

RESOLUTION NO. 2015-130

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CALISTOGA, COUNTY OF NAPA, STATE OF CALIFORNIA, APPROVING DESIGNATION OF, AND AUTHORIZING COMPENSATION FOR, ACTING CITY MANAGER, AND APPROVING A FISCAL YEAR 2015-16 OPERATING BUDGET ADJUSTMENT NOT TO EXCEED \$4,661

WHEREAS, current City Manager, Richard Spitler is unexpectedly and temporarily unable to perform the duties of City Manager; and

WHEREAS, pursuant to Calistoga Municipal Code Section 2.08.030, the City Manager has designated Public Works Director Michael Kirn, to exercise the powers and perform the duties of City Manager during the City Manager's temporary absence; and

WHEREAS, Michael Kirn is qualified to perform the duties of City Manager; and

WHEREAS, the City's personnel rules and regulations allow the City Manager to authorize a salary increase of more than five percent (5%) for employees serving in out-of-class assignments in appropriate circumstances, and the City Manager has recommended the salary payment described in this resolution.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Calistoga, hereby approves the City Manager's designation of Public Works Director Michael Kirn to serve as Acting City Manager effective October 29, 2015, and continuing until the earlier of the following dates: (1) the date the City Manager returns to work, (2) December 30, 2015, or (3) the date on which the Council removes Mr. Kirn from the Acting City Manager assignment. During this period, Michael Kirn also will be responsible for the regular duties of the Public Works Director.

BE IT FURTHER RESOLVED, that for each day Public Works Director Michael Kirn serves as Acting City Manager pursuant to this resolution, the City shall pay Mr. Kirn, in addition to his regular salary, an additional 20% of the daily rate (calculated pursuant to the City's normal procedures) for the Public Works Director salary applicable to him (Range 26, Step 5) as specified in the 2014-2015 salary schedule adopted by the Council effective January 1, 2015. Mr. Kirn shall continue to receive all other benefits and allowances as applicable to his position as Public Works Director. Mr. Kirn will return to his original pay level at the completion of the assignment as Acting City Manager as described in this resolution.

BE IT FURTHER RESOLVED, that the Council hereby approves a Fiscal Year 2015-16 Operating Budget adjustment in an amount not to exceed \$4,661. The cost of the additional salary payments for the Acting City Manager pursuant to this resolution shall be distributed 100% to the General Fund in account 01-4114-4301, with funding from the unappropriated General Fund Reserve.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Calistoga at a regular meeting held this **3rd of November, 2015** by the following vote:

AYES: Councilmember Kraus, Councilmember Lopez-Ortega,
Councilmember Barnes and Mayor Canning
NOES: None
ABSTAIN: None
ABSENT: Vice Mayor Dunsford



CHRIS CANNING, Mayor

ATTEST:



MELISSA VELASQUEZ, Deputy City Clerk