



City of Las Cruces[®]

PEOPLE HELPING PEOPLE

Council Action and Executive Summary

Item # 13Ordinance/Resolution# 16-226For Meeting of _____
(Ordinance First Reading Date)For Meeting of May 16, 2016
(Adoption Date)

Please check box that applies to this item:

 QUASI JUDICIAL LEGISLATIVE ADMINISTRATIVE**TITLE: A RESOLUTION APPOINTING AN INTERIM CITY MANAGER.****PURPOSE(S) OF ACTION:**

Approve appointment of Daniel Avila (Avila) as interim City Manager.

COUNCIL DISTRICT: N/A		
<u>Drafter/Staff Contact:</u> Andre Moquin	<u>Department/Section:</u> Human Resources	<u>Phone:</u> 528-3100
<u>City Manager Signature:</u>		

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

The current City Manager, Robert Garza, has announced his retirement from City service effective May 27, 2016. The City Council is actively engaged in a recruitment process but a successor to the position has not yet been selected and appointed by City Council.

To maintain the continuity of municipal operations, it is recommended that the City Council appoint an interim City Manager. Avila is currently the Assistant City Manager Chief Operating Officer and has been recommended for the interim assignment as reported by Mayor Miyagishima at the May 2, 2016 City Council meeting.

Interim assignments are generally for a period of six (6) months or less, but can be extended when necessary. This assignment will be for a period not to exceed three (3) months but can be extended by mutual agreement of the City Council and Avila. The interim appointment will terminate automatically with the appointment and tenure of a new City Manager.

A temporary adjustment to Avila's compensation of ten (10) percent would be in line with other similar situations in the City workforce. Avila currently earns \$117,000 per year. The temporary increase would bring his salary to \$128,700 per year. All other terms and conditions of employment will remain in place for Avila.

(Continue on additional sheets as required)

SUPPORT INFORMATION:

1. Resolution.
2. Exhibit "A", Personnel Action Notice.

SOURCE OF FUNDING:

Is this action already budgeted?	Yes	<input checked="" type="checkbox"/>	See fund summary below
	No	<input type="checkbox"/>	If No, then check one below:
	<i>Budget Adjustment Attached</i>	<input type="checkbox"/>	Expense reallocated from:
	<input type="checkbox"/>	Proposed funding is from a new revenue source (i.e. grant; see details below)	
	<input type="checkbox"/>	Proposed funding is from fund balance in the _____ Fund.	
Does this action create any revenue? N/A	Yes	<input type="checkbox"/>	Funds will be deposited into this fund: _____ in the amount of \$ _____ for FY _____.
	No	<input type="checkbox"/>	There is no new revenue generated by this action.

BUDGET NARRATIVE

Funding for this temporary salary adjustment is contained in the FY2016 and FY2017 budget as salary savings.

FUND EXPENDITURE SUMMARY:

Fund Name(s)	Account Number(s)	Expenditure Proposed	Available Budgeted Funds in Current FY	Remaining Funds	Purpose for Remaining Funds
Various	Various	Various	Various	Various	Various

OPTIONS / ALTERNATIVES:

1. Vote "Yes"; this will approve the appointment of Avila as interim City Manager.
2. Vote "No"; this will leave the City Manager position vacant.
3. Vote "Amend"; this action amends the resolution as directed by City Council.
4. Vote to "Table"; this action would table the resolution to a date specific to provide time to gather more information.

REFERENCE INFORMATION:

N/A



City of Las Cruces[®]

PEOPLE HELPING PEOPLE

COUNCIL ACTION AND EXECUTIVE SUMMARY PACKET ROUTING SLIP

For Meeting of _____
 (Ordinance First Reading Date)

For Meeting of May 16, 2016
 (Adoption Date)

TITLE: A RESOLUTION APPOINTING AN INTERIM CITY MANAGER.

Purchasing Manager's Request to Contract (PMRC) {Required?} Yes No

DEPARTMENT	SIGNATURE	PHONE NO.	DATE
Drafter			
Department Director		3401	5-5-16
Management & Budget Manager		FBI-2107	5-6-2016
Assistant City Manager /CAO	S. Mann for D. Dollahan	541-2031	5/9/16
Assistant City Manager/COO	 for Davila	541-2271	5-10-16
City Attorney		EXT 2128	11 May 2016
City Clerk		X2115	5-11-16

RESOLUTION NO. 16-226

A RESOLUTION APPOINTING AN INTERIM CITY MANAGER.

