RESOLUTION NO. 2007-138

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 serve as the Escondido City Manager and Escondido City Attorney, respectively, pursuant to Employment Agreements with the City; and

WHEREAS, under an Amendment to the Employment Agreements ("Agreements") adopted in 2006, the base salary for the City Manager and City Attorney positions are to be set based upon satisfactory performance, budget availability, and competitive with other cities in San Diego County, the Agreements should be set according to these factors and a regular process that provide for timely and definitive evaluations and review of performance and salary was set forth; and

WHEREAS, after conducting performance evaluations and reviewing the salary survey, the Council wishes to increase the base salary for the City Manager and City Attorney by 1%.

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 11th day of July, 2007 by the following vote to wit:

AYES : Councilmembers: ABED, DANIELS, GALLO, WALDRON, PFEILER

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. 2007-138

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 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. Effective as of July 1, 2007, the base salary presently being paid pursuant to this agreement shall be increased by 1%.

2. Unless specifically set forth herein, all other provisions of the Employment Agreement, as amended, 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: 7-25-07

Lori Holt Pfeiler
Mayor

Date: 7-25-07

Marsha Whalen
City Clerk

Date: 7/23/07

Clay Phillips
City Manager

APPROVED AS TO FORM:

By: _____