



CITY OF MARTINEZ

CITY COUNCIL AGENDA

June 18, 2012

TO: Mayor and City Council
FROM: Jeffrey Walter, City Attorney
SUBJECT: Extension of Contract with Anna Gwyn Simpson as Interim City Manager
DATE: June 12, 2014

RECOMMENDATION:

Consideration and possible action to approve an Extension and Amendment of Employment Agreement for Anna Gwyn Simpson as Interim City Manager.

BACKGROUND:

By Employment Agreement (“Original Agreement”) dated January 23, 2014, the City Council retained Anna Gwyn Simpson (“Ms. Simpson”) as the City’s Interim City Manager. By its terms, that agreement expires on June 30, 2014, unless extended by mutual agreement.

The attached Extension and Amendment of Employment Agreement (“Extension Agreement”) proposes to extend Ms. Simpson’s Original Agreement for three months, with a provision calling for its continual renewal by monthly increments, terminable at any time by the City Council by giving Ms. Simpson 24 hour’s written notice of said termination. Additionally, the proposed Extension Agreement increases Ms. Simpson’s salary from \$10,850 per month to \$_____per month. Otherwise, the Original Agreement’s terms and conditions remain unchanged.

It is within the Council’s discretion to determine whether to extend Ms. Simpson’s employment agreement, and, if so, under what terms and conditions.

FISCAL IMPACT:

There is no fiscal impact to the General Fund as the payment specified under this Employment Agreement is less than the amount allocated for the position of City Manager in the approved Fiscal Year 2014-15 budget.

ACTION:

By motion approve an Extension and Amendment of Employment Agreement for Anna Gwyn Simpson as Interim City Manager and authorize the Mayor to execute said Agreement.

Attachments:

1. January 23, 2014, Employment Agreement – Interim City Manager
2. Extension and Amendment of Employment Agreement – Proposed

APPROVED BY: 
Interim City Manager

**EXTENSION AND AMENDMENT OF EMPLOYEMENT AGREEMENT –
INTERIM CITY MANAGER**

THIS AGREEMENT is entered into this 18th day of June 2014, by and between the City of Martinez, a California general law city (“City”) and Anna Gwyn Simpson (“Simpson” or “Employee”), with reference to the following facts:

RECITALS

WHEREAS, Simpson and the City entered into an employment agreement dated January 23, 2014 (“Original Agreement”) whereby the City retained Simpson and Simpson agreed to be employed the City as the City’s Interim City Manager;

WHEREAS, the Original Agreement is slated to expire on June 30, 2014, unless extended by the mutual agreement of the parties; and

WHEREAS, the parties desire to extend the Original Agreement under the following terms and conditions:

NOW, THEREFORE, THE PARTIS HERETO AGREE AS FOLLOWS:

AGREEMENT

1. The term of the Original Agreement is hereby extended for an additional three months, up to and including, September 30, 2014. Thereafter, the term of the Original Agreement shall be extended for one month, and thereafter for an additional month, and thereafter for an additional month and so on until and unless the Original Agreement is terminated in accordance with its provisions.
2. The first sentence of Section 4(b) of the Original Agreement is amended to read as follows: “Employee shall be paid a monthly salary of _____ (\$_____).”
3. Except as expressly amended herein, the provisions of the Original Agreement shall be unaffected by this Agreement and the Original Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date first written above.

CITY OF MARTINEZ

By: _____
Rob Schroder, Mayor

Anna Gwyn Simpson