



COUNTY OF HUMBOLDT

AGENDA ITEM NO.  
**I-1**

For the meeting of: July 11, 2017

Date: June 26, 2017

To: Board of Supervisors

From: *WD* William Damiano, Chief Probation Officer

Subject: Corrected Resolution for Employment of Temporary Retired Annuitant as Senior Substance Abuse Counselor in the Probation Department

RECOMMENDATION(S):

That the Board of Supervisors:

1. Resolve that the employment of Terry Coddington as a temporary retired annuitant Senior Substance Abuse Counselor with the Humboldt County Probation Department is necessary to fill a critically needed position and that Terry Coddington's employment as a temporary retired annuitant is needed before the California Public Employees Retirement System (CalPERS) 180-day wait period has expired; and
2. Adopt the attached resolution for an exception to the 180-day wait period.

SOURCE OF FUNDING:

Probation budget unit 1100-235

Prepared By Elisha Hardison, Legal Office Business Manager CAO Approval

REVIEW:	Auditor <i>WJH</i>	County Counsel <i>RIC</i>	Personnel <i>KB</i>	Risk Manager	Other
---------	--------------------	---------------------------	---------------------	--------------	-------

TYPE OF ITEM:

Consent

Departmental

Public Hearing

Other

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT**

Upon motion of Supervisor *Wilson* Seconded by Supervisor *Fennell*

Ayes *Wilson, Fennell, Bass, Bohn*

Nays

Abstain

Absent *Sundberg*

PREVIOUS ACTION/REFERRAL:

Board Order No. I-2

Meeting of: May 2, 2017

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: *July 11, 2017*

By: *Kathy Hayes*

Kathy Hayes, Clerk of the Board

## DISCUSSION:

On May 2, 2017 the Probation Department requested approval from your Board to hire Terry Coddington as a temporary "retired annuitant" Senior Substance Abuse Counselor (Budget Unit 235) to fill a critically needed Senior Substance Abuse Counselor position and that the Board of Supervisors resolve that Ms. Coddington's employment as a temporary "retired annuitant" is needed before expiration of the CalPERS 180-day wait period as required by California Government Code section 7522.56(f) (1). A resolution was presented before your Board May 2, 2017 to establish Ms. Coddington as a temporary "retired annuitant". The resolution passed however following approval by your Board, the Probation Department became aware of an error in the base salary and hourly salary calculations on that resolution. The resolution salary amounts included longevity pay which Ms. Coddington was receiving as a regular full-time employee but which temporary retired annuitants are ineligible to receive. The attached resolution has been corrected and complies with CalPERS requirements for an exception to the 180-day wait period-requirement employment.

Senior Substance Abuse Counselor, Terry Coddington retired from county employment on May 1, 2017, after working ten years at the Probation Department. As the Probation Department's Senior Substance Abuse Counselor, Ms. Coddington worked for the county Drug Court office. She served these functions:

- Provide individual, group and family counseling focused on rehabilitating drug and alcohol abusers.
- Assist clients in solving problems of housing, unemployment, education and other conditions which may impede rehabilitation advancement.
- Perform interviews, assessments, treatment planning, and treatment groups while providing information and referral services for Drug Court participants.
- Work with local substance abuse treatment providers as well as jail and other Probation Department staff to structure release programs for clients by arranging immediate entry into treatment programs and access to needed mental health services.

The Probation Department has been unable to fill Ms. Coddington's position since February 8, 2017, the date she submitted her resignation. Since there was no current recruitment list for a Senior Substance Abuse Counselor, the Human Resources Department began recruitment for a replacement on March 16 2017, with a closing date of April 7, 2016. Once Human Resources completed the recruitment process, Probation received a list of qualified candidates in order to schedule interviews. After selecting a candidate, an extensive law enforcement background check began which is still in progress. The selected candidate was given two weeks to complete a background packet with an additional four weeks needed before background results are returned from an investigator. Should this background investigation be successful, Probation can expect to have a new Senior Substance Abuse Counselor onboard sometime in June.

The appointment of Ms. Coddington was necessary to ensure that critically needed functions of the Probation Department's Drug Court office continue and to prevent disruption of services until such time as the position can be filled. Additionally, the appointment has allowed scheduling flexibility for staff vacations, sick and family sick leave, and for the training of the new hire. Ms. Coddington is uniquely qualified as a Senior Substance Abuse Counselor to fill-in as needed for this vacancy without training or orientation.

