



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Board Report

File #: 16-830, **Version:** 1

- a. Approve an employment agreement with Frank Dice, attorney at law, to serve as Interim Monterey County Public Defender, effective June 20, 2016 through October 31, 2016.
- b. Authorize the Assistant County Administrative Officer to execute the employment agreement and to make minor changes to the employment agreement that do not significantly change its terms, with the approval of County Counsel.

RECOMMENDATION:

- a. Approve an employment agreement with Frank Dice, attorney at law, to serve as Interim Monterey County Public Defender, effective June 20, 2016 through October 31, 2016.
- b. Authorize the Assistant County Administrative Officer to execute the employment agreement and to make minor changes to the employment agreement that do not significantly change its terms, with the approval of County Counsel.

SUMMARY:

On June 15, 2016, the Board appointed Frank Dice, attorney at law, to fill the vacant position of Public Defender for Monterey County, effective June 20, 2016 through October 31, 2016, on an interim basis. The Board is asked to consider and approve an employment agreement with Mr. Dice, formalizing the terms of his employment.

DISCUSSION:

The employment agreement submitted for the Board's approval provides that Mr. Dice will perform the duties expected of a Public Defender, consistent with best practices and with state and federal legal requirements. It provides that Mr. Dice will work 80% of full time employment and will be compensated at the rate of a Management Specialist, Step 5. The employment agreement is terminable immediately by either party without cause, upon written notice.

At the time of his appointment, Mr. Dice was providing services to the County as Chief Attorney of the Monterey County Alternate Defender Office (ADO) pursuant to a Professional Services Agreement. By separate agenda item, the Board is asked to consider and approve amendment No. 2 to that Professional Services Agreement, suspending Mr. Dice's duties and compensation as Chief Attorney of the ADO during the time he serves as Interim Public Defender.

OTHER AGENCY INVOLVEMENT:

County Counsel prepared the Employment Agreement for Mr. Dice's services as Interim Public Defender.

FINANCING:

The compensation for Mr. Dice's employment agreement is funded through the Public Defender. Because Mr. Dice will be working at 80% of full time employment, approval of the employment agreement will have no additional impact on the County General Fund and may result in savings.

Approved by: Manuel T. Gonzalez, Assistant County Administrative Officer

Attachments: Employment Agreement between the County of Monterey and Frank Dice