



Board Agenda Item 37.1

DATE: September 26, 2017

TO: Board of Supervisors

SUBMITTED BY: Jean M. Rousseau, County Administrative Officer

SUBJECT: Confirm Appointment of the Interim Chief Probation Officer

RECOMMENDED ACTION(S):

1. **Confirm the appointment of Philip F. Kader by the Judges of the Superior Court of the County of Fresno to the position of Interim Chief Probation Officer pursuant to Fresno County Charter, Section 21, effective October 9, 2017 and direct the Director of Human Resources to invoke Salary Resolution Section 416.1 - Unusual Circumstances setting the hourly rate for the Interim Chief Probation Officer Philip F. Kader at \$128 per hour (including auto allowance) effective October 9, 2017; and**
2. **Authorize a waiver of the 28 hours per week maximum hours limitation for the Interim Chief Probation Officer as an Extra-Help position pursuant to the provisions set forth in Salary Resolution, section 1100 and Personnel Rules 2040 and 4240.**

Approval of the recommended action will provide authority to compensate Mr. Kader at the rate of \$128 per hour (including auto allowance) while he is serving as Interim Chief Probation Officer effective October 9, 2017 and allow that he work more than 28 hours per week as an Extra-Help employee.

ALTERNATIVE ACTION(S):

If the Board does not approve the recommended action, the salary for the Interim Chief Probation Officer would remain consistent with Salary Resolution Section 100 and footnote q.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The Interim Chief Probation Officer will be compensated at the rate of \$125 per hour plus \$3 per hour auto allowance for a total of \$128 per hour. Sufficient funding is included in the Probation Department's FY 2017-18 Adopted Budget for Org 3430.

DISCUSSION:

Pursuant to the County of Fresno Charter, Section 21, the Chief Probation Officer is appointed by the Judges of the Superior Court. Furthermore, this section stipulates that the Board of Supervisors shall set the salary of the Chief Probation Officer. Your Board approved an increase to the Chief Probation Officer annual salary (flat) from \$145,411 to \$160,000, effective October 9, 2017. Chief Probation Officer Rick Chavez will be retiring from the County and his last day is Friday, October 6, 2017. A recruitment for the Chief Probation Officer is pending in collaboration with the Superior Court. To ensure a smooth transition and provide leadership in the department, the County has discussed the Superior Court's interim appointment of Philip F. Kader with the Presiding Judge of the Superior Court. Mr. Kader would be hired as an Extra-Help Interim Chief Probation Officer effective October 9, 2017 at the rate of \$128 per hour (includes auto allowance pursuant to Salary Resolution Section 532.13).

Pursuant to Fresno County Personnel Rules and as a retiree, Mr. Kader is not permitted to work more than 960 hours in the calendar year. However, pursuant to Personnel Rule 1115.1, the recommended action requests that the Board approve a waiver of the 28 hours per week maximum hours limitation for Extra-Help employees allowing him to properly manage the department as needed.

Mr. Kader graduated from the University of California at Santa Barbara and worked in the field of probation for 34 years. He began as a group counselor at the Fresno County Juvenile Hall and worked in all facets of adult and juvenile probation until his appointment as Chief Probation Officer in Contra Costa County in 2010. He was the Chief Probation Officer in Contra Costa County for almost six years and was the Chair of the local Community Corrections Partnership. Until his recent retirement on March 29, 2016, Mr. Kader was the Legislative Chair and served on the Executive Committee of the Chief Probation Officers of California.

The recommended actions will publicly confirm the appointment of Philp F. Kader as the Interim Chief Probation Officer by the Superior Court and provide direction to the Director of Human Resources to invoke Salary Resolution Section 416.1 - Unusual Circumstances allowing an exception to the flat salary of the Chief Probation Officer in Salary Resolution, Section 100 and footnote 'q' for the purposes of compensating Mr. Kader at the rate of \$125 per hour plus \$3 per hour for auto allowance. This direction shall only apply during the limited duration that Mr. Kader serves as Interim Chief Probation Officer. Upon appointment of a permanent Chief Probation Officer, Salary Resolution Section 100 would govern the authorized salary (\$160,000 effective October 9, 2017).

REFERENCE MATERIAL:

Fresno County Charter, Section 21
BAI #34, August 22, 2017
BAI #23, August 6, 2013

CAO ANALYST:

Jeannie Z. Figueroa