



# Board Agenda Item 34

DATE: March 12, 2019

TO: Board of Supervisors

SUBMITTED BY: Elizabeth Diaz, Public Defender

SUBJECT: Second Amendment to Agreement 18-012 with Fresno Regional Workforce Development Board

## RECOMMENDED ACTION(S):

1. **Approve and authorize the Chairman to execute a retroactive Second Amendment to Agreement No. 18-012 with the Fresno Regional Workforce Development Board for the Public Defender's Clean Slate Program, effective upon execution, extending the term by six months from December 31, 2018 to June 30, 2019, and increasing the maximum funding by \$25,000 to a total of \$68,562;**
2. **Approve and ratify all services provided by the County, as the Service Provider under the Agreement as modified by the Second Amendment retroactively, commencing January 1, 2019 and continuing through the date that the Second Amendment is executed by the parties; and**
3. **Adopt Budget Resolution increasing the FY 2018-19 appropriations and estimated revenues in the Public Defender Org 2880 in the amount of \$25,000 (4/5 vote).**

There is no additional Net County Cost associated with the recommended actions. The recommended amendment will allow the Fresno Regional Workforce Development Board (FRWDB) to continue to compensate the Fresno County Public Defender for services rendered to their clients retroactively, effective January 1, 2019. The recommended actions are necessary to increase the total funding allocation by \$25,000 to a total of \$68,562, and extend the term by six months from December 31, 2018 to June 30, 2019. This item is countywide.

## ALTERNATIVE ACTION(S):

If the recommended actions are not approved, the Agreement with Fresno Regional Workforce Development Board (FRWDB) will not be extended to June 30, 2019, and the funding will not increase. Additionally, the County will not be reimbursed for services rendered from January 1, 2019 to present.

## RETROACTIVE AGREEMENT:

The recommended Second Amendment was approved by the Fresno Regional Workforce Development Board on December 5, 2018, prior to the termination date of the Agreement. The Amendment was received by the Public Defender's Office in January, and this item is being brought to your Board on the first available Board date within agenda item processing deadlines.

## FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The third

recommended action will increase the FY 2018-19 appropriations and estimated revenues in the Public Defender Org 2880 by \$25,000. The Amendment will increase the maximum amount of the Agreement from \$43,562 to \$68,562, and will allow the FRWDB to reimburse the Public Defender for services rendered to their clients retroactively, from January 1, 2019 to June 30, 2019. The Department utilizes Extra-Help staff to administer this Program. Indirect costs are included as reviewed and approved by the Auditor-Controller/Treasurer-Tax Collector.

DISCUSSION:

The Clean Slate Program provides post-conviction relief to Public Defender clients to remove barriers to healthcare, employment, and housing. The Department utilizes an Extra-Help Defense Attorney to manage the program and provide weekly personal consultations to clients. The following is a timeline of Board actions related to the Clean Slate Program:

- November 14, 2017, your Board approved grant funding (\$93,329) from The California Endowment, which allowed the Department to initiate the Clean Slate Program.
- January 9, 2018, your Board approved a revenue agreement (\$22,765) No. 18-012 with FRWDB to provide funds to allow the Public Defender to expand services for the Clean Slate Program for an additional day each week.
- March 20, 2018, your Board approved the First Amendment to Agreement No. 18-012 to decrease the contract's total funding by \$1,968 due to deletion of one laptop computer from the budget, since FRWDB purchased a laptop to loan to the Public Defender.
- June 5, 2018, your Board approved a grant agreement (\$22,000) with the Centro La Familia Advocacy Services, Inc. to continue to provide funding for the Extra-Help Attorney.

The recommended amendment will expand the program to youth under age 18, and fund an Extra-Help Paralegal in addition to the Extra-Help Attorney. The Paralegal will assist with tracking data, meetings with clients, and filing petitions with the Court. Extra-Help staff is being utilized due to the limited term of the funding.

It should be noted, the agreement expired on December 31, 2018; however, the County has continued to perform under the original terms of the agreement, and approval of this second amendment is necessary to provide funding for the County's performance.

REFERENCE MATERIAL:

BAI #58, June 5, 2018  
BAI #41, March 20, 2018  
BAI #31, January 9, 2018  
BAI #44, November 14, 2017

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Amendment to Agreement with FRWDB  
On file with Clerk - Resolution (Org. 2880)

CAO ANALYST:

Samantha Buck