

**RESOLUTION NO. MA \_\_ - 20**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE MANAGEMENT OF EMERYVILLE SERVICES AUTHORITY (MESA) APPROVING AN AGREEMENT OF EMPLOYMENT BETWEEN MESA AND MICHAEL GUINA AS CITY ATTORNEY/GENERAL COUNSEL FOR THE PERIOD OF AUGUST 1, 2020 THROUGH JULY 31, 2022, AND AUTHORIZING THE CHAIR OF THE BOARD OF DIRECTORS TO EXECUTE SAID AGREEMENT ON BEHALF OF THE 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 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 Board of Directors and Michael Guina have negotiated the terms of an Agreement of Employment for a two (2) year term commencing August 1, 2020, and terminating July 31, 2022, 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 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 August 1, 2020, and terminating July 31, 2022, in the form attached hereto as Exhibit A, and authorizes the Chair of the Board of Directors to execute said 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, July 7, 2020, by the following vote:

AYES: \_\_\_\_\_  
NOES: \_\_\_\_\_  
ABSTAIN: \_\_\_\_\_  
ABSENT: \_\_\_\_\_

\_\_\_\_\_  
MAYOR

ATTEST:

APPROVED AS TO FORM:



\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
CITY ATTORNEY