

Individual Agreement for Extra Help Personal Services  
David Kiff, Interim Executive Director of the Sonoma County  
Community Development Commission

This Agreement is made this \_\_\_\_ day of \_\_\_\_\_, 2021, by and between the Sonoma County Community Development Commission, a political subdivision of the State of California (hereinafter "Commission") and David Kiff (hereinafter "Employee").

Witnesseth:

Whereas, Commission and Employee are desirous of entering into an individual extra-help personal services agreement for the position of Interim Executive Director of the Sonoma County Community Development Commission ("Commission");

Whereas, Employee acknowledges that by accepting the position of Interim Executive Director of the Commission, he will be an at-will extra-help Employee;

Whereas, Employee represents that he is a retired annuitant of the California Public Employees' Retirement System (CalPERS) within the meaning of Government Code S 21220-21230;

Whereas, the Commission's retirement system under the Sonoma County Employees' Retirement Association (SCERA), established pursuant the County Employee Retirement Act of 1937 (CERL), Government Code S 21220-21230, does not restrict Employee, as a CERL retiree, from Extra-help employment with Commission;

Whereas, Extra-help Employees of the Commission may be subject to County of Sonoma ("County") administrative procedures, policies, benefits, Salary Resolution, etc., as well as the Commission's Personnel Policy;

Whereas, employee desires no fringe benefits eligible to extra-help employees or department heads in the County Salary Resolution with the exception of those required by law or mandated by the County's Salary Resolution.

Now, Therefore, Be It Agreed by and between the parties as follows:

1. Term of Employment. Commission hereby employs Employee in the position of extra-help Interim Executive Director on at at-will basis starting on July 1, 2021. The term of the agreement will continue until terminated by either party upon ninety (90) days' written notice if not terminated earlier pursuant to Paragraph 4, or superseded by another employee agreement.

2. Duties. Employee shall perform the duties of Interim Executive Director as set forth in the job specification, attached hereto as **Exhibit A**, as it now provides or may hereafter be amended, and such other duties as may be prescribed by the County Administrator on behalf of the Community Development Commission, on an extra-help basis, with a 30-hour/week minimum work schedule. Employee may exceed that amount without express permission of the County Administrator. .

3. Compensation.

(a) Employee's salary shall be set per hour at the "I" step of the salary range as established by the Sonoma County Salary Resolution 95-0926, and as amended or until superseded by further resolution(s) of the Board of Supervisors.

(b) Other than benefits required by law, Employee shall not be entitled to fringe benefits generally available to County/Commission extra-help employees or department head employees, as specified in the Salary Resolution.

(c) Employee will participate in the County's PST/457 Deferred Compensation Retirement Plan authorized by Internal Revenue Code Section 457 in lieu of Social Security. The County shall contribute 4.0% and the employee 3.5%.

4. Termination. Employee shall serve at the will and pleasure of the County Administrator and may be terminated at the will of the County Administrator, with or without cause as set forth herein. Employee expressly waives and disclaims any right to any pre-termination or post termination notice and hearing. County Administrator agrees to provide ninety (90) days' written notice to Employee as a courtesy if the termination will occur as described in Section 1, or fourteen (14) days' notice if terminated with cause pursuant to Paragraph 4(a) below. After termination has been affected, Employee shall have no further rights under this Agreement or to continued employment with the Commission.

(a) Termination with cause:

