

Eighth Amendment to the Employment Agreement

**James N. Smith
And
City of Mesa**

This Eighth Amendment to the Employment Agreement (“Eighth Amendment”) is entered into between the City of Mesa, an Arizona municipal corporation (“Employer”) and James N. Smith (“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 July 1, 2015; a First Amendment to the Employment Agreement dated November 17, 2016; a Second Amendment to the Employment Agreement dated October 2, 2017; a Third Amendment to the Employment Agreement dated August 27, 2018; a Fourth Amendment to the Employment Agreement dated November 4, 2019; and a Fifth Amendment to the Employment Agreement dated February 25, 2021; and a Sixth Amendment to the Employment Agreement dated November 1, 2021; and a Seventh Amendment to the Employment Agreement dated March 17, 2022 (collectively, the “Employment Agreement”).
- B. The Parties, through this Eighth 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 Adjustment: The Parties agree that Employee will receive a four percent (4%) salary adjustment increase to his annual base salary and such increase shall be effective as of July 1, 2022 in the same manner as other city employees eligible for the adjustment.
- 2. Effect of Eighth Amendment: This Eighth Amendment shall be deemed to amend the Employment Agreement with respect to all terms, provisions, and changes set forth in this Eighth Amendment. Except as amended by this Eighth Amendment, all terms, provisions, and conditions of the Employment Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have caused this Eighth Amendment to be duly executed on or as of October 3, 2022.

EMPLOYEE

EMPLOYER

James N. Smith
City Attorney

John C. Giles
Mayor

Approved as to Form

Alfred J. Smith
Deputy City Attorney