

DATE: November 17, 2009
TO: Mayor and City Council
FROM: Mayor Sweeney
SUBJECT: City Manager Contract Amendment

RECOMMENDATION

That Council approves a resolution authorizing the Mayor to sign amended Council approved City Manager's employment agreement as outlined in this report.

BACKGROUND

The City Manager began employment with the City of Hayward October 1, 2007 under the terms of an employment agreement approved by the City Council on July 29, 2007. This agreement describes the terms under which the City Manager is employed, including pay and benefits. The agreement also provides for the evaluation of the City Manager's performance and possible adjustments to the agreement from time to time as recommended by the City Council.

DISCUSSION

In January, 2008, the City Council developed two primary priorities: Crime/Public Safety and Cleanliness. Three additional supporting priorities were also identified: Organizational Health, Land Use/Sustainability, and Fiscal Stability. The City Manager has been working diligently to lead the organization toward impacting each of these five priority areas through various recommended policies and operational implementation.

The City Council has conducted a closed session to review the City Manager's performance. The Council is very pleased with the City Manager's performance in accomplishing progress in a number of key policy areas as well as with his leadership during these very challenging fiscal times.

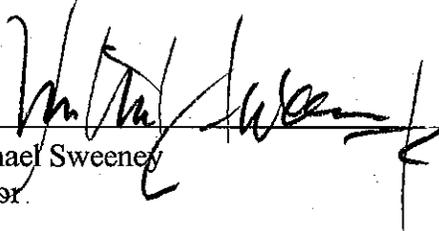
The following minor changes to the City Manager's employment agreement are being recommended:

- Elimination of the City's contribution toward employee's pre-tax deferred compensation account (\$10,500 annually) and shifting this contribution to taxable salary – (no net increase in total compensation)

- Providing the City Manager the option to resign within 120 days of a Municipal Election

All other terms and conditions of employment will remain the same.

Recommended and Approved By:



Michael Sweeney
Mayor

HAYWARD CITY COUNCIL

RESOLUTION NO. 09-_____

Introduced by Council Member _____

RESOLUTION APPROVING THE AMENDMENTS TO THE
CITY MANAGER'S EMPLOYMENT AGREEMENT AND
AUTHORIZING THE MAYOR TO EXECUTE THE
AGREEMENT ON BEHALF OF THE COUNCIL

BE IT RESOLVED by the City Council of the City of Hayward that the Council hereby approves the amendments to the City Manager's Employment Agreement, on file in the office of the City Clerk, and authorizes the Mayor to execute the agreement on behalf of the City Council.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2009

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