RESOLUTION NO. 2019-88
A RESOLUTION OF THE ALBANY CITY COUNCIL APPROVING AMENDMENT NO. 1 TO THE EMPLOYMENT AGREEMENT FOR CITY MANAGER SERVICES

WHEREAS, on January 22, 2018 the City Council adopted Resolution No. 2018-20 approving an employment agreement with Nicole Almaguer for City Manager Services; and

WHEREAS, in accordance with the terms of the Agreement, the City Council conducted an annual performance review of the City Manager on September 16, 2019 and October 7, 2019; and

WHEREAS, per the employment agreement, Section 3: COMPENSATION, the annual base salary may be further increased by the Employer from time to time by written amendment.

NOW, THEREFORE, BE IT RESOLVED, that the Albany City Council hereby approves Amendment No. 1 to the Employment Agreement for City Manager Services provided as Exhibit A to this Resolution.

ROCHELLE NASON, MAYOR

EXHIBIT A: Amendment No. 1 to the Employment Agreement for City Manager Services
RESOLUTION NO. 2019-88

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

The 21st day of October, 2019, by the following votes:

AYES:  Council Members Maass, McQuaid, Pilch and Mayor Nason

NOES:  None

ABSENT:  Council Member Barnes

ABSTAINED:  none

RECUSED:  none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this

22nd day of October, 2019.

Eileen Harrington
DEPUTY CITY CLERK
AMENDMENT NO. 1 TO EMPLOYMENT AGREEMENT
FOR CITY MANAGER SERVICES

THIS AMENDMENT NO. 1 ("Amendment No. 1") to the Employment Agreement for City Manager Services ("Agreement") is entered into effective October 21, 2019 by and between the City Council of the City of Albany, a California municipal corporation organized as a charter city ("Employer") and Nicole Almaguer ("Employee").

WHEREAS, on January 22, 2018 the City Council adopted Resolution No. 2018-20 approving an employment agreement with Nicole Almaguer for City Manager Services; and

WHEREAS, in accordance with the terms of the Agreement, the City Council conducted an annual performance review of the City Manager on September 16, 2019 and October 7, 2019; and

WHEREAS, per the Employment Agreement, Section 3: COMPENSATION, the annual base salary may be further increased by the Employer from time to time by written amendment.

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth in this Amendment No. 1, the parties agree as follows:

A. Amendment No. 1 to Agreement. This Amendment No. 1 makes certain specific changes to the Agreement. Except for the provisions expressly modified in this Amendment No. 1, the remaining terms and conditions of the Agreement remain in full force and effect. The following provision of the Agreement is hereby amended, as follows:

SECTION 3: COMPENSATION
Employer agrees to pay Employee for her services rendered pursuant hereto an annual base salary of two hundred one thousand three hundred eighty-seven dollars ($201,387), payable in installments at the same time as other employees of the Employer are paid. Employee shall receive an additional five percent (5%) of the base salary as longevity pay, as provided to other management employees who have served ten (10) or more years with the City, bringing her total annual salary to two hundred eleven thousand four hundred fifty-seven dollars ($211,457).

Employee shall automatically receive any cost of living increases the management employees may be granted by the Employer during the term of this Agreement. The annual base salary may be further increased by the Employer from time to time by written amendment of this Agreement. The current salary shall be accurately reflected in the Employer's Salary Schedule.

IN WITNESS WHEREOF, the parties have executed this Amendment No. 1 as of the day and year written above.

CITY OF ALBANY

By: [Signature]
ROCHELLE NASON, MAYOR

EMPLOYEE

By: [Signature]
NICOLE ALMAGUER, CITY MANAGER

APPROVED AS TO FORM:

By: [Signature]
CRAIG LABADIE, CITY ATTORNEY

ATTEST:

By: [Signature]
ANNE HSU, CITY CLERK
Date: 10/31/19