie, C. Rogers, Stapp

NOES:

ABSENT:

ABSTAIN:

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM: _____
City Attorney