ATTACHMENT 3

RESOLUTION NO. 202_-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MERCED, CALIFORNIA, AMENDING THE SALARY RANGE FOR THE FINANCE OFFICER

WHEREAS, on February 1, 2021, the Merced City Council unanimously approved an Employment Agreement with M. Venus Rodriguez, effective February 1, 2021 (the "Employment Agreement").

WHEREAS, The Parties desire to amend the Employment Agreement to incorporate currently compensated "Vehicle Allowance" into base salary and also to separately increase the base salary.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCED DOES HEREBY RESOLVE, DETERMINE, FIND, AND ORDER AS FOLLOWS:

SECTION 1. Pursuant to the Second Amendment to the Finance Officer Employment dated February 1, 2021, the salary of the Finance Officer is hereby increased to Two Hundred Thirteen Thousand, Five Hundred and Four Dollars and Six Cents (\$213,504.06).

SECTION 2. The publicly adopted pay scale is set forth on Exhibit "A" to this Resolution. Said publicly adopted pay scale will be updated and approved by the City Council as necessary to comply with the Public Employee Retirement System (PERS) requirements and the terms and conditions of the City Manager Employment Agreement as set forth in the Agreement and the First Amended Agreement.

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PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the day of 202, by the following vote:

AYES: **Council Members:**

Council Members: NOES:

ABSENT: Council Members:

Council Members: ABSTAIN:

APPROVED: MATTHEW SERRATTO, MAYOR

Mayor

ATTEST: D. SCOTT MCBRIDE, CITY CLERK

BY:_____Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM: CRAIG J. CORNWELL, CITY ATTORNEY

ell 5/28/2025

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ATTACHMENT A FINANCE OFFICER WAGE SUMMARY Effective PP13 - 6/9/2025

GRADE

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> 898 213,504.06 Annual 17,792.01 Monthly

> > Effective PP14 - 6/23/2025

GRADE

898 22

222,044.22 Annual 18,503.69 Monthly

CITY OF MERCED SECOND AMENDMENT TO FINANCE OFFICER EMPLOYMENT AGREEMENT

THIS SECOND AMENDMENT TO EMPLOYMENT AGREEMENT ("First Amendment") is entered into this _____ day of June 2025 by and between the City of Merced, a California municipal corporation and Charter City ("Employer" or "City") and M. Venus Rodriguez ("Employee") an individual, (sometimes collectively "the Parties").

RECITALS

A. City is a municipal corporation duly organized and validly existing under the laws of the State of California with the power to carry on its business as it is now being conducted under the statutes of the State of California and the Charter of City.

B. On February 1, 2021, the Merced City Council unanimously approved an Employment Agreement with Employee, effective February 5, 2021 (the "Employment Agreement").

C. The Parties desire to amend the Employment Agreement to incorporate currently compensated "Vehicle Allowance" into base salary and also to separately increase the base salary.

NOW, THEREFORE, it is mutually agreed by and between the undersigned Parties as follows:

1. Section 3, subsection A, of the Employment Agreement, "Compensation and Performance Evaluation," is hereby amended to read as follows:

"SECTION 3. <u>COMPENSATION AND PERFORMANCE</u> <u>EVALUATION</u>.

A. Employer agrees to pay Employee at the rate of an annual base salary of , Two Hundred Thirteen Thousand, Five Hundred and Four Dollars and Six Cents (\$213,504.06) subject to

deduction and withholding of any and all sums required for federal or state income tax, pension contributions, and all other taxes, deductions or withholdings required by then current state, federal or local law, prorated and paid on Employer's normal paydays for the City Manager, City Attorney, City Clerk, and any Department Directors not covered by collective bargaining agreements ("Executive Management Employees"). Employer shall also deduct sums Employee is obligated to pay because of participation in plans or programs described in Section 4 of this Agreement. The annual base salary of Employee shall be established by resolution of the City Council. Based on Employee's performance, as determined by City Council in the exercise of its sole discretion, Employee may receive an annual cost of living adjustment (COLA) which may be negotiated in conjunction with Employee's annual evaluation of performance. If Employee receives a COLA, this Agreement and the publicly adopted pay scale required by PERS shall be deemed amended.

This Agreement shall be deemed amended whenever the City Council adopts a resolution changing the base salary of Executive Management Employees or the manner by which Executive Management Employees are paid.

2. Section 4, subsection E of the Employment Agreement, "Car Allowance," is hereby deleted.

3. Except as set forth herein, all remaining terms and conditions of the Employment Agreement shall remain in full force and effect.

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IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the dates reflected below each signature.

EMPLOYER: CITY OF MERCED A California Charter Municipal Corporation

EMPLOYEE:

BY: _____

Matthew Serratto, Mayor

BY:_____ M. Venus Rodriguez

ATTEST: D. SCOTT MCBRIDE, CITY CLERK

BY: Assistant/Deputy City Clerk

APPROVED AS TO FORM: CRAIG J. CORNWELL, CITY ATTORNEY

BY: <u>City Attorney</u> Date 5/28/2025

ACCOUNT DATA: M. VENUS RODRIGUEZ, FINANCE OFFICER

BY:

Verified by Finance Officer

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