

RESOLUTION NO. 2008-89

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
APPROVING AMENDMENT NO. 1 TO THE EMPLOYMENT AGREEMENT
BETWEEN THE CITY OF MARINA AND MR. EDMUNDO RODRIGUEZ FOR
SERVICES AS CHIEF OF POLICE AND AUTHORIZING THE CITY MANAGER TO
EXECUTE THE AGREEMENT AMENDMENT ON BEHALF OF THE CITY
SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY.

WHEREAS, at the regular meeting of June 5, 2007, the City Council adopted Resolution No. 2007-115, amending the City Job Classification and Compensation Plans and approving restructured compensation plan for Fair Labor Standards Act (FLSA) exempt "at will" unrepresented Executive classifications, and;

WHEREAS, this amendment provided for the ability of staff to negotiate compensation at a rate at any set point within a "broad band" system, and;

WHEREAS, the broad banding allows for the flexibility necessary for negotiating Executive level compensation during the hiring process as well as for re-negotiating annual and routine compensation adjustments for Executive candidates and/or incumbents, and;

WHEREAS, the minimum base pay for the broad band system is the base salary of the existing Executive level compensation plan and the top step of the compensation plan reflects current market data from the most recent survey of the approved "survey cities" ("Exhibit A"), and;

WHEREAS, in order to implement the approved broad band Executive level compensation system, it is necessary to amend the employment agreements of several of the Department Directors whose employment agreements were negotiated and approved prior to this change and for whom the authority for the current adopted compensation system does not currently apply ("Exhibit B"), and;

WHEREAS, there is no direct fiscal impact to taking this requested action, however subsequent compensation adjustments to the affected Department Directors are anticipated and will be awarded pursuant to the approved Executive level compensation system.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Marina does hereby:

1. Approve Amendment No. 1 to the employment agreement between the City of Marina and Mr. Edmundo Rodriguez for services as Chief of Police, and;
2. Authorize the City Manager to execute the agreement amendment on behalf of the City subject to final review and approval by the City Attorney.

PASSED AND ADOPTED, at a regular meeting of the City Council of the City of Marina, duly held on the 6th day of May 2008, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

Gerald J. Wilmot, Mayor

ATTEST:

Dimitra M. Hubbard, Deputy City Clerk

AMENDMENT NO. 1
TO
EMPLOYMENT AGREEMENT
FOR
CHIEF OF POLICE

In consideration of the mutual promises contained herein, City and Employee agree that the Terms and Conditions set forth herein are incorporated into the Agreement for Employment for Chief of Police between City and Employee dated December 20, 2006. Only the numbered sub-paragraph of said Agreement which is being modified or otherwise revised, is set forth in this Amendment.

Paragraph 4. Compensation.

a) Effective December 20, 2006, for the services to be performed under this Agreement, City shall pay Employee a salary of \$10,027.00 per month for full time service and employment. Salary adjustments may be made pursuant to Resolution 2007 -115 and any successor Resolution adopted by the City Council and as adjustments are made to the Salary Schedule for members of the Department Directors informal employee organization or bargaining unit.

IN WITNESS WHEREOF, Employee and the City of Marina, by its duly authorized representative, have executed this Agreement on the dates first written below.

CITY OF MARINA

EMPLOYEE

By _____
Anthony J. Altfeld,
City Manager

Edmundo Rodriguez

Dated: May _____, 2008

Dated: May _____, 2008

Pursuant to Resolution No. 2008-_____

ATTEST:

Joy P. Junsay, City Clerk

APPROVED AS TO FORM:

City Attorney

May 1, 2008

Item No. **8g(5)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of May 6, 2008

RECOMMENDATION TO CONSIDER ADOPTING RESOLUTION NO. 2008-, APPROVING AMENDMENT NO. 1 TO THE EMPLOYMENT AGREEMENT BETWEEN THE CITY OF MARINA AND MR. EDMUNDO RODRIGUEZ FOR SERVICES AS CHIEF OF POLICE AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT AMENDMENT ON BEHALF OF THE CITY SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY

RECOMMENDATION:

It is recommended that the City Council:

1. Consider adopting Resolution No. 2008-, approving Amendment No. 1 to the employment agreement between the City of Marina and Mr. Edmundo Rodriguez for services as Chief of Police, and;
2. Authorize the City Manager to execute the agreement amendment on behalf of the City subject to final review and approval by the City Attorney.

BACKGROUND:

At the regular meeting of June 5, 2007, the City Council adopted Resolution No. 2007-115, amending the City Job Classification and Compensation Plans and approving restructured compensation plan for Fair Labor Standards Act (FLSA) exempt "at will" unrepresented Executive classifications.

This amendment provided for the ability of staff to negotiate compensation at a rate at any set point within a "broad band" system. The broad banding allows for the flexibility necessary for negotiating Executive level compensation during the hiring process as well as for re-negotiating annual and routine compensation adjustments for Executive candidates and/or incumbents. This revised system is not restricted to or distracted by discussions pertaining to the differential pay steps, A-E.

The minimum base pay for the broad band system is the base salary of the existing Executive level compensation plan. The top step of the compensation plan reflects current market data from the most recent survey of the approved "survey cities" ("**EXHIBIT A**").

ANALYSIS:

In order to implement the approved broad band Executive level compensation system, it is necessary to amend the employment agreements of several of the Department Directors whose employment agreements were negotiated and approved prior to this change and for whom the authority for the current adopted compensation system does not currently apply ("**EXHIBIT B**").

FISCAL IMPACT:

Should the City Council approve this request, there is no direct fiscal impact to taking this requested action. However, subsequent compensation adjustments to the affected Department Directors are anticipated and will be awarded pursuant to the approved Executive level compensation system.

CONCLUSION:

This request is submitted for City Council consideration and possible action.

Respectfully submitted,

Anthony J. Altfeld
City Manager
City of Marina

NOTED FOR FISCAL IMPACT:

Richard B. Standridge
Interim Finance Director
City of Marina

