

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2140.10

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, EXTENDING THE DURATION OF THE TOWN MANAGER'S EMPLOYMENT AGREEMENT WITH THE TOWN AND MODIFYING CERTAIN TERMS OF SAID AGREEMENT; AUTHORIZING THE TOWN ATTORNEY TO TAKE ALL STEPS NECESSARY TO MODIFY THE EMPLOYMENT AGREEMENT TO IMPLEMENT THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, Alexander Diaz is employed by the Town of Golden Beach (the "Town") as Town Manager pursuant to an Employment Agreement dated May 15, 2007, as amended on February 5, 2008 (the "Agreement"); and

**WHEREAS**, the Town Council desires to extend the duration of the Agreement and modify certain terms of the Agreement as set forth in the Term Sheet attached hereto as Exhibit "A."

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:**

**Section 1. Recitals Adopted.** Each of the above stated recitals are hereby adopted, confirmed and incorporated herein.

**Section 2. Approval.** The Town Council hereby approves extending the duration of the Agreement and modifying certain terms of the Agreement as set forth in the Term Sheet attached hereto as Exhibit "A."

**Section 3. Authorization.** The Town Council hereby authorizes the Town Attorney to take all steps necessary to modify the Agreement to implement this Resolution.

**Section 4. Effective Date.** This Resolution shall be effective immediately upon adoption.

The Motion to adopt the foregoing resolution was offered by Councilmember Lusskin, seconded by Councilmember Bernstein and on roll call the following vote ensued:

Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Bernard Einstein	<u>Aye</u>
Councilmember Kenneth Bernstein	<u>Aye</u>
Councilmember Judy Lusskin	<u>Aye</u>
Councilmember Amy Rojas	<u>Aye</u>

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this 19<sup>th</sup> day of October, 2010.

  
\_\_\_\_\_  
MAYOR GLENN SINGER

ATTEST:

  
\_\_\_\_\_  
LISSETTE PEREZ  
INTERIM TOWN CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
STEPHEN J. HELFMAN  
TOWN ATTORNEY

**EXHIBIT A**

**Town of Golden Beach/Town Manager  
Term Sheet**

**EMPLOYMENT TERMS**

**DURATION:** 3 years

**COMPENSATION**

**ANNUAL SALARY:** No salary increase for the first year of the contract February 1, 2011; salary will remain \$155,405.00;

For February 1, 2012 and February 2, 2013 the Town Council agrees to determine any adjustments in annual salary and/or benefits, based upon performance, at least once annually, during the Town's annual Budget Process (September 2011 and September 2012).

**BONUS:** At the discretion of the Mayor and Council, up to \$20,000.00/year determined and paid at Towns year end; on or before September 30<sup>th</sup> of each year.

**401(k) & 457:** The Town shall deposit the maximum IRS contribution allowed into your account with the International City Manager Association Pension Fund (401(k) Deferred Compensation Fund)

The Town shall make an annual contribution to your 457 Deferred Compensation Fund account with the International City Manager Association Pension Fund in the amount of \$7,700.00.

**BENEFITS**

**VACATION:** 160 hours/year

**ADMINISTRATIVE LEAVE:** At the discretion of the Mayor and Council, up to 40 hours/year

**HEALTH & LIFE INSURANCE:** Health, dental and vision provided to Town Manager at Town's expense at a current annual rate of \$6,001.56, \$486.24, and \$53.52 respectively which is adjusted on an annual basis based on premium costs. Additionally life insurance shall be provided at 1 x salary (or \$155,405.00 currently).

**AUTO ALLOWANCE:**

The Town Manager's auto allowance remains unchanged at an annual rate of \$13,343.20.

**DISABILITY:**

Short-term and long-term disability policies will be provided at 66% of salary during period of disability.

**DEFERRED  
COMPENSATION:**

Town contributes \$8,000.00/year.

**SEVERANCE PAY:**

If the Town terminates you without cause:

- 6 months pay if terminated during first year of contract;
- 9 months pay if terminated in second year of contract;
- 12 months pay if terminated in third year of contract.