



Board Agenda Item 46

DATE: August 9, 2022
TO: Board of Supervisors
SUBMITTED BY: Antoinette Taillac, Public Defender
SUBJECT: Agreement with FRWDB

RECOMMENDED ACTION(S):

- 1. Approve and authorize the Chairman to execute a retroactive Revenue Agreement and all required forms and certifications with the Fresno Regional Workforce Development Board for post-conviction relief services to be provided by the Fresno County Public Defender, effective July 1, 2022, not to exceed one year (\$45,000); and**
- 2. Adopt Budget Resolution increasing the FY 2022-23 appropriations and estimated revenues for the Public Defender Org 2880 in the amount of \$45,000 (4/5 vote).**

There is no additional Net County Cost associated with the recommended actions. The recommended agreement will allow the Fresno Regional Workforce Development Board (FRWDB) to continue to compensate the Fresno County Public Defender for post-conviction relief services rendered to FRWDB's clients. Services for clients include post-conviction relief in such areas as family law issues, child support, and driver license suspensions, to remove barriers to employment. This item is countywide.

ALTERNATIVE ACTION(S):

Your Board may choose not to authorize the recommended agreement, which will result in the Public Defender not receiving funding from the Fresno Regional Workforce Development Board for the Clean Slate Program to advance the health and well-being of low-income individuals in Fresno County.

RETROACTIVE AGREEMENT:

The Agreement was received by the Public Defender's Office in June, and is being brought to your Board on the first available Board date within agenda processing deadlines.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions, as funding is provided by the FRWDB. The Budget Resolution in the second recommended action will increase appropriations and estimated revenues in the Public Defender Org 2880 for FY 2022-23 in the amount of \$45,000. The Department will continue to utilize Extra-Help staff to run the program.

DISCUSSION:

The Department has run the Clean Slate Program (Program) since 2017, which provides post-conviction relief to Public Defender clients to remove barriers to healthcare, employment, and housing services. The Program was initiated by funding from the California Endowment. The Program was subsequently expanded

with additional funding from the FRWDB, and Centro La Familia Advocacy Services, Inc. The expansions provided additional days to meet with clients, services to youth under the age of 18, and extended the term of the original agreement. The Department will continue to utilize Extra-Help staff, consisting of a .5 FTE Defense Attorney and .5 FTE Paralegal positions, to manage the Program, provide weekly personal consultations with clients, file petitions with the Court and assist with tracking data.

Approval of the first recommended action will authorize the Chairman to sign the following forms in addition to the recommended agreement: (1) Workforce Innovation and Opportunities Act Assurances and Certifications Standard of Conduct; (2) Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower-Tier Covered Transactions; and (3) a Signatory Authorization form, which certifies that the Chairman has the ability to submit proposals and bind the County to agreements. The recommended agreement differs from the County's model contract in that it contains a mutual hold harmless clause. This has the effect of making each party responsible for losses arising from their own negligent or wrongful performance, or failure to perform. The mutual hold harmless clause has been reviewed by Risk Management, and deemed to be acceptable for this agreement between public entities.

It should be noted that Supervisor Quintero is a member of the FRWDB.

REFERENCE MATERIAL:

BAI #47 September 7, 2021

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Agreement with FRWDB

On file with Clerk - Resolution (Org 2880)

CAO ANALYST:

Samantha Buck