

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 01/23/06		Item Number: <u>A-2</u>	
AGENDA ITEM: Executive Employment Agreement with Jerry Fulwood confirming and continuing his service as Chief Administrative Officer, effective June 23, 2006			
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 (01/19/06)			
Department Approval: Serena Wright (1/19/06)		CAO Approval: Martin R. Cole for Jerry B. Fulwood (01/19/06)	
City Controller Approval: Marlee Chang (01/19/06)			

RECOMMENDATION:

That the City Council authorize execution of an Executive Employment Agreement with Jerry Fulwood, confirming and continuing his service as Chief Administrative Officer, effective June 23, 2006.

BACKGROUND/DISCUSSION:

For several years, the City has entered into Executive Employment Agreements with various Department Heads, which sets forth terms and conditions of their employment. As authorized by, and in consultation with the City Council, after the closed session held on Tuesday January 17, 2006, a proposed Executive Employment Agreement has been negotiated with Mr. Fulwood. 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 June 23, 2006 and ending on June 23, 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 Chief Administrative Officer or to carry out the directives of the Council; or commitment of any material act of dishonesty, moral turpitude, fraud or theft.

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- Employee must provide a minimum of six months' notice if he desires to terminate the Agreement.
- Employee's base salary shall be at Range 666, Step "E" equivalent to \$174,539 annually.
- Effective June 23, 2006, 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 \$8,100 annually, cellular telephone, pager or combined personal communication device, and other employment benefits as defined for General Management.
- Ten days Administrative Leave, which is consistent with other Executive employees.
- 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 extending the Executive Employment Agreement with Jerry Fulwood, effective June 23, 2006, and authorize the Mayor to execute the Agreement and the City Clerk to attest thereto.