



DATE: August 13, 2008
TO: Honorable Mayor and City Councilmembers
FROM: City Attorney's Office
SUBJECT: **ADOPTION OF A RESOLUTION ESTABLISHING THE
COMPENSATION FOR PETER A. WEISS, CITY MANAGER**

SYNOPSIS

Staff recommends that the City Council adopt the resolution establishing the compensation for Peter A. Weiss, City Manager, effective July 13, 2008.

BACKGROUND

The City Council approved an employment agreement for Peter A. Weiss, which defined certain terms and conditions of his employment. Mr. Weiss' effective date of employment as City Manager was September 12, 2007.

ANALYSIS

At the City Council's Closed Session meeting of June 18, 2008, the Council conducted an evaluation of City Manager Weiss and determined that the City Manager's total annual salary, effective retroactive to July 13, 2008, shall be adjusted to \$192,732, plus deferred compensation contribution of 12.5 percent, or as may be otherwise allocated at the City Manager's discretion. The City Manager's discretion to allocate a portion of total salary to deferred compensation is subject to all applicable legal limits and to the conditions and provision of the Attachment to the City of Oceanside Governmental Money Purchase Plan and Trust Adoption Agreement. In order to implement this salary adjustment, the City Council must adopt the attached resolution.

COMMISSION OR COMMITTEE REPORT

Does not apply.

CITY ATTORNEY'S ANALYSIS

The resolution has been reviewed by the City Attorney's Office and approved as to form.

RECOMMENDATION

Staff recommends that the City Council adopt the resolution establishing the compensation for Peter A. Weiss, City Manager, effective July 13, 2008.

PREPARED AND SUBMITTED BY:



John P. Mullen
City Attorney

Michelle Skaggs Lawrence, Deputy City Manager
Brian Kammerer, Human Resources Director



Attachment 1: Resolution

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE ESTABLISHING THE COMPENSATION OF THE CITY MANAGER

WHEREAS, Section B.2(a) of the Employment Agreement between the City of Oceanside and Peter A. Weiss dated September 12, 2007, (the "Employment Agreement") provides that adjustments to compensation paid for City Manager services shall be made by resolution of the City Council.

NOW, THEREFORE, the City Council of the City of Oceanside does resolve as follows:

SECTION 1. The amount of annual salary to be paid by the City to Peter A. Weiss pursuant to the September 12, 2007, Employment Agreement is hereby adjusted retroactive to July 13, 2008, to \$192,732. The City will provide an additional 12.5 percent, which represents the current City contribution to the City Manager's deferred compensation. The City Manager shall retain the discretion to convert the City's contribution to salary, to the maximum extent allowed by law and according to the conditions and provisions of the Attachment to the City of Oceanside Governmental Money Purchase Plan and Trust Adoption Agreement.

SECTION 2. The Mayor is authorized to execute the Agreement on behalf of the City.

PASSED AND ADOPTED by the City Council of the City of Oceanside, California, this _____ day of _____, 2008, by the following vote:

- AYES:
NAYS:
ABSENT:
ABSTAIN:

MAYOR OF THE CITY OF OCEANSIDE

ATTEST:

APPROVED AS TO FORM:

CITY CLERK

CITY ATTORNEY

[Handwritten signature of John Pull]