RESOLUTION NO. 2004-190

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ESCONDIDO, CALIFORNIA, AUTHORIZING THE MAYOR AND CITY CLERK, ON BEHALF OF THE CITY, TO EXECUTE AMENDMENTS TO THE EMPLOYMENT AGREEMENTS OF THE CITY MANAGER AND CITY ATTORNEY

WHEREAS, Clay Phillips and Jeffrey Epp have been serving as the Escondido City Manager and Escondido City Attorney, respectively, pursuant to Employment Agreements with the City; and

WHEREAS, the City Council desires and deems it in the best public interest to provide for their continued employment pursuant to Agreements governing the terms and conditions by which they shall serve as the City Manager and City Attorney;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido, California, as follows:

1. That the above recitations are true.

2. The Mayor and City Clerk are hereby authorized to execute, on behalf of the City, an amendment to the Employment Agreements of the City Manager and the City Attorney, a copy of which are attached and incorporated as Exhibit A and Exhibit B.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Escondido at a regular meeting thereof this 28th day of July, 2004 by the following vote to wit:

AYES : Councilmembers: D'AGOSTA, GALLO, NEWMAN, PFEILER, WALDRON

NOES : Councilmembers: NONE

ABSENT : Councilmembers: NONE

APPROVED:

LORI HOLT PFEILER, Mayor of the
City of Escondido, California

ATTEST:

MARSHA WHALEN, City Clerk of the
City of Escondido, California

RESOLUTION NO. 2004-190

Escondido City Clerk
Original Document

A-2622

ESCONDIDO
City of Choice

CITY OF ESCONDIDO
AMENDMENT TO EMPLOYMENT AGREEMENT

Between: CITY OF ESCONDIDO
201 N. Broadway
Escondido, California 92025
("Employer")

And: Clay Phillips
27118 N. Broadway
Escondido, CA 92026
("Employee")

Witness that whereas:

A. Employer and Employee have entered into an Employment Agreement providing for terms and conditions of employment to serve as the City Manager.

B. Employer and Employee wish to recognize the economic and budget constraints presently affecting the City and yet recognize meritorious performance, provide for a continued and stable employment relationship and provide compensation in relation to similar cities in the area.

NOW THEREFORE, it is mutually agreed by and between Employer and Employee as follows:

1. The base salary pursuant to the Employment Agreement shall not be increased for the fiscal year 2004-2005. Paragraph 3(a) of the Employment Agreement is hereby amended by adding the following language: Effective July 1, 2005, and subject to budget availability, the base salary set forth herein shall be adjusted equivalent to the average of the three highest base salaries paid to the city managers for cities in San Diego County, except for the City of San Diego. Thereafter, the base salary shall be adjusted automatically each year on July 1st according to the calculation set forth above, subject to budget availability.

2. Section 7 of the Employment Agreement shall be amended to increase the number of management leave days from 15 to 20.

3. Section 8 of the Employment Agreement shall be amended to increase the number of leave days that may be converted to salary from 10 to 15.

4. Exhibit A of the Employment Agreement shall be modified to increase the auto allowance to $750 per month.

5. Except as expressly set forth above, all other terms and conditions of the Employment Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment as of the day and year first above written.

CITY OF ESCONDIDO

Date: 8-2-04

Lori Holt Pfeiler
Mayor

Date: 8-2-04

Marsha Whalen
City Clerk

Date: 8/02/04

Clay Phillips
City Manager

APPROVED AS TO FORM:

By: Steve Nelson