



COUNTY OF HUMBOLDT


AGENDA ITEM NO.

I-2

For the meeting of: July 11, 2017

Date: June 26, 2017

To: Board of Supervisors

From:  William Damiano, Chief Probation Officer

Subject: Corrected Resolution for the Employment of Temporary Retired Annuitant as Legal Office Services Manager at the Probation Department

RECOMMENDATION(S):

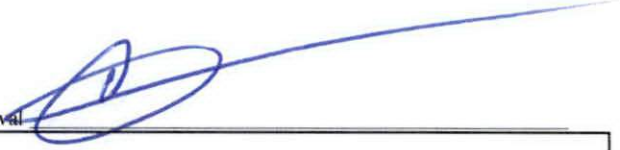
That the Board of Supervisors:

1. Resolve that the employment of Page Ludtke as a temporary retired annuitant Legal Office Business Manager with the Humboldt County Probation Department is necessary to fill a critically needed position and that Page Ludtke'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 <u>WBL</u>	County Counsel <u>RK</u>	Personnel <u>KLS</u>	Risk Manager	Other
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TYPE OF ITEM:

Consent

Departmental

Public Hearing

Other

PREVIOUS ACTION/REFERRAL:

Board Order No. I-3

Meeting of: May 2, 2017

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor Wilson Seconded by Supervisor Fennell

Ayes Wilson, Fennell, Bass, Bohn

Nays

Abstain

Absent Sundberg

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

1 Kathy Hayes, Clerk of the Board

DISCUSSION

On May 2, 2017 the Probation Department requested approval from your Board to hire Page Ludtke as a temporary "retired annuitant" Legal Office Services Manager (Budget Unit 235) to fill a critically needed Legal Office Services Manager position and that the Board of Supervisors resolve that Ms Ludtke'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 Ludtke 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 Ludtke 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

Legal Office Services Manager, Page Ludtke retired from county employment on April 28, 2017, after working approximately seven years at the Probation Department As the Probation Department's Legal Office Services Manager, Ms Ludtke served these functions

- Prepare Probation Department personnel paperwork for the County's Human Resources Department
- Act as liaison with County IT Department
- Update tables and edit documents in the Probation Department's automated case management system, JAMS (Juvenile and Adult Management System)
- Issue agendas for Humboldt County Community Corrections Partnerships Executive and General Meetings and take minutes at these meetings

Ms Ludtke submitted her resignation March 7, 2017, the date she submitted her resignation Since there was no current recruitment list for a Legal Office Services Manager, the Human Resources Department began recruitment for a replacement on March 20, 2017 The closing date was set as April 11, 2017, with interviews scheduled during the week of April 24, 2017 Once Human Resources completed the recruitment process, Probation received a list of qualified candidates in order to schedule interviews After selecting a candidate, there is 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 results are returned from an investigator Were this background investigation be successful, Probation could have expected to have a new Legal Office Services Manager onboard by sometime in June The candidate ultimately selected was a current Probation employee and as such had already successfully completed the background process for non-sworn Probation staff The effective start date for the new Legal Office Services Manager was May 21, 2017

The appointment of Ms Ludtke was necessary to ensure that critically needed functions of the department continue and to prevent disruption of public business until such time as the position could be adequately 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 Ludtke is uniquely qualified as a Legal Office Services Manager to fill-in as needed for this vacancy without training or orientation

FINANCIAL IMPACT

Ms Ludtke 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 \$3,100 00 plus benefits per pay period Funds are currently available in the Probation Department's 235 budget unit

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

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 timelines and requirements if this additional support is not approved. This may jeopardize inter-agency relationships, the ability of Probation to perform all necessary functions, and to provide appropriate levels of services to the public

ATTACHMENTS

- 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. 17-61

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT
AMENDING RESOLUTION 17-40: EXCEPTION TO THE 180-DAY WAIT PERIOD GC
SECTIONS 7522.56 & 21224**

WHEREAS, following approval of Resolution No 17-40 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 Page Ludtke, 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 \$5,646.48 and the hourly equivalent is \$32.58, and the minimum base salary for this position is \$4,400.22 and the hourly equivalent is \$25.39, and

WHEREAS, the original resolution inadvertently set the hourly pay rate at \$35.99 (exhibit 1), and

WHEREAS, the true and correct hourly rate paid to Page Ludtke should have been \$32.58, and

WHEREAS, at all times since the initial Resolution was signed on May 2, 2017, Page Ludtke has been compensated at a rate of \$32.58 per hour, and