FINANCIAL IMPACT:

Ms. Coddington would be hired into an existing job class with a designated wage assignment equal to other county employees performing comparable duties. Under the 2015-2017 American Federation of State, County and Municipal Employees (AFSCME) contract, costs associated with this hire would not exceed \$2,300.00 plus benefits per pay period. Funds are currently available in the Probation Department's budget.

This agenda item supports the Board's Strategic Framework by investing in county employees and providing community-appropriate levels of service.

OTHER AGENCY INVOLVEMENT:

Humboldt County Human Resources Department; CalPERS

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your Board may choose to decline staff's recommendation. In that case, the department would do its best to manage its duties and responsibilities; however, the department may experience a significantly hindered workflow and may not be able to meet various requirements if this request for additional support is not approved. This may jeopardize the assistance provided by the Senior Substance Abuse Counselor to Drug Court, and is needed to provide appropriate levels of service to those individuals the office serves.

ATTACHMENT:

1. Corrected Resolution
  - a. Exhibit 1, Original Board Item and Resolution

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**  
Certified copy of portion of proceedings, Meeting of July 11, 2017

RESOLUTION NO. 17-60

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT  
AMENDING RESOLUTION NO. 17-39**

**WHEREAS**, following approval of Resolution No 17-39 by the Board of Supervisors of the County of Humboldt on May 2, 2017, the Humboldt County Probation Department discovered an inadvertent clerical error as to the rate of pay for employee Terry Coddington, and

**WHEREAS**, the clerical error in the hourly rate of pay listed on the bottom of page 1 of the original Resolution (ATTACHED HERETO AS Exhibit 1 and incorporated herein) inadvertently included compensation for longevity pay which the employee is not entitled to, and

**WHEREAS**, the maximum base monthly salary for this position is \$4,313.31 and the hourly equivalent is \$24.88, and the minimum base salary for this position is \$3,361.30 and the hourly equivalent is \$19.29, and

**WHEREAS**, the original resolution inadvertently set the hourly pay rate at \$26.16 (exhibit 1), and

**WHEREAS**, the true and correct hourly rate paid to Terry Coddington should have been \$24.88, and

**WHEREAS**, at all times since the initial Resolution was signed on May 2, 2017, Terry Coddington has been compensated at a rate of \$24.88 per hour, and

**WHEREAS**, Terry Coddington has not and will not receive any other benefit incentive, compensation in lieu of benefit or other form of compensation in addition to this hourly pay rate

**NOW, THEREFORE, BE RESOLVED** by the Board of Supervisors of the County of Humboldt as follows:

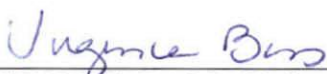
1. The rate of pay for employee Terry Coddington listed in the last two **WHEREAS** clauses on the bottom of page 1 of Resolution 17-39 (Exhibit 1) hereto are amended to read as follows:

**WHEREAS**, the maximum base monthly salary for this position is \$4,313.31 and the hourly equivalent is \$24.88, and the minimum base salary for this position is \$3,361.30 and the hourly equivalent is \$19.29, and

**WHEREAS**, the hourly rate paid to Terry Coddington will be \$24.88, and

2. Except as modified herein. Resolution No. 17-39 shall remain in full force and effect
3. This Resolution shall take effect immediately upon its adoption, and shall be retroactive to May 2, 2017.

Dated: July 11, 2017

  
\_\_\_\_\_  
VIRGINIA BASS, Chair  
Humboldt County Board of Supervisors

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**  
Certified copy of portion of proceedings, Meeting of July 11, 2017

RESOLUTION NO. 17-60


Adopted on motion by Supervisor Wilson, seconded by Supervisor Fennell, and the following vote:

AYES: Supervisors Wilson, Fennell, Bass, Bohn  
NAYS: Supervisors --  
ABSENT: Supervisors Sundberg  
ABSTAIN: Supervisors --

STATE OF CALIFORNIA )  
County of Humboldt )

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be an original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

  
\_\_\_\_\_  
By BROOKE EBERHARDT  
Deputy Clerk of the Board of Supervisors of the  
County of Humboldt, State of California

# **EXHIBIT 1**



COUNTY OF HUMBOLDT

AGENDA ITEM NO.  
**I-2**

For the meeting of: May 2, 2017

Date: April 18, 2017  
To: Board of Supervisors  
From: William Damiano, Chief Probation Officer  
Subject: Employment of Temporary Retired Annuitant as Senior Substance Abuse Counselor in the Probation Department

RECOMMENDATION(S):

That the Board of Supervisors:

- 1. Resolve that the employment of Terry Coddington as a temporary "retired annuitant" Senior Substance Abuse Counselor with the Probation Department (budget unit 1100-235) is necessary to fill a critically needed position and that Ms. Coddington's employment as a temporary "retired annuitant" is needed before the CalPERS "180-day wait period" has expired.
- 2. Adopt the attached resolution for an exception to the 180-day wait period.

