

REQUEST FOR COUNCIL ACTION

SUBJECT: TO DISCUSS A POSSIBLE RESOLUTION FOR AN AGREEMENT BETWEEN THE CITY OF WEST JORDAN AND BRYCE K HADERLIE TO SERVE AS THE INTERIM CITY MANAGER AND/OR ASSISTANT CITY MANAGER FOR THE CITY OF WEST JORDAN

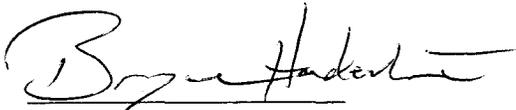
SUMMARY: TO ESTABLISH THE TERMS OF EMPLOYMENT FOR BRYCE K HADERLIE GOING FORWARD

FISCAL IMPACT: Approximately \$44,000 annually

STAFF RECOMMENDATION: To approve the proposed resolution.

MOTION RECOMMENDED:

Prepared by:


Bryce Haderlie
Interim City Manager

BACKGROUND: When I was asked to serve as the Interim City Manager in August of 2014 I voluntarily agreed to work the remainder of the budget year for the same wage I was making as Assistant City Manager. As a minimum, this would have been a 5% increase or \$5,500. With the start of the new budget year, I am requesting consideration for the proposed agreement to ensure a wage commensurate with cities of similar size and complexity and in correlation with the duties that I am performing on a regular basis.

I do not consider this to be a contract in the sense that I will be subject to the standard wage increases and benefits provided to other administrative employees. I have included some conditions that protect my vacation and executive leave if the employment situation prevents me from taking time off as has been the case during the past 11 months.

I have enjoyed my employment with the City of West Jordan and desire to continue it into the future. I consider the opportunity to serve you as the Council, the staff, and the citizens of the City an honor and a responsibility that I take very seriously. Your consideration into this matter is greatly appreciated.

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST JORDAN UTAH, ADOPTING AN AGREEMENT WITH BRYCE K HADERLIE TO SERVE AS THE INTERIM CITY MANAGER AND/OR ASSISTANT CITY MANAGER FOR THE CITY OF WEST JORDAN.

This Agreement made and entered into this 8th day of July, 2015 by and between the City of West Jordan (City), Utah and Bryce K Haderlie (Employee).

WHEREAS, the City Council wishes to continue to employ Bryce K Haderlie as the Interim City Manager and/or Assistant City Manager in accordance with the laws and ordinances of the City of West Jordan and State of Utah; and

WHEREAS, Bryce K Haderlie wishes to maintain appointment in the position of the Interim City Manager and/or Assistant City Manager of the City of West Jordan.

NOW, THEREFORE, the parties have entered into and executed this Agreement as follows:

1. Duties. As the Interim City Manager, Bryce K Haderlie shall fulfill all of the responsibilities of the City Manager position in accordance with laws and ordinance of the City of West Jordan and the State of Utah.

Should the City fill the City Manager position with someone other than the Employee, Bryce K Haderlie shall resume the responsibilities of the Assistant City Manager and Director of Administrative Services in accordance with the laws and ordinances of the City of West Jordan and the State of Utah.

2. Term. The term and removal of the Employee shall be in accordance with the City Ordinances and as follows:

(a) Should Employee be terminated by the City without cause, the City agrees to pay Employee a lump sum cash payment equal to six (6) months aggregate salary, health insurance and retirement benefits. Should Employee be terminated with cause, Employee shall be entitled to no severance pay. Termination for cause shall mean that the basis for removal may not be arbitrary, must be supported by substantial grounds, and an affirmative vote of a super-majority of the Council.

3. Salary. The City agrees to pay Employee for his services rendered pursuant hereto an annual base salary of \$140,000 payable in bi-weekly installments at the same time and manner as other employees of the City are paid. The City agrees to review the Employees salary and other benefits of employment consistent with the full-time administrative employees of the City.

4. Dues, Subscriptions and Professional Associations and Expenses. The City agrees to pay for membership expenses of the Employee in the International City

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Manager Association and for such other professional dues and subscriptions as may be approved by the City Council.

5. Insurance, Leave, and Benefits. The Employee shall be entitled to and receive insurance, leave, and benefits as provided for all other full-time employees of the City including Executive Leave as provided for executive employees. Vacation or Executive Leave that the employee is unable to use by the end of the calendar year due to employment demands beyond the Employees control shall be paid to the Employee down to the maximum amount allowed to be carried over at the end of the calendar year.

