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DATE: December 4, 2023

TO: Honorable Mayor and Members of the City Council through City Manager

FROM: Peggy Flynn, City Manager  
Brian Cochran, Assistant City Manager  
Aman Kaur, Senior Human Resources Analyst

SUBJECT: Resolution Appointing Caitlin Corley to the Position of City Clerk of the City of Petaluma and Approving the Agreement for At-Will Employment of City Clerk, Including Annual Salary and Benefits to be Effective December 11, 2023

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### **RECOMMENDATION**

It is recommended that the City Council adopt the attached Resolution appointing Caitlin Corley to the position of City Clerk of the City of Petaluma and approving and authorizing the Mayor to sign on behalf of the City the Agreement for At-Will Employment of City Clerk, including annual salary and benefits to be effective December 11, 2023.

### **BACKGROUND**

The City Clerk position was recently vacated in August 2023, leaving a void in an essential department for City operations. To address this void swiftly, the City employed the services of an external recruiter to conduct a robust recruitment for this executive-level position. After an exhaustive search process, the City Council voted unanimously to appoint Caitlin Corley as the new City Clerk, subject to successful completion of reference and background checks and successful negotiation on satisfactory terms and conditions for an employment contract.

Ms. Corley has agreed to the terms and conditions set forth in the Employment Agreement, attached hereto as Exhibit A to the Resolution. The term of the Agreement will commence on December 11, 2023 and continue for a 3-year period expiring on December 10, 2026, unless the contract is terminated earlier in accordance with its terms.

## **DISCUSSION**

After a recruitment process spanning several months, the City Council unanimously agreed to appoint Caitlin Corley as Petaluma's new City Clerk. Ms. Corley has most recently served as the City Clerk for the Town of Colma since 2015. Ms. Corley has two Bachelor's degrees from Santa Clara University and graduated with her Master's in Public Administration from San Francisco State University.

Government Code Section 54953(c)(3), part of the Brown Act, provides that prior to taking final action, the legislative body shall orally report a summary of the salary, salary schedules or compensation paid in the form of fringe benefits of a local agency executive during the open meeting in which the final action is to be taken. Accordingly, key provisions of the at-will employment contract attached as Exhibit A are summarized as follows, and will be orally summarized at the December 4, 2023 City Council meeting:

**Term:** The effective date of the agreement is December 11, 2023 and has a 3-year term, unless either party terminates the agreement in accordance with the contract.

**Salary:** The annual salary is \$171,478. The Council retains the option to grant merit increases and/or cost-of-living adjustments at specified points during the agreement.

**Vacation and Other Leaves:** An initial bank of 40 vacation hours upon the effective date of the agreement will be granted. Annual vacation accrual rate is 120 hours initially, increasing with years of service. An optional annual vacation sell-back is allowed if specific requirements are met<sup>1</sup>. Administrative leave of 80 hours per fiscal year is provided<sup>2</sup>, of which a maximum of 40 may be carried forward to a subsequent fiscal year, and a maximum sell-back of 20 unused hours is allowed. The maximum administrative leave that may be accrued is 120 hours. An initial bank of 40 sick hours upon the effective date of the agreement will be granted and sick leave will accrue at 8 hours per month. An optional annual sick leave conversion of up to 160 hours of sick hours to vacation is allowed at a ratio of four (4) sick leave hours to one (1) vacation hour.

**Health Benefits:** Health benefits are consistent with those offered to employees in Unit 8, Department Directors, and includes Medical, Dental, Vision, Long Term Disability, Life Insurance, and Employee Assistance Program.

**Other Benefits:** The agreement includes a monthly car allowance of \$350 per month to compensate for the City Clerk's use of a personal vehicle in the conduct of City business.

**CalPERS:** The City Clerk will be enrolled into membership with CalPERS at the applicable benefit level/tier as determined per the City's contract with CalPERS and Ms. Corley's membership history with CalPERS. The City Clerk will contribute the applicable member

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<sup>1</sup> Must have a balance of at least one hundred and twenty (120) hours of vacation hours at time of request and must maintain a minimum balance of forty (40) hours after the sell-back. This is consistent with what is offered to Unit 8.

<sup>2</sup> The number of administrative leave hours at hire will be pro-rated based on the first day of employment.

contribution rate as set by CalPERS plus a 3% “employer cost share”, which is consistent with employees in Unit 8, Department Directors.

**Termination and Severance:** The contract includes a feature similar to the current City Manager contract, whereby the agreement will automatically renew the four-year term annually. Otherwise, there are provisions similar to the prior City Clerk’s and current City Manager’s contract regarding “for cause” and “not for cause” terminations of the agreement. If the agreement is terminated by the City without cause, the agreement provides for a 6-month severance payment. The termination provisions also include obligations to reimburse the City for certain expenses in the event of a conviction for crimes involving abuse of office. The California legislature enacted such requirements as a result of the events in the City of Bell and they have been a requirement of contracts with local agency executives since then.

The City Clerk contract is consistent with statutory requirements and is attached to the City Clerk appointment resolution as Exhibit A.

### **PUBLIC OUTREACH**

This agenda item was noticed in compliance with the California Brown Act.

### **COUNCIL GOAL ALIGNMENT**

The ratification of this action aligns with the City Council Goal of “A City That Works For Everyone.” This objective includes recruiting, hiring, retaining, and advancing a workforce that is diverse, representative, skilled, talented, and prepared to meet the demands of a full-service City.

### **ENVIRONMENTAL REVIEW**

The proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15378(b)(4), in that, approving this action does not meet CEQA's definition of a “project,” because the action does not have the potential for resulting either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, and because this is a personnel-related action that constitutes organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

### **FINANCIAL IMPACTS**

The salary for the City Clerk position will be \$171,478, which is approximately \$6,600 more than the prior City Clerk. Depending on the benefit options selected, the total financial impact including salary and benefits is approximately \$253,407, 100% of costs are allocated to the General Fund.

### **ATTACHMENTS**

1. Resolution
2. Exhibit A to Resolution - Employment Agreement
  - a. Attachment 1