WHEREAS, Page Ludtke 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 Page Ludtke listed in the last two **WHEREAS** clauses the bottom of page 1 of Resolution 17-40 of the original agreement (Exhibit 1) is amended to read as follows:

WHEREAS, the maximum base monthly salary for this position is \$5,646.48 and the hourly equivalent is \$32.58, and the minimum base salary for this position is \$4,400.22 and the hourly equivalent is \$25.39, and

WHEREAS, the hourly rate paid to Page Ludtke will be set at \$32.58

2. Except as modified herein, Resolution No. 17-40 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. 17-61

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

EXHIBT 1



COUNTY OF HUMBOLDT

AGENDA ITEM NO. I-3

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 Legal Office Services Manager at the Probation Department

RECOMMENDATION(S).

That the Board of Supervisors:

- 1. Resolve that the employment of Page Ludtke as a temporary "retired annuitant" Legal Office Services Manager with the Probation Department (budget unit 1100-235) is necessary to fill a critically needed position and that Ms. Ludtke'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:

Legal Office Services Manager, Page Ludtke retired from county employment on April 28, 2017, after working approximately seven years at the Probation Department. As the Probation Department's Legal

Prepared By Mark Maglady, Legal Office Business Manager CAO Approval

REVIEW Auditor County Counsel Personnel 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 Kathy Hayes, Clerk of the Board

Office Services Manager, Ms Ludtke served these functions

- Prepare Probation Department personnel paperwork for the County's Human Resources Department
- Act as liaison with County IT Department.
- Update tables and edit documents in the Probation Department's automated case management system, JAMS (Juvenile and Adult Management System).
- Issue agendas for Humboldt County Community Corrections Partnerships Executive and General Meetings and take minutes at these meetings.

The Probation Department has been unable to fill Ms. Ludtke's position since March 7, 2017, the date she submitted her resignation. Since there was no current recruitment list for a Legal Office Services Manager, the Human Resources Department began recruitment for a replacement on March 20, 2017. The closing date was set as April 11, 2017, with interviews scheduled during the week of April 24, 2017. Once Human Resources complete the recruitment process, Probation 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 results are returned from an investigator. Should this background investigation be successful, Probation can expect to have a new Legal Office Services Manager onboard by sometime in June.

The appointment of Ms. Ludtke is necessary to ensure that critically needed functions of the department continue and to prevent disruption of public business until such time as the position can be adequately 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. Ludtke is uniquely qualified as a Legal Office Services Manager to fill-in as needed for this vacancy without training or orientation.

The Probation Department is requesting approval of Page Ludtke as a temporary "retired annuitant" Legal Office Services Manager (Budget Unit 235) to fill a critically needed Legal Office Services Manager position and that the Board of Supervisors resolve that Ms. Ludtke'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. Ludtke 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 \$3,100.00 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 services.

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 timelines and requirements if this additional support is not approved. This may jeopardize inter-agency relationships, the ability of Probation to perform all necessary functions, and to provide appropriate levels of services to the public.

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. 17-40

**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, Page Ludtke (Employee ID #B4724) is retiring from Humboldt County Probation Department in the position of Legal Office Services Manager, 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 7, 2017, without certification resolution; and

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

WHEREAS, the Humboldt County Board of Supervisors, the Humboldt County Probation Department and Page Ludtke certify that Page Ludtke 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 Page Ludtke as an extra help retired annuitant to perform duties of the Legal Office Services Manager for the Humboldt County Probation Department effective May 8, 2017, and

WHEREAS, the entire employment agreement, contract or appointment document between Page Ludtke 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 \$6,238 77 and the hourly equivalent is \$35.99, and the minimum base salary for this position is \$4,400 22 and the hourly equivalent is \$25.39; and

WHEREAS, the hourly rate paid to Page Ludtke will be \$35 99, and

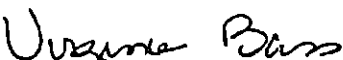
BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified copy of portion of proceedings, Meeting of May 2, 2017

RESOLUTION NO 17-40

WHEREAS, Page Ludtke 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 Page Ludtke as described herein and detailed in the attached agenda item titled 'Employment of Temporary Retired Annutant as Legal Office Services Manager in the Probation Department,' is necessary to fill the critically needed position of Legal Office Services Manager for the Humboldt County Probation Department by May 8, 2017, because Page Ludtke has unique knowledge and skills related to personnel operations of the Probation Department. Additionally, the incoming Legal Office Services Manager 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 Legal Office Services Manager

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