SOURCE OF FUNDING:

Probation budget unit 1100-235

DISCUSSION:

Senior Substance Abuse Counselor, Terry Coddington retired from county employment on May 1, 2017, after working ten years at the Probation Department. As the Probation Department's Senior Substance Abuse

Prepared By Mark Magladry, Legal Office Business Manager CA0 Approval

REVIEW: Auditor MBU County Counsel \_\_\_\_\_ Personnel [Signature] Risk Manager \_\_\_\_\_ Other \_\_\_\_\_

TYPE OF ITEM:  
 Consent  
 Departmental  
 Public Hearing  
 Other

PREVIOUS ACTION/REFERRAL:

Board Order No. \_\_\_\_\_

Meeting of: \_\_\_\_\_

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT  
Upon motion of Supervisor Wilson Seconded by Supervisor Sundberg  
Ayes: Sundberg, Fennell, Bass, Bohn, Wilson  
Nays  
Abstain  
Absent

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: May 2, 2017  
By: [Signature]  
Kathy Hayes, Clerk of the Board

Counselor, Ms. Coddington worked for the county Drug Court office. She served these functions:

- Provide individual, group and family counseling focused on rehabilitating drug and alcohol abusers.
- Assist clients in solving problems of housing, unemployment, education and other conditions which may impede rehabilitation advancement.
- Perform interviews, assessments, treatment planning, and treatment groups while providing information and referral services for Drug Court participants.
- Work with local substance abuse treatment providers as well as jail and other Probation Department staff to structure release programs for clients by arranging immediate entry into treatment programs and access to needed mental health services.

The Probation Department has been unable to fill Ms. Coddington's position since February 8, 2017, the date she submitted her resignation. Since there was no current recruitment list for a Senior Substance Abuse Counselor, the Human Resources Department began recruitment for a replacement on March 16 2017, with a closing date of April 7, 2016. Once Human Resources complete the recruitment process, Probation will receive a list of qualified candidates in order to schedule interviews. After selecting a candidate, there will be an extensive law enforcement background check. The selected candidate is generally given two weeks to complete a background packet with an additional four weeks needed before background results are returned from an investigator. Should this background investigation be successful, Probation can expect to have a new Senior Substance Abuse Counselor onboard by sometime in June.

The appointment of Ms. Coddington is necessary to ensure that critically needed functions of the Probation Department's Drug Court office continue and to prevent disruption of services until such time as the position can be filled. Additionally, the appointment would allow scheduling flexibility for staff vacations, sick and family sick leave, and for the training of the new hire. Ms. Coddington is uniquely qualified as a Senior Substance Abuse Counselor to fill-in as needed for this vacancy without training or orientation.

The Probation Department is requesting approval of Terry Coddington as a temporary "retired annuitant" Senior Substance Abuse Counselor (Budget Unit 235) to fill a critically needed Senior Substance Abuse Counselor position and that the Board of Supervisors resolve that Ms. Coddington's employment as a temporary "retired annuitant" is needed before expiration of the CalPERS 180-day wait period as required by California Government Code section 7522.56(f)(1). The attached resolution complies with CalPERS requirements for an exception to the 180-day wait period-requirement employment.

#### FINANCIAL IMPACT:

Ms. Coddington would be hired into an existing job class with a designated wage assignment equal to other county employees performing comparable duties. Under the 2015-2017 American Federation of State, County and Municipal Employees (AFSCME) contract, costs associated with this hire would not exceed \$2,300.00 plus benefits per pay period. Funds are currently available in the Probation Department's budget. This agenda item supports the Board's Strategic Framework by investing in county employees and providing community-appropriate levels of service.

#### OTHER AGENCY INVOLVEMENT:

Humboldt County Human Resources Department; CalPERS



ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your Board may choose to decline staff's recommendation. In that case, the department would do its best to manage its duties and responsibilities; however, the department may experience a significantly hindered workflow and may not be able to meet various requirements if this request for additional support is not approved. This may jeopardize the assistance provided by the Senior Substance Abuse Counselor to Drug Court, and is needed to provide appropriate levels of service to those individuals the office serves.

