

Staff Summary Report



Council Meeting Date: 01/24/2008

Agenda Item Number: _____

SUBJECT: Amendment to the Employment Agreement for Charles W. Meyer as City Manager.

DOCUMENT NAME: 20080124casv02 **POSITIONS AUTHORIZED (0302-01)**

SUPPORTING DOCS: No

COMMENTS: Amendment changes the length of the severance from nine (9) to six (6) months.

PREPARED BY: Andrew B. Ching, City Attorney (350-8575)

REVIEWED BY: N/A

LEGAL REVIEW BY: Andrew B. Ching, City Attorney (350-8575)

FISCAL NOTE: Monies are budgeted for position.

RECOMMENDATION: Approve Amendment.

ADDITIONAL INFO: City Manager Charles W. Meyer's Employment Agreement currently provides for severance pay equal to nine (9) months of his base salary and one hundred percent (100%) of his accrued sick and vacation leave if he is involuntarily terminated. At Mr. Meyer's request and in conformance with the consensus of Council at the January 10, 2008 Issue Review Session, this Amendment changes the length of the severance from nine (9) to six (6) months.

AMENDMENT TO EMPLOYMENT AGREEMENT

Contract No. C2007-195A

This AMENDMENT TO EMPLOYMENT AGREEMENT (“Amendment”) is made this _____ day of _____, 2008, by and between Charles W. Meyer, hereinafter referred to as “Meyer”, and the City of Tempe, a municipal corporation of the State of Arizona, hereinafter referred to as the “City”.

WITNESSETH:

WHEREAS, Meyer and the City entered into that certain Employment Agreement dated November 8, 2007, City of Tempe Contract No. C2007-195 (the “Agreement”) with respect to the Meyer’s appointment as Tempe City Manager; and

WHEREAS, Meyer and the City desire to amend the Agreement as follows:

NOW THEREFORE, in consideration of the mutual promises, covenants and undertakings set forth in the Agreement and below, the parties do hereby agree to amend the Agreement as follows:

- 1. Paragraph 2(h) of the Agreement is hereby deleted and replaced to read as follows:
 - h. To give Meyer severance pay equal to six (6) months of his base salary and one hundred percent (100%) of his accrued sick and vacation leave if he is involuntarily terminated. Such severance does not apply if Meyer is involuntarily terminated for committing acts that would constitute willful misconduct, fraud, corruption, or moral turpitude.

IN WITNESS WHEREOF, the parties hereto have caused their authorized signatories to execute this Amendment on their behalf, as their act, as of the date and year first above written.

CITY OF TEMPE, a municipal corporation

By: _____
MAYOR

CHARLES W. MEYER

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney