

November 13, 2012

Resolution No. 2012 - 80  
Resolution of the Board of Directors  
Marina Coast Water District  
Approving Extension of General Manager's Employment Contract

RESOLVED by the Board of Directors ("Directors") of the Marina Coast Water District ("District"), at a regular meeting duly called and held on November 13, 2012, at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, the current Employment Contract for General Manager James Heitzman was entered into effective May 10, 2011, and expires effective May 31, 2013; and,

WHEREAS, the General Manager has requested and the Directors agree that it is in the best interests of the District to extend the General Manager's Employment Contract.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby approve that the General Manager's Employment Contract be amended by substituting the following for the entire Subsection 5.1A:

This contract will expire as of May 31, 2014. It will automatically renew for an additional twelve (12) months at its expiration unless on or before November 30 of each year immediately preceding a May 31 renewal date, the District has provided the General Manager with written notice of non-renewal.

Except for the above amendment, all of the other provisions of the General Manager's Employment Agreement shall remain unchanged and in full force and effect.

BE IT FURTHER RESOLVED that the Board of Directors of the Marina Coast Water District does hereby approve the Amendment to General Manager's Employment Contract in the form attached to this Resolution and authorizes and directs the District's Vice President to sign the amendment on behalf of the District.

PASSED AND ADOPTED on November 13, 2012, by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors Nishi, Shriner, Lee, Gustafson

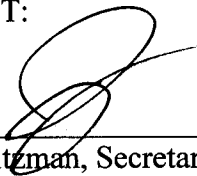
Noes: Directors None

Absent: Directors Burns

Abstained: Directors None

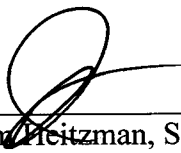
  
Howard Gustafson, Vice President

ATTEST:

  
Jim Heitzman, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2012-80 adopted November 13, 2012.

  
Jim Heitzman, Secretary

## AMENDMENT OF GENERAL MANAGER'S EMPLOYMENT CONTRACT

This amendment is made on November 13, 2012, between the Marina Coast Water District ("District") and James Heitzman ("General Manager"), who agree as follows:

1. Recitals. This amendment is made with reference to the following:

a. The initial General Manager's Employment Contract between the parties was entered into on September 10, 2007, and was amended twice on November 29, 2010, and as of May 10, 2011.

b. The Board of Directors of the District finds that it is in the best interests of the District to amend the General Manager's Employment Contract as provided herein.

2. The parties desire to amend the General Manager's Employment Contract as follows:


Substitute the following for the entire Subsection 5.1A of the Employment Contract:

This contract will expire as of May 31, 2014. It will automatically renew for an additional twelve (12) months at its expiration unless on or before November 30 of each year immediately preceding a May 31 renewal date, the District has provided the General Manager with written notice of non-renewal.

3. Except as set forth in this amendment, all the provisions of the General Manager's Employment Contract shall remain unchanged and in full force and effect.

MARINA COAST WATER DISTRICT

GENERAL MANAGER

  
\_\_\_\_\_  
HOWARD GUSTAFSON  
Vice President, Board of Directors  
\_\_\_\_\_  
JAMES HEITZMAN  
\_\_\_\_\_  
DAN BURNS  
President, Board of Directors