

FIRST AMENDMENT TO EMPLOYMENT AGREEMENT
CITY MANAGER – CITY OF LAGUNA NIGUEL

This First Amendment (“First Amendment”) is entered into this 7th day of September, 2021, and is an amendment to the Employment Agreement that was made and entered into as of the 16th day of July 2019, by and between the City of Laguna Niguel, a municipal corporation (the “City”), and Tamara S. Letourneau (“Letourneau”) (individual “Party, and collectively the “Parties”)(the “Agreement”).

RECITALS

A. On July 16, 2019, the City and Letourneau entered into the Agreement for Letourneau to serve as the City Manager.

B. On July 3, 2020, due to financial impacts of the COVID-19 pandemic on the City, Letourneau voluntarily reduced her salary by 5% (\$12,000 annually), and as of February 2, 2021, that salary reduction ended and the salary was retroactively returned to the prior level specified in the Agreement.

C. On August 17, 2021, the City Council completed Letourneau’s annual performance evaluation and the Parties now desire to make certain adjustments in the Agreement.

D. This First Amendment is intended to provide for adjustments in Letourneau’s salary and benefits, and to memorialize prior interpretations of the Agreement.

E. This First Amendment was approved by the City Council at its regular meeting on September 7, 2021.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the Parties agree to amend the Agreement as follows:

1. Section 6.1 of the Agreement is amended to read as follows:

6.1 City agrees to pay Letourneau an annual base salary of \$257,400 payable in equal installments at the same time and in the same manner that other City employees are paid. This salary shall be effective as of August 12, 2021.

2. Section 7.2 of the Agreement permits the City to grant Letourneau with a one-time, lump sum performance bonus. The City has decided to grant Letourneau with a bonus of \$15,000 (\$10,000 for 2021 and \$5,000 for 2020), reflective of performance over the prior two years.

3. Section 7.4 of the Agreement is amended to read as follows:

7.4 City shall pay, on behalf of Letourneau, \$11,500 per year to the MissionSquare Retirement, formerly known as ICMA RC, 457 Deferred Compensation Plan during the

term of this Agreement. Payment shall be made in equal amounts each pay period. The City shall take all steps necessary to provide for Letourneau's participation in said Plan.

4. Section 5.2 of the Agreement is amended to read as follows:

5.2 The payment of severance compensation pursuant to this paragraph shall, at the option of Letourneau, be in a lump sum equivalent to six (6) months base salary or shall be payable in equal installments at the same time and in the same manner that other City employees are paid over a six (6) month period.

5. Section 5.3 of the Agreement is amended to read as follows:

5.3 Letourneau and her dependents shall also receive continuing health insurance plan coverage for six (6) months from the effective date of the termination. Pursuant to Government Code Section 53261, the continuing eligibility of Letourneau and her dependents for health insurance plan coverage shall terminate should Letourneau obtain other employment.

6. Section 7.12 of the Agreement, titled "General City Benefits" is relabeled to section 7.14, and new sections 7.12 and 7.13 are added to read as follows:

7.12 City agrees to provide Letourneau with a monthly technology allowance of \$75.

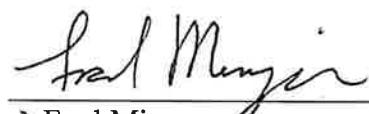
7.13 City agrees to provide Letourneau with the eligibility to enroll in a 401(a) Money Purchase Plan at a rate to be designated by the City, and at no cost to the City.

7. Except as revised by this First Amendment, all other provisions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have executed this First Amendment to the Agreement as of the date first herein written above.

CITY OF LAGUNA NIGUEL

By:


Fred Minagar
Mayor

ATTEST:


Eileen C. Gomez
City Clerk

APPROVED AS TO FORM BY THE
CITY ATTORNEY FOR THE
CITY OF LAGUNA NIGUEL

Kevin G. Ennis

Kevin G. Ennis
City Attorney

By: *Tamara S. Letourneau*

Tamara S. Letourneau
City Manager

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF ORANGE)ss
CITY OF LAGUNA NIGUEL)

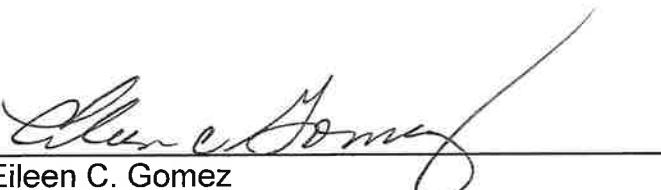
I, Eileen C. Gomez, City Clerk of the City of Laguna Niguel, California, do hereby certify that the foregoing is Resolution No. 2021-1368, which was adopted at a regular meeting of the City Council of the City of Laguna Niguel, California, held on September 7, 2021, by the following vote:

AYES: Council Members Jennings, Rains, and Sharma; Mayor Pro Tem Gennawey, and Mayor Minagar

NOES:

ABSTENTIONS:

ABSENT:



Eileen C. Gomez
City Clerk