

**Second Amendment to the Employment Agreement
Between**

**Holly Moseley
And
City of Mesa**

This Second Amendment to the Employment Agreement (“Second Amendment”) is entered into between the City of Mesa, an Arizona municipal corporation (“Employer”) and Holly Moseley (“Employee”). Employer and Employee may be referred to individually as “Party” and collectively as “Parties.”

RECITALS

- A. Employer and Employee are parties to that certain Employment Agreement entered into and made effective as of January 28, 2022; and a First Amendment to the Employment Agreement dated October 3, 2022 (collectively, the “Employment Agreement).
- B. The Parties, through this Second Amendment, hereby desire to modify the Employment Agreement under the terms and conditions set forth below.

AGREEMENT

NOW, THEREFORE, for and in consideration of the foregoing, and the promises and agreements set forth herein, the Parties agree as follows:

- 1. Base Salary: The Parties agree that Employee will receive a five percent (5%) salary adjustment increase to her annual base salary and such increase shall be effective as of July 1, 2023 and payable in the same manner as other city employees’ salaries.
- 2. Deferred Compensation: The Parties agree that, effective July 1, 2023, Employer will pay into a qualified defined contribution plan the amount of three percent (3%) of the Employee’s annual salary, payable in equal proportionate amounts each pay period. Employee will designate the qualified defined contribution plan (or plans) to which the payments shall be applied.

3. Effect of Second Amendment: This Second Amendment shall be deemed to amend the Employment Agreement with respect to all terms, provisions, and changes set forth in this Second Amendment. Except as amended by this Second Amendment, all terms, provisions, and conditions of the Employment Agreement not inconsistent with this Second Amendment shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have caused this Second Amendment to be duly executed on or as of October _____, 2023.

EMPLOYEE

EMPLOYER

Holly Moseley
City Clerk

John C. Giles
Mayor

Approved as to Form

Alfred J. Smith
Deputy City Attorney