

RESOLUTION NO. 16-

Resolution Of The City Council Of The City Of Emeryville Approving And Consenting To An Amended And Restated Agreement Of Employment Between The Management Of Emeryville Services Authority And Michael A. Guina As City Attorney/General Counsel For The Period Of July 1, 2016 Through June 30, 2018

WHEREAS, on January 20, 1998 the City of Emeryville and Emeryville Redevelopment Agency adopted a Joint Powers Agreement to create the Management of Emeryville Services Authority (“MESA”); and

WHEREAS, on June 2, 1998 the City of Emeryville and MESA entered into an Operating Agreement whereby certain non-public safety classifications of employees of the City of Emeryville, including that of City Attorney, were transferred to MESA and thereafter have been employees of MESA; and

WHEREAS, the MESA employees within the classifications delineated in Section 2 of the Operating Agreement, including that of City Attorney, provide certain management, administrative, special or general personnel services to the City; and

WHEREAS, the position of City Attorney of the City of Emeryville also fulfills duties as City Attorney for the City of Emeryville Successor Agency, General Counsel of the Emeryville Public Financing Authority, the Emeryville Community Development Commission, and the Management of Emeryville Services Authority (MESA); and

WHEREAS, section 4.F of the Operating Agreement between MESA and the City of Emeryville provides that the City shall “provide all hiring, disciplinary and general personnel administration for MESA and its employees”; and

WHEREAS, the City Council of the City of Emeryville and the MESA Board of Directors, through their designated representatives, and Michael Guina have negotiated the terms of an Amended and Restated Agreement of Employment for a two (2) year term commencing July 1, 2016, and terminating June 30, 2018, as set forth in Exhibit A attached hereto; now, therefore, be it

RESOLVED, that the City Council of the City of Emeryville hereby approves and consents to an Amended and Restated Agreement of Employment between the Management of Emeryville Services Authority and Michael Guina as City Attorney / General Counsel, for a two (2) year period commencing July 1, 2016, and terminating June 30, 2018, in the form attached hereto as Exhibit A.

ADOPTED, by the City Council of the City of Emeryville at a regular meeting held on Tuesday, October 18, 2016, by the following vote:

AYES:

<input type="checkbox"/>	<input type="checkbox"/>
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NOES:

<input type="checkbox"/>	<input type="checkbox"/>
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ABSTAIN:

<input type="checkbox"/>	<input type="checkbox"/>
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ABSENT:

<input type="checkbox"/>	<input type="checkbox"/>
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MAYOR

ATTEST:

APPROVED AS TO FORM:



CITY CLERK

CITY ATTORNEY