

City Council Memorandum

City of Arts & Innovation

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: APRIL 9, 2024
FROM: MAYOR PRO TEM STEVE HEMENWAY WARDS: ALL
SUBJECT: APPROVAL OF THE FIRST AMENDMENT TO THE EMPLOYMENT AGREEMENT FOR THE CITY ATTORNEY

ISSUE:

Approve the attached First Amendment to the Employment Agreement with City Attorney Phaedra A. Norton and Resolution amending the Master Fringe Benefit and Salary Plan.

RECOMMENDATIONS:

That the City Council:

1. Approve the attached First Amendment to the Employment Agreement with City Attorney Phaedra A. Norton effective April 9, 2024.
2. Adopt the attached Resolution amending the Master Fringe Benefit and Salary Plan to reflect the revisions to the City Attorney Employment Agreement.

DISCUSSION:

On March 19, 2024, the City Council reviewed and approved revisions in closed session to the employment agreement for the City Attorney. Consistent with Chapter 2.32.030 of the Riverside Municipal Code, the following provisions are included in the proposed amended City Attorney Employment Agreement:

1. Term of the agreement shall be four (4) years, expiring on July 20, 2028.
2. The City Council reviewed and approved a salary adjustment of 5% to the salary range for the City Attorney effective July 19, 2024.
3. The City will make a deferred compensation contribution equal to 457 plan Annual IRS limit into 401A or 457 plan. The amount of the Employer Contribution to the 401 (a) Defined Contribution Plan or 457 Plan shall be determined for each calendar year based on:
 - a) The annual elective deferral limit for governmental 457 (b) deferred compensation plans within the meaning of Section 457 (b)(2)(A) of the

Internal Revenue Code (“IRC”), as adjusted for the cost-of-living in accordance with Section 457 (e)(15) of the IRC, plus

- b) Age-50 Catch-Up amount for the year as defined in Section 414 (v)(2)(B) of the IRC, as adjusted for the cost-of-living in accordance with Section 414 (v)(2)(C) of the IRC.

The annual amount will be deposited into the 401 (a) Plan in 24 equal installments throughout the year.

The Employer contributions will cease upon termination of Employee’s employment.

- 4. The City agrees to provide the City Attorney with severance pay equivalent to six (6) months of employee’s base salary if employer terminates this agreement.

STRATEGIC PLAN ALIGNMENT:

Adopting the Resolution to amend the Master Fringe Benefits and Salary Plan to amend the employment agreement for the City Clerk contributes to the City of Riverside’s Strategic Priority of a High Performing Government, Goal 5.1: *Attract, develop, engage and retain a diverse and highly skilled workforce across the entire City organization.*

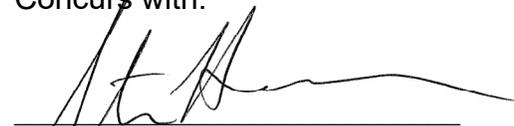
- 1. **Community Trust** – Necessary adjustments to the Fringe Benefit and Salary Plan allows the City to retain a highly skilled workforce.
- 2. **Equity** – The amendments to this employment agreement are exclusive for the City Attorney. Benefits are regularly reviewed to ensure they reflect equitable internal alignment.
- 3. **Fiscal Responsibility** – Negotiated modifications or adjustments to employee benefits are only recommended when necessary and within policy parameters for minimal fiscal impact. The recommended adjustments align with the Fringe Benefits and Salary Plan.
- 4. **Innovation** – Modifications to fringe benefits ensure appropriate alignment both internally and within the City’s market basket.
- 5. **Sustainability & Resiliency** – Fringe benefit adjustments are necessary to retain a diverse range of highly skilled employees who can adapt to the changing needs of the City both internally and externally.

FISCAL IMPACT:

The total fiscal impact of the amendments to the City Attorney’s employment agreement is \$49,500 in FY 2024/25 and annually thereafter. Costs will be absorbed in the City Attorney’s operating budget in the General Fund, Salaries account number 130000-411100.

Prepared by: Rene Goldman, Human Resources Director
Certified as to
Availability of funds: Kristie Thomas, Finance Director/Assistant Chief Financial Officer
Approved as to form: Susan Wilson, Assistant City Attorney

Concurs with:



STEVE HEMENWAY
Mayor Pro Tem

Attachments:

1. First Amendment to the City Attorney Employment Agreement
2. Resolution Amending the Fringe Benefits and Salary Plan
 - a. Job Code Table
 - b. Master Fringe Benefit and Salary Plan