

**MEMORANDUM  
LOCAL AGENCY FORMATION COMMISSION**

**TO:** Local Agency Formation Commission

**FROM:** Carl Leverenz, Chair  
Scott Browne, Legal Counsel

**SUBJECT:** **Agenda Item 2.2 – Amendment to Executive Officer’s Contract**

**DATE:** March 26, 2020 for the meeting of April 2, 2020

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The Commission conducted an annual evaluation of the Executive Officer at its March 5, 2020 meeting. The Executive Officer has now served the Commission for a total period of twenty-five (25) years, thirteen (13) years as its Executive Officer and has demonstrated a sound knowledge of LAFCO functions and responsibilities and his performance has regularly exceeded the expectations of the Commission. The Commission Chair and legal counsel believe it is in the best interest of the agency to retain an experienced executive officer to ensure consistency and accountability in its operations.

From this evaluation the Commission directed staff to prepare a fifth amendment to the Executive Officer's Employment Contract that will extend the current contract term to June 30, 2025. The Commission also approved a merit increase for the Executive Officer to Step 6 of the Salary Plan.

**ACTION REQUESTED:** Approve a fifth amendment to the Executive Officer's Employment Contract extending the term of employment to June 30, 2025 and providing a merit increase to Step 6 of the Salary Plan.



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**BUTTE LOCAL AGENCY FORMATION COMMISSION**

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**RESOLUTION NO. xx 2019/20**

**DRAFT**

**RESOLUTION AUTHORIZING  
FIFTH AMENDMENT TO EMPLOYMENT CONTRACT  
FOR BUTTE LAFCO EXECUTIVE OFFICER**

**WHEREAS**, the Cortese-Knox-Hertzberg Act, Section 56384 requires that each LAFCO be managed by an executive officer appointed by the Commission; and

**WHEREAS**, the Butte Local Agency Formation Commission first hired Stephen Lucas as its Executive Officer on May 20, 2006; and

**WHEREAS**, the Butte Local Agency Formation Commission has now had the benefit of observing the Executive Officer's performance for nine years and has found his knowledge of LAFCO functions and responsibilities to be outstanding and his annual performance to have regularly exceeded the expectations of the Commission; and

**WHEREAS**, the Butte Local Agency Formation Commission, its Chair and Counsel believe it is in the best interest of the agency to retain an experienced executive officer for a reasonable term of employment to ensure consistency and accountability in its operations; and

**WHEREAS**, the Commission and its counsel have reviewed the fifth amendment to the Employment Contract between the Commission and the Executive Officer attached as Exhibit A hereto, establishing a five year employment contract term to be effective upon execution; and

**NOW, THEREFORE, BE IT RESOLVED** by the Butte Local Agency Formation Commission, that the Executive Officer has effectively performed the required duties and the Chairman of the Commission is authorized to execute a contract amendment with Stephen Lucas as described in Exhibit A of this Resolution.

**PASSED AND ADOPTED** by the Butte Local Agency Formation Commission this 2nd day of April 2020, by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAINS:**

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**CARL LEVERENZ**, Chairman  
Butte Local Agency Formation Commission

**ATTEST:**

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Scott Browne, LAFCo Counsel

**FIFTH AMENDMENT TO EMPLOYMENT CONTRACT  
FOR BUTTE LAFCO EXECUTIVE OFFICER**

The Butte Local Agency Formation Commission, hereinafter referred to as "EMPLOYER", and Stephen Lucas, hereinafter referred to as EMPLOYEE, the Executive Officer of Butte LAFCo, agree to amend the employment contract under which Employee is employed by Employer ("the Agreement") on the following terms and conditions:

**A-1** Section 1.01 is revised to read as follows:

Section 1.01. EMPLOYER hereby employs EMPLOYEE as a full -time, at-will employee under a five year agreement ending June 30, 2025 that automatically renews every five years and EMPLOYEE hereby accepts employment with EMPLOYER under the terms of this agreement to continue until terminated by either party as provided herein.

**IN WITNESS WHEREOF**, the parties hereto have executed this amendment to the Agreement as of the day and year last below written.

EMPLOYEE:

Dated: April 2, 2020

\_\_\_\_\_  
Stephen A. Lucas

EMPLOYER:

Butte Local Agency Formation Commission

Dated: April 2, 2020

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Carl Leverenz, Chair

APPROVED AS TO FORM: BUTTE LAFCO COUNSEL

BY: \_\_\_\_\_

P. Scott Browne, Legal Counsel