



AGENDA REPORT

Meeting Date: June 7, 2012
Item Number: H-16
To: Honorable Mayor & City Council
From: City Attorney
Subject: Amendment No. 5 to the Employment Agreement Between Jeff Kolin and the City of Beverly Hills
Attachments: 1. Amendment

INTRODUCTION

The City Council reviews the compensation and performance of the City Manager annually. Following each review, the City Council may approve changes to compensation and other terms and conditions of the City Manager's employment. This amendment to the City Manager's employment agreement implements a change proposed as a result of that process.

DISCUSSION

The employment agreement between the City and the City Manager provides that the City Council will conduct an annual salary review beginning in February, 2011. Pursuant to that process, the proposed amendment to the City Manager's employment agreement provides a cost of living adjustment to the City Manager's base salary of two percent, which represents the change to the Consumer Price Index for All Urban Consumers (CPI-U) for the Los Angeles area between February, 2011 and February, 2012.

FISCAL IMPACT

If approved, Amendment No. 5 will increase the City Manager's base salary by \$5,610 annually.



Laurence S. Wiener, City Attorney

Attachment 1

**AMENDMENT NO. 5 TO THE EMPLOYMENT AGREEMENT BETWEEN
JEFF KOLIN AND THE CITY OF BEVERLY HILLS**

This Amendment No. 5 is made as of June 7, 2012 to that certain Employment Agreement (the Agreement) between Jeff Kolin (“Employee”), an individual, and the City of Beverly Hills (“Employer” or “City”), a municipal corporation, dated November 17, 2009 and identified as Contract No. 440-09, as amended by Amendment No. 1 and identified as Contract No. 13-10, as amended by Amendment No. 2 and identified as Contract No. 439-10, as amended by Amendment No. 3 and identified as Contract No. 111-11, and as amended by Amendment No. 4 and identified as Contract No. 462-11.

RECITALS

- A. Employer and Employee entered into the Agreement on November 17, 2009.
- B. Employer and Employee entered into Amendment No. 1 to the Agreement on January 12, 2010. Amendment No. 1 advanced the start date of the Agreement by five days and allowed Employee to participate in the City’s newly adopted cafeteria plan.
- C. Employer and Employee entered into Amendment No. 2 to the Agreement on October 5, 2010. Amendment No. 2 provided a housing loan to Employee.
- D. Employer and Employee entered into Amendment No. 3 to the Agreement on April 5, 2011. Amendment No. 3 provided a cost of living adjustment to Employee.
- E. Employer and Employee entered into Amendment No. 4 to the Agreement on November 15, 2011. Amendment No. 4 modified the disability benefits for Employee.

F. Paragraph B of Section 3 of the Agreement provides that the City will conduct an annual evaluation and salary review.

G. Pursuant to the terms of Section 3 of the Agreement, the City Council wishes to provide a two percent (2%) cost of living adjustment to Employee.

NOW, THEREFORE, the parties agree as follows:

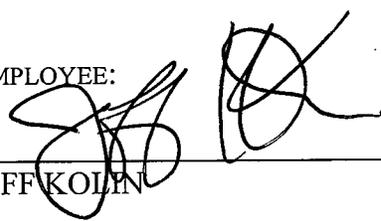
Section 1. Paragraph A of Section 3 of the Agreement is hereby amended to read as follows:

“A. Effective March 1, 2012, Employer agrees to pay Employee an annual base salary of \$286,110 (Two Hundred Eighty-Six Thousand One Hundred Ten and no/100s dollars), subject to legally permissible or required withholding, prorated and paid on Employer’s normal paydays.”

Section 2. Except as otherwise specifically provided in this Amendment No. 5, the provisions of the Agreement, as amended by Amendment No. 1, Amendment No. 2, Amendment No. 3, and Amendment No. 4, shall remain in full force and effect.

IN WITNESS WHEREOF the parties have executed this agreement as of the date and year first written above.

EMPLOYEE:



JEFF KOLIN

CITY:

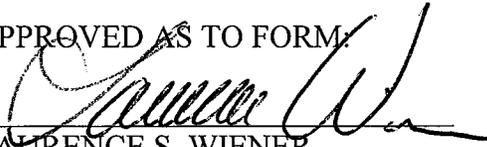
WILLIAM W. BRIEN
Mayor of the City of
Beverly Hills, California

[Signatures continue]

ATTEST:

_____(SEAL)
BYRON POPE
City Clerk

APPROVED AS TO FORM:



LAURENCE S. WIENER
City Attorney