



County of Los Alamos

Council Meeting Staff Report

February 28, 2017

Agenda No.:	C.
Indexes (Council Goals):	2016 Council Goal - N/A
Presenters:	County Council - Regular Session
Legislative File:	9059-17

Title

Approval of Amendments to Employment Agreements with both J. Alvin Leaphart and Harry Burgess with respect to PERA Contributions

Recommended Action

I move that Council Approve Amendment No. 1 to the Employment Agreement with J. Alvin Leaphart, and I further move that Council approve Amendment No. 2 to the Employment Agreement with Harry Burgess.

County Manager's Recommendation

The County Manager recommends that Council approve the Amendments to both Employment Agreements as requested.

Body

As the Employment Agreement for Alvin Leaphart, County Attorney, was being developed, the template used for such document construction was that of the prior County Attorney. During the term of the prior attorney's employment, however, the State altered the necessary rates of contribution for both the employer and employee, raising each of these contribution levels, and this change was not reflected in the Employment Agreement ultimately signed by both the County and Mr. Leaphart. Attachment A amends this employment agreement by increasing each party's contribution, with the County's portion increased by 0.4% and the Employee's portion increased by 1.5%.

In researching this issue, it was determined that the Employment Agreement for the County Manager similarly reflects the historically lower levels of contribution for each party, however in practice these higher levels are currently being contributed by both the Employer and Employee. In order to clarify this issue, a similar Amendment was created for the County Manager's contract, as represented in Attachment B. As the County Manager's contract has been previously amended, this is Amendment No. 2.

With respect to Council's other Contract Employee (Utility Manager), these issues were addressed in his original Employment Agreement and therefore no amendment is required.

Alternatives

Council could decide to not approve the attached amendments, however since this is a requirement of PERA the County and Employee are already contributing at the higher levels and therefore inaction would result in a situation where these contributions are inconsistent with the respective Employment Agreements.

Fiscal and Staff Impact/Planned Item

Given that these levels of contribution are already occurring, there would be no fiscal or staff change due to approval of this item.

Attachments

- A - J. Alvin Leaphart Employee Agreement Amendment No. 1
- B - Harry Burgess Employment Agreement Amendment No. 2