Just cause shall be related to and limited to those matters of local concern to the Commission and may include, but is not limited to, unauthorized absence, conviction of a felony or of any criminal act involving moral turpitude; hostile and discourteous treatment of Employees; mismanagement of funds; conduct which brings discredit to the Commission; disorderly conduct; incapacity due to mental or physical disability to the extent permitted by law; willful concealment or misrepresentation of material facts in applying for or securing employment; willful disregard of a lawful order from a duly constituted authority; willful disregard of a County or Commission, policy and/or laws regarding the confidentiality of records; using, being in possession of, or being under the influence of alcohol, narcotics, intoxicants, drugs, or hallucinatory agents while on County or Commission property or in vehicles during working hours or reporting to work under such conditions, or abuse of alcohol or drugs while in County or Commission uniform (possession and proper use of drugs prescribed by a licensed physician and appropriate possession of unopened alcoholic beverages are not prohibited by this section); negligence or willful damage to public property or waste or theft of public supplies or equipment; refusal to comply with a proper directive to undergo a medical examination as issued by an appointing authority; falsification of any records, such as medical forms, time cards or employment applications, or making material dishonest work-related statement to other Employees at work or committing perjury; unauthorized use of County or Commission vehicles and equipment; conviction of driving under the influence, reckless driving, or hit-and-run driving whether on or off the job, in a County or Commission vehicle; unauthorized possession of weapons or explosives on County or Commission premises; willful carelessness or violation of safety rules and regulations which jeopardize the safety of others

and/or which could result in bodily injury to others or damage to County or Commission property; and sexual harassment of or unlawful discrimination against another Employee or applicant for employment. Any other just cause not set forth above, must be of similar egregious conduct.

5. Resignation by Employee.

(a) Employee may terminate her employment at any time by delivering to the County Administrator his written resignation. Such resignation shall be irrevocable and shall be effective not earlier than ninety (90) days following delivery, unless waived by the County Administrator. With the approval of the County Administrator, a resignation may be rescinded at any time prior to the effective date of the resignation.

(b) From the date upon which Employee either resigns or is notified of the County Administrator's intention to terminate the Agreement until the actual date upon which the resignation, termination or expiration becomes effective, Employee shall continue to devote her full time attention and effort to the duties anticipated hereunder and shall perform the same in a professional and competent manner. If requested, Employee shall assist the Commission in orienting Employee's replacement and shall perform such tasks as are necessary to effect a smooth transition in the leadership of the Commission. These tasks may also include providing information or testimony regarding matters which arose during Employee's term as Interim Executive Director of the Commission.

(c) Employee acknowledges, understands and warrants that Employee shall have no further right or claim to employment after the expiration of the term of this Agreement. Except as provided herein, no other document, handbook, policy, resolution or oral or written representation shall be effective or construed to be effective to extend the term hereof or otherwise grant Employee any right or claim to continued employment with Commission.

6. Nonassignability. Employee shall not, during the term of this Agreement, make any assignment or delegation of any of its provisions without the prior written consent of Commission.

7. Compliance with Law. Employee shall, during his employment hereunder, comply with all laws and regulations applicable to such employment. Any act or omission of Employee constituting a public offense involving moral turpitude or a withholding of labor is a material breach of this Agreement relieving County and Commission of any and all obligations hereunder. Such act or omission shall constitute sufficient grounds for Employee's termination with cause pursuant to this Agreement.

8. Merger. This writing is intended both as the final expression of the Agreement between the parties hereto with respect to the included terms and as a complete and exclusive statement of the terms of the Agreement, pursuant to Section 1856 of the Code of Civil Procedure. No modification of this Agreement shall be effective unless and until such modification is evidenced by a writing signed by both parties.

9. No Representations or Warranties on Tax or Retirement Issues. Employee acknowledges and agrees that the County or Commission has not made any representations or

warranties regarding tax consequences or retirement compensation pertaining to his salary and benefits or the Employee's CalPERS retirement benefits.

10. Conflict of Interest. Employee covenants that he presently has no interest and will not acquire any interest, direct or indirect, that represents a financial conflict of interest under state law or that would otherwise conflict in any manner or degree with the performance of his duties required under this Agreement. Employee shall comply with all state and local conflict of interest laws or policies, including, but not limited to, Government Code section 1090, the Political Reform Act and requirements promulgated by the Fair Political Practices Committee, the County and Commission's policies on incompatible offices and conflicts of interest, and any other policies on conflicts of interest. Employee shall also complete and file a "Statement of Economic Interest" with the County, disclosing Employee's financial interests, as required by the County's and/or Commission's Conflict of Interest Code.

