



City Council Report

915 I Street, 1st Floor

Sacramento, CA 95814

www.cityofsacramento.org

File ID: 2019-00810

June 11, 2019

Consent Item 07

Title: Amendment to Agreement 2002-104 with the Sacramento Local Agency Formation Commission (LAFCo)

Location: Citywide

Recommendation: Pass a Motion authorizing the City Manager or City Manager's designee to execute an amendment to the July 22, 2002 contract between the Sacramento Local Agency Formation Commission and the City of Sacramento with an effective date of December 10, 2018.

Contact: Shelley Banks-Robinson, Director, (916) 808-5541, Department of Human Resources; Don Lockhart, Executive Officer, (916) 874-6458, Sacramento Local Agency Formation Commission

Presenter: None

Attachments:

1-Description/Analysis

2-Resolution

3-Exhibit A (Amendment and Signature Page)

Description/Analysis

Issue Detail: City Agreement No.2002-104 (“Agreement”) provides that City employee Donald Lockhart shall remain a City employee while serving as the Executive Officer at LAFCo, and that LAFCo will fully reimburse the City for all salary and benefits associated with Mr. Lockhart’s employment. Since the execution of the Agreement, Mr. Lockhart’s job duties have changed, and so the Agreement must be amended, as reflected in Attachments 2 and 3, to reflect that Mr. Lockhart is being placed in the job classification New Growth Manager.

Policy Considerations: This proposed Amendment to the Agreement will allow LAFCo to continue the contract with the City of Sacramento to reimburse the City for the salary and benefits of Mr. Lockhart in the budgeted position of New Growth Manager (LAFCo Executive Officer). The agreement will allow the employee to retain all of his current health, retirement, vacation and other benefits, with no loss or interruption in their accrual. The effective date of this amendment will be December 10, 2018.

Economic Impacts: None

Environmental Considerations:

California Environmental Quality Act (CEQA): Continuing administrative activities and government fiscal activities do not constitute a project and are therefore exempt from CEQA review [CEQA Guidelines § 15378(b)(2) and (b)(4)].

Sustainability: The agreement is consistent with the City’s General Plan Vision & Guiding Principles in support of Sustainability to focus on regional issues and development and support innovative solutions which encourage regional cooperation

Commission/Committee Action: The Sacramento LAFCo adopted the Amendment reflected in Attachment 3 during its Regular Meeting on May 1, 2019. The effective date of this amendment will be December 10, 2018.

Rationale for Recommendation: The Sacramento LAFCo has a need for an Executive Officer. Previously, LAFCo requested the City provide support to meet the need for an Assistant Executive Officer. The Agreement was executed on July 22, 2002. This amendment to the Agreement will enable LAFCo to continue to contract with the City. The effective date of this amendment will be December 10, 2018.

Financial Considerations: The agreement between the City and LAFCo will fully reimburse the City for all costs incurred under the agreement for the Executive Officer position. There is no adverse fiscal impact to the City.

Local Business Enterprise (LBE): Not applicable.

Background: On July 22, 2002, the City Council authorized a City position for the purpose of implementing the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, with full cost reimbursement. The staff recommended action will continue the contract with Sacramento LAFCo for the position of Executive Officer. The full cost of this position will continue to be reimbursed by LAFCo. The effective date of this amendment will be December 10, 2018.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 provides for LAFCOs throughout California to be independent agencies.

RESOLUTION NO. L AFC 2019-05-0501-00-01

**RESOLUTION OF THE
SACRAMENTO LOCAL AGENCY FORMATION COMMISSION
TO EXECUTE AN AMENDMENT TO THE AGREEMENT
WITH THE CITY OF SACRAMENTO FOR THE L AFC
EXECUTIVE OFFICER POSITION**

WHEREAS, the City of Sacramento and the Sacramento Local Agency Formation Commission ("L AFC") entered into an Agreement on June 30, 2003 for Donald J. Lockhart to serve the Sacramento Local Agency Formation Commission; and

WHEREAS, the City of Sacramento and L AFC amended the Agreement in 2017 to designate Mr. Lockhart as Sacramento L AFC Executive Officer in the City position of Principal Planner; and

WHEREAS, L AFC now requests that Mr. Lockhart be moved from the position of Principal Planner to the position of New Growth Manager beginning December 10, 2018.

NOW, THEREFORE, BE IT RESOLVED BY THE SACRAMENTO LOCAL AGENCY FORMATION COMMISSION that:

1. The Chair is hereby authorized to execute an amendment to Agreement No. 2002-104 with the City of Sacramento to provide that Executive Officer Donald J. Lockhart will be moved from the classification of Principal Planner to the classification of New Growth Manager effective December 10, 2018.

2. The Executive Officer Donald J. Lockhart will receive a salary adjustment in the new classification of New Growth Manager consistent with the 11th step at a base annual salary of approximately \$152,354.00 with the accompanying City of Sacramento provided benefits.

On a motion made by Commissioner Peters seconded by Commissioner Jones, this Resolution was adopted on May 1, 2019, by the following vote:

Ayes: *Frost, Peters, Aquino, Little, Greenwood, Jones*

Noes: --

Abstain: --

Absent: *Ashby*



Sue Frost, Chair
Sacramento Local Agency Formation Commission

ATTEST:



Diane Thorpe, Commission Clerk

**AMENDMENT TO
AGREEMENT BETWEEN THE SACRAMENTO
LOCAL AGENCY FORMATION COMMISSION AND
THE
CITY OF SACRAMENTO**

This Amendment to the June 30, 2003, contract ("Agreement") between the Sacramento Local Agency Formation Commission, a statutory public agency ("LAFCo"), and the City of Sacramento, a municipal corporation ("City").

WHEREAS, the City has employed Donald Lockhart in the position of Senior Management Analyst since 2002, affirmed 2003, to serve in the capacity of Assistant Executive Officer of LAFCo; and

WHEREAS, LAFCo moved Mr. Lockhart to the position of Principal Planner, reflective of the duties he has performed on behalf of LAFCo since 2015, and continues to perform.

WHEREAS, LAFCo now desires that Mr. Lockhart be moved from the position of Principal Planner to the position of New Growth Manager effective December 10, 2018.

NOW, THEREFORE, LAFCo and the City agree as follows:

1. Section 2 of the Agreement ("City Obligations"), subsection (a) only is hereby revised to read:

"(a) Commencing on December 10, 2018, Mr. Lockhart shall be employed in City employment solely as a New Growth Manager classification serving as Sacramento LAFCo Executive Officer."

Except as expressly amended herein, all terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, THE PARTIES HAVE ENTERED INTO THIS AGREEMENT AS OF THE DATE HEREIN ABOVE APPEARING.

ATTEST

CITY OF SACRAMENTO

CITY Clerk

Howard Chan, City Manager

ATTEST

SACRAMENTO LAFCO AGENCY

LAFCo Clerk

Sue Frost, Sacramento LAFCo

APPROVED AS TO FORM:

APPROVED AS TO FORM:

By: _____
City Attorney

By: _____
LAFCO Counsel