ATTACHMENT:

Copy of proposed Resolution

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**  
Certified copy of portion of proceedings, Meeting of May 2, 2017

RESOLUTION NO. 17-39

**RESOLUTION FOR EXCEPTION TO THE 180-DAY WAIT PERIOD GC SECTIONS 7522.56  
& 21224**

**WHEREAS**, in compliance with Government Code section 7522.56 the Humboldt County Board of Supervisors must provide CalPERS this certification resolution when hiring a retiree 180 days has passed since her retirement date; and

**WHEREAS**, Terry Coddington (Employee ID #C06861) is retiring from Humboldt County Probation Department in the position of Senior Abuse Counselor, effective April 28, 2017; and

**WHEREAS**, section 7522.56 requires that post-retirement employment commence no earlier than 180 days after retirement date, which is August 10, 2017, without certification resolution; and

**WHEREAS**, section 7522.56 provides that this exception to the 180 day wait period shall not apply if the retiree accepts any retirement-related incentive; and

**WHEREAS**, the Humboldt County Board of Supervisors, the Humboldt County Probation Department and Terry Coddington certify that Terry Coddington has not and will not receive a Golden Handshake or any other retirement-related incentive; and

**WHEREAS**, the Humboldt County Board of Supervisors hereby appoints Terry Coddington as an extra help retired annuitant to perform duties of the Senior Substance Abuse Counselor for the Humboldt County Probation Department effective May 8, 2017; and

**WHEREAS**, the entire employment agreement, contract or appointment document between Terry Coddington and the Humboldt County Probation Department has been reviewed by this body and is attached herein; and

**WHEREAS**, no matters, issues, terms or conditions related to this employment appointment have been or will be placed on a consent calendar, and

**WHEREAS**, the employment shall be limited to 960 hours per fiscal year; and

**WHEREAS**, the compensation paid to retirees cannot be less than the minimum nor exceed the maximum monthly base salary paid to other employees performing comparable duties, divided by 173.333 to equal the hourly rate; and

**WHEREAS**, the maximum base monthly salary for this position is \$4,533.89 and the hourly equivalent is \$26.16, and the minimum base salary for this position is \$3,361.300 and the hourly equivalent is \$19.39; and

**WHEREAS**, the hourly rate paid to Terry Coddington will be \$26.16; and

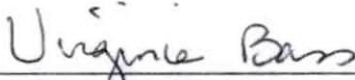
**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA**  
Certified copy of portion of proceedings, Meeting of May 2, 2017

RESOLUTION NO. 17-39

**WHEREAS**, Terry Coddington has not and will not receive any other benefit incentive, compensation in lieu of benefit or other form of compensation in addition to this hourly pay rate.

**NOW, THEREFORE, BE RESOLVED** that the Humboldt County Board of Supervisors hereby certifies the nature of the appointment of Terry Coddington as described herein and detailed in the attached agenda item titled 'Employment of Temporary Retired Annuitant as Senior Substance Abuse Counselor in the Probation Department', is necessary to fill the critically needed position of Senior Substance Abuse Counselor for the Humboldt County Probation Department by May 8, 2017, because Terry Coddington has unique knowledge and skills related to personnel operations of the Probation Department. Additionally, the incoming Senior Substance Abuse Counselor may not have familiarity with the Probation Department operations. This appointment will allow a brief period of support and instruction that will provide for uninterrupted operation of the department's personnel operation and a smooth transition for the new Senior Substance Abuse Counselor.

Dated: May 2, 2017

  
\_\_\_\_\_  
VIRGINIA BASS, Chair  
Humboldt County Board of Supervisors

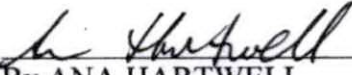
Adopted on motion by Supervisor Wilson, seconded by Supervisor Sundberg, and the following vote:

AYES: Supervisors Sundberg, Fennell, Bass, Bohn, Wilson  
NAYS: Supervisors --  
ABSENT: Supervisors --  
ABSTAIN: Supervisors --

STATE OF CALIFORNIA )  
County of Humboldt )

I, KATHY HAYES, Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be an original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

  
\_\_\_\_\_  
By ANA HARTWELL  
Deputy Clerk of the Board of Supervisors of the  
County of Humboldt, State of California