



DATE: August 13, 2008
TO: Honorable Mayor and City Councilmembers
FROM: City Manager's Office
SUBJECT: **ADOPTION OF A RESOLUTION ESTABLISHING THE
COMPENSATION FOR JOHN P. MULLEN, CITY ATTORNEY**

SYNOPSIS

Staff recommends that the City Council adopt the resolution establishing the compensation for John P. Mullen, City Attorney, effective July 13, 2008.

BACKGROUND

The City Council approved an employment agreement for John P. Mullen, which defined certain terms and conditions of his employment, at its April 5, 2006, Council meeting. Mr. Mullen's effective date of employment was March 23, 2006.

ANALYSIS

At the City Council's Closed Session meeting of June 18, 2008, the Council conducted an evaluation of City Attorney Mullen and determined that the City Attorney's total annual salary, effective retroactive to July 13, 2008, shall be adjusted to \$191,875, plus an additional 12 percent (\$23,025) deferred compensation contribution. The City Attorney has the discretion to convert annually the City's contribution to the City Attorney's deferred compensation to salary, consistent with the conditions and provisions 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.

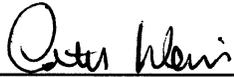
CITY ATTORNEY'S ANALYSIS

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 John P. Mullen, City Attorney, effective July 13, 2008.

PREPARED AND SUBMITTED BY:



Peter A. Weiss
City Manager

Michelle Skaggs Lawrence, Deputy City Manager



Brian Kammerer, Human Resources Director



Attachment: Resolution

1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
3 OCEANSIDE ESTABLISHING THE COMPENSATION OF THE
4 CITY ATTORNEY

5 WHEREAS, Section B.2(a) of the Employment Agreement between the City of
6 Oceanside and John P. Mullen dated March 23, 2006, (the "Employment Agreement") provides
7 that adjustments to compensation paid for City Attorney services shall be made by resolution of
8 the City Council.

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

10 SECTION 1. The amount of annual salary to be paid by the City to John P. Mullen
11 pursuant to the March 23, 2006, Employment Agreement is hereby adjusted retroactive to July
12 13, 2008, to \$191,875, plus an additional 12 percent (\$23,025) which represents the current
13 City contribution to the City Attorney's deferred compensation. The City Attorney shall retain
14 the discretion to convert annually the City's contribution to the City Attorney's deferred
15 compensation to salary, consistent with the conditions and provisions of the Attachment to the
16 City of Oceanside Governmental Money Purchase Plan and Trust Adoption Agreement.

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

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

- 20 AYES:
21 NAYS:
22 ABSENT:
23 ABSTAIN:

24 _____
MAYOR OF THE CITY OF OCEANSIDE

25
26 ATTEST:

APPROVED AS TO FORM:

27 _____
28 CITY CLERK


CITY ATTORNEY