



City of Grand Island

Tuesday, September 11, 2007

Council Session

Item I3

#2007-229 - Consideration of Approving Appointment of Jeff Pederson as City Administrator and Approving Offer of Employment

Staff Contact: Brenda Sutherland

Council Agenda Memo

From: Mayor Hornady
Meeting: September 11, 2007
Subject: Appointment of City Administrator
Item #'s: I-3
Presenter(s): Mayor Hornady

Background

The City of Grand Island has been without a full time City Administrator since February 2007. Gary Greer left the City's employ last February when he took another position in Farmer's Branch Texas. This past July, Dale Shotkoski was appointed as Interim City Administrator and has worn two hats as he is also the City Attorney. The City contracted with the Mercer Group to conduct the recruitment process. Jim Mercer worked with the City's Human Resources Department to conduct the search. By statute, the City Administrator is appointed by the Mayor with the Council's approval. The City Administrator serves at the pleasure of the Mayor and for the Mayor's term.

Discussion

The City has interviewed three finalists for the City Administrator position. Mr. Jeffrey Pederson is being recommended for approval as the City Administrator. Mr. Pederson has more than twenty years of municipal experience. He has been interviewed by the Mayor and Council. An extensive background check has been completed by the Mercer group. If approved, he will begin employment with the City in September.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

Recommendation

City Administration recommends that the Council ratify the appointment of Mr. Jefferey Pederson as the City Administrator.

Sample Motion

Motion to ratify the Mayor's appointment of Jeffrey Pederson as City Administrator under the working conditions set forth in the letter offering employment and the City Personnel Rules and Regulations.



September 11, 2007

Mr. Jeffrey Pederson
2006 Frederick Drive
Dodge City, Kansas 67801

Mr. Pederson,

The Mayor of Grand Island, on behalf of the City, is pleased to offer the position of City Administrator to you. The contents of this letter will outline the proposed offer of employment. The City Administrator serves at the pleasure of the Mayor and for the Mayor's term. Mayor Hornady's term will expire in December 2010. The position is at-will and will be subject to the City of Grand Island Personnel Rules and Regulations with the exception of topics that are covered separately under this offer.

The City is offering a starting salary of \$105,923.18. This is step 3 of the current City Administrator salary table. This salary will increase an additional 3.5% on October 1, 2007. The new salary will be \$109,630.49. Movement through the City Administrator salary range could occur annually after that with satisfactory performance evaluations.

The City is offering a car allowance of \$500 per month in lieu of mileage allowance, divided into two equal payments of \$250. If you agree, the City may furnish a vehicle for your use instead of paying an allowance or mileage.

The City agrees to budget and pay the professional dues and subscriptions of the City Administrator's membership to the International City Manager's Association (ICMA) and Nebraska City Manager's Association (NCMA) and any other organizations the employer deems beneficial to the City. In addition, The City will pay for your annual dues to one community service organization on your behalf.

You will be entitled to receive the same vacation leave, medical leave and holiday benefits as those accorded to other City employees. In addition, you will accrue at a rate that will provide fifteen days of vacation over the next year and the years following.

In the event that the Mayor, with the approval of the City Council, terminates you for reasons other than those outlined in the Personnel Rules and Regulations or for a conviction of a felony or a misdemeanor involving moral turpitude, the City agrees to pay, in a single lump sum payment, an amount equal to five (5) months of your salary, excluding the City's obligation for retirement, insurance, benefits or allowances for said five (5) month period. Upon payment of said lump sum, you hereby waive and release the City, its elected officials, managers, employees, and agents from any and all claims of any nature whatsoever which may arise by any reason of such termination, including, but not limited to, an alleged breach of contract, violation of any federal law, state law, local law, constitutional due process claim that termination deprived you of a property interest (such as continued employment), or a liberty interest in your good name and reputation. You are not entitled to compensation if you voluntarily leave employment with the City or if your appointment expires and you are not reappointed.

In determining the amount of the lump sum payment, the City considered the expense of conducting pre- and post-termination grievance hearings which would cost the equivalent of one month's salary; conducting a Lauderhill hearing and due process hearing which would cost the equivalent of two months' salary; defending a discrimination charge brought under local, state, or federal law which would cost the equivalent of one month's salary; and defending a breach of contract claim which would cost the equivalent of one month's salary. By accepting this lump sum payment, you agree further to voluntarily participate and cooperate in the defense of the city, its officials and employees and the prosecution of any action or proceeding about which you have knowledge, including any litigation related to these actions. This includes, without limitation, agreeing to speak with the City's attorneys regarding the facts of the matter and making yourself available for discovery and/or trial.

You will be entitled to receive the same retirement benefits as are accorded to other employees of the City. ICMA will serve as the investment administrator.

In the event you voluntarily resign your position, you shall give a two (2) month notice in advance.

Sincerely,

Margaret Hornady,
Mayor

Jeffrey Pederson

Attest: _____
City Clerk

RESOLUTION 2007-229

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the Mayor appoints and the Council consents to the appointment of Jeffrey Pederson for the position of City Administrator under the working conditions set forth in the offer of employment and the City's Personnel Rules and Regulations.

- - -

Adopted by the City Council of the City of Grand Island, Nebraska, September 11, 2007.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk