

RESOLUTION NO. 105-23 (CM)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WATSONVILLE APPROVING SECOND AMENDMENT TO EMPLOYMENT
CONTRACT BETWEEN THE CITY OF WATSONVILLE AND IRWIN IVAN
ORTIZ FOR EMPLOYMENT AS CITY CLERK**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE,

CALIFORNIA, AS FOLLOWS:

1. This action is not subject to review under the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21000, et seq. and the CEQA Guidelines (14 Cal. Code Regs. §§ 15000 et. seq.), including without limitation, Public Resources Code section 21065 and California Code of Regulations 15378 as this is not a “project” that may cause a direct, or reasonably foreseeable indirect, physical change in the environment and because the action constitutes organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment. Additionally, even if a “project,” the action would be exempt under the “common sense” exception (14 Cal. Code Regs. § 15061(b)(3)) because it can be seen with certainty that there is no possibility that this action may have a significant effect on the environment.
2. That the Second Amendment to Employment Contract between the City of Watsonville and Irwin Ivan Ortiz for employment as City Clerk of the City of Watsonville, which Contract is attached hereto and incorporated herein by this reference, is hereby approved.
3. That the Mayor be hereby authorized and directed to execute the Second Amendment to the Employment Contract for and on behalf of the City of Watsonville.

The foregoing resolution was introduced at a regular meeting of the Council of the City of Watsonville, held on the 13th day of June, **2023**, by Mayor Montesino, who moved its adoption, which motion being duly seconded by Member Salcido, was upon roll call carried and the resolution adopted by the following vote:

AYES: COUNCIL MEMBERS: **Clark, Dutra, Orozco, Parker, Quiroz-Carter, Salcido, Montesino**

NOES: COUNCIL MEMBERS: **None**

ABSENT: COUNCIL MEMBERS: **None**

ATTEST:

DocuSigned by:

Irwin. Ortiz
05926F9A882E4FA...

City Clerk

6/19/2023 | 12:42 PM PDT

Date

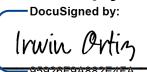
APPROVED AS TO FORM:

DocuSigned by:

Samantha Butler
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City Attorney

I, Irwin I. Ortiz, City Clerk of the City of Watsonville, do hereby certify that the foregoing Resolution No. 105-23 (CM) was duly and regularly passed and adopted by the Watsonville City Council at a meeting thereof held on the 13th day of June, 2023, and that the foregoing is a full, true and correct copy of said Resolution.

DocuSigned by:

Irwin I. Ortiz
03926F9A882E4FA...
Irwin I. Ortiz, City Clerk
6/19/2023 | 12:42 PM PDT
Date

SECOND AMENDMENT TO THE AT-WILL EMPLOYMENT AGREEMENT OF IRWIN IVAN ORTIZ

This Second Amendment is entered into by and between the **CITY OF WATSONVILLE**, a municipal corporation, hereafter referred to as "City," and **Irwin Ivan Ortiz**, hereafter referred to as "Employee," and collectively as "Parties."

RECITALS

WHEREAS, on March 22, 2022, the City Council adopted Resolution No. 54-22 (CM), appointing Irwin Ivan Ortiz as City Clerk, and approving an at-will employment agreement ("Agreement") between the City and Ortiz for employment of Ortiz as City Clerk; and

WHEREAS, on October 25, 2022, the City Council adopted the First Amendment to the Agreement; and

WHEREAS, the Parties now wish to amend the Agreement.

NOW THEREFORE, the Parties agree that the At-Will Employment Agreement of Irwin Ivan Ortiz shall amended as follows:

1. Section 6. Salary. Section 6 is amended to read as follows:

b. Effective March 23, 2023, City agrees to pay Employee \$160,000.00 per year for his services. All salary payments to Employee shall be payable in installments at the same time as other employees of the City are paid and subject to customary withholding.

2. Section 7. Supplemental Benefits. Section 7.b. is amended to read as follows:

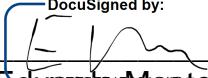
b. Effective March 23, 2022, the City will provide Employee a bi-weekly contribution of \$250 in deferred compensation to a plan of Employee's choosing.

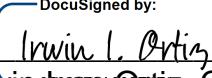
3. Section 9. Annual Performance Evaluation. Section 9.b. is amended to read as follows:

b. The City Council will provide Employee with a review, in September of each year, as detailed in section 6(c) above based on Employee's performance of assigned duties as detailed in this Agreement.

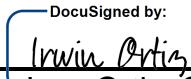
All other terms and conditions of the Agreement shall remain in full force and effect.
IN WITNESS WHEREOF, the parties hereto have executed this Second
Amendment to the At-Will Employment Agreement of Irwin Ivan Ortiz on the day and year
noted above.

CITY OF WATSONVILLE

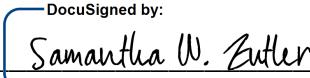
By:  DocuSigned by:
Eduardo Montesino, Mayor

By:  DocuSigned by:
Irwin L. Ortiz, City Clerk

ATTEST:

 DocuSigned by:
Irwin L. Ortiz, City Clerk

APPROVED AS TO FORM:

 DocuSigned by:
Samantha W. Zutler, City Attorney