

Exhibit "B"

Resolution No. 2024-44
First Amendment to the City Manager Employment Agreement
Between the City of Needles and Patrick Martinez
November 12, 2024

RESOLUTION NO. 2024-44
A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF NEEDLES APPROVING THE FIRST AMENDMENT TO
THE CITY MANAGER EMPLOYMENT AGREEMENT WITH PATRICK MARTINEZ

WHEREAS, at the City Council meeting on April 25, 2023, the Council adopted Resolution 2023-28, whereby the Council approved the Employment Agreement ("Agreement"), attached hereto as Exhibit "A," between the City of Needles ("City") and Patrick Martinez, setting forth the terms and conditions of Mr. Martinez's employment as City Manager commencing on October 2, 2023.

WHEREAS, Mayor Jernigan and Councilmember Belt, as representatives of the City, and Mr. Martinez renegotiated certain terms of the Agreement, now set forth in a First Amendment to the City Manager Agreement ("Amendment") attached hereto as Exhibit "B"; and

WHEREAS, the Amendment adjusts the amount of salary, and bases said salary increase on performance and substantial accomplishment of mutually agreed upon goals.

NOW, THEREFORE, BE IT RESOLVED BE IT RESOLVED that the City Council of the City of Needles, California, hereby approves the First Amendment to the City Manager Agreement between the City of Needles and Patrick Martinez and authorizes the Mayor to sign same for and on behalf of the City of Needles.

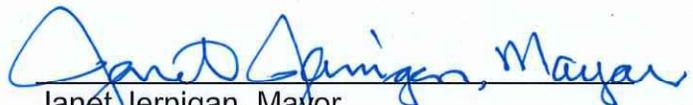
PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Needles, California, held on the 12th day of November, 2024 by the following roll call vote:

AYES: Council Members Campbell, Merritt, Pogue, and Mayor Jernigan

NOES: Council Members McCorkle, Belt, Longbrake

ABSENT: None

ABSTAIN: None



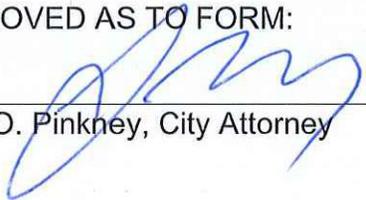
Janet Jernigan, Mayor

ATTEST:



Candace Clark, Assistant City Clerk

APPROVED AS TO FORM:



John O. Pinkney, City Attorney

**FIRST AMENDMENT
TO
CITY MANAGER EMPLOYMENT AGREEMENT**

THIS FIRST AMENDMENT TO CITY MANAGER EMPLOYMENT AGREEMENT (this "Amendment") is entered into as of the 12 day of November, 2024 ("Effective Date") between the City Council of and on behalf of the City of Needles (the "City") and Patrick Martinez (the "City Manager" or the "Employee").

RECITALS

- A. City and Employee executed that certain City Manager Employment Agreement ("Agreement") entered into as of April 25, 2023;
- B. The parties now wish to amend the Agreement as set forth below.

AMENDMENT

- A. **Article II is hereby amended to read as follows:**

II. SALARY

"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."

B. General. Except as modified by this Amendment, all of the terms of the Agreement shall remain in full force and effect. In the event of a conflict between the terms of this Amendment and the Agreement the terms of this Amendment shall control and supersede any such inconsistent or conflicting terms. Capitalized terms not otherwise defined in this Amendment shall have the meanings ascribed to such terms by the Agreement. The recitals in this Amendment are incorporated herein.

Executed by the Parties to be effective as of the date first written above.

“CITY”

CITY OF NEEDLES

By: 
Janet Jernigan, Mayor

ATTEST

By: 
Candace Clark, Acting City Clerk

APPROVED AS TO FORM

By: John Pinkney
John Pinkney, City Attorney

“EMPLOYEE”

By: Patrick Martinez
Patrick Martinez

CITY OF NEEDLES

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Mayor Jan Jernigan
Vice Mayor Kirsten Merritt
Councilmember Tona Belt
Councilmember Ellen Campbell
Councilmember Jamie McCorkle
Councilmember JoAnne Pogue
Councilmember Henry Longbrake
City Manager Patrick Martinez

CERTIFICATION

I, Candace Clark, Interim City Clerk of the City of Needles, California, do hereby certify that the foregoing is a true and correct copy of Resolution 2024-44.



Candace Clark, CPMC, CMC
Interim City Clerk

(SEAL)

Date: November 14, 2024

Signature: John Pinkney
John Pinkney (Dec 5, 2024 15:39 PST)

Email: pinkney@sbemp.com

Signature: Patrick J. Martinez

Email: pmartinez@cityofneedles.com

2024-44 Patrick Employment Agreement FIRST Amendment

Final Audit Report

2024-12-05

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"2024-44 Patrick Employment Agreement FIRST Amendment" History

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