

County of Santa Clara

Employee Services Agency

Employee Benefits

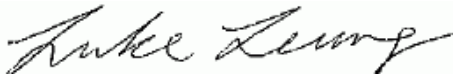


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Prepared by: Kathleen Barber
Human Resources Analyst
Reviewed by: Peter Ng
Employee Benefits Director

DATE: April 7, 2009

TO: Board of Supervisors

FROM: 
Luke Leung
Deputy County Executive

SUBJECT: Appointment of Linda Castaldi to the County of Santa Clara Deferred Compensation Plan Committee

RECOMMENDED ACTION

Accept the recommendation of the County of Santa Clara Deferred Compensation Plan Committee ("Committee") and appoint Linda Castaldi to the vacant position on the Committee.

FISCAL IMPLICATIONS

There are no fiscal implications connected to this action.

CONTRACT HISTORY

Not applicable.

REASONS FOR RECOMMENDATION

This Committee position became vacant as the result of the resignation of Roger Wells, Retiree. A letter dated January 5, 2009 was sent to all deferred compensation plan participants and all bargaining units were copied. The letter notified

plan participants of the retiree vacancy and asked interested candidates to notify the Committee no later than February 2, 2009.

The Committee received responses from four interested candidates, and interviews were held on February 12, 2009 and February 26, 2009. On March 19, 2009 the Committee voted to recommend to the Board of Supervisors that Linda Castaldi be appointed to the current vacancy. Linda Castaldi is currently a Social Work Supervisor, but will be retiring from the County effective April 5, 2009.

Should the Board proceed with the appointment of Linda Castaldi, the Deferred Compensation Plan Committee will consist of the following members:

Linda Castaldi, Retiree (proposed by Committee for Board appointment)

Carol Chavez, SEIU Local 521

John Guthrie, Director of Finance

Ron Jarvis, SEIU Local 521

Chris Koob, Member at Large

Peter Ng, Employee Benefits Director

Joseph O'Hara MD, Member at Large

BACKGROUND

Pursuant to Section 13.4 "Deferred Compensation Plan" of the 1979 -81 Agreement between SEIU Local 715 and the County of Santa Clara, a deferred compensation plan was established effective September 30, 1980. It provides County employees the opportunity to defer receiving a portion of their current compensation until retirement, termination of employment, or death.

On November 25, 1980 the Board of Supervisors ("Board") approved the creation of a deferred compensation Committee "consisting of five members appointed by the Board of Supervisors." At the same time approval was also given to "authorize the Personnel Department to solicit nominations from various employee organizations from which the Board of Supervisors may make a selection of three." Language in the original Deferred Compensation Plan Document of 1980 and amended and approved January 1, 1989 defined the committee (in Section 2.3) as "Five persons appointed by the County's Board of Supervisors to perform the duties designated herein." On March 18, 1998 the Board approved a further amendment of the Plan Document which changed the definition of Committee to "Five persons appointed by the County Board of Supervisors to perform the duties designated herein, one of whom shall be the County Director of Finance." This language remained in place until May 2001 when the Board approved the addition of two members to the Committee, changing the definition of "Committee" to "Seven (7) persons appointed by the County Board of Supervisors to perform the duties designated herein, one of whom shall be the County Director of Finance." The Committee recommended that the two new positions be filled with one at-large member and one retiree of the County of Santa Clara.

The Committee's duties and authority are described the the Plan Document; specifically in the Section listed below:

Article V, Section 5.01 Authority of the Committee - the committee shall have the sole power and authority to adopt, alter, amend, revoke or interpret any rules and policies, necessary for the administration of the Plan, provided they are

not inconsistent with the provisions of the Plan, or Section 457 of the Code, and any rules or regulations issues thereunder.

The appointment of Linda Castaldi is in accordance with the current Deferred Compensation Plan Document and would fill the current vacancy.

CONSEQUENCES OF NEGATIVE ACTION

Without the appointment of Linda Castaldi the Committee would continue to function with one vacant position.

STEPS FOLLOWING APPROVAL

The Clerk of the Board of Supervisors is requested to provide keyboard notification to Kathleen Barber, Employee Benefits, Employee Services Agency.