

RESOLUTION NO. 12 – 142

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, ACCEPTING THE LETTER SUBMITTED BY CITY MANAGER YVONNE SOLER-MCKINLEY AND APPROVING HER ENTITLEMENT TO THE FULL SEVERANCE PACKAGE SET FORTH IN SECTION 5B OF THE EMPLOYMENT AGREEMENT BETWEEN THE CITY AND THE CITY MANAGER; AUTHORIZING THE MAYOR TO EXECUTE ALL NECESSARY DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, City Manager Soler-McKinley has submitted a letter to the Mayor, dated December 4, 2012 (a copy of which is attached hereto as Exhibit A), notifying the City that she would be stepping down from her position contingent upon the approval by the City Council of the City of Doral (the “City”) of her entitlement to the full severance package set forth in Section 5B of the Employment Agreement between the City and the City Manager (the “Employment Agreement”); and

WHEREAS, City Council believes that acceptance of the letter and approval of the City Manager’s entitlement to the full severance package set forth in Section 5B of the Employment Agreement is in the best interests of the City and its residents.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DORAL AS FOLLOWS:

Section 1. The City Council hereby accepts the December 4, 2012 letter from City Manager Yvonne Soler-McKinley, a copy of which is attached hereto as Exhibit A, and further approves the City Manager’s entitlement to the severance package described in Section 5B of the Employment Agreement. To the extent applicable, the Employment Agreement is hereby deemed amended in accordance herewith. The

Mayor is hereby authorized to execute any necessary documents to carry out this Resolution, including a Mutual Release and Waiver of all claims, in form and substance acceptable to the Mayor and approved by the City Attorney for legal sufficiency.

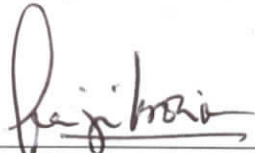
Section 2. In the event this resolution or any section, sentence, clause or phrase of this resolution or the terms and conditions of the departure from position approved herein shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Resolution and the City Council hereby agrees to take all necessary actions at such time to reinstate such terms and conditions in the appropriate legal fashion, it being the legislative intent that the matters approved herein shall stand.

Section 3. This Resolution shall become effective immediately upon its adoption.

The foregoing Resolution was offered by Mayor Luigi Boria, who moved its adoption. The motion was seconded by Councilwoman Rodriguez Aguilera and upon being put to a vote, the vote was as follows:

Mayor Luigi Boria	Yes
Councilwoman Christine Fraga	Yes
Councilwoman Ana Maria Rodriguez	Yes
Councilwoman Bettina Rodriguez Aguilera	Yes
Councilwoman Sandra Ruiz	Yes

PASSED and ADOPTED this 4th day of December, 2012.

 12-4-2012

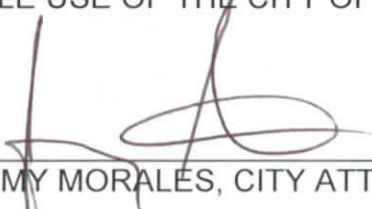
LUIGI BORIA, MAYOR

ATTEST:



BARBARA HERRERA, CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY FOR THE
SOLE USE OF THE CITY OF DORAL:



JIMMY MORALES, CITY ATTORNEY

EXHIBIT “A”



December 4, 2012

City of Doral
8401 N.W. 53rd Terrace
Doral, Florida 33166
Attn: Mayor Luigi Boria

Dear Mayor Boria:

Let me first congratulate you on your recent election as the new Mayor of the City of Doral. I wish you and your colleagues on the City Council great success. I have developed a tremendous fondness for this City during my tenure as City Manager and I hope to see it continue to grow and prosper under your leadership.

As I have mentioned to you, when then Mayor Bermudez offered me the position as City Manager in 2008, I promised him that I would serve through the end of his term. I am proud of the work that I was able to do working with the Mayor and Council. Together we built a new city hall that will be an iconic building in this City for decades to come. We have built new parks and expanded the parks and recreational opportunities throughout the City. We have built a significant public works facility and have increased the resources available to the City to deal with traffic issues by finally getting access to the City's share of the CITT funds. We have strived to make this government user friendly and supportive of the important economic developments taking place here. It has not always been easy, but it has certainly been most rewarding.

As the end of my commitment to Mayor Bermudez was approaching, I had an opportunity to examine the future. There are other opportunities and experiences that I have always wanted to explore, and this would be the right time at this stage in my life and career to follow some of those paths. I also know it is quite appropriate for a new Mayor and Council to want to have the opportunity to select their own leadership team.

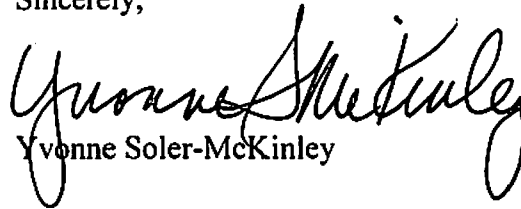
As such and per our conversation, I will be stepping down from the office of City Manager contingent upon the City Council approving my entitlement to the severance and benefits package outlined in Section 5B of my Employment Agreement. I believe I have earned such a separation package after my years of service to the City. Upon receiving the severance payment, I will simultaneously execute and deliver to the City a Mutual Release and Waiver of any claims that I might have against the City or its officers, directors and employees resulting from and arising during the term of my service as City Manager and, in turn, any that the City might have against me. Such a Release and Waiver would be in form and substance acceptable to the City Attorney. I respectfully ask you, Mayor Boria, to present this letter to the City Council on Tuesday evening for its review and approval.

Please accept my apologies, but because of a long planned vacation, I will not be able to

attend the special call meeting.

Thank you in advance for your consideration of this proposal. Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Yvonne Soler-McKinley". The signature is fluid and cursive, with the first name "Yvonne" being more prominent and the last name "Soler-McKinley" following in a similar style.

Yvonne Soler-McKinley