

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
BOARD ACTION SUMMARY**

DEPT: Chief Executive Office

BOARD AGENDA: 7.1
AGENDA DATE: August 28, 2018

SUBJECT:

Approval to Rehire Dennis Cordova Prior to the 180-Day Sit Out Period as Required by the Public Employees' Pension Reform Act

BOARD ACTION AS FOLLOWS:

RESOLUTION NO. 2018-0439

On motion of Supervisor Chiesa, Seconded by Supervisor Olsen
and approved by the following vote,

Ayes: Supervisors: Olsen, Chiesa, Withrow, Monteith, and Chairman DeMartini


Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

- 1) Approved as recommended
- 2) Denied
- 3) Approved as amended
- 4) Other:

MOTION:

ATTEST: 
ELIZABETH A. KING, Clerk of the Board of Supervisors

File No.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
AGENDA ITEM**

DEPT: Chief Executive Office

BOARD AGENDA:7.1
AGENDA DATE: August 28, 2018

CONSENT

CEO CONCURRENCE: YES

4/5 Vote Required: No

SUBJECT:

Approval to Rehire Dennis Cordova Prior to the 180-Day Sit Out Period as Required by the Public Employees' Pension Reform Act

STAFF RECOMMENDATION:

1. Authorize the Chief Executive Office to rehire Dennis Cordova as a Personal Services Contractor to provide operational and administrative support to the Stanislaus Animal Services Agency due to a leave of absence of the Executive Director.
2. Authorize the Chief Executive Office to further utilize Dennis Cordova's Personal Services Contractor status for purposes of supporting the County Security Program in Budget Year 2018-2019.
3. Certify that the rehiring of Dennis Cordova in a part-time capacity is necessary prior to the completion of the 180-day sit out period pursuant to the California Public Employees' Pension Reform Action of 2013 (PEPRA).

DISCUSSION:

The Stanislaus Animal Services Agency (SASA) Executive Director recently notified the Chief Executive Officer and the SASA Board that she will be on a temporary Leave of Absence beginning September 4, 2018. Upon receiving this information, SASA's governing board made a request that the County of Stanislaus, the employer of record for SASA, assist in the process of identifying an Interim Director to manage the operational and administrative responsibilities while SASA's Executive Director is on leave. Due to the Joint Power Agency (JPA) governance similarities, Scotty Douglass, Executive Director for Stanislaus Regional 9-1-1 (SR911) was identified as the selected candidate to fill this short-term leadership role. At the August 15, 2018, Consolidated Emergency Dispatch Agency Commission meeting, authorization in support of Director Douglass to be appointed as Interim Executive Director of SASA was confirmed. The Commission granted the authority starting August 27, 2018, not to exceed 120 days (the anticipated leave time). On August 16, 2018, the SASA Board met in closed session to appoint Mr. Douglass as the Interim Executive Director. Recognizing the increased administrative duties expected to be performed with his appointment, SASA also authorized authority for the County to provide additional funding to hire the necessary part time, extra help personnel to manage daily operational matters at the animal shelter.

This agenda item requests Board approval to rehire former Sheriff Lieutenant Dennis Cordova as a part-time Manager IV to provide additional management support for the day to day operations of the animal shelter. Prior to his retirement, Lt. Cordova led the County Security program in the Office of Emergency Services and the Sheriff's Homeland Security program. Lt. Cordova was also the Acting Fire Warden/Assistant Director of Operations of Emergency Services (OES) upon a vacancy created by the prior OES Assistant Director's retirement. Dennis served in this capacity from December 2017 through March 2018 while a recruitment and final selection of the position was underway. Dennis has an extensive career in law enforcement that includes developing and implementing operational plans. He has worked closely with the Executive Director at SASA over the last year on safety and operational strategies. He has previously assisted the animal shelter by providing trainings to SASA staff and has advised the Executive Director on security matters at the shelter. He is familiar with the County's policies and expectations of supervision responsibilities, excels at fostering positive working relationships throughout the County, and has proven leadership and management skill comparable to the Manager IV classification. He meets the minimum qualifications of a Manager IV under the County's Merit System.

If approved, Mr. Cordova will work under the direction of Interim Director Douglass and will have the primary assignments of ensuring employees have the proper continuity of operational supervision and management oversight until such time the assignment ends or the return of the Executive Director from leave.

Following the completion of his assignment at SASA the County also seeks to further employ Mr. Cordova as a Personal Services Contractor for purposes of supporting and enhancing the ongoing efforts of the County Security Program. In 2015, the Board of Supervisors approved funding for a dedicated focus on County security. The program has a need for continual expansion, specifically as related to the overall safety for County employees through education and training, and facility awareness training. If approved, Mr. Cordova will work under the direction of the Chief Executive Office, Operations of Emergency Services (CEO OES) Division. Since Lt. Cordova retired, from the Sheriff's Office there has not been full time resources dedicated to the County's Security Program due to insufficient availability of filled and trained personnel at this management level. This has resulted in an inability to cover the responsibilities previously handled by Lt. Cordova on a full-time basis.

POLICY ISSUE:

Government Code sections 7522-7522.74 describe the California Public Employees' Pension Reform Action of 2013 (PEPRA). The PEPRA provides that a non-safety retired person shall not be eligible to be employed for a period of 180 days following the date of retirement unless the employer certifies the nature of the employment and that the appointment is necessary to fill a critically needed position before 180 days have passed. The appointment must be considered as a non-consent agenda item and approved by the governing body in a public meeting. The appointment may not be placed on the consent calendar and appointments under this section shall not exceed 960 hours per year.

FISCAL IMPACT:

Mr. Cordova is anticipated to work an average of 30-35 hours per week at SASA earning \$53.87 per hour, consistent with his hourly pay rate upon retirement in July 2018. His assignment will last the duration of the Executive Director's estimated leave of absence (approximately 120 days), for a total estimated cost \$33,938. Funding for this position is supported in the current SASA budget and authorized by the SASA board.

Upon assignment to the CEO-OES Division, Mr. Cordova is estimated to work an average of 25-30 hours per week on County security matters. He would be paid the same rate of \$53.87 per hour to perform ongoing security assessments, handle safety related projects included but not limited to working with our existing security company Cypress Security, and providing the necessary consulting to County Departments as requested. Mr. Cordova is limited to working a total of 960 hours per calendar year as a retired annuitant under PEPRA. Total costs for security PSC work are estimated to be \$17,500 for the remaining hours available after the SASA assignment concludes. Funding for these costs are supported in the current CEO Operations and CEO OES Division of the County's approved 2018-2019 proposed budget. Total costs for staff recommendations in this agenda item are estimated to be \$51,715.

No additional increase in funding is being requested at this time.

BOARD OF SUPERVISORS' PRIORITY:

Approval to rehire Dennis Cordova for limited purposes prior to the 180-day sit out period as required by the Public Employee's Pension Reform Action of 2013 will enable the Chief Executive Office to meet the request of SASA's governing board in providing personnel support and efficient oversight of the shelter services. This request supports the Board of Supervisors' priorities of A Safe Community and Efficient Delivery of Services.

Approval to rehire Dennis Cordova to maintain the needs of the County Security Program supports the Board of Supervisors' priorities of A Safe Community, and Efficient Delivery of Public Services.

STAFFING IMPACT:

Approval of this request will support the need to provide operational direction for Stanislaus Animal Services Agency staff and will support the continuity of Department operations under the Interim Director. In addition, approval of this request will allow for the appropriate security resources to be maintained without requiring dedicated staff from the Sheriff's Office to be utilized for these services.

CONTACT PERSON:

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