

Agenda Report

DATE: December 4, 2017

TO: City Council

FROM: Mayor Terry Tornek

RE: APPROVAL OF AMENDMENTS TO EMPLOYMENT AGREEMENTS
FOR CITY ATTORNEY/CITY PROSECUTOR AND CITY CLERK

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the action proposed herein is not a "project" as defined in the California Environmental Quality Act (CEQA), Public Resources Code Section 21065 and Section 15378(b)(2) of the State CEQA Guidelines and, as such, is not subject to environmental review; and
2. Approve amendments to the employment agreements for City Attorney/City Prosecutor Michele B. Bagneris and City Clerk Mark Jomsky to provide a Cost of Living Adjustment timed with an increase in employee-paid pension contribution as well as an increase to the salary control rates for both classifications. It is further recommended that the Mayor be authorized to sign the third amendments to the employment agreements to reflect City Council approved changes.

BACKGROUND:

On November 13, 2017, the City's Non-Represented Executive Management employees received a 2% cost of living adjustment and at the same time began contributing an additional 2% employee-paid pension contribution for a total of 10% employee contribution toward their pensions. The City Attorney/City Prosecutor and City Clerk receive benefits that are generally applicable to the non-safety Executive Management employees as identified in the Executive Management Salary Resolution. As a result, the City Attorney/City Prosecutor and City Clerk also began making the additional 2% pension contribution on November 13, 2017. Since salary adjustments for the City Attorney/City Prosecutor and City Clerk may be provided only with approval

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of the Council, these positions did not receive the 2% cost of living adjustment along with the other Executive Management staff.

The Council recommends approving the attached contract amendment (Contract No. 22,129-3) for Michele Beal Bagneris, City Attorney/City Prosecutor, which includes the following:

1. Salary and Salary Control Rate—Effective November 13, 2017, the City Attorney/City Prosecutor will receive a 2% cost of living adjustment consistent with the COLA provided to other Executive Management employees and be paid a base annual salary of \$268,493.57. The salary control rate for the City Attorney/City Prosecutor classification shall be increased by 2% to \$268,493.57 annually.

The Council recommends approving the attached contract amendment (Contract No. 22,130-3) for Mark Jomsky, City Clerk, which includes the following:

1. Salary and Salary Control Rate—Effective November 13, 2017, the City Clerk will receive a 2% cost of living adjustment consistent with the COLA provided to other Executive Management employees and be paid a base annual salary of \$173,400. The salary control rate for the City Clerk classification shall be increased by 2% to \$182,069.98 annually.

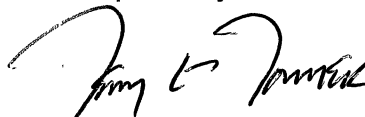
COUNCIL POLICY CONSIDERATION:

The approval of the amendments to the employment agreements supports the City Council's strategic goal of maintaining fiscal responsibility and stability.

FISCAL IMPACT:

The approval of amendments to provide a 2% cost of living adjustment and add a 2% additional employee-paid pension contribution is estimated to have an overall fiscal impact of \$1,751 in FY 2018. Both positions are budgeted to the General Fund (101), and the costs will be absorbed by the City Attorney/City Prosecutor Department operating budget and the City Clerk Department operating budget.

Respectfully Submitted,



Terry Tornek
Mayor

Prepared by:



Jennifer Curtis
Director of Human Resources

Attachments:

1. THIRD AMENDMENT TO CITY ATTORNEY/CITY PROSECUTOR
EMPLOYMENT AGREEMENT
2. THIRD AMENDMENT TO THE CITY CLERK EMPLOYMENT AGREEMENT