

# Agenda Report

**DATE:** June 5, 2017

**TO:** City Council  
**FROM:** Mayor Terry Tornek  
**RE:** APPROVAL OF 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 B. Bagneris to provide an increase to her annual salary and position's salary control rate. It is further recommended that the Mayor be authorized to sign the second amendment to 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 and on April 11, 2016 a first amendment (Contract No. 22,129-1) to the employment agreement was approved by the City Council. As a result of the recently completed performance evaluation, the Council recommends approving the attached amendment which includes the following:

1. Salary – Effective November 28, 2016, the City Attorney/City Prosecutor will be paid a base annual salary of \$263,229, and the salary control rate for the City Attorney/City Prosecutor classification also shall be \$263,229

AMENDMENT TO EMPLOYMENT AGREEMENT FOR CITY ATTORNEY/CITY  
PROSECUTOR

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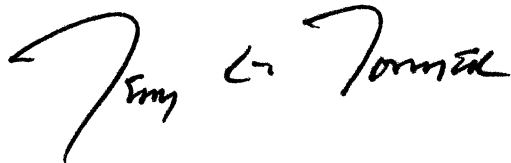
**COUNCIL POLICY CONSIDERATION:**

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 fiscal impact with the approval of the amendment for the City Attorney/City Prosecutor is an estimated cost of \$7,000 to be paid from the City Attorney/City Prosecutor Department operating budget.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Terry Tornek". The signature is fluid and cursive, with the first name "Terry" written in a larger, more prominent script than the last name "Tornek".

Terry Tornek  
Mayor

Prepared by:

A handwritten signature in black ink, appearing to read "Jennifer Curtis". The signature is cursive and somewhat stylized, with the first name "Jennifer" written in a larger, more prominent script than the last name "Curtis".

Jennifer Curtis  
Director of Human Resources

Attachments:

1. SECOND AMENDMENT TO CITY ATTORNEY/CITY PROSECUTOR  
EMPLOYMENT AGREEMENT