



# County of Monterey

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

## Legislation Details (With Board Report)

<b>File #:</b>	RES 22-049	<b>Name:</b>	Chief Assistant Public Defender
<b>Type:</b>	BoS Resolution	<b>Status:</b>	Passed
<b>File created:</b>	2/17/2022	<b>In control:</b>	Board of Supervisors
<b>On agenda:</b>	3/1/2022	<b>Final action:</b>	3/1/2022
<b>Title:</b>	Adopt a Resolution to: a. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendix A and B to create the classification of Chief Assistant Public Defender with the salary range as indicated in Attachment A; b. Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Section A.10.2 - Assistant Department Heads Designated to add the classification of Chief Assistant Public Defender as indicated in attachment A; c. Amend the Public Defender Budget Unit 2270-8169-Fund 001 - Appropriation Unit PUB001 to reallocate and approve the reclassification of one (1) Assistant Public Defender to one (1) Chief Assistant Public Defender as indicated in Attachment A; d. Direct the Auditor-Controller and County Administrative Office to incorporate the position change in the FY 2021-22 Adopted Budget and the Human Resources Department to implement the changes in the Advantage HRM system.		

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### Code sections:

**Attachments:** 1. Board Report, 2. Attachment A, 3. Resolution, 4. Completed Board Order Item No. 70, 5. Completed Resoltuon Item No. 70

Date	Ver.	Action By	Action	Result
3/1/2022	1	Board of Supervisors	adopted	Pass

### Adopt a Resolution to:

- Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendix A and B to create the classification of Chief Assistant Public Defender with the salary range as indicated in Attachment A;
- Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Section A.10.2 - Assistant Department Heads Designated to add the classification of Chief Assistant Public Defender as indicated in attachment A;
- Amend the Public Defender Budget Unit 2270-8169-Fund 001 - Appropriation Unit PUB001 to reallocate and approve the reclassification of one (1) Assistant Public Defender to one (1) Chief Assistant Public Defender as indicated in Attachment A;
- Direct the Auditor-Controller and County Administrative Office to incorporate the position change in the FY 2021-22 Adopted Budget and the Human Resources Department to implement the changes in the Advantage HRM system.

### RECOMMENDATION:

It is recommended that the Board of Supervisors adopts a Resolution to:

- Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Appendix A and B to create the classification of Chief Assistant Public Defender with the salary range as indicated in Attachment A;
- Amend Personnel Policies and Practices Resolution (PPPR) No. 98-394 Section A.10.2 - Assistant

Department Heads Designated to add the classification of Chief Assistant Public Defender as indicated in attachment A;

c. Amend the Public Defender Budget Unit 2270-8169-Fund 001 - Appropriation Unit PUB001 to reallocate and approve the reclassification of one (1) Assistant Public Defender to one (1) Chief Assistant Public Defender as indicated in Attachment A;

d. Direct the Auditor-Controller and County Administrative Office to incorporate the position change in the FY 2021-22 Adopted Budget and the Human Resources Department to implement the changes in the Advantage HRM system.

#### SUMMARY/DISCUSSION:

The Office of the Public Defender requested a classification study of the Assistant Public Defender position and was completed by the Human Resources Department. The objective of the study was to determine if the position is appropriately classified, and if not, to recommend a classification and salary that accurately reflects the duties that were assigned to the incumbent.

The classification study was completed and based on the analysis of the external and internal review of comparable positions including the organizational structure, department size, level of complexity, volume of work and impacts of services, it was found that the incumbent is performing the job duties within the scope of a Chief Assistant. The work of the Public Defender is highly complex and requires executive level support to meet the Department deliverables. As a result, a variety of complex assignments are absorbed by the Assistant Public Defender on a regular and ongoing basis.

In evaluating the internal County Departments as it relates to the size and scope of the work performed, each Department is unique within its own structure. The addition of another layer of management to the current organizational structure would situate and align the Public Defender's Office in a similar fashion to that of the Office of the County Counsel and District Attorney's Office. Alike, the duties of the Chief Assistant District Attorney and the Chief Assistant County Counsel are a match to the duties performed by the incumbent in that each serve as the top-ranking chief assistant to their respective Department Heads.

By adding another layer to the executive management team, the organizational structure will align with the internal comparable Departments and will solidify the incumbent's authority to provide the highest level of support to the Public Defender.

Therefore, it is recommended to create a Chief Assistant Public Defender classification and align the salary with the Chief Assistant County Counsel and Chief Assistant District Attorney classifications.

#### OTHER AGENCY INVOLVEMENT:

Do to timing as it relates to the February 23, 2022 Board of Supervisors Budget Committee meeting and the deadline to have signed Board Reports in Legistar for the March 1, 2022 Board of Supervisors meeting, this item is agenda ready for consideration but has not yet been reviewed by the Board of Supervisors Budget Committee. The Human Resources Department will communicate the Board of Supervisors Budget Committee's recommendation to the Board of Supervisors.

The Public Defender's Office has reviewed and concur with the recommendations.

#### FINANCING:

The salary and benefits increase for Public Defender's Office Budget Unit 8169 - Fund 001 - Appropriation Unit PUB001 for the remainder of FY 2021-22 is approximately \$3,030 or \$7,272 annually and is anticipated to be absorbed within the departments existing appropriations.

Current estimates indicated the respective department will be able to absorb the fiscal impact of these base wage adjustments; however, if this should change in the future, the affected department will return to the Budget Committee to request an appropriation increase if needed.

**BOARD OF SUPERVISORS' STRATEGIC INITIATIVES:**

The proposed recommended actions address the Board of Supervisors Administration Strategic Initiative. The actions demonstrate the County's commitment to meeting the Board's initiatives in recruiting, retaining, and attracting a diverse, talented workforce that supports the mission of Monterey County.

- ☐ Economic Development
- ☒ Administration
- ☐ Health & Human Services
- ☐ Infrastructure
- ☐ Public Safety

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Approved by: Irma Ramirez-Bough, Director of Human Resources

Attachment:  
Attachment A  
Resolution