10. Expenses. The City recognizes certain expenses of a non-personal and job associated nature incurred by Employee and hereby agrees to reimburse Employee upon submission of an expense voucher, receipt, or statement submitted to and approved by the Finance Department.

11. Voluntary Resignation. In the event the Employee voluntarily resigns his position with the City, he shall give the City thirty (30) days prior written notice unless mutually agreed upon by both parties.

12. Motor Vehicle Reimbursement. The City shall provide the Employee with a motor vehicle reimbursement payment as provided for other executive employees of the City or a motor vehicle to be used for transportation related to Employee's job duties and responsibilities as provided for by City policy.

13. Litigation/Attorney's Fees/Disputes. If the City Council prevails in any litigation arising from this contract, the Employee will be responsible for attorney's fees incurred in any forum. The forum for any dispute shall be by arbitration with the American Arbitration Association.

14. Indemnification. The City shall defend, hold harmless and indemnify Employee against any tort, professional liability claim, or damage or other legal action, whether groundless or otherwise arising out of an alleged act or omission occurring in the performance of Employee's duties as such. The City may compromise and settle, without the consent of the Employee, if the City feels it is in their best interest or they may go to judgment and, in either case, will pay any settlement or judgment.

It is the understanding of the parties hereto that this Agreement is the sole agreement between the parties. No other agreements, oral or written, otherwise exist. Adopted and made effective by the City Council of West Jordan, Utah this ___th Day of July, 2015.

Mayor Kim V. Rolfe

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ATTEST:

Melanie S. Briggs
City Recorder

Voting by the City Council:

"AYE"

"NAY"

Jeff Haaga
Judy Hansen
Chris McConnehey
Chad Nichols
Sophie Rice
Ben Southworth
Mayor Kim V. Rolfe

_____	_____
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_____	_____

Bryce K Haderlie, Employee

Job # 100 - ASSISTANT CITY/COUNTY MANAGER /ADMINISTRATOR

Entity	Preferred Title	Reports To	As Of	H/Y/Y	<=>	Fisa	Resp	#Rpts	Inc	Min	Mid	Max	Low	High	Avg	Bent\$	Bent%	TCV	Updated
WEST VALLEY	ASSISTANT CITY MANAGER	CITY MANAGER	Jul-14	2080	>	Y	81	8	1	\$108,874	\$135,666	\$161,458	\$149,990	\$149,930	\$149,930	\$11,908	19.92%	\$191,704	9/11/2014
RIVERTON	Assistant City Manager/Economic Development Director	City Manager	Jul-14	2080	>	Y	10	7	1	\$108,533	\$135,666	\$162,789	\$142,055	\$142,055	\$142,055	\$19,482	23.51%	\$184,934	10/10/2014
MIDVALE	Assistant City Manager/Director	City Manager	Jan-15	2080	=	Y	25	0	2	\$84,510	\$110,052	\$135,595	\$133,846	\$133,846	\$133,846	\$17,237	25.29%	\$184,935	1/6/2015
LAYTON	ASSIST CITY MANAGER /ADMIN	CITY MANAGER	Jul-14	2080	>	Y	18	5	1	\$85,282	\$106,578	\$127,893	\$127,893	\$127,893	\$127,893	\$11,076	26.74%	\$173,162	8/8/2014
SANDY	ASSISTANT CHIEF ADMINISTRATIVE OFFICER - 2018	CHIEF ADMINISTRATIVE OFFICER	Jul-14	2080	=	Y	79	6	2	\$84,094	\$105,123	\$126,152	\$119,870	\$130,520	\$125,195	\$15,109	20.45%	\$165,906	8/19/2014
WEST JORDAN	ASSISTANT CITY MANAGER		Oct-14	2080	=	N	0	0	1	\$89,154	\$120,120	\$141,086	\$110,510	\$110,510	\$110,510	\$17,020	27.57%	\$157,998	10/21/2014
LEHI	ASSISTANT CITY ADMINISTRATOR	City Manager	Feb-15	2080	=	Y	0	0	2	\$80,286	\$110,600	\$130,914	\$100,976	\$100,976	\$100,976	\$16,034	26.80%	\$143,872	9/22/2014
SOUTH JORDAN	Chief of Staff/Strategic Services Director	City Manager	Jul-14	2080	=	Y	0	0	1	\$77,813	\$83,998	\$110,182	\$86,041	\$103,535	\$100,188	\$25,831	26.73%	\$152,799	2/25/2015
OREM	ASSISTANT CITY MANAGER	CITY MANAGER	Jul-14	2080	=	Y	8	5	1	\$87,355	\$109,194	\$131,033	\$99,000	\$99,000	\$99,000	\$14,959	25.92%	\$138,630	8/20/2014

