



# City of Emeryville

CALIFORNIA

## MEMORANDUM

**Date:** April 20, 2021  
**To:** Mayor/Chair Martinez and City Council / MESA Board Members  
**From:** Trish Raver, Human Resources Director  
**Subject:** Interim City Attorney Employment Agreement

**Resolution Of The City Council Of The City Of Emeryville Approving And Consenting To An Agreement Of Employment Between The Management Of Emeryville Services Authority And Andrea Visveshwara As Interim City Attorney/General Counsel For The Period Of April 24, 2021 Through October 31, 2021**

**Resolution Of The Board Of Directors Of The Management Of Emeryville Services Authority (MESA) Approving An Agreement Of Employment Between MESA And Andrea Visveshwara As Interim City Attorney/General Counsel For The Period Of April 24, 2021, Through October 31, 2021, And Authorizing The Chair Of The Board Of Directors To Execute Said Agreement On Behalf Of The MESA**

## RECOMMENDATION

Staff recommends the MESA Board of Directors and City Council review the attached resolutions regarding an Agreement of Employment ("Agreement") between MESA and Andrea Visveshwara as Interim City Attorney/General Counsel for a the period of April 24, 2021 through October 31, 2021.

The MESA resolution approves the Agreement and authorizes the Chair of the Board of Directors to execute the Agreement with Ms. Visveshwara. The City Council resolution approves and consents to the Agreement between MESA and Ms. Vishveshwara. The proposed Agreement is attached as Exhibit A to both resolutions.

## BACKGROUND

City Attorney/General Counsel Michael Guina has accepted a position with another agency and will depart employment with MESA on April 23, 2021. In order to have continuity of legal services provided to the MESA, Assistant City Attorney Andrea Visveshwara has accepted the terms of the attached employment agreement where she will be appointed Interim City Attorney/General Counsel for the period of April 24, 2021 through October 31, 2021 with potential for month-to-month extensions as needed until a permanent placement in the position of City Attorney/General Counsel has been made.

## **DISCUSSION**

The proposed employment Agreement contains the following substantive provisions:

- Section 1 provides that as Interim City Attorney for the City of Emeryville, the position also serves as the Interim City Attorney for the City of Emeryville Successor Agency, Interim General Counsel of the Emeryville Public Financing Authority, Interim General Counsel of the Emeryville Community Development Commission, and Interim General Counsel of the Management of Emeryville Services Authority.
- Section 2 provides for a term commencing April 24, 2021, and terminating on October 31, 2021, with potential month-to-month extensions as needed to December 1, 2021 when a permanent City Attorney/General Counsel placement has been made.
- Section 4 specifies the Interim City Attorney is an at-will employee.
- Section 5 provides that the Interim City Attorney shall be paid a base salary of \$16,937.50 per month.

## **FISCAL IMPACT**

The salary and benefits for FY 20-21/21-22 have been included in the current FY19/20-20/21 and FY 21-22 budgets.

## **CONCLUSION**

Enclosed are resolutions for consideration by the Board of Directors of MESA and the City Council. The MESA resolution would approve the new Agreement and authorize the Chair of the Board of Directors to execute an employment agreement with Andrea Visveshwara. Further the City Council resolution would approve and consent to the Agreement between MESA and Andrea Visveshwara.

## **APPROVED AND FORWARDED TO THE CITY COUNCIL OF THE CITY OF EMERYVILLE:**



Christine Daniel, City Manager

## **ATTACHMENTS:**

- Draft Resolution (City Council)
  - Exhibit A: Proposed Agreement 2020-2022