



STAFF REPORT

MEETING DATE: November 13, 2024

PRESENTER: Hilda Cantú Montoy, City Attorney

SUBJECT: Third Amendment to Employment Agreement with City Manager (HCM)

RECOMMENDATION: Council is asked to consider and determine whether to adopt a resolution approving a third amendment to Employment Agreement with City Manager.

EXECUTIVE SUMMARY:

The City and City Manager John Jansons entered into an Employment Agreement (“Agreement”) effective December 1, 2019, and amended on October 1, 2021, and August 9, 2023. Subsequent to the recent completion of the City Manager’s performance evaluation, the City Council, through an Ad Hoc Committee comprised of the Mayor and Council Member Yep, conducted contract negotiations with the City Manager. The parties wish to amend the Employment Agreement as set forth in the Third Amendment to Employment Agreement attached to the proposed resolution regarding this matter.

DISCUSSION:

The Brown Act Requires that prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive during the open meeting in which the final action is to be taken. See Government Code § 54953 (c) (3). A summary of the amended Agreement is described in this staff report per the text that is required to be read aloud by the Mayor at the Council Meeting.

Announcement by Mayor –

As required by the Brown Act (Government Code § 54953 (c) (3)), prior to taking action on this item, the Council must publicly announce a summary of the action being considered. If adopted, the proposed resolution will approve the Third Amendment to Employment Agreement with City Manager John Jansons as follows:

- The current term of the Employment Agreement ends in three years on November 30, 2027. This amendment extends it for an additional two years to November 30, 2029.

- Effective July 1, 2024, as per the last performance evaluation, the City Manager will be paid an annual base salary of \$191,448.00 (\$15,954.00 monthly) per year paid in accordance with the City's payroll procedures.

ATTACHMENTS:

A. Resolution w/Exhibit

Attachment 'A'

RESOLUTION NO. 24-__

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN APPROVING A
THIRD AMENDMENT TO EMPLOYMENT AGREEMENT WITH CITY MANAGER**

WHEREAS, on December 1, 2019, the City and City Manager entered into an At-Will Employment Agreement; and

WHEREAS, the Agreement has been modified twice; and

WHEREAS, the City Council and City Manager desire to amend the Agreement to extend the term of the Agreement and to add a base salary increase.

NOW, THEREFORE, the City Council of the City of Kerman hereby resolves as follows:

1. The above recitals are true and correct.
2. The City Council approves the Third Amendment to Employment Agreement with City Manager John Jansons attached hereto as **Exhibit 'A'** and incorporated by reference.
3. This resolution is effective immediately upon adoption.

The foregoing resolution was adopted by the City Council of the City of Kerman at a regularly scheduled meeting held on the 13th day of November 2024, by the following vote.

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing resolution is hereby approved.

Maria Pacheco
Mayor

ATTEST:

Josie Camacho
City Clerk

Exhibit 'A'

**THIRD AMENDMENT TO CITY OF KERMAN
AGREEMENT FOR EMPLOYMENT OF CITY MANAGER**

This Third Amendment to Employment Agreement ("Third Amendment") is made and entered on November 14, 2024, by and between the City of Kerman ("City") and John Jansons ("Employee").

RECITALS

WHEREAS, City and Employee entered an Employment Agreement ("Agreement") effective December 1, 2019; and

WHEREAS, the Agreement has been modified twice by the parties; and

WHEREAS, City and Employee desire to continue the employment relationship and to make certain modifications to the Agreement.

AGREEMENT

NOW THEREFORE, in consideration of the foregoing recitals and the mutual promises and covenants herein contained, the parties agree as follows:

SECTION 1. Section 3 of the Employment Agreement is amended to read as follows and to repeal prior text in Section 3:

3. Term of Agreement.

The current Agreement expires on November 30, 2027. The term of the Agreement is extended to November 30, 2029. The term of this Agreement shall be at the will of either party.

SECTION 2. Section 4 of the Employment Agreement is amended to read as follows:

4. Salary.

Based on the salary increase received effective July 1, 2024, Employee shall be paid an annual base salary of \$191,448.00 (\$15,954.00 monthly) per year paid in accordance with the City's payroll procedures.

SECTION 3. Except as amended by this Third Amendment to Agreement, all other terms in the Employment Agreement shall continue in full force and effect.

IN WITNESS WHEREOF, the City of Kerman has caused this Third Agreement to Employment Agreement to be executed on its behalf by its Mayor and duly attested by its City Clerk, and John Jansons has signed and executed this Agreement on the day and year written below.

CITY OF KERMAN

EMPLOYEE

Maria Pacheco, Mayor

John Jansons

Date: _____

Date: _____

ATTEST:

Josie Camacho, City Clerk

APPROVED AS TO FORM:

Hilda Cantú Montoy, City Attorney