



RESOLUTION
(43 - 2016)

**A RESOLUTION OF THE FAIRVIEW CITY COUNCIL AMENDING THE CITY
ADMINISTRATOR CONTRACT**

WHEREAS, the City Council desires to amend the City Administrator's Employment Contract to allow for an additional performance review and potential salary increase; and

WHEREAS, the City Administrator agrees to this amendment to the Contract.

**NOW, THEREFORE, BE IT RESOLVED BY THE FAIRVIEW CITY COUNCIL AS
FOLLOWS:**

Section 1 The City Council authorizes the Mayor to sign and approves an amendment to the City Administrator's Contract as set forth in substantially the same form as the attached Exhibit A.

Section 2 This Resolution is and shall be effective from and after its passage by the Council.

Resolution adopted by the City Council of the City of Fairview, this 17th day of August, 2016.

Mayor, City of Fairview
Ted Tosterud

ATTEST

City Recorder, City of Fairview
Devree Leymaster

8-18-16

Date

**First Amendment
City Administrator Employment Contract**

This is the First Amendment to the Employment Contract by and between the City of Fairview (City) and Nolan Young (Employee) effective on January 25, 2016 (Contract).

RECITALS

WHEREAS, the City Council desires to amend the Contract to provide for an additional performance review and goal achievement; and

WHEREAS, if the performance goals are achieved Employee will be eligible for a retroactive increase in pay; and

WHEREAS, the Employee agrees to this amendment to the Contract.

In consideration of the mutual promises contained herein and other good and valuable consideration, the receipt and sufficiency is hereby acknowledged, the Parties agree to the amendments to the Contract as set forth below.

TERMS

1. **Section IV B** of the Contract is deleted in its entirety and replaced with the following:

“Salary Increase. In the event the second performance evaluation meets or exceeds expectations as set forth under Section VIII(B) below, effective retroactively from July 26, 2016, City agrees to pay EMPLOYEE an annual base salary of \$120,000 payable in installments on the same schedule that the other City Department heads are paid.”

2. **Section VIII B** of the Contract is deleted in its entirety and replaced with the following:

“Second Evaluation. The City Council will review the performance of the EMPLOYEE in October 2016 and will discuss the review with the EMPLOYEE in Executive Session consistent with Oregon Public Meetings Law at its first meeting in November 2016. The Second Evaluation will review EMPLOYEE’s performance with respect to the Performance Goals set by the EMPLOYEE and the City Council in July 2016. In the event the EMPLOYEE’s Second Evaluation, in the City Council’s sole discretion, meets or exceeds expectations, the City Council will increase the EMPLOYEE’S salary as set forth under Section IV (B) above.

3. **Section VIII C** is added to the Contract as follows:

“Annual Evaluation. The City Council will periodically identify concerns to EMPLOYEE either by informal discussions with EMPLOYEE or more formally. Beginning in 2017, The CITY shall annually review the performance of EMPLOYEE prior to December 1st of each year. This Annual Evaluation, at a minimum, shall include the opportunity for CITY and EMPLOYEE to:

- (1) Prepare a written evaluation;
- (2) Meet and discuss the evaluation;

- (3) Present a written summary of the evaluation results; and
- (4) Develop goals and priorities for EMPLOYEE.

The final written evaluation should be completed and delivered to EMPLOYEE within thirty (30) days of the evaluation meeting. These annual evaluations will be in Executive Session consistent with Oregon Public Meetings Law.

The Contract as hereby amended is in full force and effect. Except as expressly modified by this Amendment, the terms, provisions, covenants, and conditions of the Contract shall remain unchanged and are hereby ratified and confirmed as being in full force and effect. In the event of any conflict or inconsistency between the terms of this Amendment and the Contract, the terms of this Amendment shall control.

The parties have executed this Amendment effective as of the last date of signature specified below.

EMPLOYEE

CITY OF FAIRVIEW

Nolan Young

Mayor Ted Tosterud

Date: _____

Date: _____