

RESOLUTION NO. 16-

Resolution Of The Board Of Directors Of The Management Of Emeryville Services Authority (MESA) Approving An Amended And Restated Agreement Of Employment Between MESA And Michael A. Guina As City Attorney/General Counsel For The Period Of July 1, 2016 Through June 30, 2018 And Authorizing The Chair Of The Board Of Directors To Execute Said Agreement On Behalf Of MESA

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 of Emeryville City Council 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 Board of Directors of the Management of Emeryville Services Authority hereby approves 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, and authorizes the Chair of the Board of Directors to execute said Amended and Restated Agreement of Employment on behalf of the Management of Emeryville Services Authority.

ADOPTED, by the Board of Directors of the Management of Emeryville Services Authority
at a special meeting held on Tuesday, October 18, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

CHAIR

ATTEST:

APPROVED AS TO FORM:



SECRETARY

GENERAL COUNSEL