

CITY COUNCIL RESOLUTION NO. 09-XXX

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES
APPROVING REQUEST BY CITY MANAGER TO DEFER SALARY ADJUSTMENT**

WHEREAS, the City Manager Employment Contract between the City and James L. App (the "Contract") requires the City Council to conduct an annual review of the City Manager's performance each year during the term of the Contract; and

WHEREAS, the Contract provides for annual salary adjustments to the base salary for the City Manager on September 1 of each year, based on several criteria; and

WHEREAS, the City Council recently completed its annual review of the City Manager's performance in accordance with the provisions of the Contract; and

WHEREAS, based on the City Council's 2008 annual review and terms of the City Manager's contract, the City Manager was entitled to an increase in salary to \$164,120 annually; and

WHEREAS, the City Manager requested at that time, in light of fiscal challenges facing the City, that his salary increase for 2008-09 be deferred, which request was approved by the Council by Resolution 08-122; and

WHEREAS, based on the City Council's 2009 annual review and the terms of the City's Manager's Contract, the City Manager is entitled to an increase in salary to \$173,768 annually; and

WHEREAS, the City Manager has offered that, in light of the continued fiscal challenges facing the City, his salary increases for both 2008-09 and 2009-10 be deferred; and

WHEREAS, the City Manager has committed to continue to defer his contracted salary increase(s) for so long as other City employees are requested to do the same.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES
DOES HEREBY RESOLVE AS FOLLOWS:**

Section 1. Based on the annual review of the City Manager's performance recently conducted by the City Council and the terms of the Contract, the City Council acknowledges that the City Manager is entitled to an increase in salary to \$173,768 annually. However, based on the City Manager's offer, the City Council approves the deferral of the City Manager's salary increases for both 2008-09 and 2009-10.

PASSED AND ADOPTED this 18th day of August, 2009, by the following vote:

**AYES:
NOES:
ABSENT:
ABSTAIN:**

Duane Picanco, Mayor

ATTEST:

Cathy David, Deputy City Clerk