

**AN ORDINANCE 2016-02-18-0114
AMENDING THE CITY MANAGER EMPLOYMENT AGREEMENT**

* * * * *

WHEREAS, the City Council has determined that the City Manager's contract should be amended; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager Employment Agreement as executed on September 28, 2005 and subsequently amended by ordinances on December 6, 2007, December 11, 2008, December 15, 2011, and December 5, 2013 is amended effective February 18, 2016.

SECTION 2. The Fifth Amendment to the City Manager Agreement which details the changes to the employment agreement is attached as Exhibit A. All other provisions of the City Manager Employment Agreement shall be extended and remain in full force and effect.

SECTION 3. The Mayor is authorized to execute an amendment to the City Manager Employment Agreement reflecting these changes.

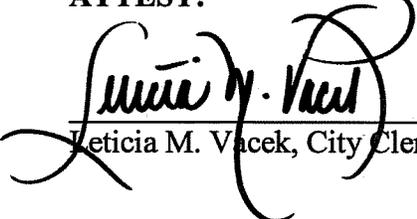
SECTION 4. The Director of Finance is directed to identify the source of funds and to perform the actions necessary to carry out the purpose and obligations of this Ordinance.

SECTION 5. This ordinance shall take effect immediately upon passage of eight affirmative votes.

PASSED AND APPROVED this 18th day of February, 2016.

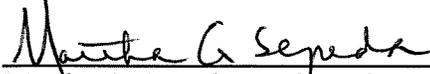

M A Y O R
Ivy R. Taylor

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



Martha G. Sepeda, Acting City Attorney

Agenda Item:	29						
Date:	02/18/2016						
Time:	03:05:24 PM						
Vote Type:	Other: Postpone Performance bonus for 3-15-16						
Description:	An Ordinance approving an amendment to the City Manager's employment agreement. [Martha G. Sepeda, Acting City Attorney]						
Result:	Failed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor			x			
Roberto C. Treviño	District 1			x			
Alan Warrick	District 2		x				
Rebecca Viagran	District 3			x			
Rey Saldaña	District 4			x			
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				x
Cris Medina	District 7		x			x	
Ron Nirenberg	District 8			x			
Joe Krier	District 9			x			
Michael Gallagher	District 10			x			

Agenda Item:	29						
Date:	02/18/2016						
Time:	03:05:43 PM						
Vote Type:	Motion to Approve						
Description:	An Ordinance approving an amendment to the City Manager's employment agreement. [Martha G. Sepeda, Acting City Attorney]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x				
Alan Warrick	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5			x			
Ray Lopez	District 6			x			
Cris Medina	District 7			x			
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				x
Michael Gallagher	District 10		x			x	

FIFTH AMENDMENT TO CITY MANAGER EMPLOYMENT AGREEMENT

This Fifth Amendment to the City Manager Employment Agreement dated September 28, 2005 (101324), as amended by ordinances dated December 6, 2007 (2007-12-06-1265), December 11, 2008 (2008-12-11-1177), December 15, 2011 (2011-12-15-1055) and December 5, 2013 (2013-12-05-0858), is entered into by the City of San Antonio and Sheryl Sculley, City Manager, and is authorized by Ordinance No. 2016-02-18-0114, approved February 18, 2016 (collectively, the "Agreement"). All defined terms in the Agreement have the same meanings here.

1. Paragraph 2. Compensation is amended by adding the following provisions inserted before the last sentence of the paragraph:

“Effective February 18, 2016 the Manager's annual base salary shall be \$425,000; effective January 1, 2017, the Manager's annual base salary shall be \$450,000, and effective January 1, 2018, the Manager's annual base salary shall be \$475,000.”

2. Paragraph 5. Termination – Severance Pay is amended by adding the following provisions before the last sentence of paragraph 5a:

“If involuntary termination occurs during the calendar year 2016 or thereafter, there shall be paid 12 months of her then current base salary.”

3. Paragraph 6. Performance Evaluation is revised by adding the following provision to the end of that paragraph:

“For purposes of performance pay in Paragraph 10, the Mayor and Manager will jointly develop agreed to metrics by March 15, 2016 and may use these to provide additional feedback on her performance.”

4. Paragraph 10. Participation in Texas Municipal Retirement System and Deferred Compensation Plan is revised by adding the following provisions before the last sentence of that paragraph:

“Effective February 18, 2016 and pursuant to the 2013 amended contract, the City shall pay retention incentive pay of \$65,000 in recognition of Manager’s performance and accomplishments in 2015 and her continued commitment to the City. Effective January 15, 2017, and in addition to base salary, the City shall annually pay the Manager up to \$100,000 in performance pay subject to City Council review based upon the metrics under paragraph 6 or another agreed upon determination of performance pay.”

5. All other provisions of the Agreement shall be extended and remain in full force and effect.

6. It is the intention of the parties to negotiate additional terms of this contract on or before December 31, 2018.

Executed this 18th day of February, 2016.

Employer:
City of San Antonio, Texas

By: Ivy R. Taylor
Ivy Taylor
Mayor

Manager: Sheryl Sculley
Sheryl Sculley
City Manager

ATTEST:

Leticia M. Vacek
Leticia M. Vacek
City Clerk

Approved as to form:

Martha G. Sepeda
Martha G. Sepeda
Acting City Attorney