

**Board of Supervisors
County of Monterey, State of California**

Resolution No. _____

A Resolution to:

- a. Ratify the submittal of a grant application by the County of Monterey Public Defender to the State of California Board of State and Community Corrections (BSCC) for the Public Defense Pilot Program Grant in the amount of \$464,496 to fund the Public Defender’s Resentencing Advocacy and Youthful Offenders (RAY) Pilot Program for FY 2024-25; and
- b. Authorize acceptance of a grant award of \$464,496 for deployment and implementation of the Public Defender’s RAY Pilot Program for FY2024-25; and
- c. Authorize the Public Defender or Assistant Public Defender to execute Amendment No. 2 to the Grant Agreement with BSCC, adding \$464,496 for deployment and implementation of the Public Defender’s RAY Pilot Program for FY 2024-25, for a total Grant liability of \$1,520,246, for an extended grant period of March 1, 2022 through December 31, 2026; and
- d. Approve the 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; and
- e. Approve an increase in appropriations and estimated revenues of \$464,496 for Public Defender Budget Unit 001-2270-PUB001-8169 in the FY 2024-25 Adopted Budget (4/5ths vote required); and
- f. Authorize the Auditor-Controller’s Office to incorporate approved appropriation and estimated revenue modifications to the FY 2024-25 Adopted Budget, and the County Administrative Office to reflect these approved changes in the FY 2024-25 Recommended Budget.

WHEREAS, the County of Monterey Public Defender (“Public Defender”) desires to continue its participation in the Public Defense Pilot Program Grant funded through the State Budget Act of 2021 (Senate Bill 129) and administered by the State of California Board of State and Community Corrections (hereafter referred to as the BSCC); and

WHEREAS, the Public Defender previously was awarded a Public Defense Pilot Program Grant in the amount of \$525,757.56 for FY 2021-22 (“Grant for FY 2021-22”) to enhance the deployment of indigent defense services under the Racial Justice Act (California Penal Code

section 745) and the Youthful Offender Parole Act (California Penal Code section 3051), for the term March 1, 2022 to March 1, 2025; and

WHEREAS, on March 2, 2021 the Board of Supervisors approved the Public Defender's receipt of the Grant for FY 2021-22 and the Public Defender's execution of a Public Defense Pilot Program Grant agreement with BSCC, in the amount of \$525,757.56 for FY 2021-22 for deployment and implementation of the Public Defender's Resentencing Advocacy and Youthful Offenders (RAY) Pilot Program, for the term March 1, 2022 to March 1, 2025; and

WHEREAS, the Public Defender previously was awarded an additional Public Defense Pilot Program Grant in the amount of \$529,993.07 for FY 2023-24 ("Grant for FY 2023-24") to enhance the deployment of indigent defense services under the Racial Justice Act (California Penal Code section 745) and the Youthful Offender Parole Act (California Penal Code section 3051), for the term March 1, 2022 to March 1, 2025; and

WHEREAS, on July, 25, 2023 the Board of Supervisors approved the Public Defender's receipt of the Grant for FY 2023-24 and the Public Defender's execution of a Public Defense Pilot Program Grant agreement with BSCC, in the amount of \$529,993.07 for FY 2023-24 for deployment and implementation of the Public Defender's Resentencing Advocacy and Youthful Offenders (RAY) Pilot Program, for the term March 1, 2022 to March 1, 2025; and

WHEREAS, the Public Defender has been awarded a further Public Defense Pilot Program Grant in the amount of \$464,496 for FY 2024-25 for continued deployment and implementation of indigent defense services under the Racial Justice Act (California Penal Code section 745) and the Youthful Offender Parole Act (California Penal Code section 3051), for the term March 1, 2022 to December 31, 2026;

NOW, THEREFORE, BE IT RESOLVED, that the Monterey County Board of Supervisors does hereby determine and declares as follows:

- a. Ratify the submittal of a grant application by the County of Monterey Public Defender to the State of California Board of State and Community Corrections (BSCC) for the Public Defense Pilot Program Grant in the amount of \$464,496 to fund the Public Defender's Resentencing Advocacy and Youthful Offenders (RAY) Pilot Program for FY 2024-2025; and
- b. Authorize acceptance of a grant award of \$464,496 for deployment and implementation of the Public Defender's RAY Pilot Program for FY 2024-2025; and
- c. Authorize the Public Defender or Assistant Public Defender to execute Amendment No. 2 to the Grant Agreement with BSCC, adding \$464,496 for deployment and implementation of the Public Defender's RAY Pilot Program for FY 2024-2025, for a total Grant liability of \$1,520,246 for the extended grant period of March 1, 2022 through December 31, 2026; and
- d. Approve the 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; and

- e. Approve an increase in appropriations and estimated revenues of \$464,496 for Public Defender Budget Unit 001-2270-PUB001-8169 in the FY 2024-25 Adopted Budget (4/5ths vote required); and
- f. Authorize the Auditor-Controller’s Office to incorporate approved appropriation and estimated revenue modifications to the FY 2024-25 Adopted Budget, and the County Administrative Office to reflect these approved changes in the FY 2024-25 Recommended Budget.

BE IT FURTHER RESOLVED, that grant funds received hereunder shall not be used to supplant expenditures controlled by this body.

BE IT FURTHER RESOLVED that the County of Monterey Public Defender agrees to abide by the terms and conditions of the Grant Agreement as set forth by the BSCC.

PASSED AND ADOPTED this _____ day of _____, 2024, upon motion of Supervisor _____, second by Supervisor _____ by the following vote, to-wit:

AYES: NOES:
ABSENT:

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof Minute Book _____, for the meeting on _____.

Valerie Ralph, Clerk of the Board of Supervisors,
County of Monterey, State of California

By _____
Deputy