



# City of Rialto

## Legislation Text

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For City Council Meeting [November 27, 2018]

TO: Honorable Mayor and City Council

FROM: Ahmad Ansari, Interim City Administrator

Request City Council's Approval of the Terms of a Labor Agreement between the City of Rialto and Jessica Brown, Finance Director.

**(ACTION)**

### **BACKGROUND:**

The Finance Director is a key Executive position responsible for the Finance, Purchasing, Payroll and Information Technology Divisions. The position reports to the City Administrator and coordinates highly responsible and complex administrative and financial services on behalf of the City, including the development of the annual budget, audits and financial reports, debt management, revenue collection, fees and user charges, fixed assets and procurement.

The City of Rialto has been recruiting for a Finance Director since April 2018. In the interim, Ron Carr (a retired annuitant) has been providing oversight and leadership to the Finance Department and support to the City Administrator's Office. Mr. Carr's services will conclude on November 30, 2018, per his arrangements with the City.

The City's process for the selection of a Finance Director was based on qualifications and successful job history and performance. A total of 59 applications were received, with a limited number selected to proceed with interviews.

### **ANALYSIS/DISCUSSION:**

Section 2.04.100 of the Rialto Municipal Code grants the City Administrator authority to appoint, promote, demote, and remove employees (with the exception of the City Clerk and City Treasurer). The City Council shall be consulted by the City Administrator and the Council shall concur on all matters relating to the removal, transfer, combining or changing of Department Heads.

The City Administrator has consulted the City Council on the selection of a candidate; accordingly, the labor agreement prescribing the terms of conditions of the Finance Director are attached to this report. In accordance with Council Resolution 1591 and Ordinance 2.50.060, the Finance Director position is at-will, subject to working at the pleasure of the City Administrator, which includes termination at any time without right of appeal or hearing.

The following provides a summary of other key provisions of the labor agreement with Ms. Jessica Brown:

- Salary: The salary is commensurate with the range (7500) currently in the City's Compensation Schedule, which is \$129,309- \$173,287 annually.
- Cost of Living Adjustments (COLA): The employee shall not be entitled to any COLA, except to the extent the employees within the City Government Management Association (CGMA) receive a COLA.
- Benefits: The benefits of the Finance Director are consistent with those of the CGMA, except for reporting the Employer Paid Member Contribution as compensation. The retirement formula under the benefits is 2.7% at 55 for Classic PERS members, with a 2% COLA during retirement.
- Severance: In the event the employee is terminated, the City shall pay the employee an amount equal to her monthly base salary multiplied by three. Should the termination be for cause, the City shall have no obligation to pay the severance.
- Exempt: The position is exempt from overtime, per the Federal Labor Standards Act.

**ENVIRONMENTAL IMPACT:**

The request is not a Project as defined by Section 15378 of the California Environmental Quality Act (CEQA) Guidelines. A "Project" means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. Pursuant to Section 15378 (b) (5) a project does not include organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

**GENERAL PLAN CONSISTENCY:**

This action is consistent with Guiding Principle 3A in the General Plan:

Our City government will lead by example, and will operate in an open, transparent, and responsive manner that meets the needs of the citizens and is a good place to do business.

**LEGAL REVIEW:**

Counsel from the City Attorney's Office has reviewed and approved this staff report and its attachments.

**FINANCIAL IMPACT:**

Operating budget Impact

The fully burdened costs for the Finance Director position are \$285,274, which have been allocated in the current fiscal year budget; hence, no additional appropriations are needed.

Capital Improvement Budget Impact

This action has no impact to the Capital Budget.

**RECOMMENDATION:**

Staff recommends that the City Council approve the terms of the Labor Agreement with Jessica Brown, Finance Director.