

## REPORT TO CITY COUNCIL

Approved by:

Wendy Silva

Department Director

Arnoldo Rodriguez

Arnoldo Rodriguez, City Manager

Council Meeting of: April 3, 2019

Agenda Number: C-3

### SUBJECT:

Consideration of a Resolution Amending the City Manager's Employment Agreement

### RECOMMENDATION:

The City Manager recommends the City Council (Council) adopt the resolution amending his Employment Agreement.

Pursuant to Government Code § 54953 (c) (3), prior to taking action on this item, the Council must publicly announce a summary of the action being considered.

*Announcement - If approved, the proposed amendment to the City Manager's Employment Agreement will stop his monthly automobile allowance.*

### SUMMARY:

The City Manager is proposing an amendment to his Employment Agreement that will remove the monthly automobile allowance from his compensation package.

### DISCUSSION:

The Council has modified the benefits package offered to department head employees, who are direct reports of the City Manager. This modification includes elimination of the monthly automobile allowance which was received by some positions. The City Manager is requesting that his agreement be modified to remove his automobile allowance as well.

### FINANCIAL IMPACT:

The City Manager's current agreement includes a \$350 per month automobile allowance. Removal of the benefit will reduce the City's expenditure on this compensation item by \$4,200 per year.

### CONSISTENCY WITH THE VISION MADERA 2025 PLAN:

Pay and benefits for City employees are not addressed in the vision or action plan; the requested action is also not in conflict with any of the actions or goals contained in that plan.

**ALTERNATIVES:**

If the Council does not take action on the resolution, existing agreement terms will continue.

**ATTACHMENTS:**

1. Resolution approving an amendment to the City Manager's Employment Agreement.
2. Employment Agreement Amendment.

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING AN AMENDMENT TO THE CITY MANAGER'S AT-WILL EMPLOYMENT AGREEMENT AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT

WHEREAS, the City of Madera wishes to establish reasonable rules, regulations and compensation for its staff within the financial limits of the organization; and

WHEREAS, the City Manager has requested that he no longer receive an automobile allowance as part of his compensation package.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF MADERA hereby resolves, finds, and orders as follows:

1. The above recitals are true and correct.
2. The Amendment to the City Manager's At-Will Employment Agreement, a copy of which is on file with the Office of the City Clerk and referred to for more particulars, is approved.
3. The Mayor is authorized to execute the Agreement Amendment.
4. This resolution is effective immediately upon adoption.

\* \* \* \* \*

**FIRST AMENDMENT TO THE  
CITY MANAGER AT-WILL EMPLOYMENT AGREEMENT**

THIS AGREEMENT, entered into this 3<sup>rd</sup> day of April, 2019, amends the previous agreement entitled CITY MANAGER AT-WILL EMPLOYMENT AGREEMENT dated November 7, 2018, by and between the CITY OF MADERA, State of California, a municipal corporation (hereinafter referred to as "Employer" or "City"), and Arnoldo Rodriguez (hereinafter referred to as "Employee"), both of whom understand as follows:

**WITNESSETH:**

WHEREAS, Employee and Employer entered into an agreement dated November 7, 2019, to contract with Employee to serve as City Manager ("Agreement"); and

WHEREAS, Employer and Employee desire to modify said Agreement to update the contract provisions.

NOW THEREFORE, it is hereby agreed that the Agreement between the parties is amended in the following particulars only:

Section 1. Section 6.F. of the Agreement is amended to read as follows:

F. Automobile Allowance

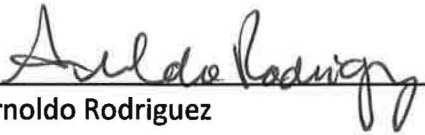
By prior agreement, Employee was provided a \$350 per month automobile allowance for use of his personal vehicle while conducting City business. Employee was not eligible for any additional mileage or vehicle reimbursement for use of his personal vehicle. Effective the first paycheck of April, 2019, Employee will no longer receive an automobile allowance and will submit reimbursement requests for mileage for use of his personal vehicle consistent with the City's Travel and Business Expense Policy.

Section 2. All other provisions of the Agreement not inconsistent with this Amendment shall continue in full force and effect.

**IN WITNESS WHEREOF**, the parties hereto have caused this Amendment to be executed by and through their respective officers duly authorized on the date first written above.

EMPLOYEE

CITY OF MADERA

  
\_\_\_\_\_  
Arnoldo Rodriguez

\_\_\_\_\_  
Andrew J. Medellin, Mayor

ATTEST

APPROVED AS TO LEGAL FORM

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
City Attorney