



CITY OF WHEATLAND

CITY COUNCIL MEETING STAFF REPORT

July 9, 2024

SUBJECT: Consider Adoption of Resolution Ratifying the First Amendment to the Agreement with Bill Zenoni for City Manager Services

PREPARED BY: Gavin Ralphs, Deputy City Attorney

Recommendation

Staff recommends that the Wheatland City Council consider the adoption of a resolution ratifying the first amendment to the agreement with Bill Zenoni for City Manager services.

Discussion

On June 13, 2023, the City Council authorized the execution of an agreement with Bill Zenoni to provide City Manager services. The term of that agreement ran from June 26, 2023, to June 30, 2024. The amendments to the original agreement include:

Section 2 - Term

The agreement is extended for one year, until June 30, 2025, unless terminated sooner per the termination provisions of the agreement. The City has the authority to extend the agreement for an additional 6-month period, until December 31, 2025.

Section 4 - Hours

The amendment provides for an average of 30 hours per week or approximately 75 percent of a full-time position. The original agreement provided for a target of approximately 24 hours per week or 60 percent of an equivalent full-time position.

Given that the original agreement was set to expire on June 30th, Mayor West and Bill Zenoni have signed the first amendment to the agreement enabling Bill Zenoni to continue his services for the City between June 30th and today, July 9th. If the City Council determines to not ratify the first amendment to the agreement, Bill Zenoni and the City will not be subject to the amendment's terms and Bill Zenoni will no longer be employed by the City.

Fiscal Impact

The City Manager is a budgeted position. Funding is available in the adopted Fiscal Year 2024-25 budget.

Attachment

1. Resolution
2. First Amendment to Agreement

**WHEATLAND CITY COUNCIL
RESOLUTION NO. 34-24**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHEATLAND
RATIFYING THE FIRST AMENDMENT TO THE AGREEMENT WITH BILL ZENONI
FOR CITY MANAGER SERVICES**

WHEREAS, the City Council approved an Employment Agreement with Bill Zenoni for City Manager services on June 13, 2023; and

WHEREAS, that Employment Agreement was set to expire on June 30, 2024; and

WHEREAS, to enable Bill Zenoni to continue providing City Manager services for the City until today, July 9, Mayor West and Bill Zenoni signed the First Amendment to the Agreement on June 25, 2024; and

WHEREAS, Mayor West and Bill Zenoni's signing of the First Amendment to the Agreement was dependent on, and subject to, City Council ratification; and

WHEREAS, if the City Council determines to not ratify the first amendment to the agreement, Bill Zenoni and the City will not be subject to the amendment's terms and Bill Zenoni will no longer be employed by the City; and

WHEREAS, the City Council wishes to ratify the amendment of the Employment Agreement with Bill Zenoni for services as City Manager.

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED by the City Council of the City of Wheatland that:

- A. The foregoing recitals are true and correct.
- B. The City Council of the City of Wheatland hereby ratifies the attached amendment to the Employment Agreement with Bill Zenoni.

PASSED AND ADOPTED by the City Council of City of Wheatland on this 9th day of July 2024, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

APPROVED:

Rick West, Mayor

ATTEST:

Lisa Thomason, City Clerk

**FIRST AMENDMENT TO AGREEMENT BETWEEN THE CITY OF WHEATLAND
AND BILL ZENONI FOR CITY MANAGER SERVICES**

This First Amendment to the Employment Agreement (“Agreement”) between the City of Wheatland, a municipal corporation (“City”), and Bill Zenoni, an individual (“Zenoni”), collectively the parties (the “Parties”), is made and entered into effective July 1, 2024, and is based on the Recitals and matters set forth herein.

RECITALS

- A. City entered into the Agreement with Zenoni for his services as City Manager of the City, effective June 26, 2023.
- B. The Agreement expires on June 30, 2024.
- C. In consideration of the good and valuable services that Zenoni has provided for City, the City wishes to extend Zenoni’s employment.
- D. The Parties now desire to amend the Agreement.

In consideration of the recitals contained herein, the Parties agree to amend the Agreement as follows:

1. **Amendment to Section 2, Term.** Section 2 of the Agreement is hereby amended as follows:

The Agreement shall be extended until June 30, 2025, unless sooner terminated as provided by the termination provisions stated within the Agreement. City shall possess the authority to extend the Agreement an additional 6 months, until December 31, 2025. The City shall notify Zenoni of its decision to extend the Agreement no later than May 31, 2025.

2. **Amendment to Section 4, Hours.** Section 4 of the Agreement is hereby amended as follows:

The City Manager position shall remain a part-time, exempt management position. It is agreed that, going forward, Zenoni shall work an average of 30 hours per week or approximately 75% of the hours of an equivalent full-time position. The Parties acknowledge that Zenoni’s worked hours in a week may vary depending on City’s needs.

Except as specifically modified by the terms of this Amendment, the provisions of the Agreement are unchanged and remain in full force and effect.

Ratification of Amendment.

This Amendment shall be dependent on and subject to City Council ratification at a regularly scheduled meeting of the City Council on July 9, 2024. If the City Council fails to ratify this Amendment on July 9, 2024, the contents of this Amendment shall not be legally binding on Parties.

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IN WITNESS WHEREOF, the parties have executed this Amendment on the date set forth below.

CITY OF WHEATLAND



Rick West, Mayor

BILL ZENONI



Bill Zenoni

Attest:

Lisa Thomason, City Clerk