

Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE APPROVING THE TERMS OF COMPENSATION AND BENEFITS FOR THE INTERIM CITY MANAGER, JENNIFER MAGUIRE, EFFECTIVE JULY 25, 2021

WHEREAS, on June 22 , 2021, the Council of the City of San José appointed Jennifer Maguire as the Interim City Manager for the City of San José, effective July 25, 2021;

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

1. The compensation and benefits for Jennifer Maguire for services as the Interim City Manager, effective July 25, 2021, as set forth in Attachment A, are hereby approved. The key terms of the compensation and benefits include the following:

a. Salary: The starting salary will be \$347,600 annually effective July 25, 2021, and the City of San Jose Pay Plan shall be amended, if necessary. In addition to this starting salary, the Interim City Manager will continue to receive an approximate five percent (5%) ongoing non-pensionable pay as provided for un the Executive Management and Professional Employees (Unit 99) Benefit and Compensation Summary for a total annual salary of approximately \$364,980.

b. Executive Management Benefits: As a part of the City's executive management, the Interim City Manager will receive the benefits that are included in the Executive Management and Professional Employees (Unit 99) Benefit and Compensation Summary. The Interim City Manager will also receive a \$350.00 monthly automobile allowance consistent with what is authorized by City policy for members of senior staff under the City Manager's appointing authority and an option to receive payments in-lieu of health care coverage. The Interim City Manager will also receive a monthly cell phone and data stipend, which is currently \$35 for cell phone use and/or \$40 for data plan use or other technology stipend authorized to employees in Unit 99 in lieu of the monthly cell and data stipend.

c. Vacation and Executive Leave: The Interim City Manager will accrue vacation and receive executive leave in accordance with Executive Management and Professional Employees (Unit 99) Benefit and Compensation Summary. Executive Leave cannot be cashed out or carried over into the next calendar year under any circumstances. Vacation can continue to accrue up to twice the annual accrual rate.

d. Outside Employment: The Interim City Manager will not engage in outside employment without City Council approval.

f. Term: This agreement will expire when the City Council takes action to appoint a permanent City Manager, or if the Interim City Manager notifies the Council of her voluntary separation.

2. The general terms of compensation and benefits are set out and described in the memorandum to the Rules and Open Government Committee from Mayor Sam Liccardo, dated June 24, 2021, attached hereto as Attachment A, and incorporated in this Resolution.

ADOPTED this ____ day of _____, 2021, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk



Memorandum

TO: CITY COUNCIL

FROM: Mayor Sam Liccardo

SUBJECT: INTERIM CITY MANAGER
COMPENSATION

DATE: June 22, 2021

Approved:

Date:

June 24, 2021

RECOMMENDATION

Adopt a resolution:

- a. Approving compensation and benefits for Interim City Manager Jennifer Maguire, effective July 25, 2021.
- b. Salary: The starting salary will be \$347,600 annually effective July 25, 2021, and amending the City of San Jose Pay Plan, if necessary. In addition to this starting salary, the Interim City Manager will continue to receive an approximate five percent (5%) ongoing non-pensionable pay as provided for in the Executive Management and Professional Employees (Unit 99) Benefit and Compensation Summary for a total annual salary of approximately \$364,980.
- c. Executive Management Benefits: As a part of the City's executive management, the Interim City Manager will receive the benefits that are included in the Executive Management and Professional Employees (Unit 99) Benefit and Compensation Summary (attached). The Interim City Manager will also receive a \$350.00 monthly automobile allowance consistent with what is authorized by City policy for members of senior staff under the City Manager's appointing authority and an option to receive payments in-lieu of health care coverage. The Interim City Manager will also receive a monthly cell phone and data stipend, which is currently \$35 for cell phone use and/or \$40 for data plan use or other technology stipend authorized to employees in Unit 99 in lieu of the monthly cell and data stipend.
- d. Vacation and Executive Leave: The Interim City Manager will accrue vacation and receive executive leave in accordance with Executive Management and Professional

cash out or carried over into the next calendar year under any circumstances. Vacation can continue to accrue up to twice the annual accrual rate.

- e. Outside Employment: The Interim City Manager will not engage in outside employment without City Council approval.
- f. Term: This agreement will expire when the City Council takes action to appoint a permanent City Manager, or if the Interim City Manager notifies the Council of her voluntary separation.
- g. Place the item on the June 29, 2021 City Council agenda for action.

BACKGROUND

The City Manager oversees and manages the day-to-day operations of the City and its 14 departments, nine offices within the City Manager's Office, and 6,600 employees. In addition, the City Manager's Office directs the development and implementation of the City's Operating and Capital Budgets, which combined, total \$4.8 billion annually.

The former City Manager's last day of employment with the City is July 24, 2021. On June 22, 2021, the City Council appointed Jennifer Maguire as Interim City Manager effective July 25, 2021. A City employee for 30 years in multiple capacities, Jennifer has served as Assistant City Manager since 2017 serving as Chief Operating Officer ensuring effective and efficient delivery of services.

We are fortunate that Jennifer was willing to step up and lead our City as we begin to transition from a once-in-a-lifetime pandemic into recovery.

My recommendation for an annual salary of \$347,600 is slightly less than the maximum of the authorized range of compensation for the position of City Manager. In addition to this salary, the Interim City Manager will receive an approximate five percent (5%) ongoing non-pensionable pay for a total annual salary of approximately \$364,980, effective July 25, 2021.