

Agenda Report

TO: CITY COUNCIL **DATE:** JULY 27, 2009

FROM: MAYOR BILL BOGAARD

SUBJECT: APPROVAL OF AN AMENDMENT TO THE EMPLOYMENT
CONTRACT WITH CITY CLERK MARK JOMSKY

RECOMMENDATION

It is recommended that the City Council approve the attached Amendment to Contract No. 19,710, the Employment Agreement between the City of Pasadena and City Clerk Mark Jomsky, effective July 20, 2009.

BACKGROUND

In July 2008, the City entered into an Employment Agreement with Mark Jomsky for his promotion from Senior Assistant City Clerk to City Clerk. The Agreement provides for a salary review after six months of service, and again after twelve months.

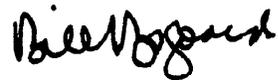
Typically a salary range is established for this classification, with the control rate equivalent to the 75th percentile of the surveyed labor market. As a new City Clerk, Mr. Jomsky was appointed to the position at a salary substantially below the 75th percentile. Based on his strong performance in his first year in the position, it is appropriate to grant a step increase at this time. Mr. Jomsky agreed to forego any six month increase, and to accept an increase effective prospectively to a salary below the 75th percentile, mindful of the City's fiscal position, and consistent with the City's approach this year with unionized employees.

The attached Amendment to the Employment Agreement provides for a base salary of \$143,006, effective July 20, 2009, with no changes to benefit levels or other compensation.

FISCAL IMPACT:

The fiscal impact of this amendment is estimated to be approximately \$15,600 for FY 2010, including salary and increased related costs. Such expenditure is within current appropriations.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bill Bogaard". The signature is written in a cursive style with a prominent loop at the end.

BILL BOGAARD
Mayor

CONTRACT NO. 19,710-1

FIRST AMENDMENT TO THE EMPLOYMENT AGREEMENT BETWEEN THE CITY OF PASADENA AND CITY CLERK MARK JOMSKY

THIS AMENDEMENT TO AGREEMENT is entered into on July 27, 2009, by and between the CITY OF PASADENA, a municipal corporation of the State of California, herein referred to as "CITY," and Mark Jomsky, herein referred to as 'EMPLOYEE.'

RECITALS:

WHEREAS, CITY and EMPLOYEE entered into Contract No. 19,710 on July 22, 2008 ("the Employment Agreement"), setting forth the terms of EMPLOYEE'S service as City Clerk of CITY; and,

WHEREAS, it is the desire of CITY to continue to retain the services of EMPLOYEE as City Clerk and the desire of EMPLOYEE to continue to serve in that capacity; and,

WHEREAS both parties desire to modify certain terms of the Employment Agreement;

NOW, THEREFORE, the parties hereto agree to amend the Employment Agreement effective July 20, 2009, as follows:

1. Section III. A. is amended to provide that EMPLOYEE'S shall receive a base salary of \$143,006 annually.
2. All other terms and conditions of Contract No. 19,710 not modified herein shall remain in full force and effect.

EXECUTED the date and year first written above.

CITY OF PASADENA,
A municipal corporation

MARK JOMSKY

BILL BOGAARD, MAYOR

APPROVED AS TO FORM:

ATTEST:



MICHELE BEAL BAGNERIS
City Attorney

SYLVIA FLORES
Sr. Assistant City Clerk