Attest: County Administrator for the Sonoma  
County Community Development  
Commission

\_\_\_\_\_  
Clerk of the Board

By \_\_\_\_\_  
County Administrator

Employee:

\_\_\_\_\_  
David Kiff

**EXECUTIVE DIRECTOR  
SONOMA COUNTY COMMUNITY DEVELOPMENT COMMISSION**

Definition:

Under administrative direction, plans, organizes, directs, and coordinates Sonoma County's affordable housing, homelessness, redevelopment and community development programs, and all operations of the Sonoma County Community Development Commission, Housing Authority, and Redevelopment Agency; serves as Executive Director of the Sonoma County Community Development Commission, Sonoma County Housing Authority, and Sonoma County Redevelopment Agency; provides and directs staff services to the Commissioners of the Sonoma County Community Development Commission, Housing Authority and Redevelopment Agency, and to their advisory committees; supervises subordinate staff; and performs related duties as required.

Distinguishing Characteristics:

This is a single-position class that reports to the Commissioners of the Sonoma County Community Development Commission, Housing Authority, and Community Redevelopment Agency. This class is characterized by the responsibility for administering multiple programs and functions through subordinate managers. Extensive initiative, independent judgment, and creativity are required in formulating plans and programs, directing effective and efficient operations, resolving difficult and complex problems, and modifying plans to meet unexpected situations. Control over work performed is manifested in general plans, broad policy or budgetary limitations.

This class is distinguished from the Redevelopment Manager, Community Development Manager, and Leased Housing Manager by having overall executive responsibility for all operations of the Sonoma County Community Development Commission, Housing Authority, and Community Redevelopment Agency.

This position is with the Sonoma County Community Development Commission, a separate entity from the County of Sonoma, and is not within the Sonoma County Civil Service System.

Typical Duties:

*Duties may include but are not limited to the following:*

Directs the administration of the Sonoma County Community Development Commission, Housing Authority and Redevelopment Agency to include planning, organizing, and directing Sonoma County's affordable housing, housing assistance, homelessness, redevelopment and community development programs.

Plans, organizes, directs and evaluates the activities of subordinate staff; interviews, selects and trains professional and management staff; assigns and reviews work; establishes performance standards; evaluates staff performance; trains and counsels employees; takes or approves disciplinary actions; negotiates and administers agreements with consultants and contractors.

Plans and recommends program and policy direction for the Sonoma County Community Development Commission, Housing Authority and Community Redevelopment Agency; develops or directs the development of program policies; explains, advises and recommends action on policy matters to the Commissioners of the Sonoma County Community Development Commission, Housing Authority, and Community Redevelopment Agency; advises the appropriate governing body of problems and potential problems and recommends appropriate course of action.

Consults with and solicits the cooperation of community groups and government agencies in assessing, identifying and analyzing affordable housing, homelessness, and community development needs and objectives in Sonoma County; develops responsive programs to meet those needs and objectives.

Develops agreements, methods and procedures to implement, administer and evaluate the County's affordable housing, homelessness, redevelopment and community development programs; oversees and directs program compliance reviews and analyzes performance outcome measures to measure program effectiveness; develops process improvement plans and strategies to enhance service delivery; reviews projects and related records in order to assess the progress of projects and to assure program continuity and compliance with established guides.

Analyzes the impact of newly-enacted state and federal legislation on operations; addresses legislative and regulatory bodies to influence or persuade them to form supportive opinions or take actions related to advancing program goals; makes recommendations and decisions regarding the implementation of related changes; reviews economic trends and regulatory changes to determine the impact on operations; reviews and critiques codes and ordinances; initiates studies of technical problems and recommends revisions.