Average

\$91,876 \$114,111 \$136,348 \$120,103 \$122,030 \$121,066 \$18,518 24.75% \$187,216

Job # 128 - CITY/COUNTY MANAGER

6/27/2015

Range

Actual

Entity	Preferred Title	Reports To	As Of	H/Y/Y	<=>	Fisa	Resp	#Rpts	Inc	Min	Mid	Max	Low	High	Avg	Bent\$	Bent%	TCV	Updated
WEST VALLEY	CITY MANAGER	COUNCIL/MAYOR	Jul-14	2080	=	Y	909	14	1	\$0	\$0	\$0	\$187,056	\$187,056	\$187,056	\$11,908	19.92%	\$236,228	9/11/2014
LAYTON	CITY MANAGER	MAYOR/COUNCIL	Jul-14	2080	=	Y	339	9	1	\$88,632	\$128,710	\$170,787	\$170,787	\$170,787	\$170,787	\$11,076	26.74%	\$227,524	8/8/2014
SANDY	CHIEF ADMINISTRATIVE OFFICER - 2010	MAYOR	Jul-14	2080	=	Y	410	11	1	\$111,898	\$134,160	\$156,624	\$163,634	\$163,634	\$163,634	\$15,109	20.45%	\$212,206	8/20/2014
RIVERTON	CITY MANAGER	MAYOR / COUNCIL	Jul-14	2080	=	Y	100	8	1	\$125,414	\$150,768	\$188,122	\$157,438	\$157,438	\$157,438	\$19,482	23.51%	\$213,934	10/10/2014
ST. GEORGE	City Manager	Mayor	Dec-14	2080	=	N	0	0	1	\$123,490	\$138,926	\$154,362	\$153,980	\$153,980	\$153,980	\$10,101	26.32%	\$207,889	1/9/2015
MIDVALE	CITY MANAGER	MAYOR/CITY COUNCIL	Jan-15	2080	=	Y	77	10	1	\$89,992	\$124,946	\$153,899	\$151,902	\$151,902	\$151,902	\$17,237	25.29%	\$207,555	1/6/2015
SOUTH JORDAN	CITY MANAGER	MAYOR/CITY COUNCIL	Jul-14	2080	=	Y	308	4	1	\$0	\$0	\$0	\$146,292	\$146,292	\$146,292	\$25,831	26.73%	\$211,227	8/28/2014
WEST JORDAN			Jul-14	2080	=	N	0	0	0	\$0	\$0	\$0	\$144,664	\$144,664	\$144,664	\$17,020	27.57%	\$201,568	11/25/2014
OGDEN	CHIEF ADMINISTRATIVE OFFICER	MAYOR	Jul-14	2080	=	Y	595	7	1	\$126,240	\$133,714	\$142,188	\$142,188	\$142,188	\$142,188	\$18,494	28.17%	\$198,736	9/8/2014
OREM	CITY MANAGER	MAYOR and CITY COUNCIL	Jul-14	2080	=	Y	770	10	1	\$102,502	\$128,127	\$153,732	\$140,000	\$140,000	\$140,000	\$14,969	25.92%	\$191,257	8/20/2014
PROVO	CHIEF ADMINISTRATIVE OFFICER	MAYOR	Aug-13	2080	=	Y	850	8	1	\$77,901	\$107,892	\$137,884	\$137,884	\$137,884	\$137,884	\$13,733	28.25%	\$190,576	8/28/2014
LEHI	CITY ADMINISTRATOR	Mayor and Council	Jul-14	2080	=	N	0	0	1	\$97,580	\$119,511	\$141,462	\$137,254	\$137,254	\$137,254	\$16,034	26.80%	\$189,797	9/22/2014
TRAYNSVILLE	CITY ADMINISTRATOR	MAYOR	Jul-14	2080	=	Y	29	5	1	\$109,902	\$134,193	\$163,573	\$123,573	\$123,573	\$123,573	\$13,277	28.72%	\$169,866	9/9/2014
MURRAY	CHIEF ADMINISTRATIVE OFFICER - GRADE 32	MAYOR	Jul-14	2080	=	Y	0	0	1	\$83,990	\$104,978	\$125,965	\$94,598	\$94,598	\$94,598	\$15,966	30.32%	\$138,146	8/8/2014

Average

\$101,457 \$128,148 \$150,840 \$146,518 \$146,518 \$146,518 \$15,581 26.04% \$199,908