



Agenda Date: 11/15/2005
Agenda Placement: 6Z

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Karla Jensen for Mark Gregersen - Acting Director
Human Resources
REPORT BY: Karla Jensen, Human Resources Analyst II , (707) 253-4489
SUBJECT: Amend Departmental Allocation List, Table and Index, and Management Compensation Plan to create an "at will" Chief District Attorney Investigator for the District Attorney Department

RECOMMENDATION

Acting Human Resources Director requests adoption of a resolution regarding the following in connection with the District Attorney's Office, effective November 15, 2005:

1. Amend the Departmental Allocation List to delete one (1) (M) Chief District Attorney Investigator and add one (1) (M) Chief District Attorney Investigator designated as "at-will", Management Non-Classified (Other); and
2. Amend appropriate personnel policies to delete one (1) (M) Chief District Attorney Investigator and add one (1) (M) "at-will" Chief District Attorney Investigator.

EXECUTIVE SUMMARY

The District Attorney has requested that the Board of Supervisor approve those who are appointed to, or promoted into, the Chief District Attorney Investigator single-position classification be designated as an "at-will", Management Non-Classified (Other) employee. This status change is requested to enhance the District Attorney Department's recruitment efforts to attract and retain the most qualified applicants for this senior, single class, management position and aligns with the County's philosophy of holding senior level and critical management positions more accountable.

FISCAL IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	No
What is the revenue source?	General Fund for the severance that will be paid out in the event that this "at will" employee is involuntarily terminated.

Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	The District Attorney believes that an "at will" status for this management position will allow for greater flexibility in the hiring and retention of qualified individuals.
Is the general fund affected?	Yes
Future fiscal impact:	The potential impact is relative small in that the only additional cost associated with this status change would be the potential of a two-week severance payment that will be paid out only in the event of the involuntary termination of the employee.
Consequences if not approved:	This position will remain the only senior management position in the District's Attorney's office who is not an "at will" employee.
Additional Information:	None

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

The District Attorney has requested that future appointed employees to the Chief District Attorney Investigator single-position classification, after the current incumbent retires at the end of the year, be hired in an "at-will" status. This request is consistent with the most current practices of the District Attorney Department and the County Executive Office regarding the status of senior or highly sensitive management positions, and is part of an overall effort to provide greater management accountability. Thus, future employees appointed to, or promoted to, the Chief District Attorney Investigator position will be designated as an "at-will", Management Non-Classified (Other) employee.

Approval of the recommended action will not result in any change in the salary for the position of Chief District Attorney Investigator. As an "at-will" employee, the Chief District Attorney Investigator will receive the fringe benefits available to Management Non-Classified (Other) pursuant to Part 1: Section 37C-3, Section 2 of the County of Napa Management Compensation Plan with the exception of severance benefits (the sum of one or two biweekly pay periods, depending on years of service). However, with the exception of severance benefits (the sum of one or two biweekly periods, depending on years of service) the fringe benefits for the "at will" Chief District Attorney Investigator are the same as those for other employees in Classified Management positions.

SUPPORTING DOCUMENTS

A . Resolution

CEO Recommendation: Approve

Reviewed By: Andrew Carey