



# TOWN OF ERIE

645 Holbrook Street  
Erie, CO 80516

## Town Council

**Board Meeting Date: 1/26/2021**

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**File #:** 21-030, **Version:** 1

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**SUBJECT: Consent Agenda**

A Resolution of the Board of Trustees of the Town of Erie Approving the Second Amendment to Employment Agreement with Town Administrator Malcolm Fleming, to Increase his Compensation

**DEPARTMENT:** Administration

**PRESENTER:** Malcolm Fleming, Town Administrator

**TIME ESTIMATE:**

**FISCAL SUMMARY:**

Cost as Recommended:	\$4,210 (Total Increase in Compensation)
Balance Available:	\$477,000
Budget Line Item Number:	100-20-110-500000 and 100-20-110-501000
New Appropriation Required:	No

**STAFF RECOMMENDATION:**

Approve resolution for the second amendment to the Employment Agreement with Town Administrator Malcolm Fleming to increase the compensation.

**SUMMARY AND BACKGROUND OF SUBJECT MATTER:**

On January 8, 2019, the Board of Trustees approved an Employment Agreement with Malcolm Fleming. That Agreement outlines the terms under which Fleming accepted employment and the Board of Trustees appointed Fleming as Town Administrator. Among the terms in that Employment Agreement is the requirement for the Board of Trustees to evaluate Fleming's performance. In accord with those provisions, in 2020 the Board conducted performance evaluations on August 11, 2020, September 8, 2020, and most recently, on January 12, 2021.

Based on the Board's January 12, 2021 evaluation of Fleming's performance over the past year, the Board asked Fleming to prepare for Board consideration proposed amendments to the Employment Agreement to implement a 2.0% salary increase. All other provisions in the Employment Agreement would remain the same.

The attached documents include the current and the proposed Employment Agreement reflecting the proposed salary increase. Other than language to implement the base salary increase, the terms of the Agreements are identical.

Also attached is a memo from Administrator Fleming to the Board regarding performance over the past year and compensation relative to other Town Administrators/City Managers. Finally, also attached is a summary comparison of total compensation for Administrators/Managers who lead cities and towns on the Front Range. This comparison consists of jurisdictions the Town includes in compensation comparisons for other Town employees, and for which compensation information is publicly available. This comparison reflects both Fleming's current compensation and the proposed compensation.

**Fiscal Impact:**

This amendment increases Administrator Fleming's base salary by 2.0% from \$183,040 to \$186,071. Thus, this amendment adds costs of \$3,661 for the base salary and \$549 for the Town's match for retirement contributions.

**Board Priority(s) Addressed:**

- ✓ Attractive Community Amenities
- ✓ Engaged and Diverse Community
- ✓ Prosperous Economy
- ✓ Well-Maintained Transportation Infrastructure
- ✓ Small Town Feel
- ✓ Safe and Healthy Community
- ✓ Effective Governance
- ✓ Environmentally Sustainable
- ✓ Fiscally Responsible

**ATTACHMENTS:**

1. Resolution 21-0018
2. Proposed Employment Agreement
3. Existing Employment Agreement
4. Memo on performance and 2020 Work Plan Q4 Update
5. Salary relative to other Administrators/Managers
6. Total compensation relative to other Administrators/Managers