



CITY OF WHEATLAND

CITY COUNCIL MEETING STAFF REPORT

May 24, 2022

SUBJECT: Council Consideration and Adoption of Resolution No. 16-22 approving Amendment No. 1 to the Employment Agreement with Dale Klever for position of Public Works Director

PREPARED BY: Jim Goodwin, City Manager

Recommendation

Staff recommends adopting Resolution No. 16-22 approving the Amendment No. 1 to the Employment Agreement as presented.

Background/Discussion

Dale Klever was appointed Public Works Director, and an employment agreement approved by the City Council, in May of 2020. The agreement was for two years effective June 1, 2020, and terminating May 31, 2022, if not extended by action of the City Council.

The amendment before you will extend Mr. Klever's contract for 5 years, with the agreement terminating on May 31, 2027. Under the terms of the original agreement, unchanged by this amendment, Mr. Klever may be terminated without cause at any time with 30 days written notice.

Alternatives

The City Council may choose not to approve the proposed Amendment No. 1 to the Employment Agreement.

Fiscal Impact

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

Attachments

1. Resolution No9. 16-22
2. Amendment No. 1 to Dale Klever Employment Agreement

RESOLUTION NO. 16-22

**APPROVING AMENDMENT TO THE EMPLOMENT AGREEMENT WITH DALE
KLEVER FOR SERVICES AS WHEATLAND PUBLIC WORKS DIRECTOR**

WHEREAS an Employment with Dale Klever was approved by the City Council on May 12, 2020; and

WHEREAS the City Council wishes to amend the Employment Agreement with Mr. Klever for services as Public Works Director and extend the termination date of the agreement.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Wheatland hereby approves the attached Amendment No. 1 to the Employment Agreement and directs the City Manager to execute the amendment.

PASSED AND ADOPTED by the City Council of City of Wheatland, State of California this 24TH day of May 2022, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Rick West, Mayor

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

THIS FIRST AMENDMENT TO AGREEMENT BETWEEN THE CITY OF WHEATLAND AND DALE KLEVER FOR PUBLIC WORKS DIRECTOR SERVICES is made and entered into effective May 24, 2022 by and between the **CITY OF WHEATLAND (CITY)**, a municipal corporation, and **DALE KLEVER (EMPLOYEE)**, an individual, and is based on the Recitals and matters set forth herein.

RECITALS

- A. **EMPLOYEE** serves as **CITY's** Public Works Director pursuant to the **AGREEMENT BETWEEN THE CITY OF WHEATLAND AND DALE KLEVER FOR PUBLIC WORKS DIRECTOR SERVICES** dated May 12, 2020 (the "**AGREEMENT**").
- B. Following negotiations between the **EMPLOYEE** and **CITY**, and in consideration of the good and valuable services **EMPLOYEE** has been performing for **CITY** under the **AGREEMENT**, and **CITY's** desire to retain **EMPLOYEE** to continue to perform those services, the **PARTIES** desire to amend the **AGREEMENT** to include the additional provisions stated below.
- C. Collectively, the **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
Modification of Paragraph 2**

Paragraph 2 of the **AGREEMENT** is amended to read as follows:

Term. This Agreement shall remain in effect through May 31, 2027, unless sooner terminated as provided by the termination provision below.

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

IN WITNESS WHEREOF, the parties have executed this **AMENDMENT** with an effective date as set forth above.

CITY OF WHEATLAND

JIM GOODWIN

Rick West, Mayor

Jim Goodwin

ATTEST:

Lisa Thomason, City Clerk