



## Legislation Details (With Text)

**File #:** 21-0340      **Version:** 2

**Type:** Agenda Item      **Status:** Approved

**File created:** 2/24/2021      **In control:** Board of Supervisors

**On agenda:** 3/16/2021      **Final action:** 3/16/2021

**Title:** Chief Administrative Office recommending the Board Approve the Final Passage (Second Reading) of Ordinance 5141 establishing the Office of the Alternate Public Defender. (Cont. 3/9/2021, Item 33)

FUNDING: General Fund.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Ordinance, 2. B - Ordinance Counsel Approval, 3. C - Alternate Public Defender Class Spec, 4. D1 - Deputy Public Defender I-IV Class Spec Clean, 5. D2 - Deputy Public Defender I-IV REDLINE, 6. E - Alternate Public Defender Reso 2021, 7. F - Resolution Counsel Approval, 8. Public Comment BOS Rcvd 03-08-2021, 9. Executed Resolution 010-2021, 10. Executed Ordinance 5141

Date	Ver.	Action By	Action	Result
3/16/2021	2	Board of Supervisors	Approved	Pass
3/9/2021	1	Board of Supervisors	Approved	Pass

Chief Administrative Office recommending the Board Approve the **Final Passage** (Second Reading) of Ordinance **5141** establishing the Office of the Alternate Public Defender. (Cont. 3/9/2021, Item 33)

**FUNDING:** General Fund.

### DISCUSSION / BACKGROUND

On March 9, 2021 (Item 33), the Board heard the First Reading of Ordinance 5141 and Continued the Ordinance to March 16, 2021 for Second Reading (Final Passage).

The Board approved the concept of establishing the Office of the Alternate Public Defender as a new county department on January 26, 2021 (file #20-1606). In accordance with the County Charter, new departments must be established by ordinance. The Board is also asked to adopt a resolution to create the job classification and specification for the Alternate Public Defender, revise the class specification for Deputy Public Defender I-IV, and establish staffing for the office. The staffing will be:

- 1.0 FTE Alternate Public Defender (department head)
- 2.0 FTE Deputy Public Defender I-IV
- 1.0 FTE Investigator (P.D.)
- 1.0 FTE ~~Legal Secretary I~~ Legal Secretary I/II

This structure will primarily serve the West Slope of the County. The Alternate Public Defender will manage contracted services for the East Slope for the first two fiscal years (FY 2021-22 through FY 2022-23), during which time, they will analyze the ongoing need and develop recommendations to the Board on how best to meet the needs on the East Slope.

#### ALTERNATIVES

Should the Board decline to create this new department, the County could continue to contract out for these services.

#### PRIOR BOARD ACTION

Conceptual approval January 26, 2021 (file #20-1606)

#### OTHER DEPARTMENT / AGENCY INVOLVEMENT

Human Resources, County Counsel

#### FINANCIAL IMPACT

Costs associated with the new office are estimated at \$1.35 million for FY 2021-22 and will be included in the Recommended Budget for the Board's consideration. It is anticipated that no costs will be incurred in FY 2020-21 due to recruitment time. If recruitment of the positions results in hiring of the positions before FY 2021-22, staff will return to the Board with a budget transfer.

#### CLERK OF THE BOARD FOLLOW UP ACTIONS

Upon Board adoption and approval, please provide a copy of the fully executed Resolution to Human Resources.

#### STRATEGIC PLAN COMPONENT

Good Governance

#### CONTACT

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