



Local Agency Formation Commission of Napa County
Subdivision of the State of California

1030 Seminary Street, Suite B
Napa, California 94559
Phone: (707) 259-8645
Fax: (707) 251-1053
www.napa.lafco.ca.gov

We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture

Agenda Item 7c (Action)

TO: Local Agency Formation Commission

FROM: Kenneth Leary, Vice Chair
Margie Mohler, Commissioner

MEETING DATE: October 7, 2019

SUBJECT: Consider Adjustment to Executive Officer's Compensation

RECOMMENDATION

It is recommended the Commission take the following actions:

- 1) Adopt the Resolution of the Local Agency Formation Commission of Napa County Approving a Step Adjustment to the Executive Officer's Compensation Effective July 1, 2019, included as Attachment One.
- 2) Adopt the Resolution of the Local Agency Formation Commission of Napa County Consenting to the Participation of LAFCO Management Staff in the County of Napa 401(a) Retirement Savings Plan and Establishing the LAFCO Match for the 2020 Calendar Year, included as Attachment Two, establishing a \$1,000 matching 401(a) retirement contribution for the Executive Officer for calendar year 2020.

BACKGROUND

Mr. Freeman has served as the Executive Officer to Napa County LAFCO since July 2015. The Commission started the performance evaluation process of the Executive Officer in July 2019 and held a closed session on August 5, 2019. The Commission policy on evaluating the Executive Officer's Performance provides that, "at the completion of the performance review, the Commission will consider any appropriate action with respect to the compensation of the Executive Officer." The Commission directed Vice Chair Leary and Commissioner Mohler to negotiate the Executive Officer's compensation and return with a recommendation for the full Commission's consideration.

Kenneth Leary, Vice Chair
Councilmember, City of American Canyon

Margie Mohler, Commissioner
Councilmember, Town of Yountville

Scott Sedgley, Alternate Commissioner
Councilmember, City of Napa

Brad Wagenknecht, Commissioner
County of Napa Supervisor, 1st District

Diane Dillon, Commissioner
County of Napa Supervisor, 3rd District

Ryan Gregory, Alternate Commissioner
County of Napa Supervisor, 2nd District

Gregory Rodeno, Chair
Representative of the General Public

Eve Kahn, Alternate Commissioner
Representative of the General Public

Brendon Freeman
Executive Officer

SUMMARY

Having completed the review of the Executive Officer's performance, it is recommended that the Executive Officer's salary be increased from step 3 to step 4 effective July 1, 2019, consistent with the commencement of his evaluation and negotiations. Prior to taking action, the Commission must orally report the recommended action to increase the Executive Officer's salary to \$135,720 annually. All other benefits shall remain the same consistent with the benefits provided by the County of Napa.

Also as part of this item, it is recommended the Commission authorize the Executive Officer to participate in the County of Napa 401(a) Retirement Savings Plan and establish a \$1,000 matching 401(a) retirement contribution for the Executive Officer for calendar year 2020. Both recommended actions are consistent with the Commission's adopted budget for fiscal year 2019-2020.

ATTACHMENTS

- 1) Resolution of the Local Agency Formation Commission of Napa County Approving a Step Adjustment to the Executive Officer's Compensation Effective July 1, 2019
- 2) Resolution Consenting to the Participation of LAFCO Management Staff in the County of Napa 401(a) Retirement Savings Plan and Establishing the LAFCO Match for the 2020 Calendar Year

RESOLUTION NO. _____

**RESOLUTION OF
THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
APPROVING A STEP ADJUSTMENT TO THE EXECUTIVE OFFICER'S
COMPENSATION EFFECTIVE JULY 1, 2019**

WHEREAS, the Local Agency Formation Commission of Napa County (“Commission”) hires an Executive Officer to serve at the Commission’s pleasure;

WHEREAS, the Commission hired Brendon Freeman to be the Commission’s Executive Officer effective July 4, 2015, with a salary of \$102,419 per year consistent with step 1 of the salary schedule along with the standard benefits provided to the County of Napa’s “Management Non-Classified (Other)” employees;

WHEREAS, on August 3, 2015, the Commission approved an increase to the Executive Officer’s salary to \$103,000 per year effective July 18, 2015;

WHEREAS, on July 1, 2016, the Executive Officer’s salary increased to \$106,246 per year as a result of a cost of living adjustment;

