



## Legislation Text

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**File #:** 18-499, **Version:** 1

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*Report Prepared by: Stephanie Dietz, Assistant City Manager*

**SUBJECT:** Approval of Employment Agreement with City Attorney

### REPORT IN BRIEF

It is requested that the City Council consider hiring a permanent City Attorney.

### RECOMMENDATION

**City Council** - Adopt a motion:

- A. Approving the Employment Agreement and announcing the new City Attorney; and,
- B. Authorizing the Mayor to sign on behalf of the City; and,
- C. Authorizing the Finance Officer to make the necessary budget adjustments.

### ALTERNATIVES

- 1. Approve, as recommended by staff; or,
- 2. Provide direction on specific revisions to the Agreement; or,
- 3. Request additional information; or,
- 4. Continue the matter to a certain date; or,
- 5. Decline to take action.

### AUTHORITY

Charter of the City of Merced, Sections 603 and 1105

### CITY COUNCIL PRIORITIES

N/A

### DISCUSSION

The City Attorney's position is currently vacant and the City has retained Jolie Houston as Interim City Attorney, and the law firm of Berliner Cohen, LLP to provide Interim City Attorney services.

The City retained the services of Avery and Associates to conduct an extensive recruitment process over a four-month period seeking candidates for City Attorney.

There is currently only one attorney in the City Attorney's Office who is supported by two very

experienced support staff members; a paralegal and a legal secretary. A position of Senior Deputy City Attorney has been left vacant so that it could be filled by the new City Attorney when the position is filled. Attorneys from Berliner Cohen, LLP, have filled those duties on an interim basis.

### **IMPACT ON CITY RESOURCES**

On July 2, 2018, the City Council appropriated additional resources to the City Attorney's Office to cover the estimated expenses of Interim City Attorney services through December 31, 2018. With the transition to a full-time appointment, the financial impact of the contract will be evaluated at Mid-Year Budget.

### **ATTACHMENTS**

1. Employment Agreement