

**FIFTH AMENDMENT TO AGREEMENT FOR SERVICES
BETWEEN THE CITY OF SUNNYVALE AND
KENT STEFFENS**

THIS FOURTH AMENDMENT TO THE AGREEMENT FOR SERVICES is entered into this 29 day of December 2022, by THE CITY COUNCIL OF THE CITY OF SUNNYVALE ("City Council") and KENT STEFFENS ("Employee").

WHEREAS, on January 11, 2018, the City Council and Employee entered into an Agreement for Services (the "Agreement"); and

WHEREAS, on December 13, 2022, at its regular meeting, the City Council approved an increase to Employee's salary totaling 6%; a one-time contribution of \$15,000 to Employee's 457 deferred compensation plan; and allowing the City Manager, with approval of the Mayor, to use paid time off to extend his retirement separation date within a payroll calendar year.

NOW, THEREFORE, the parties agree to amend the Agreement as follows:

1. Section 3.3 (Salary Adjustments) is hereby amended to read as follows:

3.3. Salary Adjustments. Employee shall receive an annual salary increase of three percent (3%), beginning with the pay period including January 1, 2019, until reaching the maximum salary range as approved and that may be amended by the City Council from time to time. Notwithstanding the preceding, the City Council may, by a majority vote, approve modifications to the Employee's annual salary increases. Effective the pay period including January 1, 2019, Employee's salary shall be increased to three hundred fifteen thousand six hundred thirty-three dollars (\$315,633.00) per year. Effective the pay period including January 1, 2020, Employee's salary shall be increased to three hundred thirty-two thousand nine hundred ninety-three dollars (\$332,993.00) per year. Effective the pay period including December 27, 2020, Employee's salary shall be increased to three hundred fifty-four thousand six hundred thirty-seven dollars (\$354,637.00) per year. Effective the pay period including December 26, 2021, Employee's salary was increased to three hundred seventy-five thousand nine hundred fifteen dollars (\$375,915.00) per year. Effective the pay period including December 25, 2022, Employee's salary will be increased to three hundred ninety-eight thousand four hundred seventy dollars (\$398,470.00) per year.

2. Section 3.5.4 (Additional Retirement Contributions) is hereby amended to read as follows:

3.5.4. Additional Retirement Contributions. The City will contribute annually to Employee's Section 401(a) defined contribution plan the amounts established by the Internal Revenue Service for the annual elective deferral limit and age 50 or older "catch-up" contributions for 401(k) plan employee contributions (e.g., total

of \$26,000 in 2020). In the first pay period of 2023, City will also make a one-time contribution of fifteen thousand dollars (\$15,000.00) to Employee's 457 deferred compensation plan account.

3. Section 3.5.8 (PTO and Separation/Retirement) is hereby added to read as follows:

3.5.8. PTO and Separation/Retirement. Upon notice of retirement and after the last day of work, Employee shall be allowed to utilize available accrued PTO to extend the retirement date if Employee remains in good standing as determined by the Mayor. The extension of retirement date with PTO shall not go beyond the payroll calendar year.

4. All the terms and conditions of the Agreement and its prior amendments not specifically modified by this Fifth Amendment remain in full force and effect.

WITNESS THE EXECUTION HEREOF, on the day and year first written above.

CITY OF SUNNYVALE

By 
Larry Klein (Dec 29, 2022 10:01 PST)

Mayor


Dated: Dec 29, 2022

EMPLOYEE


KENT STEFFENS

Dated: Jan 5, 2023

ATTEST:


CITY CLERK

APPROVED AS TO FORM:


Melissa Tronquet (Jan 5, 2023 10:25 PST)
SR. ASSISTANT CITY ATTORNEY