



DATE: June 22, 2021

TO: Mayor and City Council

FROM: Director of Finance

SUBJECT: City Attorney Concessions Repayment: Adopt a Resolution Approving A Foregone Cost-Of-Living Adjustment and a One-Time Lump Sum Payment to the City Attorney

RECOMMENDATION

That Council adopts a resolution (Attachment II) approving a foregone cost-of-living adjustment (COLA) and a one-time lump sum payment to the City Attorney.

SUMMARY

The current employment agreement between the City of Hayward and the City Attorney expires on June 30, 2025. Pursuant to the previous agreement between the City and the City Attorney, the City Attorney was entitled to a COLA for the pay period including July 1, 2020. As approved by Council on June 23, 2020, the City Attorney agreed to forego a COLA originally due to him the pay period including July 1, 2020 because of a projected revenue shortfall resulting from impacts of the COVID-19 pandemic. As Fiscal Year 2021 comes to a close, the City has determined that actual revenues have exceeded projections. Consequently, the Council has expressed a desire to restore the agreed upon concessions staff provided at the outset of Fiscal Year 2021, including the City Attorney's foregone COLA.

BACKGROUND AND DISCUSSION

Pursuant to the previous agreement between the City and the City Attorney, the City Attorney was entitled to a 2% COLA for the pay period including July 1, 2020. On June 23, 2020, Council approved an amended Salary Plan effective the pay period including July 1, 2020, that included labor concessions and the City Attorney's agreement to forego his COLA originally due to him for the pay period including July 1, 2020. The revenues for Fiscal Year 2021 have surpassed budget projections, and the Council would like to restore the agreed upon increases that employees agreed to forego to partner with the City in mitigating the negative fiscal impacts of the projected shortfalls. If approved, the City would provide for a two percent (2%) COLA effective the pay period including July 1, 2021. The City Attorney would also receive a one-time, lump sum cash payment in an amount

equal to two percent (2%) of base salary effective the pay period including July 1, 2021 to repay the amount of the forgone COLA as a concession, consistent with Council's expressed intent with City employees.

FISCAL IMPACT

If approved, the Council action would result in an estimated fiscal impact of \$4,741.57 to the General Fund.

STRATEGIC ROADMAP

This agenda item is a routine operational item and does not relate to any of the six priorities outlined in the Council's Strategic Roadmap.

NEXT STEPS

If approved, staff will implement the COLA and the one-time lump sum payment to the City Attorney.

Prepared by: Kakshi Master, Senior Human Resources Analyst

Recommended by: Dustin Claussen, Director of Finance/Interim Director of Human Resources

Approved by:



Barbara Halliday, Mayor