

## RESOLUTION 19-87

**CITY COUNCIL OF THE CITY OF MILLBRAE,  
STATE OF CALIFORNIA**

**RESOLUTION APPROVING AND AUTHORIZING MAYOR TO SIGN AN AMENDMENT TO  
THE EMPLOYMENT AGREEMENT BETWEEN THOMAS C. WILLIAMS AND THE CITY  
OF MILLBRAE FOR EMPLOYMENT AS CITY MANAGER OF THE CITY OF MILLBRAE**

**WHEREAS**, the City appointed Thomas C. Williams as City Manager in November, 2018 and entered into an Employment Agreement with him dated as of November 27, 2018; and

**WHEREAS**, Mr. Williams has performed the job with skill and competence demonstrating knowledge and experience in managing a city with the specific opportunities and challenges confronting Millbrae; and

**WHEREAS**, the City wishes to amend the Employment Agreement with Mr. Williams to state a fixed term of his employment for a period of three years.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Millbrae hereby approves and authorizes the Mayor to sign an Amendment to the Employment Agreement with Thomas C. Williams to serve as City Manager of the City of Millbrae, in the form attached hereto.

**REGULARLY PASSED AND ADOPTED** this 12th day of November, 2019.

Mayor

**ATTEST:**

Eunice R. Swartz 11/13/19  
City Clerk

## **FIRST AMENDMENT TO EMPLOYMENT AGREEMENT**

THIS FIRST AMENDMENT TO EMPLOYMENT AGREEMENT is entered into as of November 12, 2019, by and between the City of Millbrae, State of California, herein called the "City", and Thomas C. Williams ("Employee").

### **RECITALS**

- A. Employee and City entered into an Employment Agreement dated November 27, 2018 (the "Employment Agreement").
- B. The parties desire to amend the Employment Agreement to extend the term of the contract.

NOW, THEREFORE, the parties agree to amend the Employment Agreement as follows:

1. Term. Section 2, "Term," of the Employment Agreement is amended in its entirety to read as follows:
  2. Term. City agrees to employ Employee, and Employee accepts employment with City for a three-year term, effective December 3, 20189. Employee serves at the pleasure of the City Council and agrees to continue in the employ of City until terminated by either party in accordance with Sections 10 &11.
2. Entire Agreement. This First Amendment to Employment Agreement and the Employment Agreement (collectively, the "Agreement") are intended by the parties to be one integrated agreement. The Agreement constitutes the entire agreement of the parties with respect to its subject matter and supersedes all other agreements or understandings, whether express or implied, oral or written, between the parties. The Agreement cannot be modified, altered, amended or changed by any oral statement or conduct but only by a written agreement signed by the Mayor and Employee. Except as expressly modified by this Amendment, all terms and conditions contained in the Employment Agreement and the First Amendment to the Employment Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the City and Employee have executed this First Amendment to Employment Agreement as of the date indicated above.

CITY OF MILLBRAE

THOMAS C. WILLIAMS

By: \_\_\_\_\_

Approved as to form:

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City Attorney

I do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Millbrae this 12th day of November 2019, by the following vote:

AYES: COUNCILMEMBERS: Lee, Holober, Schneider, Oliva and Papan  
NOES: COUNCILMEMBERS: None  
ABSENT: COUNCILMEMBERS: None  
ABSTAIN: COUNCILMEMBERS: None  
EXCUSED: COUNCILMEMBERS: None

*Elma A. Sunza*  
CITY CLERK