

ORDINANCE NO. 3332

AN ORDINANCE APPROVING THE APPOINTMENT OF JAMES J. STOKES AS CITY MANAGER OF THE CITY OF DEER PARK, TEXAS; PROVIDING FOR COMPENSATION; REPEALING ORDINANCES IN CONFLICT; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEER PARK:

1. That **JAMES J. STOKES**, having been appointed by the MAYOR, be, and he is hereby approved as the City Manager of the City of Deer Park, Texas effective March 2, 2010.
2. The compensation for said City Manager shall be \$ 134,000.00.
3. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.
4. It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551 of the Government Code of the State of Texas.
5. The City Council finds that this Ordinance relates to the immediate preservation of the public peace, safety and welfare, in that it is necessary for the protection of the citizens of this City, and the property located therein, that provision be made for the employment of the City Manager herein appointed, so that he may be retained in service to provide administration of the business of the City without interruption, thereby creating an emergency, for which the Charter requirement providing for the reading of Ordinances on three several days should be dispensed with, and this Ordinance should be passed finally on its introduction; and, accordingly, such requirement is dispensed with, and this Ordinance shall take effect upon its passage and approval by the Mayor.

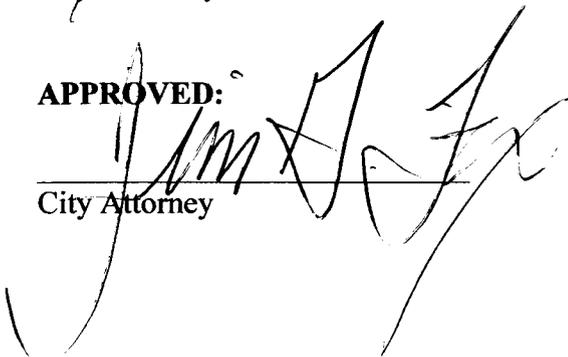
PASSED, APPROVED AND ADOPTED on the first and final reading, this 2 day of March, 2010, by a vote of 7 "ayes" and 0 "noes", this Ordinance having been read in full prior to such vote.


MAYOR, City of Deer Park

ATTEST:


City Secretary

APPROVED:


City Attorney

**EMPLOYMENT
LETTER OF AGREEMENT**

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

JAMES J. STOKES is appointed City Manager of the City of Deer Park (hereinafter "City"), effective April 1, 2010. Mr. Stokes agrees to perform the duties of City Manager as specified in the City Charter of the City.

The City agrees to pay Mr. Stokes for his services an annual salary of \$134,000.00. The benefits provided will be the same as provided for all other full time employees of the City, except that Mr. Stokes will be credited with 7 days of vacation leave and 7 days of sick leave upon employment with the City on April 1, 2010. The City agrees to pay Mr. Stokes \$ 550 per month automobile allowance as reimbursement for the business use of his personal vehicle in Harris County and any adjoining county. For City-related travel outside of the aforementioned counties, Mr. Stokes will be allowed to seek mileage reimbursement in accordance with the mileage reimbursement rate adopted by the City. Mr. Stokes shall be responsible for paying for liability, property damage, and comprehensive insurance, and for the purchase, operation, maintenance, repair, and regular replacement of said automobile.

In the event Mr. Stokes is terminated by the City Council during the term of this Agreement and during such time that Mr. Stokes is willing and able to perform the duties under this Agreement, then the City agrees to pay Mr. Stokes a severance payment equal to six (6) months of aggregate salary, accrued vacation and accrued sick leave.

In the event Mr. Stokes is terminated for cause then the City shall only be obligated to pay for salary, accrued vacation, and accrued sick leave up to and including the date of termination. Termination for cause shall be defined as insubordination or a conviction of a felony or a crime of moral turpitude, or a violation of the Code of Ethics of ICMA or TCMA.

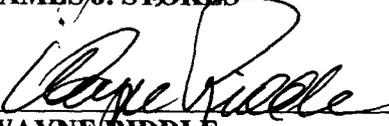
In the event Mr. Stokes voluntarily resigns his position with the City, then Mr. Stokes shall give the City 30 days notice in advance and the severance pay provisions above will not apply.

The City will pay the reasonable expenses of moving Mr. Stokes household goods and furniture to Deer Park, Texas. The amount paid shall be approved by the City based on an estimate provided by a moving company. The City may require that estimates be obtained by more than one company. If Mr. Stokes leaves employment with the City within three (3) years of his anniversary date of employment, the full amount of the expenses for moving household goods and furniture must be repaid to the City.

AGREED TO AND EXECUTED this 2nd day of March, 2010.



JAMES J. STOKES



WAYNE RIDDLE
Mayor of Deer Park, Texas