



Agenda Date: 12/5/2006  
Agenda Placement: 6B

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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**TO:** Board of Supervisors  
**FROM:** LEE PHILIPSON for Gary Lieberstein - District Attorney  
District Attorney  
**REPORT BY:** Carol Strobel, Administrative Services Officer, 253-4215  
**SUBJECT:** Resolution establishing two revolving funds for the District Attorney's Office.

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### **RECOMMENDATION**

District Attorney requests adoption of a resolution establishing revolving funds to be used by the Napa County District Attorney's Child Abduction Unit and the Special Investigations Unit.

### **EXECUTIVE SUMMARY**

The adoption of this resolution authorizes the Auditor-Controller's Office to create two revolving funds to be used by the District Attorney's Office. The first fund will be for the Child Abduction Unit in the amount of \$30,000 for the payment of expenses incurred in the recovery of children. The second fund will be for the Special Investigations Unit in the amount of \$20,000 for expenses incurred in investigating and prosecuting homicides, assaults, and other high profile crimes.

### **FISCAL IMPACT**

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	District Attorney
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	Without the revolving funds, staff will need to continue paying costly expenses out-of-pocket. If a staff member is not in a financial position to do so, the District Attorney's Office may not be able to respond to urgent needs, potentially compromising the integrity of an investigation.
Is the general fund affected?	Yes

Future fiscal impact: Setting up these revolving funds is a one-time expense. Use of the funds will be reviewed annually.

Consequences if not approved: See above.

Additional Information: None

### **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

### **BACKGROUND AND DISCUSSION**

The Napa County District Attorney is authorized by law to initiate and conduct on behalf of the people all prosecutions for public offenses. The District Attorney is also required by both the Family Code and orders of the Napa County Superior Court to locate and return a child and those in possession of that child who have violated a custody or visitation order or to ensure compliance of a court ordered appearance for the purpose of custody adjudication. These duties are carried out by the Child Abduction Unit.

The Special Investigation Unit conducts criminal and civil investigations in connection with criminal prosecutions and consumer fraud/environmental civil prosecutions. The Special Investigation Unit also helps fund witness protection programs which include witness relocation and associated expenses in major criminal prosecutions, such as murder cases.

Staff members of both the Child Abduction Unit and the Special Investigations Unit often incur expenses when carrying out their responsibilities. The need to travel often arises with little notice or time to request travel advances per the Travel Policy. Current practice requires staff to advance travel expenses, including airfare, out-of-pocket and later receive reimbursement through the County Claims process. The establishment of revolving funds will alleviate the necessity of these expenses being advanced by staff.

Pursuant to Government Code Section 29321, the Board of Supervisors may establish a revolving fund for the use of any officer of the county by adopting a resolution setting forth: (a) the necessity for the fund, (b) the office, department and service or institutions for which the fund is available, and (c) the amount of the fund which shall not exceed two hundred fifty thousand dollars (\$250,000).

Adoption of this resolution will establish a Child Abduction Revolving Fund in the amount of \$30,000 and a Special Investigations Revolving Fund in the amount of \$20,000 to be used for urgent expenses.

### **SUPPORTING DOCUMENTS**

A . Resolution

CEO Recommendation: Approve

Reviewed By: Molly Rattigan