

FIFTH AMENDMENT TO EMPLOYMENT AGREEMENT

THIS FIFTH AMENDMENT TO EMPLOYMENT AGREEMENT (“Fifth Amendment”) is executed on March 18, 2020, by and between Tehachapi-Cummings County Water District (“**District**”) and Thomas P. Neisler (“**Employee**”).

WITNESSETH:

WHEREAS, the District and the Employee are parties to an Employment Agreement dated January 18, 2017, (the “**Employment Agreement**”) as amended by the First Second, Third, and Fourth Amendments to Employment Agreement;

WHEREAS, subparagraph a of paragraph 3 of the Employment Agreement as amended provides that Employee’s annual salary is one hundred forty-two thousand seven hundred fourteen dollars (\$142,714) and that “Employee’s salary shall be adjusted annually for a cost-of-living adjustment in the percentage granted to full-time employees of the District” and that “Employee’s performance and salary shall also be reviewed at least once annually, typically in June of each year;”

WHEREAS, in 2019 the Board granted full-time employees of the District, including Employee, a cost-of-living adjustment of 2.6%;

WHEREAS, on review of Employee’s performance and salary, the Board on February 24, 2020, approved a merit increase in Employee’s salary of three thousand dollars (\$3,000); and

WHEREAS, the parties wish to amend the Employment Agreement to reflect the 2019 cost-of-living adjustment and the 2020 merit increase;

NOW, THEREFORE, IT IS AGREED as follows:

1.0. Amendment of Section 3.a. Subparagraph a of paragraph 3 of the Employment Agreement is amended as follows:


“Effective March 2, 2020, the District shall pay Employee a salary at the annualized rate of one hundred forty-nine thousand four hundred thirty-two dollars (\$149,432) for Employee’s services as General Manager, payable in accordance with the District’s customary payroll practices. Employee’s salary shall be adjusted annually for a cost-of-living adjustment in the percentage granted to full-time employees of the District. Employee’s performance and salary shall also be reviewed at least once annually, typically in June of each year.”


2.0. Scope. Except as amended by this and other amendments, the Employment Agreement remains in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first indicated above.

TEHACHAPI-CUMMINGS COUNTY
WATER DISTRICT

EMPLOYEE

By 
James Pack, President

By 
Thomas P. Neisler