



SUMMARY REPORT

Agenda Date: 2/9/2021

To: Board of Directors of Sonoma County Water Agency
Department or Agency Name(s): Sonoma County Water Agency
Staff Name and Phone Number: Jay Jasperse (707) 484-7754
Vote Requirement: Majority
Supervisory District(s): Countywide

Title:

Sonoma County Water Agency Appointment of Retiree Extra-Help

Recommended Action:

Pursuant to Government Code §7522.56 approve the appointment of Kevin Campbell as a Supervising Right of Way Agent Extra-Help, in order to fill a critically needed position within 180 days of his retirement, with an appointment date as early as February 9, 2021.

Executive Summary:

Pursuant to the California Public Employees' Pension Reform Act (PEPRA), Government Code §7522.56, an exception can be made to reappoint a retiree as extra-help provided the governing body certifies that the appointment is necessary to fill a critically needed position, in those circumstances where 180 days from the date of retirement has not yet passed. This approval must be in a noticed public meeting and not on a consent calendar. PEPRA includes other requirements in order for a retiree to be eligible for an Extra-Help appointment, such as not having accepted a retirement incentive and not having accepted unemployment arising out of prior public appointment. The individual and delegated agency staff have completed the Retiree Extra-Help Compliance Form certifying the appropriateness of the appointment.

Discussion:

Kevin Campbell, Supervising Right of Way Agent, retired on February 1, 2021. He entered Sonoma Water service on June 9, 1992 as a Right of Way Agent II and was promoted to Supervising Right of Way Agent on August 22, 2013.

At the time of his retirement, Mr. Campbell was serving as the lead acquisition agent/negotiator for a number Right of Way acquisition transactions, as well as several critical Sonoma Water Projects including the Sonoma Valley Trunk Main Replacement Project, Biological Opinion Dry Creek Habitat Enhancement Projects, Matanzas Dam Rehabilitation and Upgrade Project, support for Sustainable Groundwater Management Act projects, and other real estate transactions. Due to the sensitivities of the negotiations that will continue following Mr. Campbell's retirement, the critical nature of the timing of the right of way acquisition activities, and the continuity of the interaction with the property owners involved, it is paramount that Mr. Campbell continue to provide such support as may be required for the success of those efforts.

While Sonoma Water has endeavored to replace Mr. Campbell's considerable expertise and capabilities through his successor, there is no replacement for his extensive experience and familiarity with the projects,

negotiations and counterparts involved in these projects.

County Counsel representing Sonoma Water has historically relied heavily on Mr. Campbell's experience and understanding of the negotiations, and approaches and processes involved that are needed for the success of these projects.

Trust and continuity are often critical factors in Sonoma Water's ability to close right of way transactions without having to resort to litigation under eminent domain to successfully secure the rights needed for Sonoma Water's Projects. It can take years to develop the level of trust needed for counterparts to agree to terms of agreement. Continuity in representation is critical to successfully reaching agreement with counterparts. Due to the vulnerable stage of the negotiations and timing for these projects, we respectfully request consideration be given to appointment of Kevin Campbell as Retiree Extra-Help to continue this sensitive and important work to keep these important projects on track.

Sonoma County Water Agency has consulted with the Human Resources Department which is supportive of the recommended action.

In accordance with Government Code section 7522.56, the Sonoma County Water Agency is asking the Board certify as follows:

1. Kevin Campbell's appointment to Supervising Right of Way Agent, Retiree Extra-Help is necessary to fill a critically needed position within 180 days of his retirement date;
2. Kevin Campbell did not accept retirement incentives upon his retirement; and
3. Kevin Campbell's appointment shall not exceed 960 hours per year.
4. Per Internal Revenue Code section 401(a)(36), Kevin Campbell meets the requirement of being of normal retirement age.

If the Board of Directors makes the foregoing certifications, Kevin Campbell will be hired as of February 9, 2021 as Supervising Right of Way Agent, Retiree Extra-Help.

Prior Board Actions:

None

FISCAL SUMMARY

| Expenditures | FY 20-21 Adopted | FY21-22 Projected | FY 22-23 Projected |
|------------------------------------|-----------------------------|------------------------------|-------------------------------|
| Budgeted Expenses | \$14,083 | \$33,382 | |
| Additional Appropriation Requested | | | |
| Total Expenditures | \$14,083 | \$33,382 | |
| Funding Sources | | | |
| General Fund/WA GF | \$14,083 | \$33,382 | |
| State/Federal | | | |
| Fees/Other | | | |
| Use of Fund Balance | | | |
| Contingencies | | | |

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|----------------------|----------|----------|--|
| Total Sources | \$14,083 | \$33,382 | |
|----------------------|----------|----------|--|

Narrative Explanation of Fiscal Impacts:

The cost of the extra help retiree position is approximately \$33,382 assuming usage of 640 extra help hours at \$52.16/hour. It is projected that \$14,083 or 270 hours will be expended in FY 20-21, and 640 hours or \$33,382 in FY 21-22. Expenses for FY 20-21 will be absorbed by existing appropriation in Sonoma Water's General Fund. Expenses for FY 21-22 will be budgeted in that fiscal year.

Salary and benefits are budgeted in the General Fund which is funded through water sales revenue, taxes and grants. The General Fund is reimbursed by our enterprise funds through project costing. The Water Agency's cost accounting system allocates labor costs to Water Agency projects specific to its enterprise funds.

| Staffing Impacts: | | | |
|--|--|----------------------------|----------------------------|
| Position Title (Payroll Classification) | Monthly Salary Range (A-I Step) | Additions (Number) | Deletions (Number) |
| 1056 Supervising Right of Way Agent | \$9072.01 | 0 <input type="checkbox"/> | 0 <input type="checkbox"/> |
| | | | |
| | | | |

Narrative Explanation of Staffing Impacts (If Required):

This is a Retiree Extra-Help appointment; no permanent allocations are being added or changed.

Attachments:

None

Related Items "On File" with the Clerk of the Board:

None