



Agenda Date: 12/18/2007
Agenda Placement: 9G

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors

FROM: Britt Ferguson for Watt, Nancy - County Executive Officer
County Executive Office

REPORT BY: Britt Ferguson, Assistant County Executive Officer, 253-4406

SUBJECT: Adoption of a resolution setting forth a policy on compensation for an elected officer's Chief Deputy who temporarily discharges duties of the officer

RECOMMENDATION

County Executive Officer requests adoption of a resolution, setting forth a policy on compensation for an elected officer's Chief Deputy who temporarily discharges duties of the elected officer pursuant to Government Code Section 24105 and amending the Table & Index, effective December 22, 2007.

EXECUTIVE SUMMARY

The request today is to amend the Napa County Policy Manual to add Part I: Section 37C-5, relating to compensation for a chief deputy, who temporarily discharges the duties of the elected officer due to the officer's vacating of office during a term and pending the filling of the vacancy pursuant to state law. The proposed new policy provides that whenever a chief deputy temporarily discharges the duties of an elected officer during a vacancy, the chief deputy shall be compensated at the elected officer's current rate of pay. The new policy also provides that, where there is more than one "chief deputy" the elected department head will designate one of the positions as the "chief deputy" for purposes of temporarily discharging elected officer duties.

Procedural Requirements:

1. Chair announces agenda item.
2. Staff reports on the item.
3. Questions by the Board.
4. Chair requests public comments.
5. Member makes a motion.
6. Different members seconds the motion.
7. Board discussion and debate on motion.
8. Chair calls for the vote.
9. Chair announces the result of the vote.

FISCAL IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	No
What is the revenue source?	Although the Chief Deputy shall be compensated at the elected officer's current rate of pay, there is still going to be some salary savings due to the elected officer's position being vacant.
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	Adoption of this policy is recommended to provide for fair and equitable compensation.
Is the general fund affected?	Yes
Future fiscal impact:	This policy will take effect whenever a chief deputy temporarily discharges the duties of an elected officer during a vacancy.
Consequences if not approved:	While the State law provides that the chief deputy functions as the elected officer during a vacancy until filled, he/she will continue to be compensated at the salary rate of chief deputy.
Additional Information:	

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 recent decision by the Board to delay filling the soon-to-be-vacant Treasurer-Tax Collector position on a permanent basis, brought to light a number of issues concerning succession planning for elected officials, including the appropriate compensation for chief deputies who temporarily discharge the duties of elected department heads during a vacancy and how to deal with situations where there may be more than one "chief deputy or assistant" (this latter concern is not an issue with regard to the Treasurer-Tax Collector, but is an issue with other elected department head positions). To address these issues, the County Executive Officer is recommending that the Board of Supervisors adopt a policy to provide for succession planning in the event an elected officer (other than a member of the Board of Supervisor) vacates office during his term and pending the filling of the vacancy pursuant to state law. Such succession planning should provide for fair and equitable compensation.

To achieve that goal, the request today is to amend the Napa County Policy Manual to add Part I: Section 37C-5, relating to compensation for a chief deputy, who temporarily discharges the duties of an elected officer who vacates office during the term pending filling of the vacancy as required by state law. The Policy further specifies that in the case where an elected officer has more than one chief deputy or assistant who serves as next in authority to such elected officer and who is subject to the same obligations and penalties as the elected officer, the elected officer shall designate which of his chief deputies or assistants shall be the Chief Deputy for purposes of

this policy. The elected officer shall notify the Board of Supervisors of the person designated to serve as Chief Deputy by filing a written notice with the Clerk of the Board.

The proposed resolution also provides that the Human Resources Director can revise the Table and Index to reflect the compensation set by the proposed policy.

SUPPORTING DOCUMENTS

A . Resolution

B . Policy

CEO Recommendation: Approve

Reviewed By: Maiko Klieman