

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE APPOINTING NORA FRIMANN AS THE CITY ATTORNEY AND APPROVING TERMS OF COMPENSATION AND BENEFITS EFFECTIVE NOVEMBER 1, 2020**

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

1. Nora Frimann is appointed as the City Attorney and the terms of compensation and benefits set forth in Attachment A for services as City Attorney effective November 1, 2020 are hereby approved.
2. The general terms of compensation and benefits are set out and described in the memorandum to the City Council from Mayor Sam Liccardo, dated October 21, 2020, attached hereto as Attachment A, and incorporated in this Resolution.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2020, 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:** CITY ATTORNEY  
APPOINTMENT AND  
COMPENSATION PACKAGE  
**DATE:** October 21, 2020

Approved:

Date: 10/23/20

## **RECOMMENDATION**

1. Adopt a resolution appointing Nora Frimann as City Attorney and approving compensation for services as City Attorney effective beginning November 1, 2020 consistent with the following terms and the attachment in this memo.
  - **Salary:** Your starting salary will be \$309,915.41 annually. In addition to this starting salary, you will receive an approximate five percent (5%) ongoing non-pensionable pay for a total annual salary of approximately \$325,411.18.
  - **Executive Management Benefits:** As executive management, the Appointee will receive the benefits that are included in the Executive Management and Professional Employees (Unit 99) Benefit and Compensation Summary (attached). The Appointee will also receive a \$350.00 monthly automobile allowance in accordance with the current City policy and an option to receive payments in-lieu of health care coverage. The Appointee 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. However, the Appointee has waived this stipend as she currently has a City-issued cell phone.
  - **Vacation and Executive Leave:** The Appointee will accrue vacation and receive executive leave in accordance with Executive Management and Professional Employees (Unit 99) Benefit and Compensation Summary. The Appointee has sixty-four hours remaining of executive leave in the 2020 calendar year and will not be eligible for additional executive leave in 2020. 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.
  - **Outside Employment:** The Appointee will not engage in outside employment without City Council approval.

Honorable Mayor and City Council

October 21, 2020

**Subject: City Attorney Appointment and Compensation Package**

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2. Place the item on the November 3, 2020 Council agenda for action.

## **BACKGROUND**

Pursuant to City Charter Section 803, the City Attorney shall be under the direction and supervision of the Council. The former City Attorney retired on August 7, 2020, which created a vacancy. Nora Frimann was named as Interim City Attorney effective August 8, 2020 and appointed by the City Council as City Attorney, effective September 29, 2020.