

**FIRST AMENDMENT TO THE AMENDED AND RESTATED EMPLOYMENT
AGREEMENT BETWEEN COACHELLA VALLEY WATER DISTRICT AND ITS
GENERAL MANAGER**

This First Amendment to Amended and Restated Employment Agreement (this “First Amendment”) between the COACHELLA VALLEY WATER DISTRICT (the “District”) and JAMES M. BARRETT (the “Employee”) is entered into this 9th day of April 2024.

Except as modified in this First Amendment, the Employment Agreement originally dated March 16, 2023 (“Agreement”) between the District and the Employee shall remain in full force and effect.

The parties to this First Amendment agree to the following changes:

Section 4 entitled “COMPENSATION” is hereby amended, in its entirety, to reflect Employee’s annual salary increase and to incorporate a new set of performance criteria for the upcoming year:

“SECTION 4. COMPENSATION.

A. Base Salary. The District agrees to pay Employee for services rendered pursuant hereto at a rate of Three Hundred Sixty-Two Thousand Four Hundred and Thirty-Five dollars (\$362,435.00) annually, pursuant to the procedures regularly established and as they may be amended by the District in its sole discretion. Said compensation shall be effective starting with the first pay period after January 1, 2024. The Employee may receive annual increases in salary as may be determined by the Board in its sole discretion. Any agreed salary increase must be expressly memorialized in a subsequent written and executed Amendment to this Agreement. All compensation and comparable payments to be paid to Employee shall be less withholdings required by law. Paydays and hourly rate calculation shall be as defined in the Coachella Valley Water District’s Defined Benefit and Compensation Plan for other Category 1 employees, January 1, 2023, to December 31, 2024 (DBCP). The DBCP is attached as Exhibit “B” and incorporated herein by this reference. This base salary is further subject to the terms of applicable pre-existing District Resolutions, including Resolution 2014-230, and other the CalPERS retirement contribution and deduction requirements.

B. Incentive Compensation. Following Employee’s annual performance evaluation, as required under Section 6 of this Agreement, Employee shall be eligible for an annual discretionary bonus of between zero percent (0%) and ten percent (10%) of Employee’s base salary. The factors or criteria considered for the bonus are developed by the Board of

Directors of the District following discussions and input from Employee on an annual basis. The District shall endeavor to provide the factors well before the scheduled annual performance evaluation.

Factors or criteria for 2024, as agreed and subsequently approved by the District and Employee are attached as Exhibit "A" to this First Amendment and are agreed to be expressly incorporated by reference."

The District and the Employee have duly executed this First Amendment as of the date first written above.

**COACHELLA VALLEY
WATER DISTRICT**

JAMES M. BARRETT

By: John Powell
John Powell, Jr., President
Coachella Valley Water District
Board of Directors

By: J. M. Barrett
J. M. Barrett, General Manager
Coachella Valley Water District

EXHIBIT A
COACHELLA VALLEY WATER DISTRICT
GENERAL MANAGER PERFORMANCE GOALS CY2024
April 09, 2024

1. Be directly involved in support of CVWD's Coachella Valley Energy Commission member in identifying and pursuing issues that will benefit the Coachella Valley now and at the end of the 1933 Agreement of Compromise.

2. Pursue a pilot study as authorized by the state Division of Drinking Water that seeks to allow the use of Stannous Chloride as an effective process in reducing Hexavalent Chromium to within acceptable limits.

3. Initiate a construction contract award for the North Cathedral City Regional Stormwater project.

4. Determine availability of the funding set aside by the Commitment to Support the Salton Sea agreement signed in December 2022.

Subtotal: 8.0%

Recognizing that the total performance award is 10% of the current salary, items 1 through 4 are each weighted at 2.0% (for a subtotal of 8.0%) and the Board discretionary recognition item is at 2.0%. Evaluation of performance will be conducted in November with payment of any award before 12/31/24.

Board Discretionary Recognition: 2.0%

Total Award: 10%