



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 9/21/2010
Agenda Placement: 7L

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Robert Westmeyer - County Counsel
County Counsel
REPORT BY: Susan Altman, Deputy County Counsel - 707-299-1479
SUBJECT: Resolution Eliminating the third at-large Board Member from the Napa County Board of Control

RECOMMENDATION

County Counsel requests adoption of a resolution eliminating the third at-large Board Member from the Napa County Board of Control.

EXECUTIVE SUMMARY

At its October 20, 2009 meeting, the Board of Supervisor's approved the addition of a third at-large Deferred Compensation Board of Control ("Board of Control") member per the Board of Control's recommendation. This board member was specifically to be selected from the retired employee ranks of all employer entities that participate in the 457 and 401(a) Plans. Additionally, the third at-large board member was required to be a participant in the 457 and/or 401(a) Plans. The position was advertised, however no applications were received. After discussion about the lack of interest in the position, and the benefit of having an odd numbered board, the Board of Control took action at its August 19, 2010 meeting, recommending that the Board of Supervisors eliminate the third at-large position.

FISCAL IMPACT

Is there a Fiscal Impact? No

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

On September 2, 1975, the Napa County Board of Supervisors adopted Resolution No. 75-138 creating a Deferred Compensation Board of Control ("Board of Control"). Throughout the Board of Control's history, the Board of Supervisors has adopted resolutions changing its membership, including adding two at-large members in 2005. The Board currently consists of five permanent members, consisting of; the County Executive Officer, the Auditor-Controller, the Treasurer Tax-Collector, the County Counsel and the Human Resources Director. The Board also has two at-large members who serve without term limits at the Board of Supervisor's pleasure. Most recently, the at-large positions have had a representative from the Courts and the Sheriff's office.

At its February 19, 2009, meeting, the Board of Control considered and recommended that a third at-large member selected from the retired employee ranks of all employer entities that participate in the 457 and 401(a) Plans be added to the Board of Control. The Board of Control further recommended that the member be a participant in the 457 and/or 401(a) Plans. At its October 20, 2009 meeting, the Napa County Board of Supervisors approved the addition of a third at-large member. The position of a third at-large member for the Board of Control was advertised for almost 40 days, but no applications were received. Upon learning of the lack of interest in the third at-large member position, the Board of Control recommended eliminating this position at its August 19, 2010 meeting. The Board of Control requests that the Board of Supervisors remove the recently added third at-large position returning the Board of Control to a Board consisting of seven members.

SUPPORTING DOCUMENTS

A . Resolution Eliminating Third At-Large Board Member

CEO Recommendation: Approve

Reviewed By: Britt Ferguson