

**THE CITY OF MURRIETA  
SECOND AMENDMENT TO CITY MANAGER EMPLOYMENT AGREEMENT**

This Second Amendment to City Manager Employment Agreement (“Employment Agreement”) between the City of Murrieta (“City”) and Kimberley Summers (“Manager”) (“Second Amendment”) is made this 19 day of May, 2020 (“Effective Date”).

**RECITALS**

- A. Effective July 1, 2019, the City agreed to establish and sponsor a 401(a) Retirement Plan for the Fire Fighter Association and the Murrieta Fire Management Association. The plan was established for those employees enrolled in a City sponsored 457 Deferred Compensation Plan, the City agreed to contribute to the 401(a) account an amount matching the employee’s 457 contribution, not to exceed \$2,400. “Employment Agreement” pursuant to which City hired Manager to serve as the City Manager of the City of Murrieta.
- B. Effective October 16, 2019, the City agreed to establish and sponsor a 401(a) Retirement Plan for Department Heads. The plan was established for those employees enrolled in a City sponsored 457 Deferred Compensation Plan, the City agreed to contribute to the 401(a) account an amount matching the employee’s 457 contribution, not to exceed \$3,000.
- C. In both A and B cases the City agreed to establish a retirement plan effective with the first full pay period in January 2020.

**AGREEMENT**

NOW, THEREFORE, the parties agree to the following modifications to the Employment Agreement.

1. **Section 4.A.(1)** of the Employment Agreement is amended to include the following
  - The City Manager to be authorized to move the City’s 457 deferred compensation in whole or in part, to the City’s 401(a) plan effective the first full pay period in June, 2020.
2. All other terms and conditions remain unchanged.

IN WITNESS WHEREOF, the City has caused the Agreement to be signed and duly executed on its behalf by its Mayor, and duly attested by its City Clerk, and Employee has signed and executed this Agreement, in triplicate, the day first written above.

CITY OF MURRIETA

CITY MANAGER

By: Gene Wunderlich  
Gene Wunderlich  
Mayor

By: Kim Summers  
Kimberley Summers

ATTEST:

By: Stephanie D. Smith  
Stephanie D. Smith, MMC, City Clerk