

**CITY OF FULLERTON  
FIRST AMENDMENT TO THE EMPLOYMENT AGREEMENT  
DEPUTY DIRECTOR OF ADMINISTRATIVE SERVICES**

This FIRST AMENDMENT TO THE EMPLOYMENT AGREEMENT (“Agreement”) is made effective as of April 27, 2024 (“Effective Date”) and is entered into by and between the CITY OF FULLERTON, a California municipal corporation (“City”) and TONETTE SMART (“Smart”) an individual (sometimes collectively referred to herein as “the Parties”).

**RECITALS**

**WHEREAS**, Smart has served as Deputy Director of Administrative Services of the City of Fullerton since March 30, 2024; and

**WHEREAS**, the City desires to continue the employment of Smart as Deputy Director of Administrative Services; and

**WHEREAS**, pursuant to Resolution No. 2023-068 and Resolution No. 2024-025\*, the City Council of the City of Fullerton approved a multi-year salary schedule for Executive classifications; and

**WHEREAS**, the Agreement is being amended to reflect the changes approved by the City Council of the City of Fullerton; and

**WHEREAS**, no other changes are being made to the Agreement.

**NOW, THEREFORE**, in consideration of the mutual covenants herein contained, the parties hereto agree as follows:

Section 4: Salary, shall be amended in its entirety to read:

**4. Salary**

Effective March 30, 2024, City agrees to compensate Smart for services rendered, a base salary of no less than \$159,057 per year (approximately \$76.470 per hour).

After completion of six months of service with a performance rating of average or above, Smart’s compensation shall be evaluated for a possible increase to the top of the salary range for Deputy Director of Administrative Services.

\* Resolution No. 2024-025 amended the salary range for the classification of Fire Chief only.

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**4. Salary (continued)**

Notwithstanding the above, the salary range for Deputy Director of Administrative Services, and Smart’s base salary, shall be increased according to the schedule of increases contained in Resolution No. 2024-025 Appendix A – Executive Salary Schedule (attached).

**IN WITNESS WHEREOF**, the parties have caused this Agreement to be executed on the dates reflected below each signature.

CITY OF FULLERTON

DEPUTY DIRECTOR OF ADMINISTRATIVE SERVICES

  
\_\_\_\_\_  
Eric Levitt, City Manager

  
\_\_\_\_\_  
Tonette Smart

Dated: 5/17/24

Dated: 5-8-24

Approved as to Form:

  
\_\_\_\_\_  
Richard D. Jones, City Attorney

Dated: 5/6/24

Attachment: Resolution No. 2024-025 Appendix A – Executive Salary Schedule