




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: 10/2/2012  
Placement: Administrative  
Estimated Tme:  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

---

**TO:** Board of Supervisors  
**FROM:** Department Chandra L. Wallar, County Executive Office  
Director(s)   
Contact Info: Tom Alvarez, Budget Director. 568-3432  
**SUBJECT:** Certification Proposition 172 (Public Safety Tax) Maintenance of Effort

---

**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 (MOE) form certifying that Santa Barbara County has funded fiscal year 2009-10, 2010-11 and 2011-12 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 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 2009-10 is \$69,538,609, for FY 2010-11 it is \$69,182,566 and for FY 2011-12 it is \$70,692,099.

The adjusted amount Santa Barbara County provided in its adopted budget for public safety services for Fiscal Year 2009-10 was \$145,429,723 which is \$75,891,115 greater than the MOE requirement. For FY 2010-11 it was \$152,334,712 which is \$83,152,146 greater than the MOE requirement and for FY 2011-12 it was \$160,285,841 which is \$89,593,742 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 forms will certify to the Auditor-Controller (as requested) that Santa Barbara County has funded Fiscal Year 2009-10, FY 2010-11 and FY 2011-12 Proposition 172 public safety services at a level greater than the maintenance of effort threshold required by Government Code Section 30056.

**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.

**Special Instructions:**

Send one copy of the signed attached Maintenance of Effort Certification Forms and supporting Forms A and B to Greg Levin, Specialty Accounting Division, Santa Barbara County Auditor-Controller's office. Send one copy of the Minute Order to Tom Alvarez, Budget Director, County Executive Office.

**Attachments:**

AB 2788 Maintenance of Effort Certification Forms FY's 09-10, 10-11, and 11-12  
Form A - Santa Barbara County Proposition 172 Maintenance-of-Effort-Summary  
Form B - AB 2788 (Chapter 886/94) Maintenance-of-Effort Base Year Calculation

**Authored by:**

John Jayasinghe & Richard Morgantini, Fiscal & Policy Analysts, County Executive Office

**cc:**

Bill Brown, Sheriff  
Robert Geis, Auditor-Controller  
Joyce Dudley, District Attorney  
Herman Parker, CSD Director  
Raimundo Montes De Oca, Public Defender  
Michael Dyer, Fire Chief  
Beverly Taylor, Chief Probation Officer