

## AMENDMENT TO AGREEMENT

This Amendment of the Agreement, entered into this \_\_\_\_ day of June, 2011, by and between the City of Benicia, a municipal corporation ("CITY" or "Employer") and Heather Mc Laughlin, an individual, ("Employee"), is made with reference to the following:

### RECITALS:

- A. On October 2, 2007, an agreement was entered into by and between CITY and Heather Mc Laughlin, ("Agreement").
- B. In July of 2010, Employee and the City Council agreed to reduce her base salary by 3%.
- C. In recognition of the continuing budget issues facing the City of Benicia, CITY and Employee desire to modify the Agreement on the terms and conditions set forth herein.

NOW, THEREFORE, it is mutually agreed by and between and undersigned parties as follows:

1. A new subsection 4.A.3 is added to Section A to read as follows:

"Notwithstanding the requirements of subsection A.1 and A.2 and in recognition of the budget issues facing the City, the parties agree to reduce the base salary of Employee by 3% effective July 1, 2010 and by 2.27% effective July 1, 2011."

2. Subsection 4.C is amended to read as follows:

"Employer shall monthly contribute toward the account of Employee to a deferred compensation plan equal to 9.5% base salary contingent upon Employee's contribution of 3% base salary and may increase this amount in a future contract amendment. Beginning in July 1, 2011 the amount of Employer's contribution shall be reduced 2.5%."

3. Subsection 4.E. is amended to read as follows:

"Employer shall provide to Employee the same medical, dental, and vision insurances as are currently available to full time non-public safety employees of the City. Should Employee not require any of the insurances, Employee shall receive the monthly "in lieu" payment that any other employees receive. Any increases to these insurances or "in lieu" payments shall be made through a future contract amendment. Beginning July 1, 2011 the "in lieu" amount has been reduced to reflect health care restructuring savings from a \$15 Co-Pay."

4. Subsection 5.B is amended to read as follows:

"Employer shall pay Employee's contribution to the same retirement system's cost, at the time each contribution is made to the system, up to the maximum rate of 8% of the Employee's PERS payment. Beginning July 1, 2011, Employee shall pay 4% and Employer shall pay 4% of this cost."

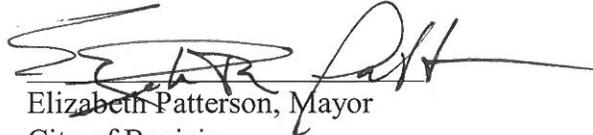
5. Except as expressly modified herein, all other terms and covenants set forth in the Agreement shall remain the same and shall be in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this modification of Agreement to be executed on the day and year first above written.

**Employee:**

City of Benicia,  
A Municipal Corporation

  
Heather C. Mc Laughlin

  
Elizabeth Patterson, Mayor  
City of Benicia

ATTEST:

  
Lisa Wolfe, City Clerk