



CITY COUNCIL AGENDA REPORT

Meeting Date: December 15, 2022

From: City Attorney Thomas R. McMorrow

Subject: Fourth Amendment to City Manager's Employment Agreement

Community Goal Results
Fiscally Prudent

Recommendation

Adopt the attached resolution authorizing the Mayor to sign the Fourth Amendment to the City Manager's Employment Agreement increasing the Manager's salary by 3% in January 2023 and extending the term of the Agreement to December 31, 2023

Background

In April 2022, after conducting a salary survey of City Managers in the Bay Area, City Council approved a Third Amendment to the City Manager's 2019 Employment Agreement. That Amendment involved a salary increase and extending the term of the Agreement to December 31, 2022. For a variety of reasons, City Council has requested Mr. Holstine to remain as City Manager beyond December 31, 2022 and he has agreed to do so.

Discussion

The attached resolution authorizes the Mayor to sign a Fourth Amendment to the City Manager's Employment Agreement increasing his salary as of the first full pay period in January by 3% and extending the term of the Agreement to December 31, 2023. If approved by the Council, the City Manager's salary would be \$295,651 annually (\$11,371 bi-weekly). The 3% increase is consistent with salary increases that other City employees are receiving. Other terms and conditions in the Agreement, as amended, remain in effect.

Fiscal Impact

There are funds budgeted to cover this increase.

Thomas R. McMorrow, City Attorney

Attachment: Resolution authorizing the Mayor to sign Fourth Amendment

ATTACHMENT 1

RESOLUTION NO. 2022-xx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRISBANE APPROVING THE FOURTH AMENDMENT TO THE JULY 18, 2019 EMPLOYMENT AGREEMENT WITH THE CITY MANAGER

WHEREAS, Clayton Holstine is the appointed City Manager of the City of Brisbane and currently serves under an Employment Agreement between the City and Mr. Holstine dated July 18, 2019, as amended; and

WHEREAS, the City and Mr. Holstine wish to amend the Employment Agreement concerning the term of the Agreement and to revise the salary schedule for the City Manager, as set forth in the attached Exhibit A.

NOW, THEREFORE, the City Council of the City of Brisbane resolve as follows:

Section 1. The pay schedule for the City Manager, as of the first full pay period of January 2023 and thereafter, as provided in the City Manager Employment Agreement, as amended, is confirmed.

Section 2. Appendix A to the Employment Agreement, as amended, sets forth the pay rate and pay schedule for the City Manager's salary, which Appendix satisfies the requirements of a publicly available pay schedule as set forth in Government Code Section 20636.

Section 3. The Fourth Amendment to the July 18, 2019 Employment Agreement between the City and Clayton Holstine is approved, and the Mayor is authorized to sign such Amendment.

Section 2. The City Clerk is directed to post the Fourth Amendment, once fully executed, including Appendix A, on the City's website under "City Manager's Contract".

Section 3. This Resolution shall take effect immediately upon adoption.

_____, Mayor

I hereby certify that the foregoing Resolution was adopted as a regular agenda item at a special scheduled meeting of the Brisbane City Council on December 15, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN

Ingrid Padilla, City Clerk

CITY OF BRISBANE
City Manager

Appendix A

Effective Date: 01/02/2023

3.0% Increase

Job Title

City Manager

Salary

Monthly	\$24,637.60
Bi-weekly	\$11,371.20
Hourly	\$142.14