DEPARTMENT: District Attorney

RECOMMENDED ACTION AND JUSTIFICATION:

Approve payment for hours accumulated beyond the limit of 240 hours, in this case, vacation pay of 62 hours, the amount of hours accumulated above and beyond the normal limit of 240 hours. Approve budget action transferring funds within the District Attorney Sund-Pelosso budget to pay for the vacation hours ($2,050).

BACKGROUND AND HISTORY OF BOARD ACTIONS:
Kim Fletcher worked the Sund-Pelosso murder case and, as a result, accumulated 62 hours of vacation time. It wasn't until the trial was completely over, that she had any opportunity to take some time off; however, additional considerations arose. A new District Attorney was elected requiring her to be on board to assist in this transition. After reviewing her current schedule, Kim would prefer to be paid the additional 62 hours rather than try to take this time off. If approved by the Board, this additional pay would be paid from the Sund-Pelosso budget.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Financial Impact? (X) Yes ( ) No Current FY Cost 0 Budgeted In Current FY? (X) Yes ( ) No ( ) Partially Funded.
Amount in Budget: $0-
Additional Funding Needed: $2,050
Source:
Internal Transfer ___
Unanticipated Revenue ___ 4/5's vote
Transfer Between Funds ___ 4/5's vote
Contingency ___ 4/5's vote
( ) General ( ) Other

CLERK'S USE ONLY:
Res. No. 3-360 Ord. No. ___
Vote – Ayes: ___ Noes: ___
(A) Approved ___
( ) Minute Order Attached ( ) No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.
Date:
Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California
By: ____________________________
Deputy

COUNTY ADMINISTRATIVE OFFICER:
( ) Requested Action Recommended
( ) No Opinion
Comments:

CAO: ___

Revised Dec. 2002
# BUDGET ACTION FORM

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| TOTALS | 0 | 0 |

## ACTION REQUESTED: (Check all that apply)

- [ ] Budget appropriation by Board of Supervisors (4/5ths Vote Required): Amending the total amount available in the county budget, or in any one fund of the budget, or transferring appropriation from Contingencies.
- [X] Transfer by Board of Supervisors (3/5ths Vote Required): Moving existing appropriations from one budget to another, or between categories within a budget unit.

**JUSTIFICATION:**

To transfer appropriations between categories in order to pay the additional vacation pay accumulated during the Sund-Pelosso murder trial for Kim Fletcher.

**DEPT HEAD SIGNATURE**

**APPROVED BY RES NO. 03-360 CLERK**

**DATE 9-23-03**

**DEPARTMENT:** Auditor

**AUDITOR'S USE ONLY**

**BA #**

**Budget Revision Form Revised 12/18**

**FORMBAS.xls**
MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: BOB BROWN, District Attorney

FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: PAYMENT OF ACCUMULATED VACATION TIME OF A STAFF ATTORNEY
Resolution No. 03-360

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on October 14, 2003

ACTION AND VOTE:

CA-14 Authorize the District Attorney to Pay the Accumulated Vacation Time of 62 hours, to a Deputy District Attorney Incurred During the Sund-Peloso Investigation and Subsequent Trial and Approve Budget Action Transferring Funds within the Sund-Peloso Budget from Special Department Expense to Deputy DA and Benefits ($2,050) (District Attorney); Res. 03-360

Consent Agenda item 14 – Supervisor Bibby initiated discussion and advised of the Board’s previous action to authorize an accumulation of vacation time for the employee to 360 hours. She expressed concern as to whether the vacation time was accumulated during the homicide trial. She also stated that she feels the employee needs to be able to take vacation time. Rich Inman advised of his discussion with the District Attorney on this matter.

- Bob Brown, District Attorney, provided input relative to the request, and he advised that his office, particularly this employee, continued to work on the homicide project until June, 2003 by preparing the files to turn over to the Attorney General. He advised that he would be willing to evaluate whether all of the requested payment should come from the Sund-Peloso account, or whether a portion should come from his budget. He also took this opportunity to publicly thank Kim Fletcher/Deputy District Attorney, for her work on the homicide case.

Following discussion, (M) Parker, (S) Stetson, item 14 was approved/Ayes: Stetson, Balmain, Parker, Pickard; Noes: Bibby.

cc: Mary Hodson, Administrative Analyst
    Ken Hawkins, Auditor
    Sandi Laird, Personnel/Risk Management Technician
    File
MARIPOSA COUNTY BOARD OF SUPERVISORS

AMENDED MINUTE ORDER

TO:       BOB BROWN, District Attorney
FROM:     MARGIE WILLIAMS, Clerk of the Board

SUBJECT:  APPROVAL OF BUDGET ACTION TRANSFERRING FUNDS TO PAY FOR ACCUMULATED VACATION HOURS
          Resolution No. 03-360

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on October 14, 2003

ACTION AND VOTE:

CA-14  Authorize the District Attorney to Pay the Accumulated Vacation Time of 62 hours, to a Deputy District Attorney Incurred During the Sund-Pelosso Investigation and Subsequent Trial and Approve Budget Action Transferring Funds within the Sund-Pelosso Budget from Special Department Expense to Deputy DA and Benefits ($2,050) (District Attorney)

Approval of the Consent Agenda (See End of the Minutes)

BOARD ACTION:  Supervisor Bibby pulled items 1, 2, 11 and 14. Action was taken on item 9 earlier. (M)Stetson, (S)Bibby, the balance of the items were approved/Ayes: Unanimous.

- Consent Agenda item 14 – Supervisor Bibby initiated discussion and advised of the Board’s previous action to authorize an accumulation of vacation time for the employee to 360 hours. She expressed concern as to whether the vacation time was accumulated during the homicide trial; and she requested that the matter be reviewed to determine whether it is appropriate that the payment come from the Sund-Pelosso Fund. She also stated that she feels the employee needs to be able to take vacation time. Rich Inman advised of his discussion with the District Attorney on this matter.

- Bob Brown, District Attorney, provided input relative to the request, and he advised that his office, particularly this employee, continued to work on the homicide project until June, 2003 by preparing the files to turn over to the Attorney General. He advised that he would be willing to evaluate whether all of the requested payment should come from the Sund-Pelosso account, or whether a portion should come from his budget. He also took this opportunity to publicly thank Kim Fletcher/Deputy District Attorney, for her work on the homicide case.

Following discussion, (M)Parker, (S)Stetson, item 14 was approved/Ayes: Stetson, Balmain, Parker, Pickard; Noes: Bibby.

cc:       Ken Hawkins, Auditor
          Sandi Laird, Personnel/Risk Management Technician
          Mary Hodson, Administrative Analyst
          File