

Agenda Report

November 21, 2022

TO: City Council

FROM: Mayor Victor Gordo

**SUBJECT: APPROVAL OF THIRD AMENDMENT TO EMPLOYMENT AGREEMENT
FOR CITY CLERK**

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the proposed action herein is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines Section 15061(b)(3) (Common Sense Exemption); and
2. Approve a third amendment to the employment agreement for City Clerk Mark Jomsky to provide an increase to salary and the classification's salary control rate. It is further recommended that the Mayor be authorized to sign the third amendment to the employment agreement to reflect City Council-approved changes.

BACKGROUND:

On April 23, 2018, the City entered into an employment agreement (Contract No. 22,943) with Mark Jomsky as City Clerk. The employment agreement has been modified twice on April 8, 2019 (Contract No. 22,943-1) and December 6, 2021 (Contract No. 22,943-2). As a result of the City Clerk's recently completed performance evaluation covering 2021-2022, the Council recommends approving the attached third contract amendment (Contract No. 22,943-3) for Mark Jomsky with the following modifications:

1. Compensation/Salary – Effective November 21, 2022, the City Clerk will be paid a base annual salary of \$232,860, and the salary control rate for the City Clerk classification shall also be \$232,860. This new salary aligns the City Clerk compensation with that of several other Department Directors. The effective date is approximately one year from the date of the City Clerk's last merit increase

and consistent with the timing of annual merit increases provided to other City employees. The Council-appointed positions, including the City Clerk, are not eligible to receive cost of living adjustments, which are typically provided to other employee groups.

2. Bonus Pay – The City Clerk will receive a one-time, lump sum payment of \$16,300 (7% of salary).

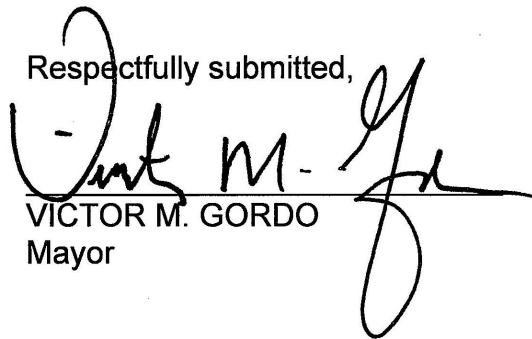
COUNCIL POLICY CONSIDERATION:

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

FISCAL IMPACT:

The approval of the amendment to the employment agreement for the City Clerk is estimated to have an overall FY 2023 fiscal impact of \$51,300 which includes a one-time cost of \$16,300. This position is budgeted to the General Fund (101), and the City Clerk Department's FY 2023 Operating Budget includes additional funding in anticipation of negotiated wage increases. However, staff will monitor personnel expenses and request a supplemental appropriation during the fiscal year if necessary.

Respectfully submitted,



VICTOR M. GORDO
Mayor

Prepared by:



Tiffany Jacobs-Quinn
Acting Director of Human Resources

Approved by:



MIGUEL MÁRQUEZ
City Manager

Attachments: (1)

Attachment A – THIRD AMENDMENT TO CITY CLERK EMPLOYMENT AGREEMENT