

RESOLUTION NO. 1865

A RESOLUTION EXTENDING THE CITY ADMINISTRATOR'S CONTRACT FOR A PERIOD OF THREE (3) MONTHS (FROM MARCH 28, 2007 TO JUNE 30, 2007).

THE TROUTDALE CITY COUNCIL FINDS AS FOLLOWS:

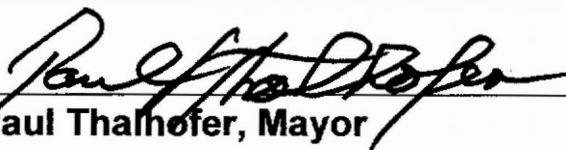
1. The Employment Agreement (Agreement) between John Anderson (the City's current City Administrator) and the City of Troutdale (City) provides (under Section 2A of the Agreement) that unless notice is given by the City to Mr. Anderson concerning the Agreement's extension or termination prior to March 28, 2007, it is automatically extended for a period of one (1) year to March 29, 2008.
2. The City Council has hired the University of Oregon to prepare a report to Council that will be useful to the Council in evaluating the job performance of the City Administrator which report will not be available for the City Council's use and review until mid-March, 2007. That report is believed by the Council to be an important element to any effective performance evaluation of Mr. Anderson.
3. The Council does not believe it has adequate time to conduct an appropriate review of the City Administrator's performance, complete a review of the aforementioned report and then enter into discussions with the City Administrator concerning an extension (if any) of his employment agreement with the City by March 28, 2007 so as to avoid the automatic one year extension.
4. Mr. Anderson has expressed a willingness to agree to an amendment to his employment agreement extending the term thereof by three months (i.e., until June 30, 2007) to allow the Council the opportunity to complete its review of his performance and to then determine whether the City will offer him a new employment agreement.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROUTDALE:

- Section 1. The Council hereby authorizes the Mayor to sign an amendment to the "City of Troutdale City Administrator Employment Agreement" (dated February 24, 2004) (Agreement) on behalf of the City extending the Agreement for a period of three months until June 30, 2007.


Section 2. This Resolution is and shall be effective from and after its passage by the Council.

YEAS: 7
NAYS: 0
ABSTAINED: 0



Paul Thalhofer, Mayor

Date March 14, 2007



Debbie Stickney, City Recorder

Adopted: March 13, 2007

AMENDMENT No. 1
To
City of Troutdale // City Administrator
Employment Agreement

This Amendment No. 1 is made and entered this 21st day of March, 2007 by and between the City of Troutdale, Oregon ("City") and John K. Anderson ("Administrator") to the Employment Agreement ("Agreement") entered into between City and Administrator on February 27, 2004.

WHEREAS, Subsection 2(A) of the Agreement provides for automatic one (1) year renewals in the event neither City nor Administrator give appropriate and timely notice of their intent to terminate the Agreement;

WHEREAS, in order to avoid the automatic one (1) year extension for the Agreement's current term ("Initial Term"), notice of intent to terminate by either City or Administrator has to be given the other party not later than March 28, 2007;

WHEREAS, both City and Administrator wish to extend the Initial Term for a three (3) month period - until June 30, 2007 - without prejudicing their respective rights to terminate the Agreement;

WHEREAS, the City Council authorized Mayor Paul Thalhofer to execute an Amendment to the Agreement reflecting an extension on behalf of the City via Resolution No. 1865.

NOW THEREFORE, City and Administrator agree as follows:

1. Subsection 2A of the Agreement is hereby amended to read as follows:

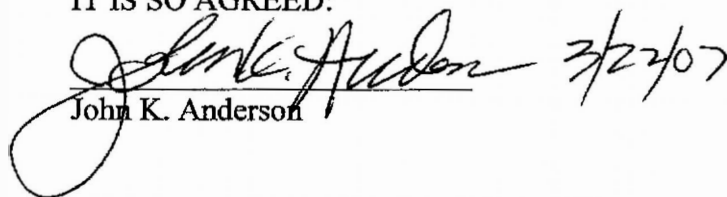
A. This Agreement shall be effective as of March 29, 2004, and shall continue in effect until ~~March 29, 2007~~ **June 30, 2007**, unless terminated pursuant to this section, or sections 3 or 4. In the event either party does not give written notice to this Agreement by ~~March 28, 2007~~ **June 29, 2007**, this Agreement shall be extended ~~for an additional period of one(1) year~~ until March 29, 2008. Thereafter, the Agreement will continue for one (1) year periods unless either party gives thirty (30) days written notice to the other party that the party does not wish to extend this Agreement for an additional term.

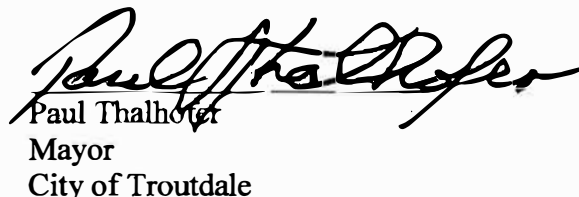
~~Deleted language~~

Added language

2. All other provisions of the Agreement remain as set out therein.

IT IS SO AGREED:


John K. Anderson 3/27/07


Paul Thalhofer
Mayor
City of Troutdale