



Agenda Report

Fullerton City Council

MEETING DATE: FEBRUARY 5, 2019

TO: CITY COUNCIL / SUCCESSOR AGENCY

SUBMITTED BY: RICHARD D. JONES, CITY ATTORNEY

PREPARED BY: GRETCHEN BEATTY, HUMAN RESOURCES DIRECTOR

SUBJECT: ALTERATION OF THE SCHEDULE FOR THE ANNUAL PERFORMANCE EVALUATION OF THE CITY MANAGER AND DELETION OF THE NON-DISPARAGEMENT PROVISION FROM THE EMPLOYMENT AGREEMENT

SUMMARY

Ratification of a First Amendment to the Employment Agreement between the City of Fullerton and Kenneth Domer as City Manager.

RECOMMENDATION

Authorize the Mayor to sign the proposed first amendment altering the schedule for the annual performance evaluation process and eliminating the mutual non-disparagement provision.

PRIORITY POLICY STATEMENT

This item matches the following Priority Policy Statement/s:

- Fiscal and Organizational Stability.

FISCAL IMPACT

The proposed amendment does not include any changes to the City Manager compensation package and as such, no budget adjustments are required.

DISCUSSION

Kenneth Domer was appointed City Manager effective July 24, 2017. Mr. Domer's Employment Agreement, see copy attached, includes provisions related to an annual performance evaluation process. The proposed First Amendment will change the schedule of the annual performance evaluation process from January to June. The

purpose of the proposed change is to allow appropriate time for (a) newly seated Council Member(s) to assess City Manager performance. In addition, the proposed schedule also allows for the City Council to complete strategic planning discussions prior to the formation of the City Manager's annual performance objectives.

The second proposed change is deletion of the non-disparagement provisions in the original agreement.

There are no changes to compensation included in the proposed amendment.

Attachments:

- Attachment 1 – First Amendment to Employment Agreement
- Attachment 2 – Employment Agreement