

Carey Casciola

From: julie Tacker <jmtacker@gmail.com>
Sent: Wednesday, January 10, 2024 1:13 PM
To: Carey Casciola
Subject: Late Communication
Attachments: Julie's OpEd re_Will Clemens demand for severance.docx

This is for tonight's closed session item related to Will.
Please share with the board and make copies for the public.

Julie

Oceano's "Retired" General Manager now claims, "Constructive Termination", demands \$206,700

Opinion by Julie Tacker

At the raucous October 25, 2023, Oceano Community Services District board meeting, then General Manager, Will Clemens, gave a well-rehearsed performance that included announcing his "early retirement" after 24-years in public service. He blamed the new board majority for his departure, and was quoted in a local news outlet saying, "I would definitely stay longer if certain board members weren't here, but as long as the current board is as it is, I think basically the end of the year is about as long as I'll be here."

Clemens, now 56, had positioned himself well for his final year in Oceano vice by getting a "favorable performance review" from the "old board" (the board that was in office before the November 8, 2022, election changed its majority). On November 9, 2022, he was given a \$25,000 annual increase to his (already high) \$170,000 annual salary. This kind of financial bump, at the end of one's public service career, will play out well for Clemens in the long-term, as his PERS retirement income will reflect the increase for the rest of his life.

First question, how could he get a "favorable performance review"? At the same meeting he was asking for a \$25,000 raise, he admitted to the board that a clerical staff person had embezzled, and it had been occurring for a period and an unknown amount of district funds had been absconded with. With the news that funds were missing, how could they know they could afford to dole out an additional \$25,000 per year? At the same time, the district continued to struggle to remain in the Five Cities Fire Authority and were going to voters for a second time for a fire tax.

Clemens had convinced the board he had been saving the district money by doing work other general managers might have hired consultants for and that he had "lined up millions of dollars in grants." Didn't the board remember that's why they hired Clemens in the first place? Ostensibly, because he was experienced and capable in those areas. The reward for his work was the steady paycheck and fringe benefits he agreed to upon his hire just 3 years earlier.

On Clemens' last day, December 29th, he delivered a letter to the board characterizing the actions on October 25th as a "constructive termination of this agreement without cause" and demanding that "a lump sum cash payment ("Severance Pay") equal to twelve months base salary is now due." Clemens wants \$195,000 and all accrued leave balances, totaling \$206,700. Clemens's letter will be discussed as a threat of litigation in closed session at next Wednesday's board meeting.

Clemens was never terminated. Clemens' retirement was on his own accord, it's well documented by the press release he issued the night of October 25th, the archived video production and the coverage by multiple press outlets and the standing-room-only crowd who witnessed it.

Clemens is now among those in the long line of Oceano CSD staff who have taken advantage of this disadvantaged community.