

**Resolution No. 2024-XXX N.C.S.
of the City of Petaluma, California**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PETALUMA APPROVING A THIRD AMENDED AND RESTATED EMPLOYMENT AGREEMENT FOR AT-WILL EMPLOYMENT OF CITY MANAGER AND AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT ON BEHALF OF THE CITY

WHEREAS, since January 28, 2019, Peggy Flynn has served as the City Manager of the City of Petaluma; and

WHEREAS, Ms. Flynn’s salary, benefits, and conditions of employment are documented in an Agreement for At-Will Employment of the City Manager; and

WHEREAS, on December 19, 2022, the City Council approved an Amended and Restated Agreement for At-Will Employment with Ms. Flynn by a 7-0 vote; and

WHEREAS, the City Council recently completed a performance evaluation for Ms. Flynn and Section 7 of the Agreement permits salary adjustments to her salary from time to time; and

WHEREAS, it is the desire of the Petaluma City Council, as the governing board of the City, to adjust Ms. Flynn’s base salary and amend her vacation payout benefit; and

WHEREAS, Exhibit A to this Resolution is a Third Amended and Restated Employment Agreement for At-Will Employment of City Manager; and

WHEREAS, the Third Amended and Restated Agreement reflects an updated salary of \$291,000 annually, amends her vacation payout benefit, and cleans up other miscellaneous benefit language; and

WHEREAS, the proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15378(b)(4), in that, approving this action does not meet CEQA's definition of a “project,” because the action does not have the potential for resulting either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, and because this is a personnel-related action that constitutes organizational or administrative activities of governments 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 Petaluma as follows:

1. Declares the above recitals to be true and correct and are incorporated into this resolution as findings of the City Council.
2. Finds that the proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15378(b)(4), in that, approving this action does not meet CEQA's definition of a “project,” because the action does not have the potential for resulting either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment, and because this is a personnel-related action that constitutes organizational or administrative

activities of governments that will not result in direct or indirect physical changes in the environment.

3. The Third Amended and Restated Employment Agreement for At-Will Employment of the City Manager attached to and made a part of the resolution as Exhibit A is hereby approved.
4. The Mayor is hereby authorized and directed to execute on behalf of the City the Third Amended and Restated Employment Agreement for At-Will Employment of the City Manager with Peggy Flynn that is substantially in accordance with that attached to this resolution as Exhibit A.

Under the power and authority conferred upon this Council by the Charter of said City.

REFERENCE:

I hereby certify the foregoing Resolution was introduced and adopted by the Council of the City of Petaluma at a Regular meeting on the 8th day of April 2024, by the following vote:

Approved as to
form:

City Attorney

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

City Clerk

Mayor