



WASHOE COUNTY

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STAFF REPORT

BOARD MEETING DATE: *March 28, 2023*

DATE: Thursday, March 2, 2023

TO: Board of County Commissioners

FROM: Kate Thomas, Assistant County Manager
kathomas@washoecounty.gov

THROUGH: Eric P. Brown, County Manager

SUBJECT: Recommendation to accept the resignation of John Arrascada, Public Defender, effective April 14, 2023, and to accept and approve the County Manager's recommendation to appoint Chief Deputy Public Defender, Evelyn Grosenick, to the position of Interim Public Defender, effective April 14, 2023, and to remain effective until either the appointee resigns or the Public Defender is appointed by the Board pursuant to NRS 260.010(5), Washoe County Code 5.439(2), via the recruitment process approved by the Board on February 28, 2023. (All Commission Districts.) FOR POSSIBLE ACTION

SUMMARY

The County Manager is recommending that the Board of County Commissioners accept the resignation of John Arrascada, Public Defender, effective April 14, 2023, and to accept and approve the County Manager's recommendation to appoint Chief Deputy Public Defender, Evelyn Grosenick, to the position of Interim Public Defender, effective April 14, 2023, and to remain effective until the Public Defender is appointed by the Board pursuant to NRS 260.010(5), Washoe County Code 5.439(2), and the recruitment process approved by the Board at the February 28, 2023 meeting. This item was brought to the first available scheduled Board of County Commissioner's meeting agenda.

Washoe County Strategic Objective supported by this item: Vulnerable Populations

PREVIOUS ACTION

On April 24, 2018, the Board approved a recruitment process for the appointment of a new Washoe County Public Defender. The process included a review of applications by an Application Review Committee and recommendation of the top candidates to the County Manager for further consideration; candidate interviews and selection of the top candidate by a panel created by the County Manager's Office; a meeting between the top candidate selected by the interview panel and the County Manager; negotiation of a recommended annual salary and start date; and appointment of the new Public Defender by the Board pursuant to Nevada Revised Statute 260.010(5) and Washoe County Code 5.439(2).

AGENDA ITEM # _____

On July 10, 2018, the Board appointed John Arrascada as the Washoe County Public Defender effective August 20, 2018, with an annual salary of \$173,576.00.

On February 28, 2023, the Board approved the process for the recruitment and appointment of non-elected, unclassified management employees. The process which was approved by the Board is outlined below.

BACKGROUND

NRS 260.010(1) and Washoe County Code 5.439(1) establish the office of the public defender for each county having a population of 100,000 or more. Pursuant to Washoe County Code 5.441(2), the Board of County Commissioners is to appoint a Public Defender to represent indigent persons who are under arrest and held for a public offense. The Board of County Commissioners and the Public Defender shall cooperate with the Board on Indigent Defense Services and the Department of Indigent Defense Services to collect, maintain, and provide information and reports concerning the provision of indigent defense services NRS 260.010(7).

The resignation of Public Defender John Arrascada necessitated the appointment of an interim staff member to oversee the office. The County process for appointing an interim/acting department head is based on past practice. The process for appointing interim/acting department heads is summarized as follows:

- The County Manager receives notification that a Board appointed department head is vacating his/her position.
- Together the County Manager and Assistant County Manager who supervises the department selects an employee to serve as interim/acting department head to oversee the management and day-to-day operations of the department during the recruitment/selection process for the permanent appointment of the department head.
- The County Manager makes a recommendation for the Board to approve and accept the interim/acting appointment. The person appointed as the interim/acting department head serves in that role from the date that the department head vacates his/her position to the date that a permanent department head is appointed.
- The interim/acting appointment ends on the date that the Board approves the permanent appointment of the newly selected department head.

Due to the resignation of Public Defender John Arrascada, the County Manager recommends that the Board of County Commissioners appoint Chief Deputy Public Defender Evelyn Grosenick to the position of Interim Public Defender, effective April 14, 2023. The Interim Public Defender will serve in that role until a permanent Public Defender is appointed by the Board.

In accordance with NRS 260.010(5), Washoe County Code 5.439(2), and the Board's approved process for recruitment and appointment of unclassified management positions, the process and timeline for the recruitment/appointment of the permanent Public Defender is summarized as follows:

Job Announcement Advertised	March 13 – April 10
Screening Committee Reviews/Ranks Qualified Applicants	April 12 – April 19
1 st Round of Interviews by Panel & Recommendation to County Manager	Week of May 1
2 nd Interview of Top Candidate (2 nd Interview Panel includes the County Manager and District 1 Commissioner per recruitment policy established by the Board at the February 28, 2023 meeting.)	Week of May 8
Chair & Vice Chair of the Board Meet Top Candidate	Week of May 15
Required Background Investigation	Week of May 22
Recommendation to the Board for Formal Appointment	June 13, 2023 BCC
Estimated Hire Date	July 17, 2023

FISCAL IMPACT

The Public Defender position is authorized and included in the FY23 adopted budget. As a required position, it will also be included in the FY24 budget for Board adoption.

No fiscal impact related to this agenda item.

RECOMMENDATION

Recommendation to accept the resignation of John Arrascada, Public Defender, effective April 14, 2023, and to accept and approve the County Manager's recommendation to appoint Chief Deputy Public Defender, Evelyn Grosenick, to the position of Interim Public Defender, effective April 14, 2023 and to remain effective until the Public Defender is appointed by the Board pursuant to NRS 260.010(5), Washoe County Code 5.439(2), and the recruitment process approved by the Board on February 28, 2023.

POSSIBLE MOTION

Should the Board agree with the recommendation, a possible motion would be: *"Move to accept the resignation of John Arrascada, Public Defender, effective April 14, 2023, and to accept and approve the County Manager's recommendation to appoint Chief Deputy Public Defender, Evelyn Grosenick, to the position of Interim Public Defender, effective April 14, 2023, and to remain effective until the Public Defender is appointed by the Board pursuant to NRS 260.010(5), Washoe County Code 5.439(2), and the recruitment process approved by the Board on February 28, 2023."*