The City Council is informed that:

WHEREAS, the current City Manager, Robert Garza, has announced his retirement from City service effective May 27, 2016; and

WHEREAS, the City Council is actively engaged in a recruitment process but a successor to the position has not yet been selected and appointed by City Council; and

WHEREAS, to maintain the continuity of municipal operations, Daniel Avila (Avila), currently the Assistant City Manager Chief Operating Officer, has been recommended for the interim assignment as reported by Mayor Miyagishima at the May 2, 2016 City Council meeting; and

WHEREAS, this assignment will be for a period not to exceed three (3) months but can be extended by mutual agreement of the City Council and Avila; and

WHEREAS, the interim appointment will terminate automatically with the appointment and tenure of a new City Manager; and

WHEREAS, a temporary salary increase is generally provided for interim assignments.

NOW, THEREFORE, Be it resolved by the governing body of the City of Las Cruces:

(I)

THAT the City of Las Cruces governing board appoints Avila as interim City Manager.

(II)

THAT Avila will receive a temporary salary increase of ten (10) percent bringing

his salary to \$128,700 per year as summarized in Exhibit "A", Personnel Action Notice, attached hereto and made part of this resolution.

(III)

THAT City staff is hereby authorized to do all deeds necessary in the accomplishment of the herein above.

DONE AND APPROVED this _____ day of _____ 20____.

APPROVED:

Mayor

ATTEST:

City Clerk

(SEAL)

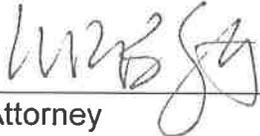
VOTE:

Mayor Miyagishima:	_____
Councillor Gandara:	_____
Councillor Smith:	_____
Councillor Pedroza:	_____
Councillor Eakman:	_____
Councillor Sorg:	_____
Councillor Levatino:	_____

Moved by: _____

Seconded by: _____

APPROVED AS TO FORM:



City Attorney

PERSONNEL ACTION NOTICE
For Status Changes



City of Las Cruces

Exhibit "A"

Employee Information

EMPLOYEE NAME (LAST, FIRST MI) Avila, Daniel		DATE 05-06-2016
EMPLOYEE # 5098	DEPARTMENT/SECTION Administration	
POSITION NO: 40011101	DEPT/ LOCATION CODE 0400	

Status Changes

Effective Date: 05-28-16						SC Code*	10
	Department	Section	Position No.	Pay Grade/ Step	Base Rate (to 4 decimals)	Job Title	% of Change
From:	Administration	COO	40011101		117,000	ACWCOO	
To:	Administration	COO	40011101		128,700	Interim City Manager	10%
Supervisor Change? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	New Supervisor Name (Last, First) City Council					Supervisor Employee #	
Dept/Location Code Change? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	New Dept/ Location Code: 0300				Account # 10100080-610111		
Comments							

***SC Codes :**

- | | | | |
|--------------------------|--------------------------------|------------------------------|-----------------------------------|
| 1. Merit Increase | 6. Reassignment | 11. End of Acting Assignment | 16. Other (use comment box above) |
| 2. Promotion | 7. Mutual Agreement | 12. Performance Increase | 17. Account change |
| 3. Reclassification | 8. Reorganization | 13. Longevity Increase | 18. Admin Leave with Pay |
| 4. Automatic progression | 9. Transfer | 14. End Probation | 19. Voluntary LWOP |
| 5. Demotion | 10. Start of Acting Assignment | 15. Certification Increase | 20. Involuntary LWOP |

Employee Acknowledgement (*Pending Final Approval*)

APPROVAL:

Supervisor / Date

Director of Human Resources / Date

Section Administrator / Date

Assistant City Manager / Date

Department Director / Date

City Manager/ Date

HR use ONLY below this line

Logged _____ Analyst _____ Drug Test _____ Driver's License _____

DOT _____ HR Mgr _____ Final Logged _____ Posted _____