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**WHEREAS**, on January 22, 2018 the City Council adopted Resolution No. 2018-20 approving an employment agreement with Nicole Almaguer for City Manager Services (“Agreement”); and

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2                   **AMENDMENT NO. 4 TO EMPLOYMENT AGREEMENT**  
3                   **FOR CITY MANAGER SERVICES**

4                   **THIS AMENDMENT NO. 4** (“Amendment No. 4”) to the Employment Agreement  
5 for City Manager Services (“Agreement”) is entered into effective July 1, 2023 by and  
6 between the City Council of the City of Albany, a California municipal corporation organized  
7 as a charter city (“Employer”) and Nicole Almaguer (“Employee”).  
8

9                   **WHEREAS**, on January 22, 2018 the City Council adopted Resolution No. 2018-20  
10 approving the Agreement; and  
11

12                   **WHEREAS**, on October 21, 2019 the City Council adopted Resolution No. 2019-88  
13 approving Amendment No. 1 to the Agreement; and  
14

15                   **WHEREAS**, on December 7, 2020 the City Council adopted Resolution 2020-119  
16 approving Amendment No. 2 to the Agreement; and  
17

18                   **WHEREAS**, on September 6, 2022, the City Council adopted Resolution 2022-79  
19 approving Restated Amendment No. 3 to the Agreement; and  
20

21                   **WHEREAS**, in accordance with the terms of the Agreement, the City Council  
22 conducted an annual performance review of the City Manager on June 22, 2023 and July 17,  
23 2023 and desires to further amend the Agreement to increase base salary.  
24

25                   **NOW, THEREFORE**, in consideration of the mutual covenants and conditions set  
26 forth in this Amendment No. 4, the parties agree as follows:  
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1       **A. Amendment No. 4 to Agreement.** This Amendment No. 4 makes certain specific  
2 changes to the Agreement. Except for the provisions expressly modified in this  
3 Amendment No. 4, the remaining terms and conditions of the Agreement as otherwise  
4 amended remain in full force and effect.

5  
6       **B. Amendment to Section 3.** Section 3: COMPENSATION is amended in full to  
7 read as follows:

8               **“SECTION 3: COMPENSATION**

9  
10           Employer agrees to pay Employee for her services rendered pursuant hereto an  
11 annual base salary of two hundred sixty-six thousand two hundred seventy-nine dollars  
12 (\$266,279). Employee shall also receive the following from the Management and  
13 Confidential Employees Benefits Booklet as approved by the City Council as it may be  
14 amended from time to time: an additional five percent (5%) of the base salary as longevity  
15 pay for serving ten (10) or more years with the City and as additional two point five percent  
16 (2.5%) of base salary plus longevity pay as incentive pay, as provided to other management  
17 employees. Employee shall automatically receive any cost of living increases to base salary  
18 the management employees may be granted by the Employer during the term of this  
19 Agreement. The annual base salary may be further increased by the Employer from time to  
20 time by written amendment of this Agreement. The current salary shall be accurately  
21 reflected in the Employer’s Salary Schedule. Employee shall receive compensation payable  
22 in installments at the same time as other employees of the Employer are paid.”

23  
24       **IN WITNESS WHEREOF**, the parties have executed this Amendment No. 4 as of the day  
25 and year written above.

26       **CITY OF ALBANY**

27       **EMPLOYEE**

28       By: \_\_\_\_\_  
29       AARON TIEDEMANN, MAYOR

28       By: \_\_\_\_\_  
29       NICOLE ALMAGUER, CITY MANAGER

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**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
MALA SUBRAMANIAN, CITY ATTORNEY

**ATTEST:**

By: \_\_\_\_\_  
ANNE HSU, CITY CLERK

Date: \_\_\_\_\_