



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: Treasurer-Tax Collector  
Department No.: 065  
For Agenda Of: October 8, 2024  
Placement: Administrative  
Estimated Time:  
Continued Item: No  
If Yes, date from: N/A  
Vote Required: Majority

---

**TO:** Select\_Board(s) Board of Supervisors

**FROM:** Select\_From Harry E. Hagen, CPA, CPFA, CPFO, CFIP, CGIP, ACPFIM  
CCMT 15-11  
Treasurer-Tax Collector- Public Administrator (805-568-2490)  
Contact Info: Arlene Diaz, Public Services Division Chief, Public Guardian  
x82795

**SUBJECT:** Request to Allocate Three Additional Positions for SB 43 Expansion

---

**County Counsel Concurrence**

As to form: Yes

**Other Concurrence: Human Resources**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Other Concurrence: CEO Budget**

As to form: Yes

**Recommended Actions:**

That the Board of Supervisors:

- a) Adopt changes to the salary resolution to allocate three (3) positions to the Treasurer-Tax Collector-Public Administrator, effective November 25, 2024 (Attachment A); and
- b) Determine that the above recommended actions are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4), as the actions involve government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

**Summary Text:**

This item is on the agenda in order to consider a request by the Treasurer-Tax Collector-Public Administrator for the addition of three (3) positions to perform the anticipated expanded workload of the Public Guardian Lanterman-Petris-Short (LPS) conservatorship program due to the implementation of Senate Bill (SB) 43. As discussed during the August 20, 2024, Board of Supervisors Departmental Item 4, SB 43 is a legal mandate.

The recommended action, if approved, will add two Public Administrator/Conservator I/II positions to investigate referrals and perform case management for ongoing cases, and one financial position to administer the financial responsibilities and court accountings of those ongoing cases.

### **Background:**

The Lanterman-Petris-Short (LPS) Act (Welfare and Institutions Code section 5000, et seq.) provides for the evaluation, conservatorship, and treatment of a person who is Gravely Disabled, defined as a condition in which a person, as a result of a mental health disorder, is unable to provide for their basic needs for food, clothing, or shelter. SB 43, signed by Governor Newsom on October 10, 2023, expands the definition of Grave Disability. Before this change, only people with serious mental health needs and chronic alcohol abuse could be conserved under LPS. SB 43 will also include people with a severe Substance Use Disorder (SUD). If a person cannot meet their basic needs due to their mental health condition, SUD or both, they may be considered Gravely Disabled. The definition of basic needs also changed under SB 43. Previously, someone was considered Gravely Disabled if they could not meet their own basic needs for food, clothing, and shelter; that now also includes being unable to provide for their own necessary medical care and personal safety. Staff provided the Board of Supervisors an update on the implementation of SB 43 on August 20, 2024. County of Santa Barbara - File #: 24-00842 ([legistar.com](https://legistar.com))

The functional and financial responsibility for administering the LPS system falls solely to the counties.

All but two counties received approval to delay implementation of SB 43. San Luis Obispo and San Francisco Counties began implementation in January 2024. Now, well into their implementation, these counties are sharing data and insights. San Francisco has received a 50% increase in LPS conservatorship investigation referrals. San Luis Obispo is attempting to double their LPS workforce to keep up with the new workload.

Santa Barbara County, even before SB 43 was signed into law, has seen a drastic rise in LPS conservatorship referrals. The Public Guardian's LPS program is already inadequately staffed for the ever-growing workload, notwithstanding the increase anticipated from SB 43. The table below shows the caseloads over the past three years that are pre-SB 43 and pre-CARE Court numbers.

Santa Barbara County Public Guardian LPS Caseload Prior to SB 43:

	2021-22	2022-23	2023-24	% Increase from 2021-22
LPS Ongoing Cases	150	160	165	10%
LPS Investigations	62	62	89	44%

Additionally, the Public Administrator program received 136 referrals in FY 22-23, which increased to 172 referrals in FY 23-24.

Currently, the Public Services Division has three LPS staff. There is one Financial Office Professional (FOP) position for the LPS, Probate Conservatorship, and Public Administrator programs. This position is responsible for the complex money management and court financial statements for the three programs' clients and decedents. The FOP and the ongoing LPS case management staff are impacted by new LPS

cases. As a fiscally responsible department, we have absorbed this increased workload without additional staff requests to-date, but cannot absorb more.

### **Fiscal and Facilities Impacts:**

The Public Guardian has identified the need for additional staffing, and has secured office space needed to accommodate these new employees through generous collaboration with the CEO's office and General Services.

<b><u>Funding Sources</u></b>	<b><u>Current FY Cost:</u></b>	<b><u>Annualized On-going Cost:</u></b>	<b><u>Total One-Time Project Cost</u></b>
General Fund		\$ 485,000.00	
State			
Federal			
Fees			
Other: Salary Svgs	\$ 242,500.00		
Total	\$ 242,500.00	\$ 485,000.00	\$ -

### **Fiscal Analysis:**

Narrative:

SB 43 does not include any state funding to support its implementation and new obligations. The estimated cost for FY 2024-25 if the positions are filled in January 2025 would be approximately \$242,500 and would be offset by departmental salary savings. In the event there is not enough salary savings to cover the salary increase, a budget adjustment will be brought back to the board on a future agenda utilizing General Fund monies. Ongoing costs will be funded from the General Fund during the FY 2025-26 budget development process and going forward.

### **Staffing Impacts:**

#### **Legal Positions:**

Add 3

#### **FTEs:**

Add 3.0

The three regular positions proposed to be added to launch SB 43 by the tentative date of July 1, 2025 include:

1. Two (2) 1.0 FTE Public Administrator/Conservator I/II
2. One (1) 1.0 FTE FOP Senior

Hiring these positions this year allows for ample time to conduct training prior to SB 43's launch.

### **Special Instructions:**

Please email one (1) copy of the fully executed salary resolution and one (1) copy of the minute order to Stefan Brewer, Senior Workforce Planning Analyst, Human Resources Department at SBrewer@countyofsb.org.

### **Attachments:**

Attachment A: Salary Resolution

C:\Users\akdiaz\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\P5Q1JIK6\LPS positions Board Agenda Letter-HR Edit with CEO rev 2024-09-20.docx  
!BoardLetter2006.dot v 1106c

**Authored by:**

Arlene Diaz