

**CITY OF ALBANY
CITY COUNCIL AGENDA
STAFF REPORT**

Agenda Date: June 6, 2011
Reviewed by: BP

SUBJECT: Employment Agreement with Robert Zweben for City Attorney services through the end of 2011

REPORT BY: Beth Pollard, City Manager

STAFF RECOMMENDATION

That Council authorize the City Manager to execute the attached employment agreement with Robert Zweben to provide City Attorney services by contract from June 27, 2011 to December 31, 2011.

BACKGROUND

Robert Zweben is the elected city attorney of the City of Albany. Through a charter amendment approved by the voters in November, 2010, his term will end December 31, 2011. Mr. Zweben's current arrangement is as a salaried employee.

DISCUSSION/ANALYSIS

In the course of preparing for the transition in the position of city attorney, the idea arose to change the arrangement for Mr. Zweben's remaining time from salaried employee to contract. The attached employment agreement provides for his continued services through December 31, 2011, under the same terms as presently exists in his employment status, except for the elimination of any City contributions for PERS pension.

If Mr. Zweben proceeds with retirement, the City is prevented from employing him for more than 980 hours in a year, except under special circumstances. Since the City Attorney position is part-time, this restriction will not compromise the hours of service available to the City. Also, approving an employment agreement with Mr. Zweben does not restrict the City Council in options for structuring arrangements with the next City Attorney.

SUSTAINABILITY IMPACT

None.

FINANCIAL IMPACT

The proposed agreement saves the City approximately \$12,500 for the next six months. Staff does not recommend reducing the City Attorney budget in light of uncertain costs of pending litigation and the hiring arrangements for a new City Attorney.

Attachments

1. Contract