



# STAFF REPORT

## CITY of YORBA LINDA

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### ADMINISTRATION DEPARTMENT

**DATE:** DECEMBER 7, 2021

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**FROM:** DAVID CHRISTIAN, ASSISTANT CITY MANAGER

**SUBJECT:** EIGHTH AMENDMENT TO CITY MANAGER EMPLOYMENT AGREEMENT

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### **RECOMMENDATION**

It is recommended that the City Council review and approve the "Eighth Amendment Employment Agreement" ("Eighth Amendment") that amends the City Manager's employment agreement with the City and appropriate the necessary amounts in the FY 21-22 budget.

### **BACKGROUND**

On July 2, 2013 the City of Yorba Linda and City Manager Pulone entered into an Employment Agreement ("Original Agreement") whereby Mr. Pulone was employed as City Manager for the City pursuant to the terms and conditions set forth in the Original Agreement. The Original Agreement has since been amended seven times – on October 7, 2014 (First Amendment), on October 6, 2015 (Second Amendment), on November 15, 2016 (Third Amendment), on September 19, 2017 (Fourth Amendment), on October 2, 2018 (Fifth Amendment), on August 6, 2019 (Sixth Amendment) and on September 15, 2020 (Seventh Amendment).

### **DISCUSSION**

The Eighth Amendment updates the following matters pertaining to the terms of employment for the City Manager:

- A one-time bonus payment for the City Manager equal to 4.0% of base salary which is non-cumulative and non-PERSable.
- A salary increase for the City Manager of 2.0% based on merit and performance effective as of October 1, 2021.
- Term of contract will be extended for one additional year through September 30, 2024.

All other terms of the contract will remain unchanged.

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### **FISCAL IMPACT**

The 4.0% one-time payment equates to \$10,382.17 and will be paid using American Rescue Plan Act funds received by the City to replenish lost revenue due to the pandemic. The 2.0% salary increase equates to \$5,191.09 per year bringing the total annual salary to \$264,745.42. An appropriation will be made to the current year's budget for the necessary amounts.

### **ALTERNATIVES**

Do not approve the Eighth Amendment to the City Manager Employment Agreement.

### **ATTACHMENTS**

1. Original Employment Agreement
  2. First Amendment Employment Agreement
  3. Second Amendment Employment Agreement
  4. Third Amendment Employment Agreement
  5. Fourth Amendment Employment Agreement
  6. Fifth Amendment Employment Agreement
  7. Sixth Amendment Employment Agreement
  8. Seventh Amendment Employment Agreement
  9. Proposed Eighth Amendment Employment Agreement
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