



# Agenda Report

**DATE:** January 26, 2015

**TO:** City Council

**FROM:** Mayor Bill Bogaard

**RE:** APPROVAL OF EMPLOYMENT AGREEMENT – CITY CLERK – MARK JOMSKY

**RECOMMENDATION:**

It is recommended that the City Council approve a new employment agreement for City Clerk Mark Jomsky which sets forth the terms and conditions of the employment agreement between the parties. It is further recommended that the Mayor be authorized to sign this employment agreement to reflect City Council approved changes.

**BACKGROUND:**

On July 22, 2009, the City entered into an employment agreement (Contract No. 19,710) with Mark Jomsky as City Clerk. The employment agreement has been amended three times (Contract No. 17,080-1 through 17,080-3). The most recent amendment was approved on October 29, 2012.

As part of the City's ongoing efforts to standardize benefits for employees, the new employment agreement ties the City Clerk's benefits and several other terms and conditions of employment to equal those of Non-Represented Executive Management as identified in the salary resolution approved by the City Council. Additionally, there are several areas of the employment agreement that are specific to the City Clerk.

The key modifications in this agreement include the following:

1. Salary – Effective December 1, 2014, the City Clerk will be paid a base salary of \$154,661 and the salary control rate for the City Clerk shall be \$167,500.
2. Benefits – The City Clerk shall receive no less than the benefits provided to Executive Management employees as identified in the salary resolution approved

by the City Council. Benefits identified specifically in the agreement include an auto allowance and management time off.

3. Professional Development Expenses – The City Clerk will receive \$1,000 with the second paycheck in March as a personal/professional development allowance to cover the cost for professional dues and subscriptions to continue professional growth and advancement.
4. Termination & Severance – City Clerk serves at-will at the pleasure of the City Council. A ninety day notice is required for termination. Severance is provided as one year of salary and twelve months of medical COBRA premiums. Additional provisions are included if termination is within forty-five days following the installation of the City Council.

The attached employment agreement includes the following general provisions which are relatively unchanged from the existing employment agreement:

1. Management Incentive Pay – At the City Council's discretion, the City Clerk may receive Management Incentive Pay utilizing the criteria established in the Executive Management salary resolution.
2. Performance Evaluation – Conducted annually in the last quarter of the calendar year.
3. Notice of Leave – Prior to taking two or more consecutive days of vacation or management time off, the City Clerk will provide the Mayor with reasonable notice of the absence.
4. Professional Development –The City will pay for travel costs for participation in professional organizations and conferences.

The remaining sections of the employment agreement including indemnification, bonding, notices, general provisions, and other terms and conditions are standard per the City's employment contract format.

**COUNCIL POLICY CONSIDERATION:**

The approval of the employment agreement supports the City Council's strategic goal of maintaining fiscal responsibility and stability.

**FISCAL IMPACT:**

The fiscal impact with the approval of this employment agreement is an estimated cost of \$11,044 to be paid from the City Clerk Department operating budget.

Respectfully Submitted,



Bill Bogaard  
Mayor

Prepared by:



Kristi Recchia  
Director of Human Resources

Attachments:

1. Employment Agreement – City Clerk