

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Sheriff - Coroner	(2) MEETING DATE 7/9/2013	(3) CONTACT/PHONE Ian Parkinson 781-4540	
(4) SUBJECT Submittal of a resolution requesting authority for the Sheriff-Coroner to sign the annual state-mandated Memorandum of Understanding establishing a legal agreement for delivery of court security services provided by the County of San Luis Obispo Sheriff-Coroner to the Superior Court of the State of California, County of San Luis Obispo.			
(5) RECOMMENDED ACTION It is recommended that your Board approve and direct the Chair to sign the resolution authorizing the Sheriff-Coroner to sign the annual state-mandated Memorandum of Understanding establishing a legal agreement for delivery of court security services provided by the County of San Luis Obispo Sheriff-Coroner to the Superior Court of the State of California, County of San Luis Obispo.			
(6) FUNDING SOURCE(S) N/A	(7) CURRENT YEAR FINANCIAL IMPACT \$3,888,197	(8) ANNUAL FINANCIAL IMPACT \$3,888,197	(9) BUDGETED? N/A
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ___) <input type="checkbox"/> Board Business (Time Est. ___)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP N/A	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input checked="" type="checkbox"/> N/A Date: _____	
(17) ADMINISTRATIVE OFFICE REVIEW Geoff O'Quest, Administrative Analyst			
(18) SUPERVISOR DISTRICT(S) All Districts -			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Sheriff - Coroner / Ian Parkinson
781-4540

DATE: 7/9/2013

SUBJECT: Submittal of a resolution requesting authority for the Sheriff-Coroner to sign the annual state-mandated Memorandum of Understanding establishing a legal agreement for delivery of court security services provided by the County of San Luis Obispo Sheriff-Coroner to the Superior Court of the State of California, County of San Luis Obispo.

RECOMMENDATION

It is recommended that your Board approve and direct the Chair to sign the resolution authorizing the Sheriff-Coroner to sign the annual state-mandated Memorandum of Understanding establishing a legal agreement for delivery of court security services provided by the County of San Luis Obispo Sheriff-Coroner to the Superior Court of the State of California, County of San Luis Obispo.

DISCUSSION

Assembly Bill (AB) 118, which became law July 1, 2011, created the 2011 Public Safety Realignment Act. Prior to the 2011 realignment plan, the Courts received funding directly through the State and were responsible for the cost incurred for court security. This included both the cost of court security provided by the Sheriff's Office in addition to court security provided by an outside agency. In 2011, through realignment, the State shifted the responsibility and funding from the Courts to the Sheriff's Office. This funding goes directly into a trust account and is transferred to the general fund for actual court security costs on a monthly basis.

The security services provided to the Courts are governed by an agreement between the Sheriff and the Superior Court. Government Code section 69926 (b) requires that "the Sheriff, with the approval and authorization of the board of supervisors, shall, on behalf of the county, enter into an annual or multiyear memorandum of understanding with the superior court specifying an agreed-upon level of court security services and any other agreed-upon governing or operating procedures." The memorandum of understanding and the court security plan may be included in a single document, as has been done in this case. Please note that only the basic outline of the security plan has been included in the attached documents. The actual court security plan has not been included due to security reasons.

The Sheriff's Office is requesting that the Board approve the resolution for the Sheriff-Coroner to sign the annual state-mandated memorandum of understanding (MOU). The MOU establishes the legal agreement for delivery of court services provided by the County of San Luis Obispo Sheriff-Coroner to the Superior Court of the State of California, County of San Luis Obispo, and a delegation of authority to the Sheriff to sign the document will remove the need to bring this ministerial action to the Board for approval each year.

OTHER AGENCY INVOLVEMENT/IMPACT

County Counsel was consulted to review the statutory provisions and to approve the memorandum of understanding as to form and legal effect.

FINANCIAL CONSIDERATIONS

For FY 13-14, court security costs are estimated to be \$3,888,197, including an estimated \$227,041 in outside security cost (private guard services). These expenditures will be offset by revenue through the court security funding received

from the State. This funding will be posted to a trust account and transferred to the Sheriff's budget based on actual expenses. Since the Sheriff began receiving court security funding from the State in 2011, the funding provided has been commensurate with costs. Under the terms of the MOU, the Sheriff agrees to provide security service under this MOU at the level that is funded by the State of California, and reserves the right to reduce the level of service if funding should decline or become inadequate. In FY 2012-13, the State allocated approximately \$4.1 million to the County for court security. Any additional revenue recognized over actual cost remains in the Sheriff's court security trust account as a reserved for future unanticipated security costs, such as large court cases requiring special security provisions.

RESULTS

Approval of the memorandum of understanding will achieve compliance with Government Code Section 69926 (b) and provide a working agreement between the County of San Luis Obispo and The Superior Court of the State of California, County of San Luis Obispo.

ATTACHMENTS

Memorandum of Understanding (MOU) - SLO County and Superior Court
Resolution Authorizing Sheriff to Execute MOU for Court Security Services