

MEMORANDUM

TO: Board of Directors

FROM: Legal Counsel

RE: Approval of Second Amendment To General Manager Employment Agreement

DATE: September 13, 2021

Summary:

The Board previously entered into an Employment Agreement with the General Manager/Chief Hydrogeologist, Lance Eckhart, dated July 13, 2020. The Board and the General Manager then entered into a First Amendment dated October 5, 2020. The First Amendment provides for the General Manager to use an Agency-owned vehicle.

The General Manager Evaluation Committee of the Board (“Committee”) met in August of 2021. The result of that meeting was to put forward three items for consideration by the full Board including a recommended pay raise and specifying/clarifying that the General Manager may use an Agency-provided HMO health insurance plan. As for the third item, the Committee congratulated the General Manager on his first year and commended him on a job well done.

Recommendation:

It is recommended that the Board approve entering into a Second Amendment to the Employment Agreement which could address items such as the compensation and insurance-related proposals referenced above. Any draft of a Second Amendment would be provided to the Board and the public in open session and prior to consideration by the Board in open session.

Detailed Report:

If the Board elects to enter into a Second Amendment, then pursuant to requirements of Government Code Section 54953(c)(3), prior to taking action, a report must be made to disclose, for example and not by way of limitation: (1) the amount of any change in compensation

and the date that said compensation would be effective; (2) any health insurance plan options the Board would like to provide, and/or clarify as being available; and (3) any other matters the Board may wish to address.

It was discussed by the Board in an open session at a previous Board meeting that for this meeting of September 13, 2021, they would like to have the appropriate closed and open sessions to consider the items proposed by the Committee.

It was also mentioned that the Board may wish to have a full work performance evaluation of the General Manager in the near future to conduct an evaluation and also address potential goals. Any final decision/amendment to establish goals, and any compensation tied thereto, would be the subject of an open session item at a subsequent Board meeting.

Fiscal Impact:

The Agreement and Amendments would provide for payment of compensation, benefits and reimbursement of expenses.