



Monterey County

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Board Report

Legistar File Number: 16-854

July 12, 2016

Introduced: 6/30/2016

Current Status: Agenda Ready

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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 for the period between July 1, 2016 and June 30, 2017;
- b. Approve to add two (2) FTE Deputy Sheriff-Corrections in the Sheriff's Office Budget Unit, 001-2300-SHE003-8234, effective July 1, 2016;
- c. Authorized the County Administrative Office to incorporate the position change into the Sheriff's Office FY 2016-17 Adopted Budget;
- d. Authorize the Auditor-Controller to increase appropriations by \$300,000 for the Sheriff's Office (001-SHE003-2300-8234-6111), financed by increased revenues (001-SHE003-2300-8234-5940) (4/5th vote required); and
- e. Authorize the Auditor-Controller to increase appropriations by \$300,000 for the Sheriff's Office Public Safety Realignment Fund (022-SHE006-2300-8234-7614) as an operating transfer to the Sheriff's Office General Fund operations for support of court security, financed by use of fund balance in the Sheriff's Office Public Safety Realignment Fund (4/5th vote required).

RECOMMENDATION:

It is recommended that the Board of Supervisors' Budget Committee:

- a. Approve the Memorandum of Understanding (MOU) for Court Security Services between the Monterey County Sheriff's Office and Monterey County Superior Court for the period between July 1, 2016 and June 30, 2017;
- b. Approve to add two (2) FTE Deputy Sheriff-Corrections in the Sheriff's Office Budget Unit, 001-2300-SHE003-8234, effective July 1, 2016;
- c. Authorized the County Administrative Office to incorporate the position change into the Sheriff's Office FY 2016-17 Adopted Budget;
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- e. Authorize the Auditor-Controller to increase appropriations by \$300,000 for the Sheriff's Office Public Safety Realignment Fund (022-SHE006-2300-8234-7614) as an operating transfer to the Sheriff's Office General Fund operations for support of court security, financed by use of fund balance in the Sheriff's Office Public Safety Realignment Fund (4/5th vote required).

SUMMARY/DISCUSSION:

The request and recommendation were brought to the Budget Committee on June 29, 2016 and the Budget Committee supported to bring it forward to the full Board of Supervisors.

Pursuant to Government Code section 69921.5, the Monterey County Sheriff's Office is responsible to provide the necessary level of court 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 Trial Court Security Account was established in the county treasury, into which the State Controller would allocate money for the sole the 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 is between July 1, 2016 and June 30, 2017. It is agreed for the Sheriff's Office to provide one (1) FTE Commander, two (2) FTE Sergeants, and 25 FTE Deputy Sheriffs-Corrections which is increased by two FTE Deputy Sheriff-Corrections. The two additional Deputies will be a Rover at the Marina Courthouse and a Relief Bailiff. The Marina Rover will be used to cover bailiff duties for the recently added court calendars being handled by the new Commissioner as well as provide daily roving security for the Courthouse. The Relief Bailiff will assist in covering overtime generated by sick calls and leaves, both planned and unplanned. This Relief will assist in avoiding the use of jail staff to cover court overtime; the use of which creates a significant hardship for jail staffing.

This request for the two additional deputy positions was not included in the FY 2016-17 Budget Request or Recommended Budget as the Courts and the Sheriff's Office did not come to an agreement until June 15, 2016.

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 the Trial Court Security fund. The fund balance as of June 30, 2015 was \$2.2 million and the expected balance as of June 30, 2016 is approximately \$2.3 million. The fund is expected to support all the positions for upcoming years as the funding is constitutionally protected as a result of the Realignment. All estimated costs and revenues, except the cost for two (2) additional Roving Deputy positions, are included in the FY 2016-17 Adopted Sheriff's Budget.

Prepared by: Lisa Nash, Court Services Division Commander, X5223

Approved by: Steve Bernal, Sheriff-Coroner, X3725

Attachments:

Attachment A - Court Services Division Position Changes

FY 2016-17 Court Security MOU between Superior Court & Sheriff's Office