

RESOLUTION 2022-013

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, COCHISE COUNTY, ARIZONA; AMENDING THE CONTRACT OF THE CITY MANAGER; AND AUTHORIZING AND DIRECTING THE CITY MANAGER, CITY CLERK, CITY ATTORNEY OR THEIR DULY AUTHORIZED OFFICERS AND AGENTS TO TAKE ALL STEPS NECESSARY TO CARRY OUT THE PURPOSES AND INTENT OF THIS RESOLUTION.

WHEREAS, City of Sierra Vista Code § 31.02 allows for the appointment of a City Manager by the City Council; and

WHEREAS, the City Council negotiated a contract with Charles P. Potucek as City Manager on March 28, 1996; and

WHEREAS, the City Council elects to amend the City Manager's contract.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIERRA VISTA, ARIZONA, AS FOLLOWS:

SECTION 1

The policy of the City of Sierra Vista relating to executing and amending a contract for City Manager, most recently affirmed by Resolution 28-115, be, and hereby is, reaffirmed.

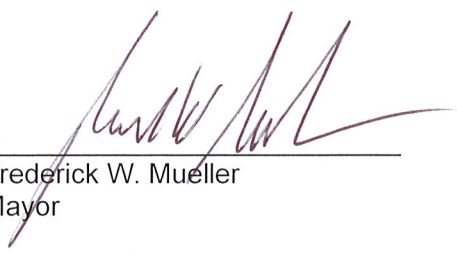
SECTION 2

The City Manager's contract amended as outlined in Exhibit A, Addendum to the City Manager Contract, attached and made a part hereof by this reference.

SECTION 3

The Chief Human Resources Officer, City Clerk, City Attorney or their duly authorized officers and agents are hereby authorized and directed to take all steps necessary to carry out the purposes and intent of this Resolution.

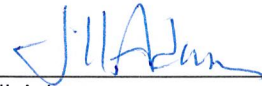
PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE  
CITY OF SIERRA VISTA, ARIZONA, THIS 10TH DAY OF MARCH 2022.



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Frederick W. Mueller  
Mayor

ATTEST:



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Jill Adams  
City Clerk

APPROVED AS TO FORM:



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Nathan J. Williams  
City Attorney

Prepared by:  
Barbara L. Fleming  
Chief Human Resources Officer

BLF

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EXHIBIT "A"

ADDENDUM TO CITY MANAGER CONTRACT

This ADDENDUM made and concluded this 10<sup>th</sup> day of March 2022 by and between the CITY OF SIERRA VISTA, ARIZONA, a municipal corporation (hereinafter referred to as "EMPLOYER") and CHARLES P. POTUCEK, (hereinafter referred to as "EMPLOYEE") as party of the second part, both of whom understand as follows:

WITNESSETH:

WHEREAS, the EMPLOYER and EMPLOYEE entered into a Contract dated March 28, 1996, approved by Resolution No. 4183.

WHEREAS, the parties hereto desire to amend said Contract and amendments thereto as hereinafter set forth.

In consideration of the foregoing, and other valuable consideration, receipt of which is hereby acknowledged, the parties hereto amend the Contract for Services dated March 28, 1996 thereto as follows:

1. That Section 6 of said Contract is amended which provides as follows:

EMPLOYER agrees to pay EMPLOYEE for his services rendered pursuant to Contract dated March 28, 1996, an annual base salary of One Hundred Eighty-Eight Thousand, Six Hundred Ninety-Eight Dollars and No cents (\$188,698) retroactive to July 1, 2021 payable in installments at the same time as other employees of the EMPLOYER are paid.

Furthermore, Effective July 1, 2022, EMPLOYER agrees to pay EMPLOYEE for his services rendered pursuant to Contract dated March 28, 1996, an annual base salary of One Hundred Ninety-Three Thousand, Two Hundred Eighteen Dollars and No cents (\$193,218) payable in installments at the same time as other employees of the EMPLOYER are paid.

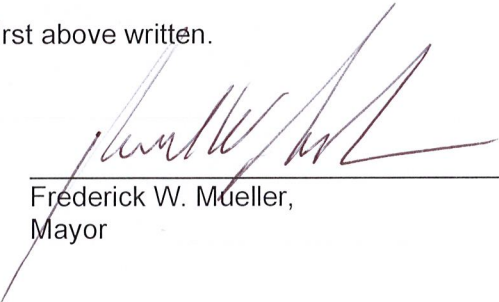
2. That Section 6 of said Contract is also amended to include the following:

EMPLOYER agrees to pay EMPLOYEE Twenty-Five Thousand Dollars and No cents (\$25,000) to employee's 457b deferred compensation account each year on a calendar year basis (January-December) retroactive to January 1, 2022.

3. That except as otherwise modified herein, the remaining terms and conditions contained in the Contract dated March 28, 1996 and amendments thereto shall remain in full force and effect.

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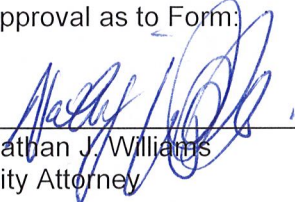
EXECUTED on the day and year first above written.



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Frederick W. Mueller,  
Mayor

Approval as to Form:



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Nathan J. Williams  
City Attorney

Attest:



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Jill Adams  
City Clerk



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Charles P. Potucek

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