



CITY OF WHEATLAND

CITY COUNCIL MEETING STAFF REPORT

January 14, 2020

SUBJECT: Council consideration and adoption Resolution No. 03-20 approving Amendment #1 to Public Works Director Employment Agreement

PREPARED BY: Jim Goodwin

Recommendation

Staff recommends adopting Resolution No. 03-20 and approving Amendment #1 as presented.

Background/Discussion

Don Scott has agreed to extend his employment with the City of Wheatland for five months. The contract amendment simply extends the termination date until June 30, 2020.

Alternatives

The City Council may choose not to approve the proposed Amendment #1 to the Employment Agreement.

Fiscal Impact

No impact as the position is funded in the current budget.

Attachments

[Include as necessary – please number]

1. Resolution No. 03-20
2. Amendment # 1 to Employment Agreement with Don Scott for services as Public Works Director

**RESOLUTION No. 03-20
APPROVING AMENDMENT #1 TO EMPLOMENT AGREEMENT WITH DON SCOTT
FOR SERVICES AS
WHEATLAND PUBLIC WORKS DIRECTOR**

WHEREAS Don Scott serves currently as the City of Wheatland Public Works Director;
and

WHEREAS The City and Don Scott wish to amend the terms of his Employment Agreement to extend the term;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Wheatland hereby approves the attached Amendment #1 to the Employment Agreement with Don Scott and directs the City Manager to execute the amendment.

PASSED AND ADOPTED by the City Council of City of Wheatland, State of California this 14th day of January 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Rick West, Mayor

**FIRST AMENDMENT TO AGREEMENT BETWEEN
THE CITY OF WHEATLAND AND DON SCOTT
FOR PUBLIC WORKS DIRECTOR SERVICES**

THIS FIRST AMENDMENT TO THE PUBLIC WORKS DIRECTOR SERVICES AGREEMENT (AMENDMENT) is made and entered into effective January 14, 2020, by and between the **CITY OF WHEATLAND (CITY)** and **DON SCOTT (SCOTT)**, and is based on the Recitals and matters set forth herein.

RECITALS

- A. **SCOTT** serves as **CITY's** Public Works Director pursuant to an Agreement dated July 1, 2019 (the "**ORIGINAL AGREEMENT**").
- B. In consideration of the good and valuable services **SCOTT** has been performing for **CITY** under the **AGREEMENT**, and **CITY's** desire to retain **SCOTT** to continue to perform those services, the **PARTIES** desire to amend the **ORIGINAL AGREEMENT** to include the additional provisions stated below.
- C. Collectively, the **ORIGINAL AGREEMENT** and this **AMENDMENT** will be referred to hereafter as the "**AGREEMENT**" and will constitute the entire understanding and agreement of the **PARTIES**.

IN CONSIDERATION of the mutual covenants contained herein and for good and valuable consideration, the **PARTIES** agree as follows:

**SECTION 1
Amendment to Paragraph 2**

The **ORIGINAL AGREEMENT** is hereby amended to read as follows:

- 2. **Term.** This Agreement shall remain in effect until June 30, 2020 unless sooner terminated as provided by the termination provision below.

Except as specifically modified by the terms of this **AMENDMENT**, the provisions of the **ORIGINAL AGREEMENT** are unchanged and remain in full force and effect.

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

Dated: _____
Don Scott, Employee

Dated: _____
Jim Goodwin, City Manager

ATTEST:

Lisa Thomason, City Clerk

APPROVED AS TO FORM:

Brittany Brace, Deputy City Attorney