

COUNTY OF MONTEREY
AGREEMENT TO APPOINT COUNTY COUNSEL

This agreement is entered into as of the last date of signature below and is by and between the County of Monterey, a political subdivision of the State of California, and Charles J. McKee, an individual.

WHEREAS, the County of Monterey, hereinafter referred to as "County," requires the services of a County Counsel; and

WHEREAS, Charles J. McKee, hereinafter referred to as County Counsel, possesses the necessary skills and expertise needed for County Counsel and will provide those skills to County.

NOW THEREFORE, the parties agree as follows:

1. Appointment

County hereby appoints Charles J. McKee to be County Counsel for the County of Monterey pursuant to California Government Code § 27640 et seq., effective April 28, 2003

2. Scope of Services

County Counsel shall perform all duties set forth in the laws of the United States, California and Monterey County and such other duties as may be assigned from time to time by the Board of Supervisors.

3. Compensation

County shall provide the following compensation:

- A. The annual salary for County Counsel shall be \$141,000.00 paid in installments and in the same frequency as other County employees.
- B. Medical, dental and vision coverage with a health stipend to be provided by County consistent with other top management, but no less than \$762.00 per month.
- C. Automobile allowance equal to other top County management, but no less than \$375.00 per month.
- D. County Counsel shall receive all other benefits received by other top County management.
- E. County Counsel shall receive future increases in compensation and benefits consistent with other top County Management and/or as negotiated between the parties.

4. Moving Allowance

In recognition of relocating to Monterey County, County Counsel shall receive from County a moving allowance of \$5,000.00 paid in a lump sum with his first paycheck.

5. Performance Evaluation

At least annually and in closed session, the Board of Supervisors shall complete a performance evaluation of County Counsel and discuss the same with County Counsel. The Board Chair shall sign all written evaluations. At the Board and/or County Counsel's discretion, the Board may conduct quarterly or more frequent performance evaluations.

6. Term of Agreement and Termination

Pursuant to Government Code § 27641, the term of appointment is four (4) years, subject to termination as provided for in the statute.

7. Complete Agreement

This agreement is the full and complete agreement regarding the appointment and employment of Charles J. McKee as County Counsel for Monterey County. Copies of this agreement are as good as and may be used in the same way as the original.

Date: March ____, 2003

Date: March ____, 2003

Charles J. McKee

Fernando Armenta
Chair of the Board of Supervisors

Attest:

Sally Reed/Nancy Lukenbill
Clerk of the Board

MONTEREY COUNTY BOARD OF SUPERVISORS

MEETING: March 25, 2003 - Consent	AGENDA NO.: <i>NA</i>
SUBJECT: Approve Contract with Charles J. McKee to Serve as County Counsel	
DEPARTMENT: County Administrative Office	

RECOMMENDATION:

It is recommended that the Board of Supervisors approve at attached contract with Charles J. McKee to serve as County Counsel.

SUMMARY

The approval of this item will facilitate the hiring of the County Counsel.

DISCUSSION:

The County Counsel position became vacant upon the judicial appointment of Adrienne Grover. After an extensive recruitment and selection process, an offer of employment has been issued.

The attached further defines the employment contract between the Monterey County Board of Supervisors and the incoming County Counsel.

OTHER AGENCY INVOLVEMENT:

No other agencies are affected by this action.

FINANCING:

There is no increased cost in salary and benefits associated with this action.



Sally R. Reed
County Administrative Officer

Prepared by: Tamberly H. Petrovich, Principal Personnel Analyst, ext. 5297

Cc: Michael Miller, Auditor-Controller

Before the Board of Supervisors in and for the
County of Monterey, State of California

Agreement No. A-09350

Approves Contract with Charles J. McKee)
to Serve as County Counsel)
)

Upon motion of Supervisor Johnsen, seconded by Supervisor Calcagno,
and carried by those members present, the Board hereby approves at attached contract with
Charles J. McKee to serve as County Counsel.

PASSED AND ADOPTED on this 25th day of March, 2003, by the following
vote, to-wit:

AYES: Supervisors Armenta, Calcagno, Lindley, Johnsen, Potter

NOES: None

ABSENT: None

I, Sally R. Reed, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy
of an original order of said Board of Supervisors duly made and entered in the minutes thereof at page --- of Minute Book 71, on
3/25/03.

Dated: March 25, 2003

Sally R. Reed, Clerk of the Board of Supervisors, County of Monterey, State of California.

By Carrie Wilkinson
Deputy Carrie Wilkinson

cc: David Nawi; Al Friedrich

AGREEMENT TO REAPPOINT COUNTY COUNSEL
COUNTY OF MONTEREY

This agreement is entered into and is effective as of May 9, 2005 by and between the County of Monterey, a political subdivision of the State of California, and Charles J. McKee, an individual.

