



# Agenda Report

August 27, 2018

**TO:** City Council  
**FROM:** Mayor Terry Tornek  
**SUBJECT:** APPROVAL OF EMPLOYMENT AGREEMENT FOR CITY ATTORNEY/CITY PROSECUTOR

## **RECOMMENDATION:**

It is recommended that the City Council:

1. Find that the action proposed herein is not a "project" as defined in the California Environmental Quality Act (CEQA), Public Resources Code Section 21065 and Section 15378(b)(2) of the State CEQA Guidelines and, as such, is not subject to environmental review; and
2. Approve a new employment agreement for City Attorney/City Prosecutor Michele Beal Bagneris which sets forth the terms and conditions of the employment agreement between the parties. It is further recommended that the Mayor be authorized to sign the employment agreement to reflect City Council approved changes.

## **BACKGROUND:**

On January 26, 2015, the City entered into an employment agreement (Contract No. 22,129) with Michele Beal Bagneris as City Attorney/City Prosecutor. The employment agreement has been amended and approved by the City Council three times as follows:

- A first amendment (Contract No. 22,129-1) on April 11, 2016
- A second amendment (Contract No. 22,129-2) on June 5, 2017
- A third amendment (Contract No. 22,129-3) on December 4, 2017

As a result of the City Attorney/City Prosecutor's recently completed performance evaluation, the Council recommends approving the employment agreement with the following modifications:

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1. Salary – Effective November 27, 2017, the City Attorney/City Prosecutor will be paid a base annual salary of \$276,548.27 and the salary control rate for the City Attorney/City Prosecutor classification also shall be \$276,548.27.
2. Benefits/Pension Contribution—Effective November 13, 2017, the City Attorney/City Prosecutor, along with the Non-Represented Executive Management employees, began making an additional 2% employee-paid pension contribution for a total 10% employee contribution toward her pension.

**COUNCIL POLICY CONSIDERATION:**

The approval of the employment agreement supports the City Council's strategic goal of maintaining fiscal responsibility and stability.

**FISCAL IMPACT:**

The approval of the employment agreement for the City Attorney/City Prosecutor is estimated to have an overall fiscal impact of \$10,600 and there are sufficient appropriations within the City Attorney Department's FY 2019 Operating Budget to support this action.

Respectfully Submitted,



Terry Tornek  
Mayor

Prepared by:



Jennifer Curtis  
Director of Human Resources

Attachment:

1. EMPLOYMENT AGREEMENT FOR CITY ATTORNEY/CITY PROSECUTOR