



Legislation Text

File #: 21-1511, **Version:** 1

Resolution to Finalize Evaluation Report and Amend the Employment Agreement for City Attorney Stephen K. Postema

Whereas, The Employment Agreement between the City of Ann Arbor and the City Attorney Stephen K. Postema dated April 3, 2003 calls for the City to conduct an annual performance review using mutually agreed upon criteria and allows for a review of the terms of the agreement and change by written agreement;

Whereas, The Council Administration Committee's current performance evaluation of Stephen K. Postema is based on preliminary material received, including anonymous evaluations from City Council Members, his direct reports, and the Service Area Administrators as well as other related information;

Whereas, The Council Administration Committee used a Human Resources consultant, Amy Cell, to assist in the review process;

Whereas, The Council Administration Committee has reviewed the performance evaluations and finds the City Attorney's performance to generally be between above average and excellent in all areas;

Whereas, The City Council believes providing equitable and sustainable compensation is critical to retaining employees that are essential to the City's ability to perform at levels expected by residents and taxpayers;

Whereas, The City Attorney has over 30 years of legal experience and has provided stability for the Office of City Attorney in the position for over 18 years;

Whereas, The City Attorney is one of only two direct reports to the City Council;

Whereas, The City Attorney is the attorney and counsel for the City, and is responsible solely to the City Council;

Whereas, The City Attorney provides and coordinates all manner of legal advice and services to the City Council, the City Administrator, the Service Area Administrators, and others in the City;

Whereas, The City Attorney position is one of significant responsibility and leadership;

Whereas, The City Attorney has provided excellent leadership to the City over the past year in many areas, and his services are necessary to provide leadership to the City Attorney Office as a successor for him is being hired;

Whereas, The City Attorney currently earns a base salary of \$193,835;

Whereas, The Council Administration Committee met on August 10, 2021 and unanimously recommended the following change to the employment agreement between the City Attorney and the City of Ann Arbor for consideration by the City Council; and

Whereas, The City Council met on August 16, 2021 in Special Session for the personnel evaluation;

RESOLVED, That the employment agreement between Stephen K. Postema and the City of Ann Arbor be amended as follows:

- 1) Section 2.1 of the Agreement be changed to reflect a 3% increase to an annual salary of \$199,650 effective January 1, 2021;
- 2) Section 2.1 be amended to also provide an immediate one-time lump sum payment of 2% which amounts to \$3,876; and
- 3) Section 2.1 be amended to allow the City Attorney to cash out 100 hours of banked vacation time;

RESOLVED, That the Council Administration Committee place the final written performance evaluation prepared by Consultant Cell in the City Attorney's personnel file; and

RESOLVED, That the Employment Agreement be amended to reflect the above Resolved Clauses and that the Mayor and City Clerk are authorized to execute the amendment.

Sponsored by: Council Administration Committee