



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 15-1088, Version: 1

REPORT TO COUNCIL

SUBJECT

Approve the Appointment of the City Attorney and Approve the Employment Agreement

BACKGROUND

The City Council started the recruitment and selection process in July 2015 to seek a new City Attorney to replace outgoing City Attorney, Joan Borger. The process has now concluded, and the City Council is asked: 1) to take action on the appointment of a specific City Attorney candidate, and 2) to approve an employment agreement for services which outlines the compensation and terms of employment. Additionally, the City Council is asked to appoint an acting City Attorney during the transition.

EXISTING POLICY

The City of Sunnyvale City Charter Section 900 established that the City Attorney shall be appointed by the City Council. Entering into a contract is consistent with the City of Sunnyvale Charter Section 900.

ENVIRONMENTAL REVIEW

N/A

DISCUSSION

The City Council selected Bob Murray & Associates to manage the recruitment and selection process for the City Attorney position. The application deadline was October 2, 2015 and the initial interview with the most qualified candidates was conducted on November 10, 2015. From the initial interviews, the final candidates were invited to a final interview with the City Council on November 20, 2015. From this interview process the City Council determined to move forward with background and reference checks.

Discussions regarding terms and conditions of employment were completed with the final candidate resulting in the attached employment agreement.

The current City Attorney's last day is December 30, 2015. It is anticipated that the new City Attorney will begin working January 19, 2016. It is requested that Senior Assistant City Attorney Rebecca Moon be appointed to serve as acting City Attorney during any transition period, and that Council authorize a 5% pay increase for the period Ms. Moon serves as acting City Attorney, consistent with City practice when employees are serving in an acting/interim position.

FISCAL IMPACT

The current funding budgeted for the City Attorney position will cover the compensation costs detailed in the employment agreement.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's website.

ALTERNATIVES

1. Approve the appointment of John Nagel as the City Attorney.
2. Approve the employment agreement as outlined in Attachment 1 or approve a revised employment agreement.
3. Do not appoint John Nagel as the City Attorney and provide direction to staff.
4. Appoint Senior Assistant City Attorney Rebecca Moon as acting City Attorney during any transition period, and authorize a 5% pay increase during her period of service.

STAFF RECOMMENDATION

Staff makes no recommendations.

Prepared by: Vienne Choi, Principal Human Resources Analyst

Reviewed by: Teri Silva, Director, Human Resources

Approved by: Deanna J. Santana, City Manager

ATTACHMENT

1. Employment agreement