Whereas, the County of Monterey, hereinafter referred to as "County," requires the services of a County Counsel; and

Whereas, Charles J. McKee, hereinafter referred to as "County Counsel," possesses the necessary skills and expertise needed for County Counsel and has in fact served as Monterey County Counsel since April 28, 2003.

Now therefore, the parties agree as follows:

1. REAPPOINTMENT:

County hereby reappoints Charles J. McKee as County Counsel pursuant to California Government Code section 27640 et seq.

2. SCOPE OF SERVICES:

County Counsel shall perform all duties for such position set forth in the laws of the United States, the State of California and the County of Monterey and such other duties as may reasonably be assigned by the Board of Supervisors in accordance with applicable law.

3. COMPENSATION:

In exchange for providing the services outlined above, County Counsel shall be compensated by County as follows:

- A. Annual salary shall be \$162,000, paid in equal installments and in the same frequency as other County employees;
- B. Medical, dental and vision coverage shall be provided by County consistent with other top management;
- C. Automobile allowance equal to other top management, but no less than \$375.00 per month;
- D. All other benefits received by top management;
- E. County Counsel shall receive future increases in salary and benefits consistent with other top management or as negotiated between the parties.

4. PERFORMANCE EVALUATIONS:

Six months from the date of this contract and at least annually thereafter, the County of Monterey Board of Supervisors shall complete a performance evaluation of County Counsel and discuss issues of concern, including compensation. At the discretion of either party, the Board may conduct more frequent evaluations.

5. TERM AND TERMINATION:

The term of this agreement and termination shall be governed by Government Code section 27641.

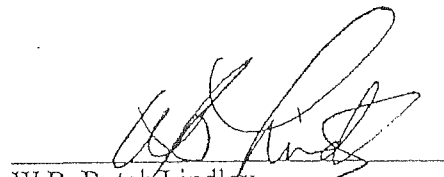
6. COMPLETE AGREEMENT, GOVERNING LAW AND COPIES:

This is the full and complete agreement regarding appointment of Charles J. McKee as County Counsel for the County of Monterey. California law shall govern this agreement. Copies of the agreement are as good as and may be used in the same way as an original.

Dated: May 9th, 2005

Date: May 12th, 2005


Charles J. McKee
County Counsel


W.B. Butch Lindley
Chair of the Board of Supervisors

AMENDMENT No. 1 TO AGREEMENT TO
REAPPOINT COUNTY COUNSEL
COUNTY OF MONTEREY

This Amendment to the agreement is entered into and is effective with the County pay period beginning December 10, 2005 by and between the County of Monterey, a political subdivision of the State of California, and Charles J. McKee, an individual.

Whereas, the County of Monterey, hereinafter referred to as "County," requires the continued services of a County Counsel; and

Whereas, Charles J. McKee, hereinafter referred to as "County Counsel," possesses the necessary skills and expertise needed for County Counsel and has in fact served as a County Counsel since August 2000 and as Monterey County Counsel since April 28, 2003.

Now therefore, the parties agree to amend section 3 of their previous agreement for employment services dated May 9, 2005 as follows with all other provision remaining the same:

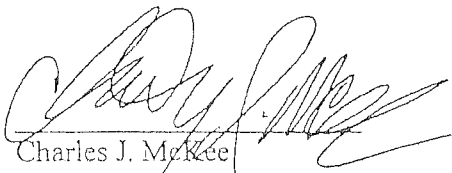
3. COMPENSATION:

In exchange for providing the services outlined above, County Counsel shall be compensated by County as follows:

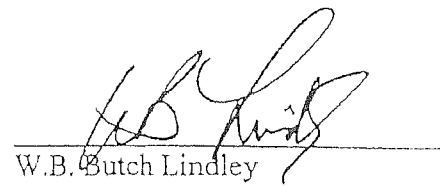
- A. Annual salary shall be at step 4 of the salary schedule currently adopted or as amended in the future, paid in equal installments and in the same frequency as other County employees.

Dated: December 15, 2005

Date: December 15, 2005



Charles J. McKee
County Counsel



W.B. Butch Lindley
Chair of the Board of Supervisors

AMENDMENT No. 2 TO AGREEMENT TO
REAPPOINT COUNTY COUNSEL
COUNTY OF MONTEREY

This Amendment to the agreement is entered into on September 26, 2006 by and between the County of Monterey, a political subdivision of the State of California, and Charles J. McKee, an individual.

