

RESOLUTION NO. 3654

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD
APPROVING AN AMENDMENT TO AN "EMPLOYMENT AGREEMENT- CITY
MANAGER/EXECUTIVE DIRECTOR"**

WHEREAS, on July 15, 2002, the City and Redevelopment Agency entered into an "Employment Agreement- City Manager/Executive Director" (the "Agreement") with Noelia Chapa, with a term of three years; and

WHEREAS, the term of the Agreement was extended to July 15, 2007, by way of an amendment approved by Joint City Council/Redevelopment Agency Resolution No 3558/250 on October 27, 2004, and

WHEREAS, after a performance evaluation in July and August of 2005, the City Council desires to amend the terms of the Agreement to reflect changes in the Manager's compensation, benefits and the evaluation process, and the parties to the Agreement have agreed to the changes set forth herein.

NOW THEREFORE, BE IT HEREBY RESOLVED by the City Council of the City of Soledad that the "Employment Agreement- City Manager/Executive Director" is hereby amended as follows.

- 1 All of the recitals set forth above are true and correct to the best of the Council's knowledge, and by this reference are incorporated herein as findings.
2. Section 4.A. of the Agreement shall be amended to read as follows.
 - A. For all services rendered by CHAPA under this Agreement, Employer shall pay CHAPA \$133,224 per year Salary shall be payable in equal semi-monthly installments.
- 3 Section 6 of the Agreement shall be amended to read as follows.
 - 6 Vacation-Sick Leave-Administrative Compensatory Time Off. CHAPA shall be allowed fifteen (15) working days vacation time each year, with pay, computed at the rate of ten (10) hours per month. Employer will be willing to consider proposals for modification of vacation benefits in July, 2003, and July, 2004 CHAPA shall be entitled to all benefits not in conflict with the language set forth herein, as provided to all Management Employees in the "City of Soledad Compensation and Benefit Plan For Fiscal Year 2001-2002," and all amendments thereto Such benefits shall include, but not be limited to, bereavement leave, emergency family leave, and sick leave buy back. CHAPA shall be entitled to 66 hours of administrative compensatory leave per calendar month or eighty (80) hours per year, calculated from June, 2002, which shall be used to supplement regular compensation for hours spent fulfilling CHAPA's duties. All such leave must be used prior to, or within thirty (30) days, of June of each year in which it is accrued.

4 Section 11 of the Agreement shall be amended to read as follows.

11 Review of Job Performance. At the end of each year of employment Employer (acting through the City Council), shall conduct a review of CHAPA's job performance. The result of such review, including findings and conclusions and the facts upon which they are based, shall be furnished to CHAPA in oral or written form, and CHAPA shall be given full opportunity to comment upon them. All such information shall be kept confidential by the parties and shall be used by said parties only for the purpose of improving the employment relationship or for the purpose of exercising rights under the terms of this Agreement. The annual review referenced herein shall be conducted at a regular or special meeting at which said review is the sole item of business on the agenda.

5 With the exception of the changes referenced herein, all other terms and conditions of the Agreement shall remain in full force and effect.

6. All of the changes set forth herein shall be effective upon the adoption of this Resolution.

BE IT FURTHER RESOLVED, that the Personnel Officer is directed to attach a copy of this Resolution, signed by the City Manager so as to confirm consent, to the executed copy of the Agreement kept with the Manager/Executive Director's Personnel File.


PASSED AND ADOPTED by the City Council of the City of Soledad at a regular meeting duly held on the 17th day of August, 2005, by the following vote:

AYES, and in favor thereof, Councilmembers. Christopher Bourke, Stefanie De La Rosa, Patricia Stephens, Mayor Pro Tem Juan Saavedra, Mayor Richard Ortiz

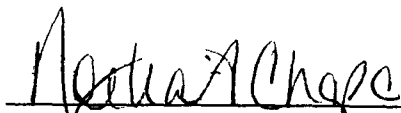
NOES, Councilmembers None

ABSENT, Councilmembers. None

ABSTAIN, Councilmembers. None


RICHARD V ORTIZ, Mayor

ATTEST


NOELIA F CHAPA, City Clerk