

INDIAN WELLS CITY COUNCIL

September 7, 2023



To: City Council
From: Human Resources Department
Prepared by: Peter Castro, Deputy City Manager
Subject: **Amendment to Employment Agreement for City Manager**

RECOMMENDED ACTIONS:

Council **APPROVES** Fifth Amendment to the Employment Agreement for City Manager Christopher Freeland.

DISCUSSION:

On May 2, 2019, the City Council entered into an Employment Agreement (**Attachment # 1**) with Chris Freeland to serve as City Manager, effective May 13, 2019. The Council adopted the First Amendment to the Employment Agreement on June 4, 2020, a Second Amendment on December 17, 2020, a Third Amendment on December 16, 2021, and Fourth Amendment on November 3, 2022.

Annually, the City Council evaluates the City Manager's performance and determines if any changes to salary and benefits are merited. The Council met individually with the City Manager to review his performance over the past year. The consensus is that the City Manager has done an excellent job managing the City's day-to-day operations.

The Council Personnel Committee consisting of the Mayor and the Mayor Pro Tem, are recommending that the Council approve the Fifth Amendment to Employment Agreement for City Manager. The terms of the Amendment to the Employment Agreement are as follows:

- Salary increases from \$262,000 to \$285,000 a year retroactive to July 1, 2023.
- One-Time Vacation Bank of 120 hours.
- Severance from 9 months to 12 months both salary and benefits.
- Any Vacation and/or Administrative Leave cash outs shall be deposited into a 401a plan.

There is no change to the term of the agreement. The Employment Agreement will expire on December 31, 2029.

FISCAL IMPACT:

The fiscal impact of the Fifth Amendment to the Employment Agreement is \$23,000, shared between the City's General Fund, Fire Services Fund, Golf Resort Fund, and the Housing Authority Fund. The cost to the General Fund is \$13,800, Fire Services Fund is \$2,300, Golf Resort Fund is \$3,450, and Housing Authority Fund is \$3,450.

ATTACHMENTS:

1. Employment Agreement
2. First Amendment
3. Second Amendment
4. Third Amendment
5. Fourth Amendment
6. Fifth Amendment