

RESOLUTION NO. _____

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

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

WHEREAS, on June 7, 2011, the City and former Redevelopment Agency executed the MESA First Amendment to add the Emeryville Community Development Commission of Emeryville as a member of the Joint Powers Agreement; and

WHEREAS, on June 2011, the parties to the MESA added the Emeryville Public Financing Authority to the Joint Powers Agreement of the MESA; and

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

WHEREAS, the position of City Manager of the City of Emeryville also fulfills duties as City Manager for the City of Emeryville Successor Agency, Executive Director of the Emeryville Public Financing Authority, Executive Director of the Emeryville Community Development Commission, and Executive Director of 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 MESA retained the services of Carolyn Lehr as City Manager in 2015 and entered into an Agreement of Employment (the "Agreement"), which was approved by the City of Emeryville (Resolution Nos. 15-77; MA 12-15), effective June 19, 2015 for a two-year term; and

WHEREAS, the MESA and the City Manager entered into an Amended and Restated Agreement for an additional two years, effective July 1, 2016, which Amended and Restated Agreement was approved by the City of Emeryville (Resolution Nos. 16-105;

MA23-16); and

WHEREAS, the MESA and the City Manager desire to enter into a First Amendment to the Amended and Restated Agreement to extend the term to August 31, 2018, and to provide for other terms of employment; now therefore, be it

RESOLVED, that the Board of Directors of the Management of Emeryville Services Authority hereby approves the First Amendment to the Amended and Restated Agreement of Employment between the Management of Emeryville Services Authority and Carolyn Lehr as City Manager, attached hereto as Exhibit A, to extend the term to August 31, 2018, and provide for other terms of employment as fully described therein; and authorizes the Chair of the Board of Directors to execute said First Amendment to the 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 regular meeting held on Tuesday, June 19, 2018, by the following vote:

AYES: _____
NOES: _____
ABSTAIN: _____
ABSENT: _____

CHAIR

ATTEST:

APPROVED AS TO FORM:



SECRETARY

LEGAL COUNSEL