

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

DEPT: Sheriff's Department

BOARD AGENDA # *B-10

Urgent Routine

AGENDA DATE November 18, 2008

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Set Public Hearing on December 16, 2008, at 6:45 p.m. for Authorization of Stanislaus County District Attorney and Stanislaus County Sheriff's Department Expenditure Plans for the State Supplemental Law Enforcement Services Fund (SLESF)

STAFF RECOMMENDATIONS:

1. Set a public hearing on December 16, 2008 at 6:45 p.m. to consider approval of the Stanislaus County District Attorney and Stanislaus County Sheriff's Department 2008-2009 Fiscal Year expenditure plans for the Supplemental Law Enforcement Services Fund (SLESF).

FISCAL IMPACT:

The SLESF funding allocation from the State Controller's Office for Fiscal Year 2008-2009 indicates that the Stanislaus County Sheriff's Department and District Attorney Offices will receive \$488,526. Of this amount Stanislaus County Sheriffs Department will receive \$152,470 for the Adult Detention Division, \$183,586 for the Operations Division, and the District Attorney's Office will receive \$152,470.

(continued on next page)

BOARD ACTION AS FOLLOWS:

No. 2008-779

On motion of Supervisor Monteith, Seconded by Supervisor Grover
and approved by the following vote,

Ayes: Supervisors: O'Brien, Grover, Monteith, and Vice Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: Mayfield

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval to Set Public Hearing on December 16, 2008, at 6:45 p.m. for Authorization of Stanislaus County District Attorney and Stanislaus County Sheriff's Department Expenditure Plans for the State Supplemental Law Enforcement Services Fund (SLESF)

FISCAL IMPACT (continued from page 1)

These funds are dedicated revenues and are allocated for frontline law enforcement services and personnel, equipment and programs that are necessary to meet those needs. These funds can not be used to supplant current services and if not spent, can not become part of the General Fund balance at year-end.

District Attorney

The 2008-2009 Fiscal Year budget for the District Attorney anticipated continuation of the SLESF funding and anticipated a total funding level of \$130,000. This revenue was included in the budget unit. Since this revenue is used to offset the cost of positions that were previously added with receipt of this funding, no recommendation is being made to increase appropriations and anticipated revenue.

Sheriff's Department

In the 2008-2009 Fiscal Year budget the Sheriff anticipated continuation of the SLESF funding and anticipated a total funding level of \$152,730 for Sheriff Adult Detention and \$200,000 for Sheriff Operations. This revenue was included in the budget unit. Since this revenue is used to offset the cost of positions that were previously added with receipt of this funding, no recommendation is being made to increase appropriations and anticipated revenue.

DISCUSSION:

The purpose of this agenda item is to set a public hearing required by California Government Code 30061 regarding the planned expenditure of Supplemental Law Enforcement Services Fund (SLESF).

Stanislaus County receives Supplemental Law Enforcement Services Funding (SLESF) from the State through the California's Citizens Option for Public Safety (COPS) program on an annual basis. The prerequisite to receive this funding requires the County convene a public hearing to discuss the proposed use of the funds.

District Attorney

It will be proposed that the District Attorney's allocation be utilized in the 2008-2009 Fiscal Year for the following purpose: \$152,470 to fund 100% of a Criminal Investigator II and partial funding for two Legal Clerks IVs to assist in criminal investigations.

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Sheriff's Department

On September 30, 1997 the Board approved the addition of four sergeant positions in the Operations division and four custodial sergeants positions in the Adult Detention division. These positions were funded with the 1997-1998 SLESF funds of \$160,793 for Jail operations and \$241,562 for front line law enforcement. The SLESF funds were identified as the ongoing revenue source to continue these first line supervisory positions.

It is proposed that the County's Sheriff's Department allocation be utilized in the 2008-2009 Fiscal Year for the following purpose: \$152,470 for 1.14 Custodial Sergeants in Sheriff Adult Detention and \$183,586 for 1.28 Operations Sergeants in Sheriff Operations.

California Government Code 30061 requires the Stanislaus County Board of Supervisors to convene a public hearing to appropriate these funds for front line law enforcement, county jail construction and operations, and criminal prosecution. This hearing must be separate and apart from the process applicable to proposed allocations to the County General Fund.

POLICY ISSUES:

This agenda item is consistent with the Board of Supervisors' priorities of a safe community and efficient delivery of public services.

STAFFING IMPACT:

There is no staffing impact associated with this item. Existing staff will provide the support needed to administer the funds.

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that on, December 16, 2008 at 6:45 p.m., or as soon thereafter as the matter may be heard, the Stanislaus County Board of Supervisors will meet in the Board of Supervisors Chambers, 1010 10th Street, Modesto, California, to consider approval of the Supplemental Law Enforcement Fund expenditure plan for the 2008-2009 Fiscal Year. California Government Code 30061 requires these funds be spent to enhance front line law enforcement. The proposed plan consist of \$152,470 for District Attorney to fund 100% of a Criminal Investigator II and partial funding for two Legal Clerks IVs to assist in criminal investigations; \$152,470 for 1.14 Custodial Sergeants in the Sheriff's Adult Detention budget, and \$183,586 for 1.28 Sergeants in the Sheriff's Operations budget.

NOTICE IS FURTHER GIVEN that at the above noticed time and place all persons will be given an opportunity to be heard. Interested persons may also submit written comments to Stanislaus County regarding the proposed plan or may contact Dan Wirtz at the Stanislaus County Sheriff's Department (209) 525-7114.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: November 18, 2008

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk of the Board of Supervisors
of the County of Stanislaus,
State of California

BY:


Elizabeth King, Assistant Clerk of the Board

**DECLARATION OF PUBLICATION
(C.C.P. S2015.5)**

**COUNTY OF STANISLAUS
STATE OF CALIFORNIA**

I am a citizen of the United States and a resident Of the County aforesaid; I am over the age of Eighteen years, and not a party to or interested In the above entitle matter. I am a printer and Principal clerk of the publisher of **THE MODESTO BEE**, printed in the City of **MODESTO** , County of **STANISLAUS** , State of California, daily, for which said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of **STANISLAUS** , State of California, Under the date of **February 25, 1951, Action No. 46453**; that the notice of which the annexed is a printed copy, has been published in each issue there of on the following dates, to wit:

Dec 06, 2008

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BY ORDER OF THE BOARD OF SUPERVISORS

DATED: November 18, 2008

ATTEST: CHRISTINE FERRARO
TALLMAN, Clerk of the Board of Supervisors of the County of Stanislaus, State of California

BY: Elizabeth King, Assistant Clerk
Pub Dates Dec 6, 2008

I certify (or declare) under penalty of perjury That the foregoing is true and correct and that This declaration was executed at

MODESTO, California on

December 8th, 2008

(Signature)

