



City of Broken Arrow

Request for Action

File #: 16-1198, Version: 1

**Broken Arrow City Council
Meeting of: October 4, 2016**

**To: Mayor and City Council
From: Office of the City Attorney**

Title: Consideration, discussion, and possible approval of and authorization to execute a Second Amendment to the 2015 Employment Agreement, as amended between the City of Broken Arrow, Oklahoma and Michael L. Spurgeon

Background:

On July 21, 2015, the City Council appointed Michael L. Spurgeon to be the City's City Manager. A six-month employment review was conducted by the City Council on May 3, 2016, pursuant to the Employment Agreement entered into by and between the City and Mr. Spurgeon. Said Agreement was amended on June 7, 2016 to reflect the performance review.

The Agreement provides merit consideration for salary increases at least once each year of employment. Such increases can be given based upon satisfactory or better performance during each year of employment. Increases may be in the form of salary increases or bonuses. On September 20, 2016, the City Council conducted a yearly performance review of Mr. Spurgeon and has directed the City Attorney to amend the Agreement to provide for such increases.

The attached Second Amended Employment Agreement provides that the City shall increase Spurgeon's base salary by 2.5 % effective September 21, 2016. Said contributions shall be payable in equal installments, on each regularly scheduled payroll date.

In addition, the City shall increase Spurgeon's base salary by 3% effective January 1, 2017. Said contributions shall be payable in equal installments, on each regularly scheduled payroll date.

Furthermore, the City shall pay Spurgeon a one-time stipend. Such stipend will be 2% of his base salary, for the Fiscal Year of 2017.

The Second Amendment is presented for the Council's consideration. Mr. Spurgeon has indicated that the terms reflected within the Agreement are satisfactory.

Cost: 2.5% increase to Mr. Spurgeon's base salary effective September 21, 2016, 3% increase to Mr. Spurgeon's base salary effective January 1, 2017, and a one-time 2% stipend of Mr. Spurgeon's salary for the Fiscal Year 2017.

Prepared By: Beth Anne Wilkening, City Attorney

Reviewed By: Assistant City Manager

Approved By: Michael L. Spurgeon, City Manager

Attachments: Second Amendment to Employment Agreement

Recommendation:

Approve the Second Amendment to the 2015 Employment Agreement and authorize its execution.