



# City of La Quinta

**CITY / SA/ HA/ FA MEETING DATE:** July 1, 2014

**ITEM TITLE:** APPROVE FIRST AMENDMENT TO EMPLOYMENT AGREEMENT FOR CITY MANAGER

**AGENDA CATEGORY:**

**BUSINESS SESSION:**

**CONSENT CALENDAR:** 8

**STUDY SESSION:**

**PUBLIC HEARING:**

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## **RECOMMENDED ACTION:**

Approve the First Amendment to the Employment Agreement between the City of La Quinta and the City Manager.

## **EXECUTIVE SUMMARY:**

- The City of La Quinta entered into an employment agreement ("Agreement") with the City Manager on June 4, 2012.
- According to the Agreement, the City Council conducts an annual performance evaluation, which includes review of salary and/or benefits.
- On June 17, 2014, Council conducted the performance evaluation and recommended an amendment to the Agreement.
- The attached amendment (Attachment 1) sets forth the change to the terms of employment, pursuant to the Municipal Code, between the City of La Quinta and the City Manager.

## **FISCAL IMPACT:**

None.

## **BACKGROUND/ANALYSIS:**

The City Council met in Closed Session on June 17, 2014 to provide the City Manager with his annual performance evaluation, per the provisions of his

Agreement. The Agreement between the City of La Quinta and the City Manager contains a provision, which provides for an annual evaluation by Council of the City Manager's performance. It states, in part:

"Employer agrees to review said base salary and/or other benefits of Employee at the time of an annual evaluation which shall be initiated no later than the end of May each year. Employer may recommend adjustments to salary and/or other benefits during the time period that the annual review is performed."

Council is recommending an amendment to the City Manager's Agreement that grants the City Manager an additional 40 hours of Administrative Leave between July 1, 2014 and December 31, 2014, and an increase to his annual Administrative Leave of 120 hours per year, beginning January 1, 2015. The amendment reflects this revision. All other terms remain as set forth in the original Employment Agreement.

**ALTERNATIVES:**

As Council recommended this amendment, staff has no alternative recommendations.

Report prepared by: Terry Deeringer, Human Resources/Risk Manager  
Report approved for submission by: Frank J. Spevacek, City Manager

Attachment 1: Amendment

## FIRST AMENDMENT TO EMPLOYMENT AGREEMENT

This FIRST AMENDMENT TO EMPLOYMENT AGREEMENT ("First Amendment") is made and entered as of July 1, 2014 ("Effective Date"), by and between the City of La Quinta, a public body ("City" or "Employer"), and Frank J. Spevacek, an individual ("Employee"), both of whom understand as follows:

### WITNESSETH:

WHEREAS, the parties entered into an Employment Agreement as of June 4, 2012 for a term of June 4, 2012 through June 3, 2015; and

WHEREAS, the parties now desire to amend the Employment Agreement.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

#### Section 1.

Section 7 of the Employment Agreement is amended to provide the City Manager with an additional 40 hours of Administrative Leave between July 1, 2014 and December 31, 2014, and increasing the total Administrative Leave from 80 hours to 120 hours effective January 1, 2015.

#### Section 2.

The annual salary in Section 7 of the Employment Agreement was increased from \$195,000 to \$198,900 effective July 1, 2012 to reflect a 2% COLA given to all employees at that time.

#### Section 3.

The addresses in Section 12 of the Employment Agreement have been revised to reflect current mailing addresses for both parties, as follows:

EMPLOYER: CITY OF LA QUINTA  
78-495 Calle Tampico  
La Quinta, CA 92253

EMPLOYEE: Frank J. Spevacek  
53065 Avenida Navarro  
La Quinta, CA 92253

**Section 4.**

Except as specifically amended by this First Amendment, the Employment Agreement remains in full force and effect.

IN WITNESS WHEREOF, the City of La Quinta has caused this First Amendment to be signed and executed in its behalf by its Mayor, and duly attested by its City Clerk, and the Employee has signed and executed this First Amendment, both in duplicate, to become effective as of the Effective Date.

EMPLOYER:

CITY OF LA QUINTA

By: \_\_\_\_\_  
DON ADOLPH  
Mayor of the City of La Quinta

**ATTEST:**

\_\_\_\_\_  
Susan Maysels, CITY CLERK  
City of La Quinta, California  
(City Seal)

**APPROVED AS TO FORM:**

\_\_\_\_\_  
M. KATHERINE JENSON, City Attorney  
City of La Quinta, California

EMPLOYEE:

By: \_\_\_\_\_  
Frank J. Spevacek