




# Staff Report

## City of Manhattan Beach

**TO:** Honorable Members of the City Council

**FROM:** Mayor Portia Cohen  
Mayor Pro Tem Mitch Ward 

**DATE:** May 19, 2009

**SUBJECT:** Consideration of Compensation Adjustment For City Attorney

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**RECOMMENDATION:**

It is recommended that the City Attorney's Employment Agreement be amended to provide a compensation adjustment, effective January 1, 2009.

**FISCAL IMPLICATION:**

Funds are available for the recommended adjustments within the adopted budget.

**DISCUSSION:**

City Attorney performance in 2008 continued to meet the high standards of past years. In calendar year 2008 the City Attorney budget increased only 7.3 % over the previous year. There were twelve (12) active litigation cases at the end of the calendar year. The City Attorney handled eight (32%) of the twenty-five cases active in 2008. There were no judgments against the City. Attorney fees paid to outside counsel declined in 2008. The number of cases settled (9) was the most in the last ten years and the cost per case settlement and the total spent settling pre-litigation claims continued to be low. Criminal misdemeanor filings increased by 65.4% from 2007 and conviction rates remained high (99%).

**CONCLUSION (Optional):**

Based on this performance, this Committee recommends a one-time payment of additional compensation of \$5,000 and a salary adjustment of 3 % from \$203,196 to \$209,292. This increase in salary will result in the City Attorney earning in 2009 at or slightly above the market average for salaries paid to city attorneys in comparable cities.