MEMORANDUM
COUNTY EXECUTIVE OFFICE
ADMINISTRATION
County of Placer

TO: Honorable Board of Supervisors
FROM: David Boesch, County Executive Officer
        By: Bryan Hacker, Senior Management Analyst
DATE: July 12, 2016
SUBJECT: Employment Contract Amendment - District Director, Placer County Air Pollution Control District

ACTION REQUESTED
Approve an employment contract amendment with Erik White for the position of Air Pollution Control Officer/District Director of Air Pollution Control for the period of December 21, 2015 through December 21, 2017, consistent with the action taken by the District Board. There is no County cost from this action.

BACKGROUND
The Placer County Air Pollution Control District (District) is a special district created by state law to enforce local, state and federal air pollution regulations. On January 5, 2016, your Board confirmed the selection of Erik White to the position of Air Pollution Control Officer (APCO) / District Director. The District and the County, as collective employers, executed a two-year employment contract with Mr. White.

During the hiring negotiations, it was represented by the District’s recruiting firm that the APCO’s compensation would include 120 hours of annual management leave and that general wage adjustments received by management classifications as approved by the Placer County Board of Supervisors would also apply to the APCO. However, the current employment contract does not contain these provisions. Therefore, an amendment to the employment contract is necessary in order to clarify and include these provisions. The items included in the contract amendment shall be retroactive to the original date of hire. The attached Employment Contract details the amended terms.

FISCAL IMPACT
There is no County fiscal impact from this action. The Air Pollution Control Officer/District Director of Air Pollution Control is funded by the District’s budget. The contract amendments' costs are included in the District budget for FY 2016-17.

ATTACHMENTS
Attachment 1 - Employment Agreement
CONTRACT AMENDMENT NO. 1

Contract Description: Employment Agreement for Director of Air Pollution Control Director

The previously executed employment agreement between Placer County and the Placer County Air Pollution Control District ("DISTRICT"), and Erik White ("EMPLOYEE"), effective December 21, 2015, is amended as follows (deletions in strike-through, additions in underline):

5. **SALARY.**
   DISTRICT agrees to pay EMPLOYEE consistent with the PLACER COUNTY special district administrative salary plan, at Grade 950, starting at Step 5. For the term of the Agreement the applicable law, including PLACER COUNTY ordinances and resolutions relevant to managers and department heads other than the application of any COLA's, will control on all elements of payment and accrual of compensation, including application of Longevity pay. EMPLOYEE will retroactively receive the 2% Wage Adjustment effective pay period 19, beginning February 20, 2016 approved by the Placer County Board of Supervisors as an un-codified ordinance on February 9, 2016.

6. **SUPPLEMENTAL BENEFITS.**
   EMPLOYERS shall also provide the EMPLOYEE the same benefits and leaves as provided to management employees, commensurate with EMPLOYEE's appointment as a department head, and as they may be amended from time to time except as otherwise provided in the remainder of this paragraph. Instead of the 100 hours of management leave provided in Placer County Code section 3.04.520.D, EMPLOYEE will receive a flat amount of one hundred and twenty (120) hours of management leave each calendar year. Pursuant to Placer County Code section 3.04.475.D.2 the vacation accrual rate for EMPLOYEE is adjusted to commence at the 15 days per year equivalent. Upon hire, EMPLOYEE will be credited with a beginning balance of forty (40) vacation leave hours pursuant to Placer County Code section 3.04.475.D.3. Upon hire, EMPLOYEE will be credited with a beginning balance of forty (40) sick leave hours pursuant to Placer County Code section 3.04.360.D. Auto Allowance will be at a rate of $6,600 annually. All actions taken by PLACER COUNTY relating to benefits for management employees shall be considered actions granting the same benefits to or imposing the same restrictions on EMPLOYEE.

All other terms and conditions of this agreement shall remain in full force and affect.

Stan Nader, Chair
Placer County Air Pollution Control District

David Boesch,
Placer County Executive Officer

Erik White, APCO/Director, Employee

APPROVED AS TO FORM:

County Counsel