



# ***Agenda Report***

## ***Fullerton City Council***

**MEETING DATE:** SEPTEMBER 15, 2020

**TO:** CITY COUNCIL / CITY MANAGER

**SUBMITTED BY:** KENNETH A. DOMER, CITY MANAGER

**PREPARED BY:** ELLIS CHANG, DIRECTOR OF ADMINISTRATIVE SERVICES  
LAURA GIANNETTI-MERCER, HUMAN RESOURCES MANAGER II

**SUBJECT:** CHIEF OF POLICE AMENDED AND RESTATED EMPLOYMENT AGREEMENT

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### **SUMMARY**

Approval of Amended and Restated Employment Agreement between City of Fullerton and Police Chief Robert Dunn II related to employment conditions related to termination, holidays and vacation accrual. No compensation changes are included.

### **RECOMMENDATION**

Authorize Mayor to execute Amended and Restated Employment Agreement between City of Fullerton and Chief of Police Robert Dunn II.

### **PRIORITY POLICY STATEMENT**

This item matches the following Priority Policy Statements:

- Fiscal and Organizational Stability
- Public Safety.

### **FISCAL IMPACT**

None.

### **DISCUSSION**

Robert Dunn II was appointed to Chief of Police and entered into an agreement with the City effective June 29, 2019. This Amended and Restated Employment Agreement will include the following changes:

1. Revise the language pertaining to paid holidays subjecting Chief Dunn to the same holiday leave language as afforded to employees covered by the Executive Compensation Resolution. Holiday Leave hours not used by the end of the fiscal year in which they were earned will be not carry over to the next fiscal year and have no cash value.
2. Currently if Chief Dunn is at his maximum accrual and unable to take vacation leave, 40 hours of vacation leave shall be converted outside of the annual leave conversion program. The revised language increase the hours to be converted from 40 to 80 hours. With this revision, if Chief Dunn is at his maximum accrual and unable to take vacation leave, 80 hours of vacation leave shall now be converted outside of the annual leave conversion program.
3. Currently Chief Dunn is eligible for 81 hours of paid Executive Leave per fiscal year. The revised language allows for the City Manager, at his/her discretion, to provide additional Executive Leave. This will bring this benefit in line with the Executive Leave benefits provided to members covered by the Executive Compensation Resolution.
4. The current agreement only provides for Chief Dunn's reversion to Police Captain should the City opt to terminate his Employment Agreement without cause during the Initial Agreement Period (June 29, 2019 to June 29, 2024) or if the City does not exercise its right to the first three-year extension period upon the expiration of the Initial Agreement Period. The amended agreement extends this option to Chief Dunn allowing him to revert to his previous position of Police Captain upon request.

Attachments:

- Attachment 1 – Amended and Restated Employment Agreement (redline)
- Attachment 2 – Amended and Restated Employment Agreement (finalized)