



# City of Carson Report to Successor Agency

May 6, 2014  
New Business Consent

**SUBJECT: CONSIDER APPROVING A THREE-YEAR CONTRACT OF EMPLOYMENT WITH MR. NELSON HERNANDEZ TO BE EMPLOYED AS THE CARSON CITY MANAGER, EXECUTIVE DIRECTOR OF THE SUCCESSOR AGENCY TO THE DISSOLVED CARSON REDEVELOPMENT AGENCY AND EXECUTIVE DIRECTOR OF THE CARSON HOUSING AUTHORITY**

Submitted by William W. Wynder  
City Attorney

Approved by Jacquelyn Acosta  
Acting City Manager

## THIS IS A JOINT AGENDA ITEM

### I. SUMMARY

Presented for joint consideration is a three-year (3) contract (Exhibit No. 1) to employ Mr. Nelson Hernandez as the Carson City Manager, Executive Director of the Successor Agency to the Dissolved Carson Redevelopment Agency and Executive Director of the Carson Housing Authority.

### II. RECOMMENDATION

APPROVE the attached CITY MANAGER EMPLOYMENT AGREEMENT, conditioned on Mr. Hernandez successfully completing the required drug and live-scan tests, and AUTHORIZE the Mayor/Chairs to execute the same following approval as to form by the City Attorney.

### III. ALTERNATIVES

DELAY approving the CITY MANAGER EMPLOYMENT AGREEMENT until the results of the drug and live-scan tests results have been received and evaluated.

### IV. BACKGROUND

For the past several months, the City Council has been diligently engaged in the process of finding a new permanent City Manager/Executive Directors. To that end, it has engaged the services of The Hawkins Company, an executive search firm, to assist the City Council in this executive search.

In the interim, the City Council engaged the services of Ms. Jackie Acosta to act as its Acting City Manager/ Executive Directors in addition to her regular duties as the Director of Administrative Services.

During these many months, all five (5) members of the City Council individually and independently screened over 40 applications for employment, individually and/or collectively interviewed 19 specific candidates (in some cases twice), and

unanimously directed the making of a conditional offer of employment to Mr. Hernandez.

Mr. Hernandez's resume is attached to this staff report (Exhibit No. 2) and that resume and the interview(s) by the City Council will enable the Council to make a finding that Mr. Hernandez meets the eligibility criteria found in Municipal Code section 2101.

A contract of employment has been circulated, reviewed and commented upon by Mr. Hernandez and his legal counsel, and has been executed by him indicating Mr. Hernandez's agreement with its terms and conditions for his employment. That contract provides that Mr. Hernandez will be compensated at the rate of \$195,000.00 per annum (base salary) for his services as City Manager/Executive Directors. Additional benefits will include accrual of vacation, sick, and administrative leaves in the initial amounts and at the rates of accrual set forth in the employment contract.

Mr. Hernandez will also be afforded a \$500.00 per month car allowance. The new employment contract will NOT include what is known as a "me too" clause, meaning that raises afforded other city employees, rank and file or management, will NOT automatically be granted to Mr. Hernandez.

The employment agreement also calls for performance reviews every six (6) months, and requires Mr. Hernandez to prepare and then present to the Council short and long terms goals and objectives within specified time-frames which will be used as the benchmarks from which his job performance will be evaluated.

In addition, The Hawkins Company has conducted a careful background check of Mr. Hernandez and their confidential report will become a part of Mr. Hernandez's permanent personnel file. In short, The Hawkins Company is of the opinion that Mr. Hernandez is qualified to accept employment with the City and has no adverse employment or personnel history that would warrant withdrawing the conditional offer of employment.

Because Mr. Hernandez has been on vacation, the drug and live-scan tests that are required of all new City employees have yet to be completed and the results returned to the City. Accordingly, the action to approve the contract of employment should be made subject to his successfully passing these two tests. Those tests will likely be taken on Monday, May 5, 2014, and the results may be available by the time of the City Council's consideration of this item.

## V. FISCAL IMPACT

The position of City Manager is a funded line-item in the FY 2013/14 budgets approved by the City Council.

**VI. EXHIBITS**

- 1. Exhibits attached to City Council staff report.

Prepared by: William W. Wynder, City Attorney & Laura Walker, Labor Counsel

*Document 2*  
*TO: Rev 02-24-2014*

Reviewed by:

City Clerk	City Treasurer
Administrative Services	Public Works
Community Development	Community Services

**Action taken by Successor Agency**

Date \_\_\_\_\_ Action \_\_\_\_\_

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