

**RESOLUTION NO. 14-064**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE AUTHORIZING THE EXECUTION OF A CONTRACT WITH THOMAS FRUTCHEY, CITY MANAGER**

**FINDINGS**

1. City desires to continue its employment of Thomas Frutchey as City Manager of the City of Pacific Grove.
2. The City Council (Council), desires to provide certain benefits, to establish certain terms and conditions of employment, and to set working conditions of said Employee to provide inducement for him to remain in such employment.
3. The Agreement authorized by this Resolution shall continue the employment of Thomas Frutchey as City Manager, and to revise and amend terms and conditions of his employment.
4. An original employment agreement was entered into between the City of Pacific Grove and Thomas Frutchey with an effective date of September 9, 2009. Agreement authorized by this Resolution shall supersede that document.
5. The functions, duties and prerogatives of the City Manager are specified in Article 19 of the Pacific Grove City Charter and in Chapter 2.06 of the Pacific Grove Municipal Code. The provisions of the City Charter and Chapter 2.06 of the Municipal Code control should any conflict exist pertaining to either this Resolution or the Agreement that it authorizes.
6. The City Manager shall continue to serve at the pleasure of the City Council and this Resolution shall not be construed to suggest or provide guaranteed tenure.
7. This action does not constitute a “project” as defined by California Environmental Quality Act (CEQA) because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE:**

SECTION 1. The foregoing recitals are adopted as findings of the City Council as though set forth fully herein.

SECTION 2. The Mayor is authorized and directed to execute that contract known as City Manager Employment Agreement Between The City Of Pacific Grove And Thomas Frutchey, as set forth in Exhibit A to this Resolution.

SECTION 3. This resolution shall take effect immediately following passage and adoption.

**PASSED AND ADOPTED** BY THE COUNCIL OF THE CITY OF PACIFIC GROVE this 1<sup>st</sup> Day of October, 2014, by the following vote:

AYES: Mayor Kampe, Councilmembers Cohen, Cuneo, Fischer, Huitt, Lucius

NOES: Miller

ABSENT:

APPROVED:

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BILL KAMPE, Mayor

ATTEST:

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ANNE CAMEL, City Clerk

APPROVED AS TO FORM:

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DAVID C. LAREDO, City Attorney