



Legislation Details (With Text)

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File created:	12/18/2019	In control:	Board of Supervisors
On agenda:	2/11/2020	Final action:	2/11/2020
Title:	District Attorney recommending the Board: 1) Adopt and authorize the Chair to sign Resolution 021-2020 amending the current Authorized Personnel Allocation Resolution for the District Attorney to: a) Delete 1.0 vacant Special Investigator (District Attorney) b) Add 1.0 Investigator (District Attorney) c) Delete 1.0 vacant Executive Assistant - Law & Justice d) Add 1.0 Paralegal I/II allocation; and 2) Approve and authorize the Chair to sign a budget transfer modifying the District Attorney's FY 2019-20 operating budget increasing appropriations and revenue, resulting in no financial impact to net county cost (4/5 vote).		
	FUNDING: General Fund, California Governor's Office of Emergency Services Victims of Crime Act Fund, and California Department of Insurance, District Attorney/Public Defender Sub-Fund		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. A - Budget Transfer, 2. B - Approved Blue Route Resolution 19-1876, 3. C - Reso Overfill True Up - Investigator & Paralegal I-II 19-1876(NOT EXECUTED), 4. Executed Resolution 021-2020, 5. Executed Budget Transfer		

Date	Ver.	Action By	Action	Result
2/11/2020	1	Board of Supervisors	Approved	Pass

District Attorney recommending the Board:

1) Adopt and authorize the Chair to sign Resolution **021-2020** amending the current Authorized Personnel Allocation Resolution for the District Attorney to:
a) Delete 1.0 vacant Special Investigator (District Attorney)
b) Add 1.0 Investigator (District Attorney)
c) Delete 1.0 vacant Executive Assistant - Law & Justice
d) Add 1.0 Paralegal I/II allocation; and
2) Approve and authorize the Chair to sign a budget transfer modifying the District Attorney's FY 2019-20 operating budget increasing appropriations and revenue, resulting in no financial impact to net county cost (4/5 vote).

FUNDING: General Fund, California Governor's Office of Emergency Services Victims of Crime Act Fund, and California Department of Insurance, District Attorney/Public Defender Sub-Fund

DISCUSSION / BACKGROUND

Personnel Allocation

The District Attorney's Office has completed the fiscal year 2019-20 budget amendment review and has determined that the following modifications are needed to the department's personnel allocation:

1) Delete 1.0 FTE vacant Special Investigator (District Attorney) and add 1.0 FTE filled Investigator

(District Attorney) allocation. The Investigator (District Attorney) is an overfill to the Special Investigator (District Attorney) position. With the implementation of the Child Advocacy Center (KC) Program, funded by CalOES, it was determined that the program objectives were to be accomplished with the expertise of an Investigator. The position is 85% funded through the grant award.

2) Delete 1.0 FTE vacant Executive Assistant - Law & Justice and add 1.0 FTE filled Paralegal I/II allocation. The Paralegal position is an overfill to the Executive Assistant - Law & Justice. It has become a need for the District Attorney's Office to expand their support staff level of assistance to operating units throughout the department. The Paralegal position will aid in providing further legal services across the Victim Witness and Child Advocacy programs, of which is also supported by grant funding.

The District Attorney Investigator salary and benefits cost is accounted for in the 2019-20 department recommended budget. The Paralegal I/II position true up against the Executive Assistant - Law & Justice has minimal financial impact due to the position bargaining unit changing from Confidential (CO) to Local 1 (PL), in which the Optional Benefit Credit cost of \$6,240 is no longer applicable and considered a savings.

Approving the proposed allocation change will not have any financial impact to the net county cost.

19/20 Budget Amendment and Budget Transfer

The District Attorney's Office has completed the fiscal year 19/20 budget amendment review and has come to the conclusion that the following adjustments are required to the department's operating budget.

Salaries and Benefits:

The District Attorney is requesting the following budgetary adjustments for the Department's salary and benefits allocation:

- 1) Personnel resolution 073-2019, approved by the Board of Supervisors within item 19-0702 on May 14, 2019, allowed for the following personnel allocation changes:
 - a) Replacement of Program Manager with a Victim/Witness Program Coordinator allocation;
 - b) Replacement of limited term Program Coordinator with a Victim/Witness Program Specialist allocation;
 - c) Addition of full time Administrative Analyst I/II allocation;
 - d) Addition of full time Crime Analyst allocation.