Whereas, the County of Monterey, hereinafter referred to as "County," requires the continued services of a County Counsel; and

Whereas, Charles J. McKee, hereinafter referred to as "County Counsel," possesses the necessary skills and expertise needed for County Counsel and has in fact served as a County Counsel since August 2000 and as Monterey County Counsel since April 28, 2003; and.

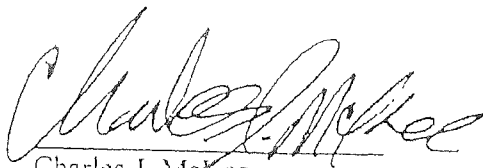
Whereas, this amendment and the underlying agreement are intended to supersede the County's Personnel Policies and Practices Resolution only insofar as the documents may be inconsistent.

Now therefore, the parties agree to amend their previous agreement for employment services dated May 9, 2005 and amended December 2005 as follows with all other provision remaining the same:

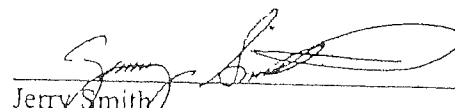
The Monterey County Board of Supervisors hereby reappoints Charles J. McKee as County Counsel pursuant to California Government Code section 27640 et seq.

Dated: September 19, 2006

Date: 9-28, 2006



Charles J. McKee
County Counsel



Jerry Smith
Chair of the Board of Supervisors

AMENDMENT No. 3 TO AGREEMENT TO
REAPPOINT CHARLES J. MCKEE
COUNTY COUNSEL COUNTY OF MONTEREY

This Amendment to the agreement is entered into on November 09, 2010 by and between the County of Monterey, a political subdivision of the State of California, and Charles J. McKee, an individual.

Whereas, the County of Monterey, hereinafter referred to as "County," requires the continued services of a County Counsel; and

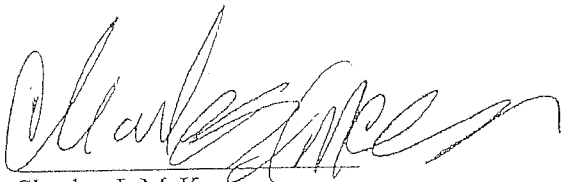
Whereas, Charles J. McKee, hereinafter referred to as "County Counsel," possesses the necessary skills and expertise needed for County Counsel and has in fact served as a County Counsel since August 2000 and as Monterey County Counsel since April 28, 2003; and.

Whereas, this amendment and the underlying agreement are intended to supersede the County's Personnel Policies and Practices Resolution only insofar as the documents may be inconsistent.

Now therefore, the parties agree to amend any previous agreements for employment services, including the agreements entered into in April 2003, re-entered in May 2005, and amended in December 2005 and September 2006. The current amendment is as follows, with all other provision remaining the same:


The Monterey County Board of Supervisors hereby reappoints Charles J. McKee as County Counsel pursuant to California Government Code section 27640 et seq. effective November 9, 2010.

Dated: November 9, 2010



Charles J. McKee
County Counsel

Simón Salinas
Chair of the Board of Supervisors

APPROVED AS TO FORM:

LEROY W. BLANKENSHIP
Assistant County Counsel

AGREEMENT to REAPPOINT
CHARLES J. MCKEE as COUNTY COUNSEL of the
COUNTY OF MONTEREY

This agreement is entered into as of January 15, 2013 and is by and between the County of Monterey, a political subdivision of the State of California, and Charles J. McKee, an individual.

Whereas, the County of Monterey, hereinafter referred to as "County," requires the continued services of a County Counsel; and

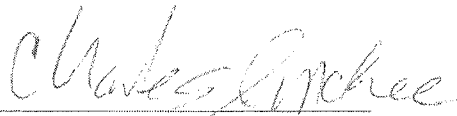
Whereas, Charles J. McKee possesses the necessary skills and expertise needed for County Counsel and has in fact served as a County Counsel since August 2000 and as Monterey County Counsel since April 28, 2003; and.

Whereas, this agreement is intended to supersede the County's Personnel Policies and Practices Resolution only insofar as the documents may be inconsistent.

Whereas, agreements between the parties for appointment of County Counsel were entered into in April 2003, May 2005, December 2005, September 2006 and November 2010.

Now therefore, the parties agree that:

1. Any previous agreements for employment services, are superseded by this agreement;
2. Salary will be paid pursuant to the County's salary resolution for County Counsel;
3. Benefits will be the same as other top management of County; and
4. The Monterey County Board of Supervisors hereby reappoints Charles J. McKee as County Counsel pursuant to California Government Code section 27640 et seq. effective January 15, 2013.



Charles J. McKee
County Counsel



Fernando Armenta
Chair of the Board of Supervisors

Date: 1-24-13

Date: 1-29-13