

RESOLUTION NO. XX

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE,
CALIFORNIA, APPROVING THE SECOND AMENDMENT TO THE CITY
MANAGER EMPLOYMENT AGREEMENT**

Whereas, on April 9, 2024, the City and Ernie Hernandez (Employee) entered into an Employment Agreement between the City of Commerce and the City Manager (Agreement); and

Whereas, on October 14, 2025, the City and Employee entered into a first amendment to the Agreement (“First Amendment”); and

Whereas, the Agreement outlines the terms and conditions of employment between the City and Mr. Hernandez as City Manager; and

Whereas, Section 2.3 of the Agreement provides for the conduct of a review of City Manager’s performance; and

Whereas, the City Council conducted and completed such a review earlier this year;

Whereas, the parties desire to further amend certain terms set forth in the Agreement and including compensation, effective date of revised compensation, termination provision, and annual performance incentive; and

Whereas, in consideration of the promises and mutual covenants contained in the Agreement, and intending to be legally bound, the parties hereby agree to make the following amendments to the Agreement.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMMERCE DOES
HEREBY RESOLVE AND ORDER AS FOLLOWS:**

Section 1. The City Council of the City of Commerce hereby finds and declares that the foregoing recitals are true and correct, and incorporates them herein as findings and as a substantive part of this Resolution.

Section 2. The City Council hereby approves the Second Amendment to the Agreement between the City and Ernie Hernandez, effective July 1, 2026.

Section 3. Except as expressly modified or supplemented by the Second Amendment, all other provisions of the Agreement and the First Amendment shall remain unaltered and in full force and effect. In the event of a conflict between the provisions of the Second Amendment and the provisions of the Agreement and/or the First Amendment, the provisions of the Second Amendment shall control.

Section 4. The Mayor is authorized to execute the Second Amendment to

the Agreement, in a form approved by the City Attorney, and this Resolution.

Section 5. The City Clerk shall certify to the adoption of this Resolution.

Section 6. This Resolution shall take full force and effect immediately upon adoption by the City Council.

PASSED, APPROVED AND ADOPTED this 23rd day of June 2026 at Commerce, California.

Kevin Lainez
Mayor

ATTEST:

Lena Shumway, City Clerk