



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: CEO  
Department No.: 012  
For Agenda Of: 6/23/09  
Placement: Administrative  
Estimated Tme:  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

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**TO:** Board of Supervisors  
**FROM:** Department Michael F. Brown, County Executive Officer  
Director(s)  
Contact Info: Jason Stilwell, Assistant County Executive Officer. 568-3413  
**SUBJECT:** **Certification of FY 2008-09 Proposition 172 (Public Safety Tax) Maintenance of Effort**

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**Auditor-Controller Concurrence**

As to form: Yes

**Recommended Actions:**

That the Board of Supervisors authorize the Chair to execute the Proposition 172 Public Safety Sales Tax Maintenance of Effort Certification form certifying that Santa Barbara County has funded fiscal year 2008-09 public safety services at a level greater than required by California Government Code Section 30056.

**Summary Text:** Government Code Section 30056 (amended by AB 2788) guarantees funding for public safety at the 1992-93 base level, with exclusions for one-time cost items and adjustments for increases in sales tax revenues. Recipients of Proposition 172 funds must annually certify that they are meeting the minimum statutory requirements. To receive full allocation of Proposition 172 revenues, the minimum funding level for public safety functions in the 1994-95 and subsequent years must be equal to or greater than the 1992-93 base year as adjusted by annual increases (or decreases) in the Proposition 172 sales tax allocated to the entity. Failure to meet this Maintenance-of-Effort (MOE) requirement results in loss of Proposition 172 funds. The required level of funding for fiscal year 2008-09 is \$73,749,374. The adjusted amount Santa Barbara County provided in its adopted budget for public safety services for Fiscal Year 2007-08 was \$155,892,058 which is \$82,142,684 greater than the MOE requirement.

**Background:** On March 14, 1995, the Board adopted a definition of public safety services as it applies to the Proposition 172 Maintenance-of-Effort (MOE) calculation required by Government Code Section 30056. In line with the statute, the Board of Supervisors designated public safety

services as: District Attorney (less Child Support), Sheriff (less Court Services), Fire, Parks (Ocean Lifeguards), Public Defender, Alternate Public Defender, and Probation.

This letter and the certification form will certify to the Auditor-Controller that Santa Barbara County has funded Fiscal Year 2008-09 Proposition 172 public safety services at a level greater than the maintenance of effort threshold required by Government Code Section 30056. The required level of funding for fiscal year 2008-09 is \$73,749,374. The adjusted amount Santa Barbara County provided in its adopted budget for public safety services for Fiscal Year 2007-08 was \$155,892,058 which is \$82,142,684 greater than the MOE requirement. The attached forms show how these amounts were calculated.

**Fiscal and Facilities Impacts:** Meeting the minimum spending requirements of Proposition 172 allows the County to receive its full allocation of Public Safety Augmentation Funds. The Adjusted Budget for the Proposition 172 Public Safety Augmentation Funds for FY2008-09 is \$27,793,137.

**Budgeted:** Yes

**Special Instructions:** Send one copy of the signed attached Maintenance of Effort Certification Form and supporting forms A, B, and C to Ryder Bailey, Specialty Accounting Division, Santa Barbara County Auditor-Controller's office. Send one copy of the Minute Order to Xenia Tihomirova, Fiscal & Policy Analyst, County Executive Office.

**Attachments:** AB 2788 Maintenance of Effort Certification Form  
Form A - Santa Barbara County Proposition 172 Maintenance-of-Effort Summary  
Form B - AB 2788 (Chapter 886/94) Maintenance-of-Effort Base Year Calculation  
Form C - AB 2788 Maintenance-of-Effort Certification Year 2007-08 Calculations

**Authored by:** Xenia Tihomirova, Fiscal & Policy Analyst, 568-3421

**cc:**

Bill Brown, Sheriff  
Robert Geis, Auditor-Controller  
Daniel Hernandez, Parks Director  
Christie Stanley, District Attorney  
Greg Paraskou, Public Defender  
Michael Dyer, Fire Chief  
Patti Stewart, Chief Probation Officer