## City of Calistoga

Staff Report

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TO:

Honorable Mayor and City Council

FROM:

Michelle Marchetta Kenyon, City Attorney

DATE:

June 19, 2018

SUBJECT:

Consideration of a Resolution Approving First Amendment to Employment Agreement between City of Calistoga and Dylan Feik

APPROVAL FOR FORWARDING:

Michelle Maronetta Kenyon, City Attorney

**ISSUE**: Consideration of a Resolution Approving the First Amendment to Employment Agreement between City of Calistoga and Dylan Feik.

**RECOMMENDATION:** Adopt the Resolution.

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BACKGROUND: The City and Dylan Feik entered into an Employment Agreement in February 2016 providing for the terms and conditions of employment of Dylan Feik as City Manager. Pursuant to that Agreement, the City Council conducted a performance review of the City Manager and gave direction to the City Attorney to prepare the attached First Amendment to Employment Agreement ("First Amendment"). The First Amendment provides for an increase in salary to \$189,371 annually. In addition, the First Amendment provides that the City Manager is authorized to participate in a deferred compensation plan known as ICMA-RC 401(a) Money Market Plan, City will pay annually the administrative fee of \$1,000 and the City Manager shall pay all future contributions to the Plan.

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## **FISCAL IMPACT:**

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The annual base salary for Mr. Feik is \$189,371. City will also pay an annual administrative fee of \$1,000 for the City Manager's participation in ICMA-RC 401(a) Money Market Plan.

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## **ATTACHMENTS:**

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1. Resolution No. 2018-\_\_\_\_ Resolution of the City Council of the City of Calistoga, County of Napa, State of California, Approving the First Amendment to Employment Agreement Between City of Calistoga and Dylan Feik

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2. First Amendment to Employment Agreement between City of Calistoga and Dylan Feik

## **RESOLUTION NO. 2018-XXX**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA, APPROVING THE FIRST AMENDMENT TO EMPLOYMENT AGREEMENT BETWEEN CITY OF CALISTOGA AND DYLAN FEIK

1 2 WHEREAS, the City of Calistoga ("City") and Dylan Feik have previously entered 3 into an Employment Agreement to employ Dylan Feik as City Manager; and 4 5 WHEREAS, the City and Dylan Feik desire to enter into a First Amendment to 6 Employment Agreement to modify the terms and conditions of Manager's employment 7 as City Manager; 8 9 NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of 10 Calistoga, as appointing authority, hereby approves the First Amendment to 11 Employment Agreement Between City of Calistoga and Dylan Feik in substantially the same form attached hereto as Exhibit "A" and authorizes and directs the Mayor to 12 13 execute same for and on behalf of the City of Calistoga. 14 15 PASSED, APPROVED, AND ADOPTED by the City Council of the City of 16 Calistoga at a regular meeting held this 19 day of June, 2018 by following vote: 17 18 AYES: 19 NOES: 20 **ABSTAIN:** 21 **ABSENT:** 22 23 24 CHRIS CANNING, Mayor 25 ATTEST: 26 27 28 KATHY FLAMSON, Deputy City Clerk 29 30 31 APPROVED AS TO FORM: 32 33 34 MICHELLE MARCHETTA KENYON, City Attorney 35