



CITY OF HAYWARD
AGENDA REPORT

AGENDA DATE 07/10/2007
AGENDA ITEM 8
WORK SESSION ITEM _____

TO: Mayor and City Council
FROM: City Manager
SUBJECT: Authorization to Negotiate and Execute an Employment Agreement with Jesús Armas

RECOMMENDATION:

That the City Council adopt the attached Resolution authorizing the Acting City Manager to negotiate and execute an employment agreement with Jesús Armas for an initial term of sixty (60) days with an option to renew for a period not to exceed December 31, 2007; and in a form approved by the City Attorney.

DISCUSSION:

Mr. Jesús Armas is the former City Manager for the City of Hayward, having left that position on July 6, 2007. During his tenure as City Manager, Mr. Armas was directly responsible for many capital and land use projects in the City. Three projects remain in progress and at critical points in their development: Two energy center projects (Russell City and East Shore), and the Route 238 Corridor Project. Staff has determined that it is in the best interests of the City to have the continued involvement of Mr. Armas in these projects until certain critical milestones are achieved in each project.

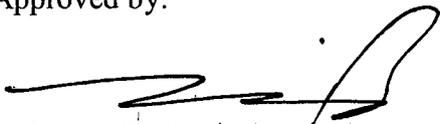
Therefore, staff is moving to secure a limited employment contract with Mr. Armas to continue working with the three identified projects. Mr. Armas will report directly to the City Manager, or to such other staff as may be designated by the City Manager over the course of the projects.

Contract Terms

- A. Duration: The contract will be effective July 9, 2007, with an initial term of sixty (60) days, and an option to renew for a period not to exceed December 31, 2007, at the discretion of the City Manager. Each project has the following defined milestones:
1. Route 238 Corridor Project – Council completes a decision on the Final Environmental Impact Report (FEIR).
 2. Russell City Energy Center – The California Energy Commission acts to approve or deny the Application.
 3. East Shore Energy Center – The California Energy Commission acts to approve or deny the Application.

- B. Scope: The scope of work will be to act as the City's representative for the above three projects, working under the direction of the City Manager or other such staff as may be assigned by the City Manager. Each project also will have an assigned lead among senior City staff with which Mr. Armas will coordinate his activities.
1. Route 238 Corridor Project – At the direction of the City Manager, act as the City's representative at community meetings with affected businesses and residents; draft needed staff reports for Council consideration; be present at applicable Council meetings and work sessions as directed by the City Manager; and attend other meetings and prepare other documents or information as directed and authorized by the City Manager.
 2. Russell City and East Shore Energy Centers – At the direction of the City Manager, represent the City at all applicable CEC Hearings and other regulatory proceedings; in coordination with assigned City staff, be the primary point of contact for the Applicants interaction with the City; track regulatory actions for each project and keep the City informed of actions and activities affecting the City or requiring a City response; draft appropriate Council reports and presentations; be present at all applicable Council meetings and work sessions as directed by the City Manager; and attend other meetings and prepare other documents or information as directed and authorized by the City Manager.
- C. Cost: Funding, when and if needed, is available to support this contract from salary savings in the City Manager's budget and from project-related funds.

Approved by:



Fran David, Acting City Manager

DRAFT

HAYWARD CITY COUNCIL

RESOLUTION NO. 07-

Introduced by Council Member _____

mhe

7/6/07

RESOLUTION AUTHORIZING THE ACTING CITY
MANAGER TO EXECUTE AN EMPLOYMENT
AGREEMENT BETWEEN JESUS ARMAS AND THE CITY
OF HAYWARD

BE IT RESOLVED by the City Council of the City of Hayward that the Acting City Manager is hereby authorized and directed to negotiate and execute on behalf of the City of Hayward an employment agreement by and between Jesus Armas and the City of Hayward for consulting services on various projects, in a form approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2007

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward