



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: April 6, 2021

TO: Christine Daniel, Executive Director

FROM: Sheri Hartz, City Clerk
Thai Nam Pham, Deputy City Clerk

SUBJECT: **Resolution Of The Board Of Directors Of The Management Of Emeryville Services Authority Amending The 2021 Regular Meeting Schedule Of The Management Of Emeryville Services Authority**

RECOMMENDATION

Staff recommends that the Management of Emeryville Services Authority Board approve the above-entitled resolution amending the 2021 regular meeting schedule for the Management of Emeryville Services Authority to add a regular meeting on April 20, 2021.

BACKGROUND

On December 1, 2020, the City Council passed and adopted Resolution No. 20-126, adopting the 2021 regular meeting calendar for the City Council and Successor Agency. Included in this resolution and meeting calendar were the incorporation of a regular meeting of the Management of Emeryville Services Authority ("MESA") on the first Tuesday of July. All other MESA meetings during 2021 were to be scheduled as special meetings as needed, with dates to coincide with the City Council/Successor Agency regular meeting schedule.

DISCUSSION

Government Code section 54956(b) of the Brown Act provides that a legislative body may not call a special meeting regarding salaries, salary schedules, or compensation of a local agency executive. The City Manager and the City Attorney are both "local agency executives" within the meaning of the statute.

Since the adoption of Resolution No. 20-126, the City/MESA has received notice that City Attorney Michael Guina, whose current contract will expire as of July 31, 2022, is leaving office on April 23, 2021. The City/MESA is considering appointment of an Interim City Attorney while it completes its recruitment process for the permanent position. To comply with the requirements of Government Code section 54956(b), the appointment of the Interim City Attorney and approval of the accompanying employment agreement must take place at a regular meeting of the City Council and the MESA Board. The next regular meeting of the MESA does not occur until the first Tuesday of July.

Staff therefore recommends an amendment to the 2021 regular meeting calendar of MESA to include the following date to coincide with regular City Council / Successor Agency meeting date:

April 20, 2021

All proposed MESA regular meetings will commence at 7:14 p.m. on each date, with the meetings to take place at City Hall.

FISCAL IMPACT

There is no fiscal impact.

STAFF COMMUNICATION WITH THE PUBLIC

Staff has had no communication with the public regarding this item.

PREPARED BY: Sheri Hartz, City Clerk
Thai Nam Pham, Deputy City Clerk

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



Christine Daniel, Executive Director

ATTACHMENTS

- Draft Resolution