

**RESOLUTION 17-\_\_\_\_\_**

**A RESOLUTION OF THE MAYOR AND TOWN  
COUNCIL OF THE TOWN OF CUTLER BAY,  
FLORIDA, APPROVING AN AMENDED  
EMPLOYMENT AGREEMENT WITH THE TOWN  
MANAGER; PROVIDING FOR AUTHORIZATION;  
AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Cutler Bay (“Town”) Council adopted Resolution No. 13-50 on June 19, 2013 approving Rafael C. Casals as the Town Manager (“Manager”) and authorizing the Mayor to execute an Employment Agreement detailing the terms and conditions of the Town Manager’s employment; and

**WHEREAS**, the Town Council adopted Resolution No. 15-80 on November 18, 2015 approving an Amended Employment Agreement (“Agreement”) with the Manager; and

**WHEREAS**, the Town and the Manager wish to amend the Agreement in order to renew or extend the term of the Agreement for three (3) additional years with automatic three (3) year renewal periods; and

**WHEREAS**, the Town and the Manager wish to amend the Agreement in order to increase the Manager’s salary by three (3%) percent based on his performance review; and

**WHEREAS**, the Town and the Manager further wish to amend the Agreement in order to allow the Manager to be paid out his entire balance of accrued, unused sick leave upon separation, subject to the limitations contained in the Amended Agreement, which is attached as Exhibit “A,” (“Amended Agreement”); and

**WHEREAS**, the Town Council has determined that the Amended Agreement is necessary and sufficiently addresses the mutual understanding of the Town and the Manager; and

**WHEREAS**, the Town Council finds that adoption of this Resolution is in the best interest of the residents of the Town.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND TOWN  
COUNCIL OF THE TOWN OF CUTLER BAY, FLORIDA, AS FOLLOWS:**

**Section 1.**     **Recitals.** The above recitals are true and correct and incorporated herein.

**Section 2.**     **Approving Amended Agreement.** The Amended Agreement is hereby approved and amended as set forth in Exhibit “A,” attached hereto and made a part hereof by this reference.

**Section 3.**     **Authorization.** The Mayor is hereby authorized to execute the Amended Agreement, subject to approval by the Town Attorney as to form, content, and legal sufficiency.

**Section 4.**     **Effective Date.** This Resolution shall take effect immediately upon adoption.

PASSED and ADOPTED this \_\_\_\_ day of September, 2017.

Attest:

\_\_\_\_\_  
PEGGY R. BELL  
Mayor

\_\_\_\_\_  
DEBRA E. EASTMAN, MMC  
Town Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY FOR THE  
SOLE USE OF THE TOWN OF CUTLER BAY:

\_\_\_\_\_  
WEISS SEROTA HELFMAN  
COLE & BIERMAN, P.L.  
Town Attorney

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

FINAL VOTE AT ADOPTION:

Mayor Peggy R. Bell \_\_\_\_\_

Vice Mayor Sue Ellen Loyzelle \_\_\_\_\_

Council Member Mary Ann Mixon \_\_\_\_\_

Council Member Michael P. Callahan \_\_\_\_\_

Council Member Roger Coriat \_\_\_\_\_