

RESOLUTION NO. 097-2021

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA,  
APPROVING THE FOURTH AMENDMENT TO THE MANAGEMENT SERVICES  
AGREEMENT OF THE CITY CLERK

**WHEREAS**, on March 28, 2018 the City of Santee entered into a Management Services Agreement with Annette Ortiz to serve as the City Clerk effective April 19, 2018; and

**WHEREAS**, on November 14, 2018, following Ms. Ortiz's performance evaluation, the City and Ms. Ortiz amended the Management Services Agreement effective November 15, 2018 ("First Amendment"); and

**WHEREAS**, on May 22, 2019, following Ms. Ortiz's performance evaluation, the City and Ms. Ortiz amended the Management Services Agreement effective May 30, 2019 ("Second Amendment"); and

**WHEREAS**, on May 27, 2020, following Ms. Ortiz's performance evaluation, the City and Ms. Ortiz amended the Management Services Agreement effective June 11, 2020 ("Third Amendment"); and

**WHEREAS**, as the result of a performance evaluation on October 27, 2021 and November 10, 2021, the City Council desires to amend the Management Services Agreement of Ms. Ortiz, to increase her annual salary to \$126,856.89 and add a monthly technology stipend of \$150.00, effective December 9, 2021, as reflected in Exhibit "A" Fourth Amendment to the Management Services Agreement;

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of Santee, California, does hereby find, determine and declare that the Fourth Amendment to the Management Services Agreement of the City Clerk provided in Exhibit "A," is approved effective December 9, 2021.

**ADOPTED** by the City Council of the City of Santee, California, at a Regular Meeting thereof held this 8<sup>th</sup> day of December 2021, by the following roll call vote to wit:

**AYES:** HALL, KOVAL, MCNELIS, MINTO, TROTTER

**NOES:** NONE

**ABSENT:** NONE

**APPROVED:**

  
\_\_\_\_\_  
JOHN W. MINTO, MAYOR

**ATTEST:**

  
\_\_\_\_\_  
ANNETTE ORTIZ, CMC, CITY CLERK

Attachment: Exhibit "A" – Fourth Amendment to the Management Services Agreement

**Mayor**  
John W. Minto

**City Council**  
Ronn Hall  
Stephen Houlahan  
Laura Koval  
Rob McNelis

## **FOURTH AMENDMENT TO MANAGEMENT SERVICES AGREEMENT**

This Fourth Amendment to Management Services Agreement (“Fourth Amendment”) is made and entered into as of the \_\_\_\_\_ day of December 2021, by and between the City of Santee, a municipal corporation (“City”) and Annette F. Ortiz (“Employee”).

### **RECITALS**

1. On or about March 28, 2018, City and Employee entered into a Management Services Agreement whereby the City employed Employee as its City Clerk.
2. On or about November 14, 2018, following the Employee’s performance evaluation, the City and Employee amended the Management Services Agreement, effective November 15, 2018 (“First Amendment”).
3. On or about May 22, 2019, following the Employee’s performance evaluation, the City and Employee amended the Management Services Agreement effective May 30, 2019 (“Second Amendment”).
4. On or about May 27, 2020, following the Employee’s performance evaluation, the City and Employee amended the Management Services Agreement effective June 10, 2020 (“Third Amendment”).
5. The City Council held Employee’s performance evaluation on October 27, 2021 and November 10, 2021 and in accordance with the terms of her Management Services Agreement, considered her salary.
6. City desires to continue to employ the services of Employee as its City Clerk.
7. It is the desire of the City Council to provide inducement for employee to remain in such employment.

**NOW, THEREFORE, IN CONSIDERATION OF PERFORMANCE BY THE PARTIES OF THE COVENANTS AND CONDITIONS HEREIN CONTAINED, THE PARTIES AGREE TO AMEND THE MANAGEMENT SERVICES AGREEMENT AS FOLLOWS:**

8. The Parties hereby amend Paragraph 3 of the Management Services Agreement as follows:

**Paragraph 3. Salary and Benefits**

City agrees to increase Employee's annual base salary to \$126,856.89 effective December 9, 2021.

**Technology Allowance:** In addition to the benefits described above, Ortiz will be provided \$150 per month as a technology allowance to use for technology which will be used for business purposes and which is necessary as Ortiz will be expected to be available during non-business hours by mobile phone and/or by email. This amount will be treated consistently with current IRS regulations.

9. Except as amended in this Fourth Amendment, the terms and conditions of the Management Services Agreement remain the same.

**IN WITNESS WHEREOF**, City and Employee have signed and executed this Fourth Amendment as of the \_\_\_\_\_ day of December 2021.

**CITY OF SANTEE**

By: \_\_\_\_\_  
John W. Minto, Mayor

**EMPLOYEE**

By: \_\_\_\_\_  
Annette F. Ortiz, CMC, City Clerk

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Shawn Hagerty, City Attorney