

RESOLUTION NO. 14-xxx

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES  
APPROVING CITY MANAGER SALARY ADJUSTMENT PURSUANT TO  
EMPLOYMENT CONTRACT

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WHEREAS, the City Manager Employment Contract between the City and James L. App, dated January 7, 2002, as amended by the First Amendment, dated September 21, 2004, and as further amended by the Second Amendment, dated September 6, 2011 (collectively, 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, between 2007 and 2012, the City Manager requested that his salary adjustments be deferred due to the recession and because all other City employees had agreed to a deferral of their pay increases due to budgetary constraints; and

WHEREAS, all City employees, including the City Manager, received their deferred pay increases effective July 1, 2012; and

WHEREAS, although the City Manager was entitled last year to a salary adjustment to \$180,020, he offered to defer the adjustment, and City Council accepted his offer; and

WHEREAS, all other City employees, including executive managers, received a three percent (3%) increase in pay retroactive to January 1, 2014; and

WHEREAS, all other City non-safety employees, including executive managers, received a two percent (2%) increase in pay beginning July 6, 2014; the fiscal impact upon the City is offset by the requirement that such employees begin contributing, for the first time, two percent (2%) of their salary to the California Public Employee Retirement System ("CalPERS"); and

WHEREAS, the Contract provides that the City Manager's base salary shall be at least Twenty Thousand Dollars (\$20,000) greater than that being paid to the executive managers of the City; and

WHEREAS, the City Council has conducted its annual review of the City Manager's performance in accordance with the provisions of the Contract and desires that he continue as City Manager;

**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 in accordance with the terms of the Contract, the City Council hereby agrees as follows:

a. The City Manager shall be entitled to receive a salary adjustment of three percent (3%), retroactive to January 1, 2014.

b. The City Manager shall be entitled to receive a salary adjustment of an additional two percent (2%), retroactive to July 6, 2014.

c. Effective upon the first pay period following approval of this resolution, the City Manager shall begin making contributions to CalPERS equal to two percent (2%) of his base compensation. His adjusted annual base compensation shall be One Hundred Ninety Three Thousand Six Hundred Twenty Five Dollars and Sixty Five Cents (\$193,625.65), which includes the existing annual automobile allowance of Five Thousand Dollars (\$5,000) set forth in Section 5.1 of the Contract.

PASSED AND ADOPTED this 5<sup>th</sup> day of August, 2014 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Duane Picanco, Mayor

ATTEST:

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Caryn Jackson, Deputy City Clerk