WHEREAS, on August 1, 2016, the Commission approved an increase to the Executive Officer’s salary to \$111,571 per year consistent with step 2 of the salary schedule and effective July 2, 2016;

WHEREAS, on July 1, 2017, the Executive Officer’s salary increased to \$116,043 per year as a result of a cost of living adjustment;

WHEREAS, on July 1, 2018, the Executive Officer’s salary increased to \$120,682 per year as a result of a cost of living adjustment;

WHEREAS, on October 1, 2018, the Commission approved an increase to the Executive Officer’s salary to \$126,693 per year consistent with step 3 of the salary schedule and effective July 1, 2018;

WHEREAS, on July 1, 2019, the Executive Officer’s salary increased to \$129,230 per year as a result of a cost of living adjustment;

WHEREAS, the Commission has conducted a performance evaluation of the Executive Officer for which the evaluation commenced in July of 2019 and was considered by the Commission at its August 5, 2019, meeting;

NOW, THEREFORE, BE IT RESOLVED that the Commission **DOES HEREBY RESOLVE, DETERMINE AND ORDER**, the Executive Officer's salary shall be increased to \$135,720 per year consistent with step 4 of the salary schedule and effective July 1, 2019.

The foregoing Resolution was duly and regularly adopted by the Commission at a regular meeting held on October 7, 2019, after a motion by Commissioner _____, seconded by Commissioner _____, by the following vote:

AYES: Commissioners _____

NOES: Commissioners _____

ABSENT: Commissioners _____

ABSTAIN: Commissioners _____

Gregory Rodeno
Commission Chair

ATTEST: _____
Brendon Freeman
Executive Officer

Recorded by: Kathy Mabry
Commission Secretary

DRAFT

RESOLUTION NO. _____

**THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
CONSENTING TO THE PARTICIPATION OF LAFCO MANAGEMENT STAFF
IN THE COUNTY OF NAPA 401(a) RETIREMENT SAVINGS PLAN AND
ESTABLISHING THE LAFCO MATCH FOR THE 2020 CALENDAR YEAR**

WHEREAS, the Executive Officer of the Napa County Local Agency Formation Commission (hereinafter “LAFCO” and “Employer”) is a management employee of the County of Napa whose services are contracted out to LAFCO; and

WHEREAS, in 2002, LAFCO consented to the participation of LAFCO in the 401(a) Retirement Savings Plan (hereinafter “Plan”) established by Napa County, which provides in part that LAFCO shall determine, in its sole discretion, the amount of the Employer contribution to be made to the Plan during each Plan year and that the amount of the Employer contribution for each calendar year, if any, shall be established annually on or before January 1st of that calendar year by a duly adopted Resolution of the Employer, a copy of which shall be delivered to the Napa County Deferred Compensation Board of Control (hereinafter “Board of Control”); and

WHEREAS, the Plan also provides that upon the adoption of a Resolution identifying the amount of the Employer contribution for the next succeeding calendar year, the Employer shall, during said next succeeding calendar year, make a contribution in an amount equal to the contribution each Management, Confidential, and Non-Classified officer and/or employee who is a Participant in the Plan makes to the Employer's 457 Deferred Compensation Plan during that same calendar year (hereinafter the “Match”); provided, however, the Employer contribution to the 401(a) deferred compensation account of each Management, Confidential, and Non-Classified officer and/or employee who is a Participant in the Plan during any calendar year shall not exceed the amount set forth in said Resolution; and

WHEREAS, during fiscal year 2019-2020, LAFCO hereby agrees to establish a Match for calendar year 2020 pursuant to section 4.02-1 of the Plan.

NOW THEREFORE BE IT RESOLVED by LAFCO that, for calendar year 2020, it hereby approves up to a \$1,000 “Match” for each Management staff of LAFCO (presently the LAFCO Executive Officer) who are or become Participants in the Plan during 2020.

BE IT FURTHER RESOLVED that the Clerk of the Commission is directed to deliver a copy of this Resolution to the Board of Control.

The foregoing Resolution was duly and regularly adopted by the Local Agency Formation Commission of Napa County at a regular meeting of said Commission held on the October 7, 2019, by the following vote:

AYES: _____

NOES: _____

ABSTAIN: _____

ABSENT: _____

Gregory Rodeno
Commission Chair

ATTEST: _____
Brendon Freeman
Executive Officer

Recorded by: Kathy Mabry
Commission Secretary

DRAFT