At the time of allocation approval request, a budget transfer was not submitted for approval to account for the financial changes due to the proposed changes having minimal financial impact on the FY 18/19 budget. Therefore, we are now recommending the following budget changes to the current 19/20 budget:

- a. Program Manager replaced with Victim/Witness Program Coordinator = \$40,411 in salary and benefit savings
- b. Limited term Program Coordinator replaced with Victim/Witness Program Specialist = minimal financial impact
- c. Addition of full time Administrative Analyst led to an internal promotion, leaving a vacant Administrative Technician position.
 - o Minimal financial impact from the position change true-up.

- Addition of vacant Administrative Technician for a term of 8 months = \$42,818 in salary and benefits expenses
- d. Addition of full time Crime Analyst led to an internal promotion, leaving a vacant Investigative Assistant position.
 - Position change true-up increasing appropriations = \$27,813 in salary and benefits expenses
 - Addition of vacant Investigative Assistant for a term of 5 months = \$36,477 in salary and benefits expenses

Total salary and benefits budget changes based on board item 19-0702: \$66,697 increase to appropriations.

2) The increase in salaries and benefits appropriations will be partially off-set by the 19/20 budget savings in department vacancies as follows:

- a. Prosecution Unit Savings:
 - Paralegal II: \$6,046 salary and benefits savings through August 1st, 2019
 - Deputy District Attorney III: \$30,422 salary and benefits savings through October 1st, 2019
 - Deputy District Attorney II: \$27,292 salary and benefits savings through October 1st, 2019
 - Deputy District Attorney: \$57,580 salary and benefits savings through January 31st, 2020
- b. Victim Witness Unit Savings:
 - Victim Witness Specialist: \$16,440 salary and benefits savings through October 1st, 2019
 - Victim Witness Specialist: \$44,745 salary and benefits savings through January 31st, 2020
- c. Administration Unit Savings:
 - Sr. Office Assistant: \$19,884 salary and benefits savings through October 31st, 2019
 - Assistant District Attorney: \$106,360 salary and benefits savings through January 31st, 2020

Total anticipated savings from vacant positions: \$308,769 (\$121,340 Prosecution, \$61,185 Victim Witness, and \$126,224 Administration).

3) Due to original 19/20 budget requests being reduced by CAO revision, the District Attorney is requesting an increase of \$190,000 in overtime and \$125,000 in extra help to cover department needs.

- a. Overtime costs include the implementation of Karpel case tracking software, the on-going Officer Involved Shooting (OIS) investigation, and a grant-funded DEA Wire Case investigation. The \$190,000 allocation will be split 50/50 between the Investigation Unit and AB109 for Karpel billing.
- b. Extra help costs include work performed by Retired Annuitants. The \$125,000 allocation will be split 50/50 between the Prosecution and Investigation Units.

4) Per agenda item 19-1700, approved by the board on December 17, 2019, the Deputy Sheriffs Association' Memorandum of Understanding (MOU) calls upon a salary comparison among Law Enforcement agencies. The salary comparison survey resulted in a 1.65% pay rate increase for all

employees under the SA and SM bargaining units. The salary modification will be effective as of January 1, 2020. The District Attorney will experience a \$24,478 increase in investigator salaries for the remainder of the 19/20 fiscal year.

5) FY 19/20 budget amendment includes (2) employee retirement final pay-offs resulting in a total of \$112,030 increase in salary and benefits expenses. The positions are for (1) District Attorney Investigator with a pay-off amount of \$50,531 and (1) Deputy District Attorney with a pay-off amount of \$61,499. Both positions are anticipated to be filled quickly.

In summary, the District Attorney is anticipating an overall increase to budgeted salary and benefit appropriations in the amount of \$209,436.

Department Revenue:

The proposed amendment for the District Attorney's FY 19/20 budget has no impact to net county cost partially due to grant funding received by the department to off-set increased appropriations.

