

AMENDMENT TO THE TERMS AND CONDITIONS OF EMPLOYMENT AGREEMENT

This Amendment ("Amendment") is made and entered into this 17th day of December 2024, by and between the City of Peoria ("City") and Henry R. Darwin ("City Manager").

RECITALS

WHEREAS, the Mayor and Council of the City have entered into a Terms and Conditions of Employment Agreement with the City Manager dated January 10, 2023, ("Agreement") for the provision of those duties and function of the City Manager, as provided under the Peoria City Charter and Code and in accordance with Arizona Revised Statutes, Section 9-271: and

WHEREAS, the City and the City Manager desire to amend the Agreement.

THEREFORE, in consideration of the covenants and conditions to be performed by the City Manager as set forth in the Agreement and in this Amendment dated December 17, 2024, the City and the City Manager agree to amend the Agreement as follows:

SECTION 4. Salary. Amendment to Section 4

SECTION 4. Salary shall be amended as follows:

The City agrees to pay the City Manager for his services rendered as City Manager an annual base salary of \$340,000, payable in installments at the same time as other employees of the City of Peoria, Arizona are paid.

SECTION 9. Other Benefits. Amendment to Section B

SECTION 9. Other Benefits shall be amended as follows:

B. 1. Vacation to be accrued at the rate of 240 hours per year. The maximum accrual shall be 480 hours as of January 1 each year. Any hours above 480 as of January 1 each year will be forfeited, with up to 40 hours paid out.

2. Upon request, the City Manager may receive payment of his unused vacation leave hours so long as the leave balance is not reduced below 120 hours. Payment will be based on his rate of pay at the time the payment is made.

SECTION 13. Performance Evaluation

SECTION 13. Performance Evaluation shall be amended as follows:

The City Council shall review and evaluate the performance of the City Manager no later than December 31 each year.

SECTION 14. General Provisions. Amendment to Section 14.C

SECTION 14. (General Provisions”) shall be amended to read as follows:

C. The City and the City Manager agree that the items covered by this Amendment shall become effective as of December 21, 2024, upon Council approval of this Amendment.

In WITNESS THEREOF, the City and the City Manager execute this Amendment on December 17, 2024.

CITY OF PEORIA

CITY MANAGER

Mayor

Henry R. Darwin

ATTEST:

APPROVED AS TO FORM:

City Clerk

City Attorney