

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

DEPT: Chief Executive Office

BOARD AGENDA # \*B-9

Urgent

Routine  *RS*

AGENDA DATE June 28, 2011

CEO Concurs with Recommendation YES  NO

4/5 Vote Required YES  NO

(Information Attached)

SUBJECT:

Approval of Year End Budget Adjustments for the Chief Executive Office - Risk Management Division, District Attorney and Public Defender Funded from Retained Earnings, Appropriations for Contingencies and Increased Departmental Revenues

STAFF RECOMMENDATIONS:

1. Authorize the Chief Executive Officer and the Auditor-Controller, prior to year-end, to increase appropriations by \$150,000 in the Chief Executive Office - Risk Management Division Unemployment Self-Insurance budget.
2. Authorize the Chief Executive Officer and the Auditor-Controller, prior to year-end, to increase appropriations by \$164,304 in the District Attorney's budget, funded by a transfer from Appropriations for Contingencies by 4/5 vote of the Board of Supervisors.

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FISCAL IMPACT:

At the end of Fiscal Year 2010-2011, three County Departments will need budget adjustments to cover unanticipated costs. The Chief Executive Office is requesting to increase appropriations in its Risk Management Division Unemployment Self-Insurance budget by \$150,000 to record a one-time accounting adjustment in Fiscal Year 2010-2011. This increase will be funded by departmental retained earnings.

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BOARD ACTION AS FOLLOWS:

No. 2011-389

On motion of Supervisor O'Brien, Seconded by Supervisor Chiesa

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini, and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) \_\_\_\_\_ Denied

3) \_\_\_\_\_ Approved as amended

4) \_\_\_\_\_ Other:

MOTION:

*Christine Ferraro*

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval of Year End Budget Adjustments for the Chief Executive Office - Risk Management Division, District Attorney and Public Defender Funded from Retained Earnings, Appropriations for Contingencies and Increased Departmental Revenues

**STAFF RECOMMENDATIONS (Continued):**

3. Authorize the Chief Executive Officer and the Auditor-Controller, prior to year-end, to increase appropriations and estimated revenue by \$8,000 in the Public Defender's budget.

**FISCAL IMPACT (Continued):**

The District Attorney is requesting to increase appropriations by \$164,304 to cover the cost of a settlement with the County Attorneys' Association that allowed employees to be refunded for up to six furlough days taken in Fiscal Year 2009-2010. The increase is to be funded by a transfer from Appropriations for Contingencies. After the transfer, a total balance of \$4,263,301 will remain in Appropriations for Contingencies.

The Public Defender is requesting an increase of \$8,000 in estimated revenue and appropriations to cover any unexpected expenditures at year end. Use of General Fund resources is not required to fund the increase.

**DISCUSSION:**

**Chief Executive Office - Risk Management**

A one-time accounting adjustment is being proposed by the Risk Management Division to align the quarterly unemployment self-insurance expenses to the appropriate fiscal year. Consequently, in Fiscal Year 2010-2011 expense for five quarters will be recognized. To record the adjustment, additional appropriations in the Chief Executive Office - Risk Management Division Unemployment Self-Insurance budget are required for Fiscal Year 2010-2011. The amount of the final invoice is unknown at this time, but the last three invoices have averaged approximately \$330,000 each and there are insufficient appropriations at this point to fund an invoice of this amount. The proposed increase in appropriations will be covered by departmental retained earnings.

