

City of Culver City, California  
**City Council Agenda Item Report**

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|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|-----------------------------------------------------------------------------------|--------------------------------------------------|
| Meeting Date: 03/30/09                                                                                                                                             |  | Item Number: <u>A-1</u>                                                           |                                                  |
| <b>AGENDA ITEM: Appointment of Mark Scott as City Manager and Approval of an Executive Employment Agreement Confirming his Appointment effective June 1, 2009.</b> |  |                                                                                   |                                                  |
| Contact Person/Dept.: Serena Wright                                                                                                                                |  | Phone Number: (310) 253-5640                                                      |                                                  |
| Fiscal Impact: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>                                                                                 |  | General Fund: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |                                                  |
| Public Hearing: <input type="checkbox"/>                                                                                                                           |  | Action Item: <input checked="" type="checkbox"/>                                  | Attachments: <input checked="" type="checkbox"/> |
| Public Notification: Master E-Mail Notification List (03/25/09)                                                                                                    |  |                                                                                   |                                                  |
| Department Approval:<br>Serena Wright (03/25/09)                                                                                                                   |  | City Attorney Approval:<br>Carol Schwab (by H. Baker) (03/25/09)                  |                                                  |
| Chief Financial Officer Approval:<br>Jeff Muir (03/25/09)                                                                                                          |  | City Manager Approval:<br>Jerry B. Fulwood (03/25/09)                             |                                                  |

**RECOMMENDATION:**

Staff recommends the City Council appoint Mark Scott as City Manager and approve an executive employment agreement confirming his appointment as City Manager effective June 1, 2009.

**BACKGROUND/DISCUSSION:**

At the March 23, 2009 Council meeting, the City Council held a closed session regarding the appointment of Mark Scott as the City Manager. As authorized by and in consultation with the City Council, a proposed Executive Employment Agreement ("Agreement") has been negotiated with Mr. Scott. A copy of the proposed Agreement, modeled after those agreements in force and effect with other Department Heads and sets forth the terms and conditions of their employment, has been included in the agenda packet. In summary, the proposed Agreement provides for:

- A three year term commencing June 1, 2009.
- A thirty (30) day notice to terminate the Agreement, with or without cause.
- Six (6) months severance pay should Council decide to terminate the Agreement other than for cause.
- Employee's base annual salary shall be \$233,044 for the first nine (9) months of the Agreement. At the end of nine (9) months, the base annual salary shall be increased to \$263,044 based upon the following terms:
  - Relinquishment of the \$12,000 annual Redevelopment Agency stipend; and
  - Conversion to salary of the Temporary Housing Assistance.
- \$12,000 annual Redevelopment Agency stipend, paid quarterly, for the first nine months of the Agreement.

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- Effective May 2010, and each twelve month anniversary thereafter, the City agrees to increase the base salary by the Consumer Price Index, or any negotiated salary adjustment contained in the Management Group Memorandum of Understanding, whichever is greater.
- Reimbursement of actual relocation costs based on lowest of three estimates.
- Temporary housing assistance in the amount of \$2,500 per month for the first nine (9) months of the contract.
- Residency incentive loan in an amount not to exceed \$250,000 for purchase of a primary residence within the corporate boundaries of Culver City.
- Up to ten (10) days administrative leave per calendar year.
- Automobile allowance in the amount of six hundred dollars (\$600) per month.
- Performance shall be evaluated quarterly, until one year of service has been reached. Thereafter, the performance evaluations shall be conducted once per year.
- Standard health benefits package as provided for in the Culver City Management Group Memorandum of Understanding.
- Council may fix other legal conditions of employment following consultation with Employee; all amendments to the Agreement must be in writing.

**FISCAL ANALYSIS:**

Fiscal impact is within the parameters established by City Council. There is adequate appropriations in the adopted 2008-09 budget to cover the costs of this contract.

**ATTACHMENTS:**

Executive Employment Agreement

**MOTION:**

That the City Council:

- 1) Appoint Mark Scott as the City Manager; and
- 2) Approve an Executive Employment Agreement confirming Mr. Scott's appointment as City Manager; and
- 3) Authorize the City Attorney to review/prepare the necessary documents; and,
- 4) Authorize the Mayor to execute such documents on behalf of the City.