

RESOLUTION NO. _____

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN
JOSE APPOINTING JENNIFER MAGUIRE AS THE CITY
MANAGER AND APPROVING TERMS OF
COMPENSATION AND BENEFITS**

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

1. Jennifer Maguire is appointed as the City Manager and the terms of compensation and benefits set forth in Attachment A for services as City Manager, effective August 24, 2021, 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 September 3, 2021, attached hereto as Attachment A, and incorporated in this Resolution.

ADOPTED this _____ day of _____, 2021, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

September 3, 2021

Ms. Jennifer Maguire

Dear Ms. Maguire:

Please accept this letter as a written confirmation of our discussions regarding your appointment as City Manager and the elements of a compensation and benefit package, subject to confirmation by the Council. The major provisions of this contingent offer to you are summarized as follows:

- **Effective Date of Appointment:** August 24, 2021
- **Salary:** Your starting salary will be \$358,028 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 \$375,929.40. This position is part of the Executive Management and Professional Employees Unit (Unit 99). Any changes to Executive Management compensation will be subject to City Council approval of recommendations made by the City Manager. In addition, any other salary adjustments will be made in accordance with the Management Performance Plan (MPP) and based upon a review of the City's fiscal situation as well as your performance in the position on a fiscal year basis (July 1 through June 30).
- **Employment Status:** This offer of employment is not for any specific period of time. Instead, your employment is at all times "at will." This means that you may separate from your employment with or without cause, and the City has the same right.
- **Executive Benefits:** As an unrepresented Unit 99 employee, you will continue to receive benefits that are incorporated into the Executive Management and Professional Employees Benefit and Compensation Summary, which is found on the City's intranet under Employee Relations. The benefits described there, and in this letter, can be changed at any time, as approved by the City Manager and/or City Council.
- **Severance:** The City will offer severance pay equal to six months of salary for an involuntary removal as City Manager which results in a termination of employment with the City, in exchange for City Manager's execution of a Release of Claims.
- **Separation Notice:** You agree to provide a 30-day notice to the City of a voluntary resignation of your position.

- **Form 700:** This position requires a disclosure of outside investments, real property interest, income, and business positions. You must complete and file an “Assuming Office Form 700” with the City Clerk’s Office within the first 30 days of employment with the office. Online filing is submitted through [eDisclosure](#) system, Login ID is your City email and password would also be sent through your City email.
- **Technology Stipend:** You will be eligible to receive a monthly Technology Stipend in the amount of \$80.
- **Vehicle Allowance:** You will also be eligible to receive a vehicle allowance currently at \$350/month. The policy for vehicle allowance can be viewed [here](#).
- **Outside Employment:** You will not engage in outside employment without City Council approval.

Please acknowledge your acceptance of this appointment by signing and returning this letter, keeping a copy for your records. As you know, there are many challenges and opportunities ahead of us, and this is a very exciting time for the City of San José. With your experience and leadership skills, we know that you will continue to be as an asset to our team. The entire senior management team and I look forward to working with you in this next phase of your career with the City.

Sincerely,

A handwritten signature in black ink, appearing to read "Sam Liccardo". The signature is fluid and cursive, with a large initial "S" and a stylized "L".

Samuel T. Liccardo
Mayor



COUNCIL AGENDA: 9/14/2021

ITEM: 2.22

FILE NO: 21-2075

Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Toni J. Taber, CMC
City Clerk

SUBJECT: SEE BELOW

DATE: September 14, 2021

SUBJECT: City Manager Appointment and Compensation

Recommendation

As recommended by the Rules and Open Government Committee on September 8, 2021, adopt a resolution appointing Ms. Jennifer Maguire as City Manager, effective August 24, 2021, and approving the terms of compensation as outlined in the September 3, 2021 letter from Mayor Liccardo.

CEQA: Not a Project, File No. PP17-010, City Organizational and Administrative activities resulting in no changes to the physical environment. (Mayor)

[Rules Committee referral 9/8/2021 - Item G.6]



Memorandum

TO: CITY COUNCIL

SUBJECT: CITY MANAGER
APPOINTMENT AND
COMPENSATION

FROM: Mayor Sam Liccardo

DATE: 09/03/2021

Approved:

Date:

September 3, 2021

RECOMMENDATION

1. Adopt a resolution appointing Ms. Jennifer Maguire as City Manager, effective August 24, 2021, as outlined in the September 3, 2021 letter from Mayor Liccardo (attached).
2. Place the item on the September 14, 2021 Council meeting for action.

BACKGROUND

The City Manager oversees and manages the day-to-day operations of the City and its 14 departments, nine offices within the City Manager's Office, and 6,600 employees. In addition, the City Manager's Office directs the development and implementation of the City's Operating and Capital Budgets, which combined, total \$4.8 billion annually.

The former City Manager's last day of employment with the City was July 24, 2021. As of July 25, 2021, Jennifer Maguire has served as Interim City Manager. A City employee for 30 years in multiple capacities, Jennifer has served as Assistant City Manager since 2017 serving as Chief Operating Officer ensuring effective and efficient delivery of services. We are fortunate that Jennifer was willing to step up and lead our City as we begin to transition from a once-in-a-lifetime pandemic into recovery.

The Council voted in closed session on August 24, 2021 to approve the selection of Ms. Jennifer Maguire as City Manager.