



City of Needles, California Request for City Council Action

CITY COUNCIL NPUA

Regular Special

Meeting Date: November 12, 2024

Title: City Council Resolution 2024-44 of the City Council of the City of Needles Approving the First Amendment to the City Manager Employment Agreement with Patrick Martinez

Background: On April 25, 2023, the City Council of the city of Needles adopted Resolution No. 2023-28 approving an Employment Agreement (“Agreement”) between the City of Needles (“City”) and Patrick Martinez wherein Mr. Martinez was hired as the City Manager. The Agreement was for a three (3) year term, commencing on October 2, 2023, and continuing through October 1, 2026. The Agreement is attached hereto as Exhibit “A”.

Mayor Jernigan and Council Member Belt, as representatives of the City, and Mr. Martinez renegotiated certain terms of the Agreement set forth in a First amendment to the City Manager Agreement (“Amendment”) attached hereto as Exhibit “B”.

First Amendment to the City Manager Agreement:

The proposed Amendment to the Agreement adjusts the amount of salary increases, and bases said salary increases on performance and substantial accomplishment of mutually agreed upon goals. The amended terms are:

II. City Manager's salary shall be Two Hundred and Seventeen Thousand Dollars (\$217,000.00) per year commencing on the Effective Date, which sum shall be paid pursuant to the procedures regularly established, and as they may be amended by the City in its sole discretion. On each Anniversary of the Agreement, the salary may be adjusted in an amount to be determined in the discretion of the City Council.

The position of City Manager is an exempt position under state and federal wage and hour laws. Employee’s compensation (whether salary, benefits or other allowances) is not based on hours worked and Employee shall not be entitled to any compensation for overtime. Employee is expected to engage in those hours of work that are necessary to fulfill the obligations of the City Manager position. The City manager does not have set hours of work as the City Manager is expected to dedicate himself on a full-time basis to serving as the City Manager and to be available at all reasonable and relevant times.

Fiscal Impact: The contract is within the existing budget appropriation for FY 24-25.

Recommended

Action: Approve Resolution 2024-44 Approving a First Amendment to the Employment Agreement with Patrick Martinez for City Manager effective November 12, 2024, setting a salary of \$217,000 in compliance with SB 1436 and incorporate into the salary schedule FY 2024-2025.

Submitted By: Mayor Jernigan and Councilmember Belt

City Manager Approval: Patrick J Martinez Date: 11/07/2024
Other Department Approval (when required): Kenneth McDonald Date: 11/07/2024

Approved: <input type="checkbox"/>	Not Approved: <input type="checkbox"/>	Tabled: <input type="checkbox"/>	Other: <input type="checkbox"/>
			Agenda Item: _____