



Legislation Details (With Text)

File #: 2024-0045
Type: Regular Calendar Item **Status:** Passed
File created: 12/21/2023 **In control:** Human Resources
On agenda: 6/4/2024 **Final action:** 6/4/2024
Title: Department Head Personal Services Agreement First Amendment - Public Defender
Sponsors: County Administrator, Human Resources
Indexes:
Attachments: 1. Summary Report, 2. First Amendment to the Personal Services Agreement - Public Defender

| Date | Ver. | Action By | Action | Result |
|----------|------|----------------------|--------|--------|
| 6/4/2024 | 1 | Board of Supervisors | | |

To: County of Sonoma Board of Supervisors
Department or Agency Name(s): County Executive, Human Resources
Staff Name and Phone Number: Christina Rivera, 707-565-2048; Janell Crane, 707-565-2885
Vote Requirement: Majority
Supervisory District(s): Countywide

Title:
Department Head Personal Services Agreement First Amendment - Public Defender

Recommended Action:

Authorize the Chair of the Board to execute a First Amendment to the Personal Services Agreement with Brian Morris as Public Defender, extending the term of the agreement from November 30, 2024, to November 30, 2027, at the "I" step of the position's salary range and with other County benefits in accordance with Salary Resolution 95-0926.

Executive Summary:

The salary and benefits provided to County department and agency heads must be considered by the Board of Supervisors/Directors at a regularly scheduled Board meeting. Further, an oral summary of the recommended action to be taken on the salary and benefits must be presented at the meeting where the final Board action is taken. (California Government code §54953, 54956).

This action will authorize a First Amendment to the Personal Services Agreement between Brian Morris and the Sonoma County Board of Supervisors. Mr. Morris was initially appointed as the Public Defender on December 1, 2021, for a three-year term until November 30, 2024. The amendment includes the removal of a requirement for Mr. Morris to move to Sonoma County by June 30, 2024, and the addition of language describing the Board's expectation that the Public Defender maintain a visible and active presence in the community.

The recommended action extends the term of the current agreement with the aforementioned amendment for an additional three years, from November 30, 2024, through November 30, 2027, at the "I" step of the

position’s salary range and eligibility for other County benefits in accordance with Salary Resolution 95-0926.

Discussion:

The Public Defender reports to the County Executive and is responsible for the development, administration, and direction of the County’s program for legal defense for any person needing County-provided defense as mandated in California Government Code section 27706.

The Public Defender’s Office protects the liberty and constitutional rights of clients and works towards an unbiased justice system. Its services include research and education programs; adult representation; juvenile representation; post-conviction relief; investigations; and executive management and administration. The Public Defender manages a current annual budget of \$18.2 million and leads a staff of 61 full-time employees.

Following an extensive statewide recruitment, Mr. Morris was initially appointed to the position for a three-year term starting on December 1, 2021. Although Mr. Morris’ contract does not expire until November 30, 2024, he was initially given a residency requirement which required him to move to Sonoma County by June 30, 2024. This requirement has been removed given his proven record of his engagement with community leaders and stakeholders, and language about maintaining a visible and active presence in the community has been added in its place.

Today’s recommended action extends Mr. Morris’ current agreement, with a removal of the residency requirement, for an additional three years, from November 30, 2024, through November 30, 2027, at the “1” step of the salary range, which is approximately \$302,340 annually. He will continue to receive all other benefits and compensation as prescribed in the Salary Resolution 95-0926.

Strategic Plan:

N/A

Racial Equity:

Was this item identified as an opportunity to apply the Racial Equity Toolkit?

No

Prior Board Actions:

November 2, 2021 (item 33; 2024-1191) - Initial Appointment

FISCAL SUMMARY

| Expenditures | FY23-24 Adopted | FY24-25 Projected | FY25-26 Projected |
|------------------------------------|----------------------------|------------------------------|------------------------------|
| Budgeted Expenses | \$xxx | \$xxx | \$xxx |
| Additional Appropriation Requested | | | |
| Total Expenditures | \$xxx | \$xxx | \$xxx |
| Funding Sources | | | |
| General Fund/WA GF | \$xxx | \$xxx | \$xxx |
| State/Federal | | | |
| Fees/Other | | | |
| Use of Fund Balance | | | |
| General Fund Contingencies | | | |

| | | | |
|---------------|-------|-------|-------|
| Total Sources | \$xxx | \$xxx | \$xxx |
|---------------|-------|-------|-------|

Narrative Explanation of Fiscal Impacts:

Total \$XXXX ongoing annualized salary and benefit costs associated with this position has been incorporated into the department's budget.

| Staffing Impacts: | | | |
|---|---------------------------------|--------------------|--------------------|
| Position Title (Payroll Classification) | Monthly Salary Range (A-I Step) | Additions (Number) | Deletions (Number) |
| N/A | | | |

Narrative Explanation of Staffing Impacts (If Required):

None.

Attachments:

First Amendment to the Personal Services Agreement - Public Defender

Related Items "On File" with the Clerk of the Board:

None.