



City of San Leandro

Meeting Date: January 20, 2015

Staff Report

File Number: 15-019

Agenda Section: CONSENT CALENDAR

Agenda Number: 8.H.

TO: City Council

FROM: Chris Zapata
City Manager

BY: Rich Pio Roda
City Attorney

FINANCE REVIEW: David Baum
Finance Director

TITLE: Staff Report for a Resolution Extending the Term of the Current Employment Agreement with City Manager Chris Zapata

SUMMARY AND RECOMMENDATIONS

The City Council is negotiating terms and conditions of a new employment agreement with San Leandro's City Manager, Chris Zapata. Mr. Zapata's employment agreement automatically terminates January 30, 2015. The parties anticipate that the negotiation of a new employment agreement with Mr. Zapata will not conclude by January 30, 2015. Therefore, to avoid a technical default of the employment agreement, the City Council should consider an extension to the term of the employment agreement - under the current agreement's conditions and provisions - for six months.

BACKGROUND

The City Council's employment agreement with Mr. Zapata was executed January 17, 2012. The termination of the agreement is January 30, 2015. The City Council and Mr. Zapata are currently engaged in good faith negotiations on the terms, conditions, and provisions of a new employment agreement. The parties intend to complete the negotiation of a new employment agreement within the next 30 days, so that a new agreement is presented for review and approval by the City Council in accordance with the Brown Act. In order to encompass this negotiation period, address any contingencies that may necessitate further time to consider and analyze provisions, and to not have to return to the City Council for an additional extension of the term, it is the parties' intention to extend the City Manager's employment agreement for six months, under its current conditions and provisions.

Analysis

To avoid a technical default of the Agreement, and maintain continuity of purpose, it is in the parties' best interest to extend the term of the current agreement while good faith negotiations on a new agreement continue.

Fiscal Impacts

The terms and conditions, including compensation and benefits, of the City Manager are within the City's current budget. So, no fiscal impacts associated with this action are anticipated.

ATTACHMENT

Attachment to Resolution

First Amendment to Agreement for Employment

PREPARED BY: Richard D. Pio Roda, City Attorney



City of San Leandro

Meeting Date: January 20, 2015

Resolution - Council

File Number: 15-020

Agenda Section: CONSENT CALENDAR

Agenda Number:

TO: City Council

FROM: Chris Zapata
City Manager

BY: Rich Pio Roda
City Attorney

FINANCE REVIEW: David Baum
Finance Director

TITLE: RESOLUTION Extending the Term of the Current Employment Agreement with City Manager Chris Zapata for Six Months to July 30, 2015

WHEREAS, the Agreement for Employment between the City of San Leandro and Chris Zapata, as City Manager for the City of San Leandro, dated January 17, 2012, terminates on January 30, 2015; and

WHEREAS, the City Council desires to extend the Agreement for Employment for six months to July 30, 2015, under the current conditions and provisions; and

WHEREAS, a First Amendment to Agreement for Employment between the City of San Leandro and Chris Zapata, as City Manager for the City of San Leandro, a copy of which is attached, has been presented to this City Council; and

WHEREAS, the City Council is familiar with the contents thereof.

NOW, THEREFORE, the City Council of the City of San Leandro does RESOLVE as follows:

That said First Amendment is hereby approved and execution thereof is hereby authorized.

FIRST AMENDMENT TO AGREEMENT FOR EMPLOYMENT BETWEEN
THE CITY OF SAN LEANDRO,
AND
CHRIS ZAPATA

- A. **Effective Date and Parties:** Effective as of the date of execution of this Amendment, the City of San Leandro and Chris Zapata mutually agree as follows:
- B. That Section 2, **Term of Agreement**, of that certain Agreement for Employment of City Manager, executed January 17, 2012, and effective January 30, 2012 is extended six months to July 30, 2015.
- C. **Effect:** Except as modified by this Amendment, the Agreement and all of its terms and provisions shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment the date written below.

CITY OF SAN LEANDRO

CHRIS ZAPATA

By _____
Pauline Russo Cutter, Mayor

Date: _____

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