



Board Agenda Item 10

DATE: September 26, 2017

TO: Board of Supervisors

SUBMITTED BY: Margaret Mims, Sheriff-Coroner

SUBJECT: Budget Resolution and Salary Resolution Amendment for United States Marshals Services Agreement

RECOMMENDED ACTION(S):

1. **Adopt Budget Resolution increasing the FY 2017-18 appropriations and estimated revenues in the Sheriff-Coroner's Org 3111 in the amount of \$958,125 (4/5 vote); and**
2. **Approve Amendment to the Salary Resolution adding five Correctional Officer and one Correctional Sergeant positions to the Sheriff-Coroner's Org 3111, effective September 25, 2017, as reflected in Appendix C.**

There is no Net County Cost associated with the recommended actions. The recommended budget resolution would add the necessary appropriations and estimated revenues for the recommended additional positions in the Sheriff-Coroner's Org 3111 for FY 2017-18. The recommended Salary Resolution Amendment would increase the number of Correctional Officer and Correctional Sergeant positions related to the U.S. Department of Justice, United States Marshals Services (USMS) agreement for the housing of Federal detainees, as authorized by your Board on April 25, 2017. The FY 2017-18 costs associated with the position increases would be fully offset by USMS funds.

ALTERNATIVE ACTION(S):

There are no viable alternative actions. If the recommended actions are not approved, the Salary Resolution would remain unchanged and the County of Fresno would not be able to fully staff the USMS agreement for the necessary transportation services.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended actions. The additional five Correctional Officer and one Correctional Sergeant positions would be funded through an agreement with the USMS. Funding would include Salaries and Benefits, Services and Supplies, and Fixed Assets. Approval of the first recommended action would increase the FY 2017-18 appropriations and estimated revenues in the Sheriff-Coroner's Org 3111 in the amount of \$958,125. Using an estimated minimum average daily population of 125 Federal detainees for 365 days with a new rate of \$125, the additional \$21.00 per day (\$125 minus the negotiated rate of \$104 as approved by the Board in 2010) will result in an increase in estimated revenue of \$958,125 per year. The cost breakdown for the \$958,125 is as follows, \$818,976 will cover costs for additional positions, \$19,149 for services and supplies, and \$120,000 will be for vehicles.

DISCUSSION:

The Sheriff-Coroner's Office and the U.S. Department of Justice, United States Marshals Services (USMS) have

had agreements to house Federal detainees since 1984. Sheriffs have been reimbursed the cost of housing Federal detainees in a local jail under Detention Services Intergovernmental Agreements (IGA).

On April 4, 2017, the Board approved an item that authorized the Sheriff-Coroner, or her authorized representative, to submit the County's application to the USMS for a new IGA for housing Federal detainees in the Fresno County jail based on the addition of transportation services to the Federal Courthouse.

On April 25, 2017, the Board approved a modification to the April 4, 2017 Board Agenda Item including authorizing the County's execution of a proposed, new IGA and its associated Amendment No. 1, with the USMS for housing Federal detainees in the Fresno County Jail. The new IGA, including its Amendment No. 1, estimates 145 "Federal beds," but, does not guarantee any minimum number of Federal beds or otherwise dedicate any housing capacity of Federal beds to the USMS. The proposed rate in the April 2017 agenda items was a single fixed rate of \$130 per day, per Federal detainee, with an estimated average minimum daily population of 100 Federal detainees for 365 days.

Shortly after the Sheriff-Coroner's Office's submittal of the application, the USMS contacted the Sheriff-Coroner's Office and negotiated the then-proposed rate of \$130 down to \$125 per day, per Federal detainee, with an estimated average minimum daily population of 125 Federal detainees for 365 days. That negotiated rate became the new rate under the new IGA, for a duration of 48 months.

The County's new rate includes the estimated costs for housing, medical care provided inside the facility, safekeeping, subsistence, and guard transportation services to the local emergency contracted hospital, Community Regional Medical Center; but the new rate excludes medical care outside of the jail, since the USMS is to directly pay the outside medical provider. The County's new rate also includes an increase in service as the Sheriff-Coroner's Office will be responsible for transportation of Federal detainees to the local Federal Courthouse, Fresno Division of the Eastern District of California.

Approval of the first recommended action would increase appropriations and revenues to support the requested positions, including overtime, and the purchase of two transport vans. The approval of the second recommended action would add five Correctional Officers and one Correctional Sergeant positions to the Sheriff-Coroner's Org 3111.

It should be noted that on April 25, 2017, the Board authorized the Chairman to approve and execute a new IGA and its Amendment No. 1, including any additional terms or conditions that the Chairman may deem necessary or advisable, subject to approval as to accounting form by the Auditor-Controller/Treasurer-Tax Collector and approval as to legal form by County Counsel. The new IGA reflects the newly-negotiated rate of \$125 per day per Federal detainee. The new IGA was signed by the Chairman on June 29, 2017 and the USMS on July, 13, 2017 and its Amendment No. 1 was signed by the Chairman on June 21, 2017 and the USMS on June 29, 2017.

REFERENCE MATERIAL:

BAI #31.1 - April 25, 2017
BAI #23.1 - April 4, 2017

ATTACHMENTS INCLUDED AND/OR ON FILE:

Salary Resolution Amendment - Appendix C
On file with Clerk - Resolution (Org 3111)

CAO ANALYST:

Jeannie Z. Figueroa