

VILLAGE OF ARLINGTON HEIGHTS

RESOLUTION NO. _____

A RESOLUTION APPROVING A SECOND AMENDMENT TO
THE VILLAGE MANAGER EMPLOYMENT AGREEMENT

WHEREAS, pursuant to Section 3-101 of the Municipal Code of Arlington Heights, Illinois, 1995, as amended ("*Village Code*"), the Village President and Board of Trustees are authorized to appoint the Village Manager for the Village; and

WHEREAS, the Village has employed Randall R. Recklaus ("*Recklaus*") as its Village Manager since November 10, 2014; and

WHEREAS, the Village and Recklaus have entered into an employment agreement dated August 29, 2014, as amended on November 10, 2020, for the continued employment of Recklaus as Village Manager through November 10, 2022 ("*Agreement*"); and

WHEREAS, the President and Board of Trustees now desire to further amend the Agreement to extend the term of the Agreement through November 10, 2026, and to increase Recklaus' annual base salary ("*Second Amendment to Agreement*"); and

WHEREAS, the President and Board of Trustees have determined that it will serve and be in the best interest of the Village and its residents to enter into the Second Amendment to Agreement with Recklaus;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ARLINGTON HEIGHTS, COOK COUNTY, ILLINOIS, as follows:

SECTION 1: RECITALS. The facts and statements contained in the preamble to this Resolution are found to be true and correct and are hereby adopted as part of this Resolution.

SECTION 2: APPROVAL OF SECOND AMENDMENT TO AGREEMENT. The Second Amendment to Agreement is hereby approved in substantially the form attached to this Resolution as Exhibit A, and in a final form to be approved by the Village President and the Village Attorney.

SECTION 3: EXECUTION OF SECOND AMENDMENT TO AGREEMENT. The President and the Village Clerk are hereby authorized and directed to execute and attest, on behalf of the Village, the Second Amendment to Agreement upon receipt by the Village Clerk of at least one original copy of the Second Amendment to Agreement executed by Recklaus; provided, however, that if the executed copy of the Second Amendment to Agreement is not received by the Village Clerk within 30 days after the effective date of this Resolution, then this authority to execute and attest will, at the option of the Board of Trustees, be null and void.

SECTION 4: EFFECTIVE DATE. This Resolution will be in full force and effect upon its passage and approval as provided by law.

[SIGNATURE PAGE FOLLOWS]

AYES:

NAYS:

PASSED AND APPROVED THIS 6th day of December, 2021

Village President

ATTEST:

Village Clerk

EXHIBIT A

SECOND AMENDMENT TO AGREEMENT

**SECOND AMENDMENT TO THE AMENDED EMPLOYMENT AGREEMENT
FOR VILLAGE MANAGER
BETWEEN THE VILLAGE OF ARLINGTON HEIGHTS
AND RANDALL R. RECKLAUS**

THIS SECOND AMENDMENT is made and entered into as of the 6th day of December, 2021, by and between the Village of Arlington Heights, an Illinois home rule municipal corporation ("**Village**"), and Randall R. Recklaus ("**Employee**"). In consideration of the recitals and mutual covenants and agreements set forth in this Second Amendment, the receipt and sufficiency of which are hereby acknowledged and agreed, the parties agree as follows:

Section 1. Recitals.

A. The Village and the Employee entered into an employment agreement dated August 29, 2014, as amended by that certain "Amended Employment Agreement for Village Manager" dated as of November 10, 2020 (as amended, the "**Agreement**"). Pursuant to the Agreement, the Village agreed to employ the Employee, and the Employee agreed to be employed by the Village, to perform the duties of Village Manager of the Village of Arlington Heights.

B. Section 2.A of the Agreement provides for the employment by the Village of the Employee through November 10, 2022, with automatic two-year renewals.

C. Section 5 of the Agreement provides for the payment to the Employee of an annual base salary, which may be adjusted annually by the Village Board in its discretion and as it deems appropriate.

D. The Village and the Employee desire to amend the Agreement to provide for: (1) an extension of the term of the Agreement, through November 10, 2026; and (2) an increase in the annual base salary to be paid to the Employee.

Section 2. Extension of Term.

Section 2.A of the Agreement is hereby amended to read as follows:

"Section 2 - Term

A. Employee agrees to remain in the exclusive employ of the Village from the effective date of this Agreement until November 10, ~~2022~~ **2026** ("Current Term"), and neither to accept other employment nor to become employed by any other employer until said termination date, unless the termination date is affected as hereinafter provided."

* * *

Additions are bolded and double-underlined; deletions are struck through

Section 3. Annual Base Salary.

Section 5 of the Agreement is hereby amended to read as follows:

"Section 5 – Salary

Effective November 10, 2020 ~~2021~~, the Village agrees to pay Employee for his services rendered pursuant hereto an annual base salary of ~~\$234,332~~ **\$ 246,048.60** payable in installments at the same time as other management employees of the Village are paid.

In addition, as a result of an annual performance review, if performance warrants an increase in base salary as determined by the Board, the Board shall adjust Employee's salary and/or benefits in such amounts as the Board deems appropriate. If, at any time during the term of this Agreement, the Employee receives a performance bonus that is independent from his base pay and benefits, there is no guarantee of any such bonus in future years. **The Board may approve any salary or benefits adjustment and any performance bonus by resolution duly adopted and without formal amendment to this Agreement."**

Section 4. Effect; Effective Date.

All terms, conditions and provisions of the Agreement that are not expressly amended or modified by this Second Amendment shall remain unchanged and in full force and effect as if fully set forth herein. To the extent that the terms and provisions of this Second Amendment conflict with the Agreement, the terms and provisions of this Second Amendment shall control. The effective date of this Second Amendment shall be November 10, 2021.

IN WITNESS WHEREOF, the parties have caused this Second Amendment to be executed by their duly authorized representatives as of the date and year first written above.

ATTEST:

VILLAGE OF ARLINGTON HEIGHTS

By: _____
Rebecca Hume, Village Clerk

By: _____
Thomas W. Hayes, Mayor

Date: _____

Date: _____

RANDALL R. RECKLAUS

Date: _____

Additions are bolded and double-underlined; deletions are struck through