



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: District Attorney
Department No.: 021
For Agenda Of: February 17, 2009
Placement: Administrative
Estimated Tme:
Continued Item: Select_Continued
If Yes, date from:
Vote Required: Select_Vote

TO: Board of Supervisors

FROM: District Attorney Name & Phone: Christie Stanley, x2308
Contact Info: Name & Phone: Eric Hanson, x2369

SUBJECT: Agreement with City of Goleta for Prosecution Services

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Select_Other

As to form: Select_Concurrence

Recommended Actions:

That the Board of Supervisors:

Execute an agreement with the City of Goleta authorizing the District Attorney to prosecute violations of city laws when requested, effective February 10 through June 30, 2010.

Summary Text:

The City of Goleta has requested that certain violations of City laws be referred to the District Attorney's Office and if accepted for prosecution, would finance the cost for resolving these cases. Historically the County has authorized the District Attorney to enter into agreements with several cities for these services. The attached agreement has been prepared to provide services which would be financed by the City of Goleta.

Background:

In Fall 2008, the City of Goleta approached the District Attorney's Office with the request to assist with enforcement of code violations when efforts obtain compliance could not be resolved through civil remedies and citations are filed with the Court. The District Attorney's Office would review each case referral and determine whether to accept or decline it for prosecution. If accepted, an assigned Deputy District Attorney would make the necessary court appearances through case resolution, including any trials that may occur. The City of Goleta would compensate the County for the full cost of these services, as detailed in the attached agreement..

Historically the County has authorized the District Attorney's Office to execute agreements with the cities of Santa Maria and Buellton to prosecute city code violations, where they would otherwise have had to rely on outside counsel. The District Attorney's Office is well equipped to prosecute these cases, which would have a nominal impact on staff.

Performance Measure:

Resolve all cases referred by the City of Goleta which the District Attorney accepts for prosecution.

Fiscal and Facilities Impacts:

No funds are budgeted for this service, as the contract itself will not necessarily result in actual case referrals. If and when the District Attorney's Office accepts cases for prosecution, the full cost will be billed to the City. The rates are established at \$85/hour for each court appearance other than for trial, which will be billed at \$90/hour. The City will also provide compensation for other extraordinary expenses as well as mileage. These rates will be adjusted based on MOU salary & benefit adjustments for the Deputy District Attorneys.

Staffing Impacts:

Legal Positions:
0

FTEs:
0

Special Instructions:

Please return executed agreements to the District Attorney's Office, ATT: Marnie Pinsker

Attachments:

Agreement with City of Goleta

Authored by: Marnie Pinsker, DA Administrative Director