



## Item No. 16 Town of Atherton

### **CITY COUNCIL STAFF REPORT – REGULAR AGENDA**

**TO: HONORABLE MAYOR AND CITY COUNCIL  
GEORGE RODERICKS, CITY MANAGER**

**FROM: MONA G. EBRAHIMI, CITY ATTORNEY**

**DATE: FEBRUARY 17, 2021**

**SUBJECT: APPROVAL OF AMENDMENT TO CITY MANAGER EMPLOYMENT  
CONTRACT**

#### **RECOMMENDATION**

Review the staff report and consider adoption of the attached amendment to the employment agreement between the Town of Atherton and George Rodericks.

#### **BACKGROUND**

Each year beginning in March, the City Council conducts an annual evaluation of the City Manager's performance. Following the evaluation, the Council considers modifications to the employment agreement and does so in Closed Session. Each January since 2015, the City Council has also had the opportunity to review the City Manager's performance for consideration of an annual bonus up to \$15,000.

Amendments to the City Manager's Employment Agreement traditionally occur annually, but the City Manager did not request any increase in salary in 2020 due to the COVID-19 pandemic and the Town's diversion of its attention to those issues.

#### **ANALYSIS**

The City Council is pleased with the City Manager's performance and desires to amend his employment agreement as part of the annual bonus consideration.

The key terms of this amendment are as follows:

- The City Manager's existing annual car allowance is \$6,600. In lieu of the car allowance, the Council agrees to provide a Town vehicle for the City Manager's use. The City Manager would pay for gas and tolls. The Town would be expected to pay for maintenance (i.e., oil

**City Manager Performance Evaluation**

**February 17, 2021**

**Page 2 of 3**

changes, tires, engine, and insurance). Furthermore, as a government vehicle, the car would only be used for city related business and not personal use. The purchase of a vehicle will be in a make and model equivalent to the following vehicles shown only as examples:

- Honda CR-V Hybrid - \$27,750 - \$35,950;
  - Toyota RAV4 Hybrid - \$28,350 - \$36,880;
  - Ford Escape Hybrid - \$28,265 - \$35,050.
- One-time merit bonus in the amount of \$10,000.
  - All other terms shall remain the same.

**POLICY FOCUS**

The amendment to the employment agreement provides a merit bonus to the City Manager for his performance, which also serves as a retention tool for the Town and to prevent compaction with other staff.

**FISCAL IMPACT**

The approval of this seventh amendment to the City Manager's employment agreement will result in a savings of \$6,600 that would otherwise be paid to Mr. Rodericks for a car allowance. However, the Town will pay a one-time bonus to him in the amount of \$10,000. The purchase of a new vehicle and associated maintenance may cost up to approximately \$40,000. The vehicle will be a Town asset. Elimination of the car allowance will occur upon provision of the vehicle by the Town.

**PUBLIC NOTICE**

Public notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting in print and electronically. Information about the item is also disseminated via the Town’s electronic News Flash and Atherton Online. There are approximately 1,600 subscribers to the Town’s electronic News Flash publications. Subscribers include residents as well as stakeholders – to include, but not limited to, media outlets, school districts, Menlo Park Fire District, service providers (water, power, and sewer) and regional elected officials.

**COMMISSION/COMMITTEE FEEDBACK/REFERRAL**

This item \_\_\_ has or X has not been before a Town Committee or Commission.

- \_\_\_ Audit/Finance Committee (meets every other month)
- \_\_\_ Bicycle/Pedestrian Committee (meets as needed)
- \_\_\_ Civic Center Advisory Committee (meets as needed)
- \_\_\_ Environmental Programs Committee (meets every other month)
- \_\_\_ Park and Recreation Committee (meets each month)
- \_\_\_ Planning Commission (meets each month)

**City Manager Performance Evaluation**

**February 17, 2021**

**Page 3 of 3**

\_\_\_\_\_ Rail Committee (meets every other month)

\_\_\_\_\_ Transportation Committee (meets every other month)

\_\_\_\_\_ Tree Committee (meets each month)

**ATTACHMENTS**

ATTACHMENT 1 – Amendment No. 7 to the Employment Agreement between the Town of Atherton and George Rodericks

Amendment No.7 to the Employment Agreement  
between the Town of Atherton and George Rodericks

The Employment Agreement ("Agreement") entered into by and between the TOWN OF ATHERTON, a municipal corporation ("Town") and GEORGE RODERICKS ("City Manager") on or about October 19, 2012, and amended on July 1, 2013, July 1, 2014, July 1, 2015, July 1, 2016, July 1, 2017, and July 1, 2019, is further amended, effective February 17, 2021, as set forth below:

1. The City Manager is currently provided, among other things, a car allowance in the annual amount of \$6,600 in Paragraph 4, titled "COMPENSATION," of the Agreement. The parties agree that in lieu of this car allowance, the Town will now provide the City Manager a Town vehicle. Accordingly, Paragraph 4 of the Agreement is amended as follows:

The parties agree to delete the following sentence from Paragraph 4 of the Agreement:

"Manager shall, commencing July 1, 2019, receive a monthly automobile allowance of Five Hundred Fifty Dollars (\$550.00)."

This deleted sentence will be replaced with the following sentences in Paragraph 4 of the Agreement:

"The Town agrees to provide a Town vehicle for the City Manager's official use. The City Manager agrees to pay for gas and tolls. The Town will pay for maintenance (i.e., oil changes, tires, engine, insurance). The parties agree that as a government vehicle, the car will only be used for Town related business and not for personal use. In the event of an inadvertent personal use by City Manager, beyond incidental use, the cost of such use must be reimbursed to the Town for wear and tear at the most current publicly posted Internal Revenue Service standard mileage rates.

The parties agree that purchase of a vehicle will be in a make and model equivalent to, and by examples only, the vehicles identified below, in the value ranges identified below:

- a. Honda CR-V Hybrid - \$27,750 - \$35,950;
- b. Toyota RAV4 Hybrid - \$28,350 - \$36,880;
- c. Ford Escape Hybrid - \$28,265 - \$35,050."

2. Paragraph 4 is further amended to add the following sentence at the end of Paragraph 4:

"City Manager shall receive a one-time merit bonus in the amount of ten-thousand dollars (\$10,000.00) to be paid by the Town to the City Manager by March 1, 2021."

**ATTACHMENT 1**

3. All other provisions of the Agreement shall remain in full force and effect.

In witness whereof, the parties have executed this 7<sup>th</sup> Amendment to the Agreement as of February \_\_\_ 2021.

TOWN OF ATHERTON

\_\_\_\_\_  
Elizabeth Lewis, Mayor

CITY MANAGER

\_\_\_\_\_  
George Rodericks

Approved as to Form:

\_\_\_\_\_  
Mona G. Ebrahimi, City Attorney