



County of Monterey

Item No.41

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: RES 25-115

July 08, 2025

Introduced: 7/2/2025

Current Status: Agenda Ready

Version: 1

Matter Type: BoS Resolution

Adopt a resolution to designate and authorize the Administrative Department Head for the Public Defender's Office to act on behalf of the County of Monterey Board of Supervisors to execute and manage grant documents and any amendments thereto for the Board of State and Community Corrections (BSCC) Public Defense Pilot Program (PDPP) grant.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

Adopt a resolution to designate and authorize the Administrative Department Head for the Public Defender's Office to act on behalf of the County of Monterey Board of Supervisors to execute and manage grant documents and any amendments thereto for the Board of State and Community Corrections (BSCC) Public Defense Pilot Program (PDPP) grant.

SUMMARY:

On April 5, 2022, per Resolution No. 22-109, the County of Monterey Board of Supervisors authorized the Public Defender's Office to submit an application for the purpose of obtaining financial assistance from the BSCC PDPP grant, and approved delegation of authority to the Public Defender or Assistant Public Defender to act on the County's behalf to carry out and consummate all transactions contemplated during the grant period. On July 25, 2023, and again on December 3, 2024, increases in grant funding from PDPP with extended terms of agreement were approved by the Board of Supervisors, with continued delegation of authority to the Public Defender or Assistant Public Defender. Presently, the full grant award approved by the Board of Supervisors is \$1,520,247 with a term of March 1, 2022, through December 31, 2026.

In response to the vacant Public Defender position, the Board of Supervisors enacted an additional assignment and appointment for Mr. Nicholas E. Chiulos-effective July 2, 2025-as Administrative Department Head for the Public Defender's Office to direct and oversee administrative, fiscal, and personnel operations of the office until the Public Defender position is filled. As such, a resolution is necessary to designate and authorize the Administrative Department Head for the Public Defender's Office to act on behalf of the Board of Supervisors to execute and manage grant documents and any amendments thereto for the BSCC PDPP grant. Due to the interim capacity of the Administrative Department Head position, this action does not rescind delegation of authority from the Public Defender or Assistant Public Defender, but is in addition to such previously authorized delegation.

DISCUSSION:

The Budget Act of 2021 (Senate Bill 129) allocated funding through the PDPP grant to support

indigent defense providers-public defenders, alternate defenders, and other qualifying entities-handling criminal matters impacted by specific Penal Code provisions, including §1170(d)(1), §1170.95, §1473.7, and §3051.

Currently, the Public Defender's Office lacks sufficient resources and staff to meet the increased demands brought by these legal reforms. The statutory changes require detailed reviews and analyses of cases, as well as a significant increase in work product. The result is an increased workload on top of existing attorney caseloads, as well as a need for expanded support from legal assistants and investigative experts.

Funds awarded through PDPP sustain the deployment of a dedicated attorney and legal assistant within the Public Defender's Office to address criminal matters impacted by §1170(d)(1), §1170.95, §1473.7, and §3051, as well as support the increased need for investigative services inherent in these cases.

OTHER AGENCY INVOLVEMENT:

The County Administrative Office has reviewed and approved.

FINANCING:

There will be no impact to the General Fund from this action. PDPP does not require matching funds.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

- ☐ Economic Development
- ☒ Administration
- ☐ Health and Human Services
- ☐ Infrastructure
- ☐ Public Safety

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Approved by: Nick Chiulos, Administrative Department Head for the Public Defender's Office & Chief Assistant County Administrative Officer, x5145

Attachments:

Attachment A: Resolution

Attachment B: PDPP Application and Agreement BSCC 332-21

Attachment C: PDPP Amendment #1

Attachment D: PDPP Amendment #2