

# Agenda Report

February 25, 2019

**TO:** City Council

**FROM:** Mayor Terry Tornek

**SUBJECT:** APPROVAL OF FIRST AMENDMENT TO 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 an amendment to the employment agreement for City Attorney/City Prosecutor Michele Beal Bagneris to provide an increase to salary and the classification's salary control rate. It is further recommended that the Mayor be authorized to sign the amendment to the employment agreement to reflect City Council approved changes.

## **BACKGROUND:**

On August 27, 2018, the City entered into an employment agreement (Contract No. 23,016) with Michele Beal Bagneris as City Attorney/City Prosecutor.

As a result of the City Attorney/City Prosecutor's recently completed performance evaluation, the Council recommends approving the attached contract amendment (Contract No. 23,016-1) for Michele Beal Bagneris with the following modifications:

1. Compensation/Salary – Effective November 26, 2018, the City Attorney/City Prosecutor will be paid a base annual salary of \$282,079.20 and the salary control rate for the City Attorney/City Prosecutor classification also shall be \$282,079.20.

2. Management Incentive Pay – The City Attorney/City Prosecutor will receive a one-time, lump sum payment of \$5,641.
3. Benefits/Pension Contribution – The City Attorney/City Prosecutor will continue making a 10% employee-paid pension contribution to the Public Employees' Retirement System (PERS).

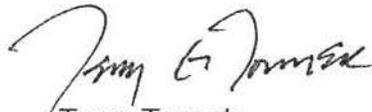
**COUNCIL POLICY CONSIDERATION:**

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

**FISCAL IMPACT:**

The approval of the amendment to the employment agreement for the City Attorney/City Prosecutor is estimated to have an overall fiscal impact of \$11,950. This position is budgeted to the General Fund (101), 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. FIRST AMENDMENT TO CITY ATTORNEY/CITY PROSECUTOR  
EMPLOYMENT AGREEMENT