



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: June 19, 2018

TO: Chair John Bauters and MESA Board of Directors

FROM: Lisa M. Lopez, Human Resources Director

SUBJECT: **City Manager Employment Agreement First Amendment:**

Resolution Of The Board Of Directors Of The Management Of Emeryville Services Authority (MESA) Approving A First Amendment To The Amended And Restated Agreement Of Employment Between MESA And Carolyn Lehr, As City Manager, And Authorizing The Chair Of The Board Of Directors To Execute Said First Amendment On Behalf Of MESA

Resolution Of The City Council Of The City Of Emeryville Approving And Consenting To A First Amendment To The Amended And Restated Agreement Of Employment Between The Management Of Emeryville Services Authority And Carolyn Lehr As City Manager

RECOMMENDATION

Staff recommends the MESA Board of Directors and City Council review and adopt the attached resolutions approving the First Amendment to the Amended and Restated Agreement of Employment ("First Amendment") between MESA and Carolyn Lehr as City Manager, extending the term for a two-month period from July 1, 2018, and terminating August 31, 2018.

The MESA resolution approves the First Amendment and authorizes the Chair of the Board of Directors to execute the document with Carolyn Lehr. The City Council resolution approves and consents to the First Amendment between MESA and Carolyn Lehr. The proposed First Amendment is attached as Exhibit A to both resolutions.

BACKGROUND

The MESA retained the services of Carolyn Lehr as City Manager in 2015 and entered into an Agreement of Employment (the "Agreement") (Resolution Nos. 15-77; MA 12-15) effective June 19, 2015 for a two-year term. The Agreement called for the parties to meet periodically for the purpose of evaluating the performance of the City Manager and to negotiate and consider new contract terms as deemed necessary and appropriate by the parties. Pursuant to the Agreement, the parties entered into negotiations for new terms of employment for the City Manager and entered into an Amended and Restated Agreement for an additional two years, effective July 1, 2016. Prior to the renewal of the current contract, the City Manager announced her plans to retire; however, she asked

for an extension of the current term which expires on June 30, 2018, which the MESA agreed to consider.

DISCUSSION

The proposed First Amendment includes the following substantive provisions.

- Section 2 amends the Amended and Reinstated Agreement regarding the term, and extends the contract period to terminate on August 31, 2018, from the original June 30, 2018. The City Manager's final day of reporting to work shall be June 30, 2018. From July 1 – August 30, 2018, the City Manager shall be on vacation leave status and shall continue to accrue vacation and leave hours.
- Section 3 provides that the City Manager will be entitled to the same increase negotiated in good faith between the Authority and the Confidential, Administrative, Management and Professional (CAMP) employees, retroactive from March 1, 2018 through August 31, 2018.
- All other provisions of the Amended and Restated Agreement remain unchanged and in full force and effect.

FISCAL IMPACT

The salary and benefits have been included in the recently adopted budget for FY 2018-2019.

PREPARED AND FORWARDED TO THE BOARD OF DIRECTORS OF THE MANAGEMENT OF EMERYVILLE SERVICES AUTHORITY:



Lisa Lopez, Human Resources Director

Attachments:

1. MESA Resolution
Exhibit A: Proposed Contract July 1, 2018 – August 31, 2018
2. City Council Resolution
Exhibit A: Proposed Contract July 1, 2018 – August 31, 2018