

**RESOLUTION NO. 21-\_\_\_\_\_**

**Resolution Of The City Council Of The City Of Emeryville Approving And Consenting To An Extension Of The Term Of The Agreement Of Interim Appointment Between The Management Of Emeryville Services Authority (MESA) And Andrea Visveshwara As Interim City Attorney And Authorizing The Chair Of The Board Of Directors To Execute The First Amendment To The Agreement**

**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 General Counsel for the City of Emeryville Successor Agency, the Emeryville Public Financing Authority, the Emeryville Community Development Commission, and 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 City of Emeryville City Council and the MESA Board of Directors, through their designated representatives, and Andrea Visveshwara negotiated the terms of an Agreement of Interim Appointment for a term expiring October 31, 2021, and now wish to extend that term to January 31, 2022; now, therefore, be it

**RESOLVED**, that the City Council of the City of Emeryville hereby approves and consents to an extension of the term of the Agreement of Interim Appointment between the Management of Emeryville Services Authority and Andrea Visveshwara as Interim City Attorney through January 31, 2022, in the form attached hereto as Exhibit A, and authorizes the Chair of the Board of Directors to execute the First Amendment to the Agreement.

**ADOPTED**, by the City Council of the City of Emeryville at a regular meeting held Tuesday, October 19, 2021, by the following vote:

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

\_\_\_\_\_  
MAYOR

ATTEST:

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