Changes to the 19/20 expected grant revenue budget are as follows:

- a. \$14,698 increase in DEA Wire Case Overtime revenue (appropriation included in overtime request above);
- b. \$30,950 increase in Office of Traffic Safety (OTS) revenue (appropriation increase not required as funds will be used to offset originally budgeted program salaries and benefits);
- c. \$38,114 decrease in Automobile Fraud revenue
 - o Decrease in Automobile Fraud revenue includes a decrease in appropriation of \$31,428 for vehicle operating transfer out to DOT Fleet. Total net county cost increase for Auto Fraud program: \$6,686;
- d. \$90,853 increase in Workers' Compensation Fraud revenue
 - o Workers' Compensation revenue increase will be off-set by additional appropriations in the amount of \$11,501 (\$6,000 in professional services/expert witness fees, \$2,000 in Fleet service expense, \$3,501 in Travel/Training expenses). Total net county cost savings for Workers Comp program: \$79,352. Remainder of funds will be offset by originally budgeted program salaries and benefits.

Total grant-related revenue update: \$118,314 increase in savings.

Additional Services and Fixed Assets:

Cold Case DNA - The District Attorney's Office is requesting an increase in appropriations for professional services. Cases being solved by DNA sampling and matching are deemed to be effective measures of investigative techniques. The department is looking to enter into an agreement in the amount of \$25,000 for DNA services.

Karpel - The District Attorney entered into a purchase agreement for the new Karpel case management system implementation during fiscal year 18/19. The remaining costs of implementation billed in FY 19/20 total \$163,100. This cost is expected to be off-set in full by the drawdown of the District Attorney and Public Defender Realignment Sub-Fund. Karpel implementation and training labor totals \$116,122 and will also be off-set in full by the drawdown of the District Attorney and Public Defender Realignment Sub-Fund. These labor costs were part of the original budget and in the overtime request included in this addendum. The attached budget transfer includes the increase to revenue for the drawdown to the Sub-Fund.

Total additional services and fixed assets cost increase: \$188,100.

Total AB109 revenue Sub-Fund drawdown: \$279,222.

Amendment Summary:

The following data demonstrates the District Attorney's Office 19/20 budget amendment requests, resulting to no impact to net county cost.

Salaries and Benefits: \$209,436.00
Services & Supplies: \$188,100.00
Expense Sub-Total: \$397,536.00

Grant Award Adjustments: (\$118,314.00)
Sub-Fund Off Set: (\$279,222.00)
Revenue Sub-Total: (\$397,536.00)

Total Projected Increase to Net County Cost: \$0.00

ALTERNATIVES

Should the board opt not to approve the personnel allocation resolution or requested budget transfer, the District Attorney's 19/20 budget and personnel allocation list will not reflect the accurate state of the department's workforce, revenues, and needs for FY 19/20.

PRIOR BOARD ACTION

Legistar 19-1700, December 17, 2019 - Board approved Human Resource's request for a 1.65% increase on salaries under the El Dorado County Charter, Section 504; the Memorandum of Understanding between the County of El Dorado and the Deputy Sheriffs' Association, Article 5, Section 2; and the Memorandum of Understanding between the County of El Dorado and the El Dorado County Law Enforcement Management Association, Article 4, Section 1B; effective January 1, 2020.

Legistar 19-0702, May 14, 2019 - Board approved District Attorney's Office personnel allocation update request, resolution 073-2019.

Legistar 19-0213, April 23, 2019 - Board approved District Attorney's Office and Public Defender's Office recommendation for the replacement of existing case management system to a consolidated, single database case management system by Karpel Solutions. Implementation was completed in October 2019.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

Human Resources

CAO RECOMMENDATION / COMMENTS

Approve as recommended

FINANCIAL IMPACT

No change to net county cost. Increases to revenue and appropriations off-set as listed in background above and reflected on attached budget transfer.

CLERK OF THE BOARD FOLLOW UP ACTIONS

Upon Board adoption and approval, Clerk of the Board to:

1. Provide a fully executed Resolution to Jordan Meyer in Human Resources.
2. Forward executed budget transfer to the Auditor Controller's Office.

STRATEGIC PLAN COMPONENT

Public Safety

CONTACT

Vern Pierson, District Attorney