Prepares and administers an annual budget; establishes, revises and maintains accounting systems and procedures in order to effectively monitor income sources and loan portfolios, and to provide internal accounting controls; certifies the purchase of supplies, equipment and services; makes recommendations regarding the purchase and sale of property; develops and implements management information systems in order to track and analyze performance measures; directs the preparation, review and approval of fiscal, special and technical reports, justifications, and proposals; researches, identifies, develops and negotiates public and private funding opportunities in order to support existing programs and generate additional funding opportunities to expand or create new programs and opportunities; submits grant applications for funding; issues directives related to fund distribution, and policy and procedural constraints of grant requirements. .

Coordinates program planning and day-to-day activities with County departments, participating planning jurisdictions, federal funding agencies and community interest groups; stays informed on community, social, and political problems, and their relevance to and impact upon programs; directs the development of a public relations program to inform the public about affordable housing, homelessness, redevelopment and community development programs, goals and objectives; provides consultation to individuals, citizen groups, business organizations, consultants and governmental agencies on all matters related to affordable housing, homelessness assistance, redevelopment, and community development projects.

Performs the statutory duties of Executive Director and Secretary of the Community Development Commission, Housing Authority, and Community Redevelopment Agency. represents the Community Development Commission, Housing Authority, and Community Redevelopment Agency at governmental hearings, various representative groups, in front of administrative bodies, and at public meetings.

Performs related duties as assigned.

Knowledges and Abilities:

**Considerable knowledge of:** the current trends, theories, principles, and practices related to housing, homelessness, redevelopment, and community development Programs; , administrative principles and practices, including goal setting, program development, implementation and evaluation, and the preparation of policies and procedures; principles and practices of employee supervision including selection, work planning, organization, performance review and evaluation, and employee training and discipline; federal and state legislation related to affordable housing, homelessness, redevelopment and community development programs; Housing program functions and services; principles and practices of local government redevelopment, housing and community development administration; principles, practices, funding sources and administrative techniques for community services and low-income housing programs; principles and practices of project management and performance measurement; fiduciary responsibilities of a lender, best practices for effective grant proposal writing, obtaining and administering grants, and grant-funding processes; County government organization as it relates to affordable housing and redevelopment functions, and the relationship with the organization and functions of federal, state and municipal governments.

**Ability to:** plan, organize and direct Sonoma County's affordable housing, homelessness, redevelopment and community development programs; identify community affordable housing, homelessness, redevelopment and community development needs and objectives, and to formulate responsive plans to meet them; supervise, assign, direct and evaluate the work of personnel within the division; interpret federal, state and local rules and regulations governing the operation of county and community development programs; develop policies, agreements, methods, and procedures to implement, administer and evaluate housing and community development programs to establish accountability and to measure program effectiveness; coordinate program planning and day-to-day operational activities of the Community

Development Commission, Housing Authority and Redevelopment Agency; assure financial solvency of affordable housing, redevelopment and community development programs; provide professional consultation and program leadership; prepare clear and concise records and reports; Effectively assemble, organize and present, in either written or oral form, the logical conclusions and sound recommendations resulting from analysis of administrative, financial, factual or other information derived from a variety of sources; utilize sound judgment, tactfulness, persuasion and authority in the performance of duties; work under pressure, establish priorities and meet deadlines; establish and maintain effective work relationships with subordinates, County officials, representatives of other agencies, administrative personnel and the general public.

Minimum Qualifications:

**Education:** Any combination of educational course work and training, which would provide for the knowledge and abilities listed above. Normally, academic course work equivalent to a four-year degree from an accredited college or university with major work in urban studies, urban planning, public administration, public policy, business administration, economics, finance or a closely related field, will provide this opportunity. A Master's Degree is desirable.

**Experience** Any combination of experience and training which would provide the opportunity to acquire the knowledges and abilities listed above. Normally, five years of full-time public administration/management experience supervising professional staff engaged in housing rehabilitation, affordable housing policy/development and redevelopment or community development, including specific experience in financial, budget, program and organizational administration, analysis and planning, or will provide this opportunity.

**License:** Possession of a valid driver's license at the appropriate level including special endorsements, as required by the State of California, may be required depending upon assignment to perform the essential job functions of the position.