

AMENDMENT NO. 1 TO EMPLOYMENT AGREEMENT  
PUBLIC DEFENDER OF THE COUNTY OF MONTEREY

The provisions of this AMENDMENT "No. 1" to the Agreement – Public Defender of the County of Monterey between the County of Monterey and Susan Chapman executed December 16, 2016, (the "Agreement") are hereby entered into between County and Susan Chapman.

RECITALS:

WHEREAS, the County and Ms. Susan Chapman entered into the Agreement setting forth the mutual covenants and conditions for employment of Ms. Chapman as Public Defender; and

WHEREAS, the Board of Supervisors conducted scheduled performance evaluations of Ms. Chapman and recommended adjustment of compensation and terms in conformance with the provisions of the Agreement;

NOW, THEREFORE, the parties agree to further amend the Agreement as follows:

1. Amend section 1. **Term**, to read in its entirety as follows:
  - 1 **Term**. The term of employment shall commence December 24, 2016 and continue from February 27, 2018 for five years, up to and including February 26, 2023, unless otherwise terminated under the provisions set forth in the Agreement.
2. Amend Section 2.D. **Scope of Work/Job Duties**, to *add* the following language:

The Board of Supervisors and Employee shall develop and agree upon a set of Performance Metrics for the position of Public Defender, setting forth clear and measurable performance parameters for management of the Office of the Public Defender, and effective execution of the statutory duties of the Office. The Performance Metrics shall be included in this contract by reference and may be amended from time to time by mutual agreement of the parties.
3. Amend Section 2. G. **Compensation and Benefits**, to *add* the following language:

Effective the first full pay period after February 27, 2018, Employee is advanced and compensated at Step 4 of the current Public Defender Salary

Schedule. With continued acceptable performance as evaluated by the Board of Supervisors, two years after initial employment date, Employee will be advanced to Step 5 of the Public Defender Salary Schedule, effective the first full pay period after December 24, 2018. Thereafter, Employee shall be eligible for step increases in two-year increments, up to Step 7, with continued acceptable performance as evaluated by the Board of Supervisors. Such salary shall be payable in the same manner and at the same time as salary payments are made to other Unit Y County employees.

IN WITNESS WHEREOF the parties hereto have executed this Amendment No. 1 to the Agreement as of the day and year written below:

COUNTY OF MONTEREY

Susan Chapman

By \_\_\_\_\_  
Chairman  
Monterey County Board of Supervisors  
Date: \_\_\_\_\_

By: \_\_\_\_\_  
  
Date: \_\_\_\_\_

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Charles J. McKee, County Counsel