



# County of Fresno

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## Legislation Text

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**File #:** 18-0455, **Version:** 1

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**DATE:** June 12, 2018

**TO:** Board of Supervisors

**SUBMITTED BY:** Steven E. White, Director  
Department of Public Works and Planning

**SUBJECT:** Salary Resolution Amendments - Public Works and Planning

### RECOMMENDED ACTION(S):

- 1. Approve Amendment to Salary Resolution adding one Field Survey Supervisor position and one Engineering Technician position in the Public Works and Planning Org 4510, effective June 18, 2018 as reflected in Appendix E.**
- 2. Adopt Resolution to allow Bret Cassano, subsequent to his March 24, 2018, retirement, to return to part time work as an Extra-Help Field Survey Supervisor, effective June 18, 2018, finding pursuant to Government Code, section 7522.56(f)(1) that the 180-day separation period for retired employees returning to employment as Extra-Help is not applicable based on the Board's certification that the nature of the employment and appointment is necessary to fill a critically needed position before the 180-day separation period.**
- 3. Approve Amendment to Salary Resolution moving one Program Technician position from Public Works and Planning Org 4365 1000 to Org 4365 2000, effective June 18, 2018 as reflected in Appendix E.**

Approval of Recommended Action No. 1 is part of organizational changes due to increasing number of contracts and to better align with the goal of creating a fully integrated, customer service, team-orientated model for delivering public works and planning services to the clients of Fresno County. Approval of Recommended Action No. 2 will adopt a resolution consistent with the provision of Government Code, section (§) 7522.56 that requires a 180-day separation ("sit-out") period following the date of retirement for employees who are re-employed by the public agency within the same retirement system. The recommended action meets the requirements of the California Public Employees' Pension Reform Act (PEPRA), which went into effect January 1, 2013. Approval of Recommended Action No. 3 is to correct a clerical error in the final Table of Positions after approval of the 2017-18 Budget. The recommended actions are funded with Road Fund monies, with no additional Net County Cost. This item is countywide.

### ALTERNATIVE ACTION(S):

Your Board may choose not to approve Recommended Action No. 1 in which case the Department's organizational structure would remain unchanged and would continue to be critically understaffed in this area. If your Board chooses not to approve Recommended Action No. 2, the Field Survey Supervisor position would remain unfilled until recruitment and appointment is completed. This would leave only one Field Survey Supervisor to handle all current and future contracts. However, it is essential to the Department that this critically-needed position remain filled, to maintain and meet current and future service needs for the clients of Fresno County through the recruitment and training of a new Field Survey Supervisor. The County performs all surveys in house for quality control. Recently, one of the Department's large project surveying duties had to

be contracted out, due to being critically understaffed in this area. If Recommended Action No. 3 is not approved, the 2017-18 Budget Table of Positions will remain inaccurate.

#### **FISCAL IMPACT:**

There is no increase in Net County Cost associated with the recommended actions. Recommended Action Nos. 1 and 2 have sufficient Roads appropriations included in the Department's Org 4510 Adopted Budget, and will be included in subsequent budget requests. Recommended Action No. 3, the Program Technician position, was added with the 2017-18 Budget and placed in Org 4365 1000 in error and should be in Org 4365 2000.

#### **DISCUSSION:**

The Department of Public Works and Planning continues to evaluate and implement organizational changes within the Department intended to create a fully integrated, team-orientated model for delivering public works and planning services.

#### **Recommended Action No. 1**

The addition of one Field Survey Supervisor and one Engineering Technician will allow for greater flexibility in Construction Management Division-Surveys by meeting and maintaining the service needs for the clients of Fresno County. Due to continued staffing concerns, these positions are critical to meet and maintain current and future demands and the high standards of quality control within the County. Historically, Surveys has been comprised of one Chief of Field Surveys, up to four Field Survey Supervisors, and up to six Engineering Technician positions. Also, from 2008-2014, a retiree was brought back in Surveys as Extra-Help. The reduction in staff over the years was due to a diminishing number of projects and direction to downsize due to budgetary concerns. Currently, there is one Chief of Field Surveys, two Field Survey Supervisors; and four Engineering Technician positions. Added to current construction and preliminary survey commitments for Surveys, the Design Schedule indicates 23 additional construction projects to be awarded in the next six months. If several proceed concurrently, there will not be sufficient staff to cover all of the projects. In addition to numerous preliminary survey requests for future construction projects as well as ongoing commitments such as right-of-way staking for appraisers, maintaining compliance with California State Codes requires significant pre- and post-construction monument preservation work, and work at the landfills. The Field Survey Supervisor position is vital in attracting qualified candidates who are qualified licensed Land Surveyors. This, along with the Engineering Technician position, will allow for maintaining current and future service levels. They will also aid in avoiding delays, ensuring compliance with California State Codes and regulatory agencies, ensuring better oversight of projects, adding additional levels of safety, training new employees on-the-job immediately in contracts, assisting with Development Engineering when needed, and keeping all surveys in house in order to maintain the County's high standards of quality control.

#### **Recommended Action No. 2**

On September 12, 2012, PEPRA, Assembly Bill (AB) 340 (Chapter 296, Statutes of 2012), was signed into law effective January 1, 2013. Additionally, AB 197 (Chapter 297, Statutes of 2012), which amends a portion of the 1937 Act, was signed into law the same date to be effective January 1, 2013. The PEPRA legislation included provisions in Government Code, §7522.56 requiring a 180-day separation ("sit-out") period following the date of retirement for retirees who are re-employed by a public agency within the same retirement system as an employee or through a contract unless:

- The employee is a "public safety officer"; or,
- The employer certifies the nature of the employment and that appointment is necessary to fill a critically

needed position before the 180 days have passed.

For the second exception, legislation stipulates that your Board, as the employer's governing body, must approve by resolution the appointment in a public meeting and not on the consent calendar.

Bret Cassano retired from the County effective March 24, 2018. The Department will soon begin a Field Survey Supervisor recruitment for his replacement. During his tenure, Mr. Cassano has acquired extensive knowledge and experience in surveys and compliance with California State Codes and is critically needed to avoid delays in current projects. While Salary Resolution No. 1112.1 requires that a person start at step one, the Department requests starting Mr. Cassano at step six, due to his comprehensive knowledge and experience of current and future projects that is severely needed until positions can be filled.

### **Recommended Action No. 3**

The move of a Program Technician position from Org 4365 1000 to Org 4365 2000 will correct a clerical error in the 2017-18 Adopted Budget final Table of Positions.

### **ATTACHMENTS INCLUDED AND/OR ON FILE:**

Appendix E  
On file with Clerk - Resolution

### **CAO ANALYST:**

Sonia M. De La Rosa