



# City Council Agenda Report

**TO:** Mayor Novelli and Members of the City Council

**FROM:** Ken Irwin, City Manager

**BY:** Tom Hallinan, City Attorney

**MEETING DATE:** December 18, 2018

**ITEM NO:** 5.12

**SUBJECT:** Approve the City Manager Fourth Amended Employment Agreement between Ken Irwin and the City of Patterson.

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## **RECOMMENDATION**

Motion to Approve the City Manager Fourth Amended Employment Agreement between Ken Irwin and the City of Patterson.

## **BACKGROUND**

Ken Irwin ("City Manager") has worked for the City of Patterson (the "City") in different capacities since 2012. He served as the Director of Engineering, Building and Capital Projects until becoming the City Manager in 2014. On October 16, 2014, the City Council ("Council") approved an employment agreement establishing the terms of the City Manager's employment with the City (the "Agreement").

On November 28, 2018, the Council completed a performance review of the City Manager. Based on this score, the Council has requested revisions to the City Manager's salary, deferred compensation contribution, and car allowance contribution.

## **ANALYSIS**

The Council has requested revisions to the Agreement, the First Amendment to the Agreement, the Second Amendment to the Agreement, and the Third Agreement to the Agreement, which will memorialize certain changes ("Fourth Amendment"). The proposed Fourth Amendment will increase the City Manager's base salary by five percent (5%) from One Hundred Seventy-Eight Thousand Two Hundred Dollars (\$178,200) per year to One Hundred Eighty-Seven Thousand One Hundred and Ten Dollars (\$187,110) per year. The proposed Fourth Amendment

will increase the City Manager's vehicle allowance from Four Hundred and Fifty Dollars (\$450.00) per month to Five Hundred Dollars (\$500.00) per month. Finally, the Fourth Amendment will increase the City's deferred compensation maximum contribution from seven percent (7%) to a maximum contribution of eight percent (8%). The remaining provisions of the Agreement will remain the same.

### **FISCAL IMPACT**

Approval of the Fourth Amendment will result in the following yearly adjustments that will be paid from the General Fund:

Description	Yearly
Yearly base (current)	\$ 178,200.00
5% Merit increase	\$ 8,910.00
Total (new yearly base)	\$ 187,110.00
Add 1% to Defer. Comp.	\$ 1,871.10
Car Allowance Increase by \$50/mo for 12 mo.	\$ 600.00

### **RECOMMENDED ACTION**

Based on the information contained herein, staff recommends that the Council approve the Fourth Amendment of the City Manager's contract.

### **ALTERNATIVE ACTIONS**

The Council may select any of the following actions:

- (1) Approve the Fourth Amendment without any changes;
- (2) Approve the Fourth Amendment with changes and revisions; or
- (3) Reject the Fourth Amendment entirely.

### **ATTACHMENTS**

Fourth Amendment.