

# CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number \_\_\_\_\_

Meeting Type: Regular

Meeting Date: 12/17/2015

Action Requested By:  
Traffic Engineering

Agenda Item Type  
Resolution

Subject Matter:

Special Employee Agreement Between the City of Huntsville and Jo Somers

Exact Wording for the Agenda:

Resolution authorizing the Mayor to enter into a Special Employee Agreement Between the City of Huntsville and Jo Somers.

**Note: If amendment, please state title and number of the original**

Item to be considered for: Action

Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what Council action will provide, allow and accomplish and; any other information that might be helpful.

Agreement provides for a Professional Engineer for the Traffic Engineering Division.

Associated Cost:

Budgeted Item: Yes

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head:



Date: 12/9/2015

# ROUTING SLIP CONTRACTS AND AGREEMENTS

Originating Department: **Traffic Engineering**

Council Meeting Date: **12/17/2015**

Department Contact: **Melinda Mills**

Phone # **256-427-5563**

Contract or Agreement: **Agreement**

Document Name: **Special Employee Agreement Between COH and Jo Somers**

City Obligation Amount: **52,000**

Total Project Budget:

Uncommitted Account Balance:

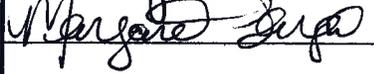
Account Number: **1000-75-75300-515340-00000...**

## Procurement Agreements

<b><u>Not Applicable</u></b>	<b><u>Not Applicable</u></b>
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## Grant-Funded Agreements

<b><u>Not Applicable</u></b>	<b>Grant Name:</b>
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Department	Signature	Date
1) Originating		12-9-15
2) Legal		12-10-15
3) Finance <span style="float: right; margin-right: 20px;">cc</span>		12-14-15
4) Originating		
5) Copy Distribution		
a. Mayor's office (2 copies)		
b. Clerk-Treasurer (Original & 2 copies)		
c. Legal (1 copy)		

**RESOLUTION NO. 15-\_\_\_\_\_**

**BE IT RESOLVED** by the City Council of the City of Huntsville, Alabama, that the Mayor be, and he is hereby authorized to enter into an Agreement by and between the City of Huntsville and Jo Somers, on behalf of the City of Huntsville, a municipal corporation in the State of Alabama, which said agreement is substantially in words and figures similar to that certain document attached hereto and identified as "SPECIAL EMPLOYEE AGREEMENT BETWEEN THE CITY OF HUNTSVILLE AND JO SOMERS" consisting of three (3) pages and the date of December 17, 2015 appearing on the margin of the first page, together with the signature of the President or President Pro Tem of the City Council, an executed copy of said document being permanently kept on file in the Office of the City Clerk-Treasurer of the City of Huntsville, Alabama.

**ADOPTED** this the 17<sup>th</sup> day of December, 2015.

\_\_\_\_\_  
President of the City Council  
Of the City of Huntsville,  
Alabama

**APPROVED** this the 17<sup>th</sup> day of December, 2015.

\_\_\_\_\_  
Mayor of the City of Huntsville,  
Alabama

**SPECIAL EMPLOYEE  
AGREEMENT BETWEEN  
THE CITY OF HUNTSVILLE  
AND JO SOMERS**

STATE OF ALABAMA     )  
COUNTY OF MADISON    )

**SPECIAL EMPLOYEE AGREEMENT BETWEEN  
THE CITY OF HUNTSVILLE AND JO SOMERS**

**THIS AGREEMENT** is made and entered into on the 17<sup>th</sup> day of December, 2015, by and between Jo Somers, an individual, (“Somers”) and the City of Huntsville, Alabama, a municipal corporation in the State of Alabama (“City”),

**WITNESSETH:**

In consideration of the mutual promises and covenants herein contained, the parties do hereby agree as follows, to wit:

1. Somers shall be employed by the City of Huntsville as a Special Employee-Traffic Engineer in the Traffic Engineering Division, shall be classified as a “Special” Employee under the City’s Personnel Policies and Procedures Manual, and shall be under the direct supervision of the Traffic Engineering Director. Somers’s duties as a Special Employee shall include all work described on Exhibit “A” attached hereto and incorporated herein by reference.

2. In consideration of the services rendered hereunder, the City shall pay Somers at the rate of \$50.00 per hour not to exceed 29 hours per week, with the total sum not to exceed \$52,000 per year, which shall be paid bi-weekly in accordance with the City’s regular payroll processing system. During the term of this agreement, Somers shall not receive any cost of living adjustment approved by the City Council for all other employees of the City. In addition, Somers shall not receive any benefits available to any employee of the City. Somers shall have no authorization to incur any debt or obligation on behalf of the City.

3. The term of this contract shall be for a period of one year commencing on December 17<sup>th</sup>, 2015.

4. This contract may be terminated by either party upon thirty (30) days written notice being provided to the other party.

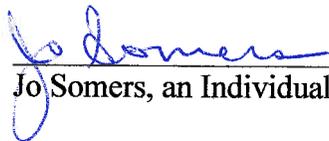
5. The City shall provide Somers a parking space during work hours at a location determined by the City’s Director of Parking and Public Transit. Somers must maintain a valid driver’s license, and upon providing proof of such to the City, may drive a City vehicle as may be available in order to perform necessary City work pursuant to this Special Employee Agreement.

6. Except as specified herein, Somers shall be subject to all Policies applicable to part-time employees of the City of Huntsville.

7. Somers acknowledges that confidential information may be made available to her in connection with her work pursuant to this agreement. Somers agrees not to disclose the confidential information to any third party at any time following execution of this agreement. This clause shall survive the termination of this Agreement.

8. This agreement constitutes the entire agreement between the parties.

**IN WITNESS WHEREOF**, the parties hereto have executed this agreement on the day and year first above written.

  
\_\_\_\_\_  
Jo Somers, an Individual

**CITY OF HUNTSVILLE, ALABAMA**  
a municipal corporation

BY: \_\_\_\_\_  
Tommy Battle  
ITS: Mayor

ATTEST:

BY: \_\_\_\_\_  
Charles E. Hagood  
ITS: Clerk-Treasurer

ATTACHMENT "A"

1. The review and approval of Geometric Design of Economic Development Site Plans submitted to the City.
2. Field review and engineering advice including cost estimates of infrastructure needs resulting from annexation and anticipated zoning of properties proposed for annexation into the City of Huntsville.
3. Civil engineering advice related to Congestion Reduction Projects for implementation by the Traffic Engineering Division.
4. Professional engineering and citizen contact for traffic calming and management oversight of the citywide Bicycle and Pedestrian Safety and Mobility Program.
5. Other related planning and preliminary engineering design and advice as requested by the Director or Deputy Director of Traffic Engineering.
6. Engineer Somers from time to time may provide professional services to other engineering firms; any design services provided by those firms to the City or submitted to the City for approval will not be reviewed by Somers. Somers will disclose in writing any conflict specified in this section.