

RESOLUTION NO. 2019-20

APPROVING AN ADJUSTMENT TO THE COMPENSATION OF THE GENERAL MANAGER OF THE MID-PENINSULA WATER DISTRICT, THE SIXTH AMENDMENT TO THE GENERAL MANAGER'S EMPLOYMENT AGREEMENT, AND THE GENERAL MANAGER'S SALARY SCHEDULE, EFFECTIVE JANUARY 1, 2020

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MID-PENINSULA WATER DISTRICT

WHEREAS, by Resolution No. 2012-13, the Mid-Peninsula Water District Board of Directors appointed Tammy Rudock as the new General Manager and approved the execution of an Employment Agreement with her that was dated December 21, 2012; and

WHEREAS, the Employment Agreement calls for an annual performance evaluation and salary review around the anniversary date of the General Manager's employment; and

WHEREAS, the District Board commenced this annual review on October 24, 2019; and

WHEREAS, at the regular Board meeting on December 19, 2019, the Board completed the evaluation and proposed an increase to the base salary of the General Manager, along with an increase to her monthly San Francisco Bay Area cost of living stipend and an annual contribution to her ICMA 457(b) Plan account, commencing as of January 1, 2020.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Mid-Peninsula Water District hereby approves an increase in the salary of the General Manager bringing her total base salary to \$211,972, and approves a \$1,500 monthly San Francisco Bay Area cost of living stipend and, effective January 1, 2021, an annual \$8,500 contribution to her ICMA 457(b) Plan account (increasing to a \$10,000 contribution in the year 2023), effective January 1, 2020, with the understanding that the stipend and the 457(b) Plan account contributions are not intended to meet the definition of "payrate" or "special compensation" for purposes of reporting the General Manager's compensation to CalPERS; and

BE IT FURTHER RESOLVED that the Board approves the Sixth Amendment to the General Manager's Employment Agreement that reflects the aforementioned increased salary level, monthly stipend, and 457(b) Plan account contribution; and

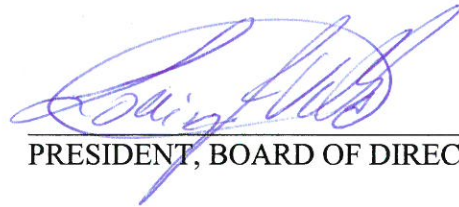
BE IT FURTHER RESOLVED that the Board approves the updated General Manager Salary Schedule, effective January 1, 2020.

REGULARLY passed and adopted this 19th day of December 2019.

AYES: *Director Warden, Bucca, Schmidt, Vella, Wheeler*

NOES: *0*

ABSENCES: *0*



PRESIDENT, BOARD OF DIRECTORS

ATTEST:

Candace R. Pina

DISTRICT SECRETARY

**SIXTH AMENDMENT TO
EMPLOYMENT AGREEMENT**

THIS SIXTH AMENDMENT TO EMPLOYMENT AGREEMENT is made as of the 1st day of January 2020, by and between the Mid-Peninsula Water District (hereinafter referred to as "DISTRICT") and Tammy A. Rudock (hereinafter referred to as "EMPLOYEE").

A. The Parties entered into an EMPLOYMENT AGREEMENT ("Agreement") under which EMPLOYEE is employed in the position of General Manager of the DISTRICT;

B. The Board of Directors conducted an annual performance evaluation of EMPLOYEE commencing in October of 2014 and took action to increase EMPLOYEE's salary to \$162,500 pursuant to Resolution No. 2015-01; and

C. The Board of Directors conducted an annual performance evaluation of EMPLOYEE commencing in December of 2015 and took action to increase EMPLOYEE's salary to \$172,250 pursuant to Resolution No. 2016-01; and

D. The Board of Directors conducted an annual performance evaluation of EMPLOYEE commencing in December of 2016 and took action to increase EMPLOYEE's salary to \$178,279 pursuant to Resolution No. 2017-06; and

E. The Board of Directors conducted an annual performance evaluation of EMPLOYEE commencing in January of 2018 and took action to increase EMPLOYEE's salary to \$185,410 pursuant to Resolution No. 2018-09; and

F. The Board of Directors conducted an annual performance evaluation, which commenced in February of 2019, the Board of Directors took action to increase EMPLOYEE's salary to \$190,972 and to include a \$1,000 monthly San Francisco Bay Area cost of living stipend pursuant to Resolution No. 2019-10; and

F. Following an annual performance evaluation, which commenced in October of 2019, the Board of Directors took action to increase EMPLOYEE's salary to \$211,972, to include a \$1,500 monthly San Francisco Bay Area cost of living stipend, and, effective January 1, 2021, to make an annual contribution to the EMPLOYEE's ICMA 457(b) Plan account pursuant to Resolution No. 2019-20; and

G. The Board of Directors desires to amend the Employment Agreement with the General Manager to reflect the aforementioned adjustments in EMPLOYEE's compensation.

NOW THEREFORE, the Parties agree to amend the Agreement as follows:

1. Section 3.1, Salary, is hereby amended by deleting the first sentence in its entirety and replacing it with the following:

Effective as of January 1, 2020, the District agrees to pay Employee a salary at the annualized rate of \$211,972 for Employee's faithful and diligent performance of the duties and obligations of General Manager, payable in installments in accordance with the District's customary payroll practices. In addition, the District agrees to pay Employee a \$1,500 monthly San Francisco Bay Area cost of living stipend and, effective January 1, 2021, an annual \$8,500 contribution to her ICMA 457(b) Plan account (increasing to a \$10,000

contribution in the year 2023), with the understanding that (1) the stipend and 457(b) Plan account contributions are not intended to meet the definition of "pay rate" or "special compensation" for purposes of reporting the General Manager's compensation to CalPERS, and (2) the annual contributions to her ICMA 457(b) Plan account are payable upon a satisfactory performance evaluation.

2. Except for those changes expressly specified in this Sixth Amendment, all other provisions, requirements, conditions, and sections of the Agreement, as previously amended, remain in full force and effect.

IN WITNESS WHEREOF, this Sixth Amendment to the Agreement is entered into as of the date first written above by the duly authorized representatives of the parties.

MID-PENINSULA WATER DISTRICT

By: _____

Louis J. Vella, President
Board of Directors

TAMMY A. RUDOCK
