



# County of Santa Cruz

## DISTRICT ATTORNEY'S OFFICE

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**RONALD L. RUIZ**  
**DISTRICT ATTORNEY**

May 6, 1999

BOARD AGENDA: May 18, 1999

The Honorable Jeff Almquist, Chairperson  
 and Members of the Board of Supervisors  
 Governmental Center  
 701 Ocean Street, Room 500  
 Santa Cruz, California 95060

RE: FISCAL YEAR 1990-2000 ANTI-DRUG ABUSE GRANT APPLICATION

Dear Chairperson Almquist and Members of the Board:

We are currently in the process of re-applying to the Office of Criminal Justice Planning (OCJP) for fiscal year 1999-2000 Federal Anti-Drug Abuse Enforcement Program funds. As part of the re-application process, we are requesting that your Board adopt a Resolution ratifying our grant application. The District Attorney's Office is eligible to receive \$259,476.00 from OCJP to administer an Anti-Drug Abuse Enforcement Program (ADA) in Santa Cruz County. Our office has been the recipient of ADA grant funds since 1991 and has received a total of \$1,624,051.00 to finance attorney, investigative and probation staffing in order to effectively reduce the adverse impact of illicit drug activities, including the economic incentive to traffic drugs in Santa Cruz County.

Contrary to our normal operating procedure for this coming fiscal year, I am requesting that your Board partially waive the recovery of the maximum allowed indirect overhead charges from OCJP. The figure which the CAO's Office calculated for this grant is \$12,872.00. We have been able to budget \$2,038.00 which we've done, leaving no allowance for supplies or equipment. There are not sufficient funds available for the recovery of all indirect overhead costs, even with the reduced staffing which is essential to this program. Allow me to further explain.

This year's budget required considerable adjustment because the actual cost of the grant services for the current fiscal year (1998-1999) are considerably greater than the amount

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Honorable Jeff Almquist, Chairperson  
and Members of the Board of Supervisors  
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of the funds appropriated for the fiscal year 1999-2000. There are a number of reasons for this situation. First, the amount of money available this coming fiscal year under the grant is approximately \$11 ,000.00 less than the current year. Second, overhead costs were not included in the current year's budget. Third, one of the assigned attorney positions in the current fiscal year, while budgeted for an Attorney Level II, was actually filled by a Level IV attorney which has traditionally been the case in order to successfully handle the intensity and complexity of the caseload.

In the light of these factors and in order to balance the grant budget with the upcoming year's funds, we have allocated 1.4 FTE attorney positions to the grant as opposed to the 2 positions in the past years. Additionally, we have had to allocate a .90 FTE inspector to the grant instead of the full time inspector previously allotted. No adjustment was made to the 1 .00 FTE deputy probation officer position due to the timing of the preparation of this grant budget in relation to the general county budget timelines.

Irrespective of the reductions in staffing which we have made for budgetary purposes, we fully expect the workload to continue as it has been. In fact, the workload for these attorneys will increase due to the fact that in fiscal year 1999-2000 they will be jointly responsible for commencing and completing asset forfeiture proceedings related to assets seized under the grant activities. This additional assignment will integrate the functions of prosecution and asset forfeiture which we anticipate will lead to a more expeditious and efficient process of the asset forfeiture proceedings, and thus, expectedly a more timely and increased generation of revenue from these proceedings.

This coming fiscal year we plan to further integrate our drug prosecution program. Since one of the attorney positions for this grant is being reduced to half-time, and we have another half-time grant position pursuant to the Marijuana Suppression Program grant, we will be combining these two functions in the person of the same attorney (Level IV). By this organizational move, we will consolidate the specialized prosecution of the various drug cases with the asset forfeiture proceedings in all of those cases.

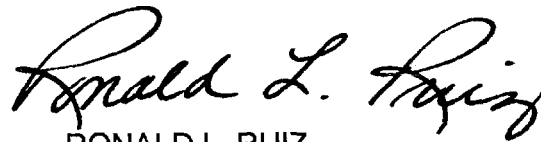
While we believe this reorganization will increase the quality of our drug prosecution efforts, the budgeted attorney staff will not be able to carry the same caseload as in previous years. Consequently, the rest of the pertinent attorney staff will have to absorb the difference. We do expect that the inspector will work full time in this program even though he is budgeted at a .90 FTE position.

A copy of our grant application is attached for your review. We will continue to notify your Board of any changes in the fiscal year 1999-2000 Anti-Drug Abuse Enforcement grant application in accordance with applicable County procedures.

THEREFORE, IT IS RECOMMENDED THAT YOUR BOARD:

1. Adopt a Resolution authorizing the District Attorney to reapply to the Office of Criminal Justice Planning for fiscal year 1999-2000 Anti-Drug Abuse Enforcement Program funding, and
2. Partially waive the requirement for the recovery of the maximum allowed of indirect costs from the Office of Criminal Justice Planning Anti-Drug Abuse Enforcement Program grant during grant year July 1, 1999-June 30, 2000, pursuant to County Procedure Section 900A.3.

Sincerely,



RONALD L. RUIZ  
DISTRICT ATTORNEY

RECOMMENDED:



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SUSANA MAURIELLO  
COUNTY ADMINISTRATIVE OFFICER

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cc: Sheriff-Coroner  
Probation Department  
Santa Cruz Police Dept.  
Capitola Police Dept.  
Watsonville Police Dept.  
Scotts Valley Police Dept.  
Santa Cruz Co. Narcotic  
Enforcement Team

BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO.  
On the motion of Supervisor  
duly seconded by Supervisor  
the following resolution is adopted

RESOLUTION AUTHORIZING THE DISTRICT ATTORNEY TO APPLY FOR FUNDS DURING FISCAL YEAR  
1999-2000 FOR AN ANTI-DRUG ABUSE ENFORCEMENT PROGRAM ADMINISTERED BY THE OFFICE OF  
CRIMINAL JUSTICE PLANNING

WHEREAS, the Board of Supervisors of Santa Cruz County desires to undertake a certain  
project designated the Anti-Drug Abuse Program, to be funded in part from funds made  
available through the Anti-Drug Abuse Act of 1988 for the Federal Anti-Drug Abuse  
Enforcement Program administered by the Office of Criminal Justice Planning (hereafter  
referred to as OCJP).

NOW, THEREFORE, THE BOARD OF SUPERVISORS RESOLVES AND ORDERS that the District  
Attorney of the County of Santa Cruz is authorized, on its behalf to submit an  
application for state funding for an Anti-Drug Abuse Enforcement Program to the Office  
of Criminal Justice Planning and is authorized to execute on behalf of the Board of  
Supervisors of Santa Cruz County a Grant Award Agreement, including any extensions or  
amendments thereof.

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

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.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State  
of California, this \_\_\_\_ day of \_\_\_\_\_ 1999, by the following vote:

VOTE :  
AYES :  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
JEFF ALMQUIST  
CHAIRPERSON OF THE BOARD

ATTEST : \_\_\_\_\_  
Clerk of Said Board

APPROVED AS TO FORM:

D. McRae 5-11-99  
Assistant County Counsel

DISTRIBUTION: District Attorney  
County Counsel  
Auditor, CAO