



Date: April 17, 2018

To: The Honorable Mayor and City Council

From: City Attorney

Subject: Rajeev Batra Request for Additional Compensation

This memorandum accompanies a request by retired Interim City Manager Rajeev Batra for additional compensation. As is set forth in greater detail in the legal opinion by Erin Kunz of the Liebert Cassidy Whitmore law firm (Attachment 3), the City Council does not have authority to provide Mr. Batra with the benefit he has proposed. The Council also cannot grant any other type of additional retirement benefit or compensation; such a grant would be a violation of the state constitutional provisions prohibiting gifts of public funds. Finally, in the resolution allowing Mr. Batra to continue to serve as a retired annuitant immediately following retirement, Mr. Batra specifically agreed to the condition that:

“[t]here will not be any benefits, incentives or compensation in lieu of benefit or other form of compensation in addition to this hourly pay rate (of \$152.30).”