Legislation Details (With Text)

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Title:	Approve the First Amendment to the current contract with Fresno County to reimburse the City of Fresno for the cost on one full time Fresno Police Officer assigned to the Fresno County Adult Compliance Team (ACT).			
Sponsors:	Police Department			
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Attachments:	1. ACT Contract.pdf			

Date	Ver.	Action By	Action	Result
6/2/2016	1	City Council	approved	Pass

REPORT TO THE CITY COUNCIL

JUNE 2, 2016

FROM: JERRY P. DYER, Chief of Police
Police Department

THROUGH: PATRICK FARMER, Deputy Chief
Police Department - Investigative Services Division

BY: ANTHONY MARTINEZ, Lieutenant
Police Department - MAGEC Metro Commander

SUBJECT

Approve the First Amendment to the current contract with Fresno County to reimburse the City of Fresno for the cost on one full time Fresno Police Officer assigned to the Fresno County Adult Compliance Team (ACT).

RECOMMENDATION

Staff recommends the City Council approve the First Amendment with Fresno County to reimburse the City of Fresno $178,838.00 for the cost of one full time Fresno Police Officer assigned to the Fresno County Adult Compliance Team (ACT), and authorize the Chief of Police to execute the Amendment. There are two changes in the amendment of the current contract: 1. Increase the overtime for fiscal year 2015-2016 to $15,000 as approved by the Fresno County Community

Corrections Partnership, and 2. Extend the current contract one year through June 30, 2017.

EXECUTIVE SUMMARY

One of the consequences of Assembly Bill 109, the Public Safety Realignment Act of 2011 (AB 109), was shifting responsibility for supervising convicted criminals released from state prison facilities to county probation departments. To accomplish this, funding was allocated from the State of California to the 58 counties through the Community Corrections Partnership (CCP) Boards established in each county. These Boards set policy and allocate funding for treatment and supervision programs in each County relative to AB 109.

The Fresno County CCP established ACT to ensure that convicted criminals released to county supervision are closely supervised while out of custody. The City of Fresno has dedicated one full time officer to the ACT. The CCP has agreed to reimburse the City of Fresno an amount not to exceed $178,838.00 for FY 2015-2016. The contract was approved by the City Council on January 26, 2016, allowing the City of Fresno to receive reimbursement for the ACT Officer through Fresno County, which administers Fresno County CCP funding. This amount is for the ACT Officer's salary, fringe, cell phone, vehicle operation and maintenance, and 15% indirect cost reimbursement. This amendment will be to increase the overtime reimbursement to $15,000 for fiscal year 2015-2016 and extend the current contract one year through June 30, 2017.

BACKGROUND

In 2011, the State of California passed Assembly Bill 109, the Public Safety Realignment Act (AB 109). AB 109 effectively realigned responsibilities for probation, Post Release Community Supervision (PRCS) and mandatory supervised release of specifically identified convicted criminals from the State of California Department of Corrections and Rehabilitation (CDCR) to county jurisdictions within the state. To implement the legislative requirements set forth in AB 109, the Fresno County Community Corrections Partnership (CCP) was established and an AB 109 Implementation Plan of 2011(AB 109 PLAN) was developed by the CCP and approved by the Fresno County Board of Supervisors.

The AB 109 PLAN included formation of the Adult Compliance Team (ACT) to create a cooperative unit capable of addressing public safety concerns and issues facing local law enforcement in Fresno County as a result of persons released from CDCR institutions that require supervision under the provisions of AB 109 by the County. The ACT Team operates under the supervision of the Fresno County Sheriff's Department and includes members from the Fresno County District Attorney's Office, the Fresno County Probation Department, and officers from the Fresno and Clovis Police Departments. A Fresno Police officer has been part of the ACT Team since its inception in October 2011.

The State of California provides funding to Fresno County CCP for the purpose of implementing AB 109 mandates including the establishment of the ACT Team. Fresno County provides administrative support to the CCP including administration of budgets, funding allocations and contracts established through the policy decisions of the Fresno County CCP Board.

In FY 2012, the reimbursement for the Fresno Police Officer assigned to the ACT Team was paid through an invoice process. For FY 2015-16 however, Fresno County required each participating agency to enter into a contract to obtain reimbursement. The current contract was approved by the

City Council on January 26, 2016, allowing the City of Fresno to receive reimbursement for the ACT Officer through Fresno County in an amount not to exceed $178,838.00. This amendment will allow for an increase in overtime reimbursement to $15,000 for fiscal year 2015-2016 and to extend the current contract through June 30, 2017.

The City Attorney has reviewed and approved to form the First Amendment.

ENVIRONMENTAL FINDINGS

This is not a "project" for the purpose of CEQA pursuant to CEQA Guidelines § 15378.

LOCAL PREFERENCE

Local preference was not considered because the Agreement does not include a bid or award of a construction or services contract.

FISCAL IMPACT

Funding provided through the CCP from State allocation. The $178,838.00 pays for 100% of a Police Officer assigned to the ACT Team, the annual cost of a police vehicle, all training, and overtime expenses. Also, the CCP has approved the increase in overtime to $15,000 and the one year contract extension. As such, there will be no impact to the General Fund.

Attachment:
ACT Contract