

DEPARTMENT: District Attorney

BY: Christine Johnson

PHONE: 966-3626

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes ___ No **X**)

Recommended Action following approval of a new Advocate Class Specification and Salary Range:

- 1) Approval to change the Statutory Rape Vertical Prosecution (SRVP) Grant Advocate position from Extra-help to an 80% Permanent Part-time position with benefits.
- 2) Permission to appoint the current Extra-help SRVP Advocate to the 80% Permanent Part-time SRVP Advocate position, pursuant to Equal Employment Opportunity Policy, Section 6 (dependent upon approval of the new Advocate Class Specification and Salary Range). Should the Board of Supervisors approve this request prior to the establishment of the new Advocate Class Specification and Salary Range, it is requested that the Board of Supervisors temporarily appoint the Permanent Part-time Advocate at the current hourly rate of \$8.41 per hour, until the new salary range is established. It is also requested that the Permanent Part-time Advocate position be retroactive to November 1, 1997.

Justification:

- 1) The SRVP 1997/98 Grant Award Budget has the necessary funding to support a Permanent Part-time Advocate position. The Office of Criminal Justice Planning approved the funding for the Permanent Part-time Advocate position on August 27, 1997. The salary and benefits for the Permanent Part-time Advocate position would be paid entirely by the SRVP Grant Award. This Permanent Part-time Advocate position is contingent upon current and future grant funding.
- 2) The current Extra-help SRVP Advocate has been working in an OCJP Grant funded capacity for the past nine months. The SRVP Extra-help Advocate has been responsible for implementing grant objectives, monitoring grant expenditures, assisting the Deputy District Attorney with vertical prosecution, and providing support services to victims. The current Extra-help Advocate's salary and benefits are being paid by the 1996-97 SRVP Grant Award funds through the month of October. Upon approval, funding for the 80% Permanent Part-time Advocate's salary and benefits will be paid out of the 1997-98 SRVP Grant Award funds beginning November 1, 1997.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The proposed action was not included in the Criminal Division's requested budget, as it was contingent upon OCJP's final approval of the 1997/98 SRVP Grant. Currently, funding exists within the appropriate line items (SRVP Advocate salary and benefits). Should the Advocate's salary and benefit line items experience a deficit as the result of this new class specification, SRVP funding within the different categories and line items will be transferred accordingly. The 1997/98 SRVP Grant Application was approved by the Mariposa County Board of Supervisors by Resolution 97-303 (which includes the funding for the Permanent Part-time Advocate's salary and benefits).

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

A negative action would create unexpended funds at the end of the 1997-98 SRVP Grant year. To avoid operating under two grants concurrently, OCJP encourages all recipients of their grants to expend the funds by the end of the grant year.

COSTS: (X) Not Applicable

- A. Budgeted current FY _____
- B. Total anticipated costs _____
- C. Required additional funding _____
- D. Internal transfers _____

SPECIAL INSTRUCTIONS:

List the attachments and number the pages consecutively.

SOURCE: () 4/5ths Vote Required

- A. Unanticipated revenues _____
 - B. Reserve for contingencies _____
 - C. Source description: _____
- Balance in Reserve for Contingencies, if approved: \$ _____

CLERK'S USE ONLY:

Res. No.: 97-436 Ord. No. _____
 Vote - Ayes: 4 Noes: _____
 Absent: Rickard Abstained: _____
 Approved Denied
 Minute Order Attached No Action Necessary

ADMINISTRATIVE OFFICER'S RECOMMENDATION:

This item on agenda as:

- _____ Recommended
- _____ Not Recommended
- _____ For Policy Determination
- Submitted with Comment
- _____ Returned for Further Action

Comment: APPROVE POSITION CONTINGENT ON CONTINUED GRANT FUNDING

A.O. Initials: Jh

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

MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: CHRISTINE JOHNSON, District Attorney

FROM: MARGIE WILLIAMS, Clerk of the Board *MW*

SUBJECT: RESOLUTION TO APPROVE THE STATUTORY RAPE VERTICAL PROSECUTION (SRVP) GRANT ADVOCATE POSITION; FROM EXTRA-HELP TO AN 80% PERMANENT PART-TIME POSITION, WITH BENEFITS; AND APPOINT THE CURRENT EXTRA-HELP SRVP ADVOCATE TO THE PERMANENT PART-TIME SRVP ADVOCATE POSITION, RETROACTIVE TO NOVEMBER 1, 1997

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,
ADOPTED THIS Order on November 18, 1997

ACTION AND VOTE:

Janet Bibby, Paralegal, appeared on behalf of Christine Johnson, District Attorney; Resolution to Approve the Statutory Rape Vertical Prosecution (SRVP) Grant Advocate Position; from Extra-Help to an 80% Permanent Part-Time Position, with Benefits; and Appoint the Current Extra-Help SRVP Advocate to the Permanent Part-Time SRVP Advocate Position, Retroactive to November 1, 1997

BOARD ACTION: Discussion was held concerning the requests, and Janet Bibby advised that they were willing to hold the appointment of the current extra help person to the new position pending action on a forthcoming matter from Personnel to revise the salary classification and salary range. (M)Reilly, (S)Balmain, Res. 97-436 adopted approving the change in the SRVP grant advocate position from extra help to 80% permanent part-time contingent on continued grant funding for the position; and appointing the current extra help SRVP advocate to the permanent part-time position contingent on action by the Board in December to approve the revised salary classification and salary range, with direction that the appointment be effective at the time the matters from Personnel are approved. Discussion was continued for the following hearing to be opened.

10:02 a.m. Public Hearing to consider the approval of Agricultural Preserve Applications was opened and continued to after the following matters.

Further discussion was held concerning the request from the District Attorney relative to the SRVP position. Ayes: Reilly, Balmain, Stewart, Parker; Excused: Pickard.

cc: Ken Hawkins, Auditor
Nancy Kyle, Personnel
Jeff Green, County Counsel
File

RESOLUTION OF THE GOVERNING BOARD

WHEREAS the Mariposa County Board of Supervisors desires to undertake a certain project designated as the District Attorney Statutory Rape Vertical Prosecution Program to be funded in part from funds made available through the Statutory Rape Vertical Prosecution (SRVP) Program administered by the Office of Criminal Justice Planning (hereafter referred to as OCJP).

NOW, THEREFORE, BE IT RESOLVED that the District Attorney of the County of Mariposa is authorized, on its behalf to submit the attached proposal to OCJP and is authorized to sign and approve on behalf of the Mariposa County Board of Supervisors the attached Grant Award Agreement including any extensions or amendments thereof.

BE IT FURTHER RESOLVED that there is a no match funding requirement for this program.

IT IS AGREED that any liability arising out of the performance of this Grant Award Agreement, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency. The State of California and OCJP disclaim responsibility for any such liability.

BE IT FURTHER RESOLVED that grant funds received hereunder shall not be used to supplant expenditures controlled by this body.

I hereby certify that the foregoing is a true copy of the resolution adopted by the Board of Supervisors, County of Mariposa, State of California in a meeting thereof held on July 22, 1997 by the following:

Vote:

Ayes: Reilly, Balmain, Parker, Pickard

Noes: None

Absent: Stewart

Signature: [Signature] Date: 7-22-97

Typed Name and Title: Bob Stewart, Chairman of the Board of Supervisors

ATTEST: Signature: [Signature] Date: 7-22-97

Typed Name and Title: Margie Williams, Clerk of the Board of Supervisors

The foregoing instrument is a correct copy of the original on file in this office.

ATTEST: 7-25, 1997

Clerk of the Board of Supervisors of the County of Mariposa, State of California
[Signature] Dep-7