**District Attorney**

In December of 2010 the County Attorneys' Association (CAA) filed a grievance alleging the County violated the 2009-2010 Furlough Agreement between CAA and the District Attorney's Office. Because of a projected budget shortfall in Fiscal Year 2009-2010, the District Attorney's Office instituted the use of furloughs in order to avoid reductions-in-force. Language in the Furlough Agreement stated, "To the extent legally permitted, any reduction in the budget shortfall will be used first to reduce the number of furlough days." The Department ended the 2009-2010

Approval of Year End Budget Adjustments for the Chief Executive Office - Risk Management Division, District Attorney and Public Defender Funded from Retained Earnings, Appropriations for Contingencies and Increased Departmental Revenues

Fiscal Year with \$475,196 in fund balance which is being used for balancing the Department's budget over the next two fiscal years. CAA believed these funds should have been made available to reduce the number of furlough days and requested the twelve furlough days taken by bargaining unit members during 2009-2010 be refunded. The issue was resolved with attorneys being provided the opportunity to be refunded for six of the 12 furlough days in exchange for vacation days. This opportunity was extended to all employees in the office. The Chief Executive Office is requesting to increase appropriations by \$164,304 in the District Attorney's Office in order to cover the cost of this agreement. This increase will be offset by a transfer from Appropriations for Contingencies, leaving a balance of \$4,263,301.

**Public Defender**

The Public Defender is expected to exceed estimated revenue by approximately \$8,000. This increase can be attributed to the enhanced collection efforts of the Treasurer Tax Collector - Revenue Recovery Department to bring in additional revenue. Currently, the Public Defender is projected to end Fiscal Year 2010-2011 very close to budgeted appropriations. To safeguard against any unexpected year end increases in expenditures, it is recommended to increase both revenue and appropriations by \$8,000. This increase will have no effect on net county cost in the Public Defender's Budget. The Chief Executive Office staff will continue to work with the Department to ensure future years' budgets are balanced.

**POLICY ISSUES:**

All County budgets must end the year within appropriations. In considering this item, the Board may consider whether the recommendations are consistent with the Board of Supervisor's priority of Efficient Delivery of Public Service.

**STAFFING IMPACT:**

There are no staffing impacts associated with this item.

**CONTACT INFORMATION:**

Stan Risen, Assistant Executive Officer, 342-1731

# County of Stanislaus: Auditor-Controller

## Legal Budget Journal

Database  
Set of Books

FMSDBPRD.CO.STANISLAUS.CA.US.PROD  
County of Stanislaus

<b>Balance Type</b>	<b>Budget</b>
<b>Category</b>	* List - Text <b>Budget - Upload</b>
<b>Source</b>	* List - Text <b>CEO JDK</b>
<b>Currency</b>	* List - Text <b>USD</b>
<b>Budget Name</b>	List - Text <b>LEGAL BUDGET</b>
<b>Batch Name</b>	Text
<b>Journal Name</b>	Text <b>JV CEO100039</b>
<b>Journal Description</b>	Text <b>2010-2011 Year-end budget adjustments</b>
<b>Journal Reference</b>	Text <b>BOS #2011-</b>
<b>Organization</b>	List - Text <b>Stanislaus Budget Org</b>

Upl	Fund	Org	Acc't	GL Proj	Loc	Misc	Other	Debit	Credit	Period	Line Description
								incr appropriations decr est revenue (format > number > general)	decr appropriations incr est revenue	Upper case MMM-YY List - Text	Text
	4	7	5	7	6	6	5				
	0100	0016071	89000	0000000	000000	000000	000000		164304	JUN-11	Decr Appr for Contingen
	0100	0023110	50000	0000000	000000	000000	000000	164304		JUN-11	DA - Incr Salaries
	0100	0027010	50000	0000000	000000	000000	000000	8000		JUN-11	PD - Incr Salaries
	0100	0027010	31000	0000000	000000	000000	000000		8000	JUN-11	PD - Incr Legal Services
	5071	0018071	61160	0000000	000000	000000	000000	150000		JUN-11	RM - Incr Unempl claims

**Totals:** 322304 172304

**Explanation:** \_\_\_\_\_

Requesting Department		CEO	Data Entry	Auditors Office Only	
Jim Kwartz		Stan Risen	Keyed by _____	 Approved By	
Signature _____		Signature _____	Date _____		
06.28.11		06.28.11		6/23/11	
Date _____		Date _____	Date _____	Date _____	