

**SECOND AMENDMENT TO
EMPLOYMENT AGREEMENT OF JULY 22, 2013**

CITY MANAGER, CITY OF CARPINTERIA

THIS SECOND AMENDMENT TO EMPLOYMENT AGREEMENT is made and entered into this 22ND DAY OF JUNE, 2015 by and between **THE CITY OF CARPINTERIA** ("City") and **DAVE DURFLINGER** ("Employee") at Carpinteria, California, with reference to the following facts and intentions: This amendment will be effective July 1, 2015.

- A.** Employee serves as City Manager for City.
- B.** The City Manager is a part of the management group and receives the same retirement benefit, and the City Council wishes for recent changes made to retirement cost sharing and compensation to the conditions of employment for management employees to also be made a part of the City Manager contract.

NOW, THEREFORE, in consideration of the above Recitals and of the mutual promises and conditions of this Second Amendment, **IT IS AGREED** as follows:

- 1. Section 5 – Compensation. The following provisions of Section 5, Compensation, shall be amended to read as follows:
 - a. Salary - Employee shall be paid at the rate of Five Thousand Eight Hundred Twenty-Seven Dollars and Sixty-one Cents (\$5,827.61) bi-weekly, which equals to One Hundred Fifty One Thousand Five Hundred Seventeen Dollars and Ninety Cents (\$151,517.90) per year ("Base Salary").

All other provisions of Section 5, as amended, shall remain unchanged and in full force and effect

- 2. Section 6 – Benefits. The following provisions of Section 6, Benefits, shall be amended to read as follows:
 - f. Retirement - The City is a member of the Public Employees Retirement System (PERS) for the purpose of employee retirement benefits. Employee shall be eligible for coverage under PERS as provided under the existing contract between PERS and the City, and any subsequent amendments thereto, with the City paying the Employer contributions to PERS. Employee will be required to pay four and one-half percent (4.5%) of Employer contribution to PERS and Two and a half percent (2.50%) of the Employer Paid Member Contributions (EPMC) for a total of Seven percent (7.00%) of Employer and Employee contributions to PERS. In addition, the City shall report the value of Five percent (5.00%) of the normal member contributions as EPMC on earned compensation as

special compensation for Employee, as provided by Resolution No. 5564.

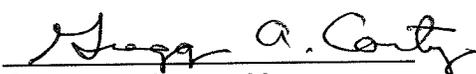
All other provisions of Section 6, as amended, shall remain unchanged and in full force and effect.

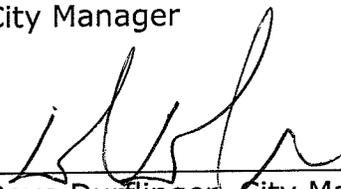
All other Sections of the Employment Agreement, as amended, shall remain unchanged and in full force and effect, with the understanding that the City Council will reevaluate the conditions of the contract no later than six months from the date of this amendment.

IN WITNESS WHEREOF, the parties hereto have executed this Second Amendment to the Employment Agreement of July 22, 2013, on the date first written above.

CITY
City of Carpinteria

EMPLOYEE
City Manager

By: 
Gregg A. Carty, Mayor


Dave Durlinger, City Manager

Date: 7-2-15

Date: 6/25/15

Approved as to form:


Peter Brown on behalf of
Brownstein Hyatt Farber Schreck, LLP
Acting as City Attorney of the City of Carpinteria

Date: 6/22/15