



Monterey County

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Board Report

Legistar File Number: 15-0834

July 28, 2015

Introduced: 7/17/2015

Version: 1

Current Status: Agenda Ready

Matter Type: General Agenda Item

- a. Approve the Memorandum of Understanding (MOU) for Court Security Services between the Monterey County Sheriff's Office and Monterey County Superior Court as finalized on June 29, 2015;
- b. Add one (1) FTE Deputy Sheriff-Corrections in the Sheriff's Office Budget Unit, 001-2300 -SHE003-8234 (Court Services);
- c. Authorize the County Administrative Office to incorporate the position change into the Sheriff's Office FY 2015-16 Adopted Budget; and
- d. Authorize Auditor-Controller to increase appropriations and revenues in Fund 022 Public Safety Realignment SHE006-7614 by \$200,000, financed by fund balance, and an increase in revenues and appropriations in Fund 001 General Fund, SHE003-8234-6111-5940 (Court Services) by \$200,000, funded by an operating transfer in from Fund 022. (4/5th votes required)

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve the Memorandum of Understanding (MOU) for Court Security Services between the Monterey County Sheriff's Office and Monterey County Superior Court as finalized on June 29, 2015;
- b. Add one (1) FTE Deputy Sheriff-Corrections in the Sheriff's Office Budget Unit, 001-2300 -SHE003-8234 (Court Services);
- c. Authorize the County Administrative Office to incorporate the position change into the Sheriff's Office FY 2015-16 Adopted Budget; and
- d. Authorize Auditor-Controller to increase appropriations and revenues in Fund 022 Public Safety Realignment SHE006-7614 by \$200,000, financed by fund balance, and an increase in revenues and appropriations in Fund 001 General Fund, SHE003-8234-6111-5940 (Court Services) by \$200,000, funded by an operating transfer in from Fund 022.

SUMMARY/DISCUSSION:

Pursuant to Government Code section 69921.5, the Monterey County Sheriff's Office must provide the necessary level of security services to the Superior Court of California, County of Monterey by providing traditional court bailiff services and roving deputy sheriff positions to the judicial officers, as well as providing all safety and security services for the courtrooms, facilities, and grounds.

Assembly Bill 118 (Chapter 40 of the Statutes of 2011) ("AB 118") realigned the source of funding for superior court security. Pursuant to AB 118, a local Public Safety Realignment Fund was established in the county treasury, into which the State Controller allocates money for the sole purpose of funding superior court security provided by county sheriffs.

The Superior Court Security Act of 2012 implements the statutory changes necessary as a result of the realignment of superior court security funding enacted in AB 118.

Government Code section 69926 requires the Court and the Sheriff to enter into an annual or multiyear memorandum of understanding specifying the agreed upon level of court security services and any other agreed-upon governing or operating procedures. As stated in Government Code section 69920, nothing in AB 188 or the Superior Court Security Act of 2012 is intended to reduce court security service deliver, increase obligations on sheriffs or counties or other significant programmatic changes that would not otherwise have occurred absent realignment.

The MOU period covers the time period of July 1, 2015 to June 20, 2016. The MOU calls for the Sheriff's Office to provide one (1) FTE Commander, two (2) FTE Sergeants, and twenty-three (23) Deputy Sheriff-Corrections positions, an increase of one (1) Deputy Sheriff-Corrections position over the previous year. This position was not included in the FY 2015-16 budget as the MOU negotiations were ongoing and had not been finalized on the date of budget approval.

OTHER AGENCY INVOLVEMENT:

The Administrative Office of the Courts, Monterey County Superior Court, and County Counsel have been consulted in the preparation of this MOU. The County Administrative Office reviewed the report and Human Resource Department concurs with the recommendation.

FINANCING:

There is no impact to the General Fund Contribution as a result of the recommendation. The full costs are reimbursed by Public Safety Realignment monies in Fund 022. The estimated beginning balance of the Public Safety Realignment fund is \$1.9 million. The expected revenues for FY 2015-16 are \$4.4 million, with expenses anticipated to be \$4.1 million. All estimated costs and revenues, except for the cost for one (1) additional Roving Deputy position, are included in the FY 2015-16 Adopted Sheriff's Budget.

Prepared by: Michael Moore, Chief Deputy Sheriff

Approved by: Stephen Bernal, Sheriff-Coroner