

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 11/28/05		Item Number: <u>C-9</u>	
AGENDA ITEM: Authorization of an Executive Employment Agreement with Carol Schwab Confirming and Continuing her Service as City Attorney Effective December 1, 2005.			
Contact Person/Dept.: Serena Wright		Phone Number: (310) 253-5640	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☒ No ☐	
Public Hearing: ☐		Action Item: ☒ Attachments: ☐	
Public Notification: Master Notification List on 11/23/05			
Department Approval: Serena Wright		CAO Approval: Martin Cole for Jerry Fulwood 11/22/05	
City Controller Approval: Marlee Chang 11/22/05			
<u>RECOMMENDATION:</u> That the City Council authorize execution of an Executive Employment Agreement with Carol Schwab, confirming and continuing her service as City Attorney, effective December 1, 2005. <u>BACKGROUND/DISCUSSION:</u> For several years, the City has entered into Executive Employment Agreements with various Department Heads, which sets forth terms and conditions of their employment. A proposed Executive Employment Agreement has been negotiated between the City Council and Ms. Schwab. A copy of the proposed Agreement, modeled after those Agreements in force and effect with other Department Heads, has been included in the agenda packet. The proposed Agreement provides for, in part: • A term commencing on December 1, 2005 and ending on July 1, 2009. • An exclusive employment contract, with exceptions for teaching, advising, or writing outside normal business hours. • The vote of four Council members would be required to terminate employment for reasons other than Cause with six months notice. "Cause" is defined as refusing or willfully failing to perform the duties of City Attorney or to carry out the directives of the Council; or commitment of any material act of dishonesty, moral turpitude, fraud or theft. • Employee must provide a minimum of six months' notice if she desires to terminate the Agreement. • Employee's base salary shall be at Range 660, Step "E" equivalent to \$169,405 annually.			

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- Effective December 1, 2005, 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.
- Benefits to include vehicle allowance of \$4,500 annually, cellular telephone, pager or combined personal communication device, and other benefits as defined for General Management.
- Ten days Administrative Leave, which is consistent with other Executive employees.
- Continuation of medical insurance.
- Employee agrees to binding arbitration should a dispute arise concerning salary or the period for which salary is to be paid.

FISCAL IMPACT:

Fiscal impact is within the parameters established by City Council. There is an adequate appropriation in the adopted 2005-06 budget to cover the costs of this contract.

ATTACHMENTS:

Executive Employment Agreement

MOTION:

That the City Council authorize the Executive Employment Agreement with Carol A. Schwab, effective December 1, 2005, and authorize the Mayor to execute the Agreement and the City Clerk to attest thereto.