



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: Sheriff – Coroner
Department No.: 32
For Agenda Of: June 6, 2023
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Sheriff’s Office Bill Brown, Sheriff – Coroner (Ext. 14290)
Contact Info: Lt. John Maxwell (Ext. 14185)
SUBJECT: **Third Amendment to the Contract Law Enforcement Services Agreements between the County of Santa Barbara and the Cities of Buellton, Carpinteria, Goleta, and Solvang**

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Approve and authorize the Chair to execute a Third Amendment to the Contract for Law Enforcement Services Agreements between the County of Santa Barbara and the Cities of Buellton, Carpinteria, Goleta, and Solvang, to extend the term for a maximum of ninety (90) days, from July 1, 2023 up to and including September 29, 2023, and;
- b) Determine that the recommended action is not a “Project” within the meaning of California Environmental Quality Act, pursuant to CEQA Guideline Section 15378(b)(4), since the recommended action is a government fiscal activity which does not involve commitment to any specific project which may result in a potentially significant physical impact on the environment.

Summary Text:

This item is to execute a Third Amendment to the Contract for Law Enforcement Services Agreement (“Third Amendment”) between the County of Santa Barbara and the Cities of Buellton, Carpinteria, Goleta, and Solvang (“Contract Cities”). The Third Amendment extends the term of the present Agreements for a maximum period of ninety (90) days up to and including September 29, 2023 to allow the parties to continue negotiations regarding the costs and terms of a successor agreement. During the ninety (90) day extension, each Contract City will pay the County a 7.4% increase over the current FY

2022/23 costs. Upon entering into a new agreement, a reconciliation between this 7.4% increase and the agreed upon FY 2023/24 contract rates will be performed to ensure the County achieves full cost recovery.

Background:

On July 1, 2019, the County entered into four separate Agreements to provide Law Enforcement Services to the Contract Cities. Each respective Agreement will terminate at the end of its four (4) year term on June 30, 2023. The operative Agreements are based upon the Deputy Sheriff Service Unit (DSSU), which calculates costs at an hourly rate. This method of cost calculation proved to be burdensome and complicated for the Contract Cities and the County and resulted in a cost dispute surrounding the Fiscal Year 2022-2023 Contract Costs.

The County and the Cities entered into negotiations regarding a FY 2023/24 successor agreement in November 2022. The County and the Contract Cities agreed that a new cost model would increase transparency and reduce complexity in recovering the costs involved in providing law enforcement services. The proposed FY 2023/24 agreement calculates costs based primarily upon a “patrol post,” defined as the number of sworn personnel required to provide law enforcement services 24 hours per day, 7 days a week, for one year.

The involved stakeholders have met regularly over the past six months and narrowed the issues in dispute. However, additional time is necessary to negotiate agreements to ensure the County achieves full cost recovery for the provision of law enforcement services to the Contract Cities.

By extending the term, the existing Contract for Law Enforcement Services Agreements will continue unchanged for a maximum period of ninety (90) days, with the exception of a 7.4% increase to the current costs. This is a one-time extension. Once an agreement is reached regarding the terms of the FY 2023/24 contract, those terms will be retroactive to July 1, 2023, including a reconciliation of costs.

The Sheriff’s Office’s goal is to complete negotiations and reach an agreement on the provision of Law Enforcement Services for FY 2023/24 as quickly as possible.

Fiscal and Facilities Impacts:

Budgeted: Partial

Fiscal Analysis:

<u>Funding Sources</u>	<u>FY 23/24 Q1 Budgeted Revenue</u>	<u>Proposed Q1 Extended Term Revenue</u>	<u>Difference</u>
General Fund			
State			
Federal			
Fees			
Other:	\$ 5,854,750.00	\$ 5,249,148.00	\$ 605,602.00
Total	\$ 5,854,750.00	\$ 5,249,148.00	\$ 605,602.00

Narrative:

The Agreements to provide Law Enforcement Services to the Contract Cities expire on June 30, 2023. For the full fiscal year 2023-24, the Sheriff's Office has budgeted revenue of \$23,419,000 for the contractual services provided to the cities of Buellton, Carpinteria, Goleta, and Solvang. The 90-day extension proposed herein assumes a 7.4% increase from the currently contracted (FY 2022-23) rates. The difference between the 7.4% increase assumed in the extension, compared to the budgeted amount for the first quarter of FY 2023-24, is \$605,602 less than budget. For the 90-day extension period, a true-up to agreed-upon contractual amounts will occur once the new contract is finalized.

Key Contract Risks:

Staffing Impacts:

Legal Positions:
0

FTEs:
0

Special Instructions:

Please execute each Third Amendment to the Contract for Law Enforcement Services Agreement between the County of Santa Barbara and the Cities of Buellton, Carpinteria, Goleta, and Solvang. Please retain one original of each, and forward the remaining originals to the Sheriff's Office, Attn: Lt. John Maxwell. The Third Amendments are presently unsigned by the Cities. Each City will be recommending approval by their respective council so the Third Amendment will be executed in counterparts. Once approved, fully executed originals will be provided to the Clerk of the Board.

Attachments:

- a) Third Amendment to Contract Law Enforcement Services Agreement Between the County of Santa Barbara and the Cities of Buellton, Carpinteria, Goleta, and Solvang.
- b) Contract Law Enforcement Services Agreement Between the County of Santa Barbara and the Cities of Buellton, Carpinteria, Goleta, and Solvang.

Authored by:

John Maxwell, Sheriff's Lieutenant – Contract Services Bureau (Ext. 14185)