



Legislation Details (With Text)

File #: 2021-1308
Type: Consent Calendar Item **Status:** Agenda Ready
File created: 11/3/2021 **In control:** County Administrator
On agenda: 12/7/2021 **Final action:**
Title: Memorandum of Understanding Establishing the Appointment and Employment of the Chief Probation Officer
Sponsors: County Administrator
Indexes:
Attachments: 1. Summary, 2. Memorandum of Understanding

Date	Ver.	Action By	Action	Result
12/7/2021	1	Board of Supervisors	Approved as recommended	Pass

To: Board of Supervisors of Sonoma County
Department or Agency Name(s): County Administrator's Office
Staff Name and Phone Number: Nikolas Klein, 707-565-5312
Vote Requirement: Majority
Supervisory District(s): Countywide

Title:
Memorandum of Understanding Establishing the Appointment and Employment of the Chief Probation Officer

Recommended Action:

Approve and authorize the Board Chair to execute the amended Memorandum of Understanding between the Superior Court of Sonoma County and the County of Sonoma establishing the appointment and employment of the Chief Probation Officer.

Executive Summary:

Pursuant to California Welfare & Institutions Code section 270, for a general law county such as the County of Sonoma ("County"), the Chief Probation Officer ("Chief") is nominated by the Juvenile Justice Commission and appointed by the Presiding Judge of the Superior Court of Sonoma County ("Court"), but is a County employee. While the position is funded by the County via a combination of State and local sources, over which the Board of Supervisors has authority, California law specifically assigns the responsibility for appointment and removal of the Chief to the Court. To memorialize and document the governance of the Chief, the County and Court worked together to execute an initial Memorandum of Understanding ("MOU") in March 2014. Due to recent government code revisions, the County and Court must amend the existing MOU in order to update citations of relevant government code sections. The amended MOU would also now authorize a designee of the Board of Supervisors, such as the County Administrator, to select candidates for interviews during the hiring and selection process. Upon execution of the amended MOU, it would remain in effect unless terminated.

Discussion:

The MOU was originally executed in March 2014 with the intent of further defining the roles of the County

and the Court, and also to give the County more input into the process concerning the employment and discipline of the Chief. Prior to execution of the initial MOU, the Board of Supervisors had no authority to discipline or conduct a performance review for the Chief in Closed Session. By entering into the subject MOU, the roles of the County and the Court were delineated concerning the hiring, firing, and terms of employment of the Chief. The MOU also gave the Board a greater role with respect to decisions concerning the recruitment, selection, hiring, employment and discipline of the Chief, including the ability to recommend removal or other disciplinary action, and a mandatory meet and confer process if consensus between the County and the Court cannot be obtained. The MOU further allows the Board to give performance reviews to the Chief in Closed Session, and establishes that each party is liable for the acts and omissions of itself and its employees and agents, including future consequences of said actions and omissions.

Strategic Plan:

N/A

Prior Board Actions:

March 18, 2014 - Board approved the initial Memorandum of Understanding Establishing the Appointment and Employment of the Chief Probation Officer

FISCAL SUMMARY

Expenditures	FY 21-22 Adopted	FY22-23 Projected	FY 23-24 Projected
Budgeted Expenses			
Additional Appropriation Requested			
Total Expenditures			
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other			
Use of Fund Balance			
Contingencies			
Total Sources			

Narrative Explanation of Fiscal Impacts:

There is no fiscal impact associated with this Memorandum of Understanding.

Staffing Impacts:

Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)	Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

Memorandum of Understanding

Related Items “On File” with the Clerk of the Board:

N/A