

RESOLUTION NO. 1698

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON AUTHORIZING THE MAYOR TO EXECUTE A SECOND AMENDMENT TO THE EMPLOYMENT AGREEMENT WITH SUBIR MUKERJEE REGARDING THE CITY MANAGER POSITION

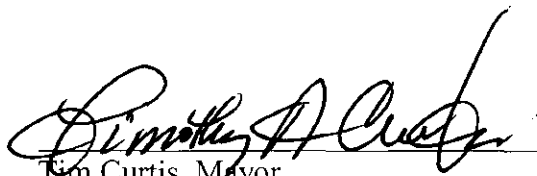
WHEREAS, Mr. Subir Mukerjee serves as the City Manager pursuant to the terms of an agreement dated January 13, 2015 entitled "Employment Agreement Between City of Fife and Subir Mukerjee Regarding City Manager Position (the "Agreement"); and

WHEREAS, in the Agreement the Council agreed to re-evaluate Mr. Mukerjee's starting salary in November, 2015;


WHEREAS, Mr. Mukerjee has done an excellent job in managing the City, furthering the City Council's goals of open and transparent government, while developing a management team that is professional and responsive to the needs of the citizens and businesses, as well as to the City Council's policy directives, now, therefore

BE IT RESOLVED that the Fife City Council hereby authorizes the Mayor, on behalf of the City of Fife, to execute the Second Amendment Subir Mukerjee's Employment Agreement, in the form attached hereto as Exhibit A, and to sign on behalf of the Fife City Council the original of the letter to Subir Mukerjee, attached hereto as Exhibit B.

ADOPTED by the City Council at an open public meeting held on the December 8, 2015.


Tim Curtis, Mayor

Attest:


Carol Etgen, City Clerk

SECOND AMENDMENT
TO
EMPLOYMENT AGREEMENT
BETWEEN
CITY OF FIFE AND SUBIR MUKERJEE
REGARDING CITY MANAGER POSITION

1. Date and Parties. This document ("Second Amendment"), for reference purposes only, is dated the 8th day of December, 2015, and is entered into between the City of Fife, a Washington municipal corporation ("City") and Subir Mukerjee, ("Mr. Mukerjee").

2. Background and Purpose. Mr. Mukerjee was appointed to the position of City Manager on January 13, 2015, and the City and Mr. Mukerjee executed a document dated January 13, 2015 that is entitled "Employment Agreement between City of Fife and Subir Mukerjee Regarding City Manager Position", said agreement being referred to herein as the "Agreement". This Second Amendment is intended to adjust Mr. Mukerjee's salary after the November, 2015 salary review, as authorized, by Agreement paragraph 6.3.

3. Adjustment to Base Salary. Commencing January 1, 2016, Mr. Mukerjee's base salary shall be thirteen thousand two hundred dollars (\$13,200.00) per month.

4. Confirmation of Agreement Terms. Except as modified by the First Amendment and this Second Amendment, the Agreement terms remain in full force and effect. This Second Amendment, the First Amendment and the Agreement are now an integrated document. In case of a conflict between the terms of the Agreement and the terms of the Second Amendment, the terms of the Second Amendment shall control.

5. Mayor Authorization to Sign. On December 8, 2015, at a regularly scheduled open public meeting, the City Council authorized the Mayor to sign this Second Amendment.

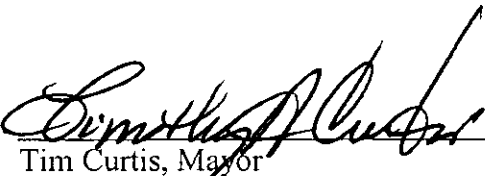
6. Review by Legal Counsel. Mr. Mukerjee represents and acknowledges that he has read this document in its entirety and has had ample time to consider it before signing. He further represents and acknowledges that it is his understanding that this document has been reviewed and approved by the City Attorney on behalf of the City only, and not on behalf of Mr. Mukerjee. By virtue of this passage, he further acknowledges that he has been advised that he has the right to consult independent counsel concerning this document, and that by signing this document he

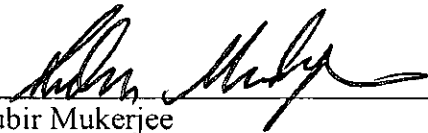

City


Mukerjee

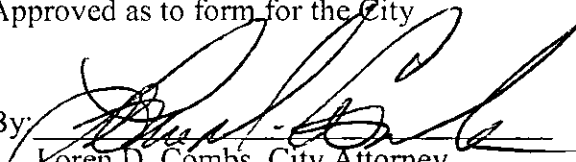
acknowledges that he has afforded himself of the opportunity to do so, or hereby expressly waives his right to have the document reviewed by independent legal counsel, and agrees to the terms hereof by signing the same.

CITY OF FIFE

By: 
Tim Curtis, Mayor

By: 
Subir Mukerjee

Approved as to form for the City

By: 
Loren D. Combs, City Attorney