

Approval to Set a Public Hearing on April 28, 2009 at 9:15 a.m. to Introduce and Waive the First Reading of an Ordinance to Amend Existing Fees in the Probation Department

Discussion:

Welfare and Institutions Code (W & I) 903 allows the Board of Supervisors to set the amount charged for certain "costs of support" such as food, clothing, personal supplies and medical expenses, to the father, mother, spouse or other person liable for the support of a minor detained or committed to any institution. If it is determined that the liable party has a monthly net income below the Welfare Grant Aid guidelines, the party is not billed.

The allowable costs for calculation of these fees are limited to food, personal supplies, and medical care. In Fiscal Year 2007-2008, those allowable costs at the Juvenile Hall were \$1,225,793, with the number of bed days at 50,220. Total costs for the Juvenile Hall in Fiscal Year 2007-2008 were \$8,858,933. Costs for juveniles housed at the California Department of Juvenile Justice were \$149,006.

Based on an annual California Probation Business Managers' Association survey of all counties, the rate charged in other counties ranges from \$3.81 to \$29.28 per day. Rates in the traditional eight-county survey ranged from \$16.00 in Kern County to \$29.28 in Sonoma County.

The following adjustments to fees are recommended:

Juvenile Hall Fee Increase

The Probation Department is currently authorized to bill \$19.75 per day that a juvenile is confined in Juvenile Hall. The W & I Code initially set the maximum daily billable amount at \$15.00 per day, effective January 1, 1988, with a provision that the amount billed may be increased in accordance with the percentage change in the California Consumer Price Index. Calculations based on this provision indicate that the maximum billable amount is \$29.28. Actual costs in Stanislaus County indicate that the cost for confinement is \$24.41 per day. The department is requesting that the fee be increased to \$24.00 per day to cover a greater percentage of the allowable costs incurred by the County.

Department of Juvenile Justice Fee Increase

The Probation Department currently bills parents or other liable parties up to \$19.75 per day for costs of support for juveniles committed to California Department of Juvenile Justice (DJJ), formerly the California Youth Authority (CYA). Based on the amounts currently billed to the County by DJJ, the department is requesting to increase this fee up to \$24.00 per day, dependent on the rate charged by DJJ. This rate can range from \$6.17 to \$88.93 per day, depending on the category of the offense of the juvenile.

Approval to Set a Public Hearing on April 28, 2009 at 9:15 a.m. to Introduce and Waive the First Reading of an Ordinance to Amend Existing Fees in the Probation Department

Policy Issue:

The Board of Supervisors may consider these fees to promotes *A safe community* and to support *Efficient delivery of public services*.

Staffing Impact:

There are no staffing impacts associated with this recommendation. Existing staff will continue to administer Juvenile Hall fees.

ORDINANCE No C.S. _____

AN ORDINANCE RELATING TO PROBATION DEPARTMENT FEES

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA, DO ORDAIN AS FOLLOWS:

Section 1. Chapter 4.53 of the Stanislaus County Code is amended at Sections 4.53.020 and 4.53.060 to read as follows:

Section 4.53.020 Whereas the County Board of Supervisors held a public meeting pursuant to California Government Code Section 54986 for the consideration and approval of a juvenile hall daily fee in the amount of \$24.00 per day and based upon the data presented to said board it hereby adopts a juvenile hall fee pursuant to California Welfare and Institutions Code Sections 903 and 904, in the amount of \$24.00 per day.

Section 4.53.060 Whereas the County Board of Supervisors held a public meeting pursuant to California Government Code Section 54986, for the consideration and approval of Department of Juvenile Justice daily support fee in the amount of \$24.00 per day and based upon the data presented to said board it hereby adopts a Department of Juvenile Justice daily support fee pursuant to California Welfare and Institutions Code Sections 903 and 904, in an amount not to exceed \$24.00 per day.

Section 2. This ordinance shall take effect thirty (30) days from and after the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of members voting for and against the same, in the Modesto Bee, a newspaper published in the County of Stanislaus, State of California.

Upon motion of Supervisor _____, seconded by Supervisor _____, the foregoing ordinance was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, the _____ day of _____, 2009, by the following called vote:

AYES:

NOES:

ABSENT:

Jim DeMartini, Chairman of the Board
Of Supervisors of the County of
Stanislaus, State of California

ATTEST:

Christine Ferraro Tallman
Clerk of the Board of Supervisors of the
County of Stanislaus, State of California

By _____
Deputy

APPROVED AS TO FORM:

John Doering
County Counsel

By Dean Wright
Deputy

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that on April 28, 2009, at 9:15 a.m., or as soon thereafter as the matter may be heard, the Stanislaus County Board of Supervisors will meet in the Basement Chambers, 1010 10th St., Modesto, CA, to consider:

- A. Approval to Introduce and Waive the First Reading of an Ordinance to Establish New Fees and Amend Existing Fees for Building Permits (for further information, contact Dennis Wister, Chief Building Official, Stanislaus County Department of Planning and Community Development at (209) 525-6557 or at 1010 10th Street, Suite 3400, Modesto, CA)
- B. Approval to Introduce and Waive the First Reading of an Ordinance to Establish New Fees and Amend Existing Fees for Planning Services (for further information, Kirk Ford, Director of the Planning and Community Development Department at (209) 525-6330 or at 1010 10th Street, Suite 3400, Modesto, CA)
- C. Approval to Introduce and Waive the First Reading of an Ordinance to Amend Existing Juvenile Hall Daily Fee and Juvenile Justice Daily Support Fee for the Stanislaus County Probation Department (for further information, contact Karen Curci, Probation Department Administrative Services Manager, at (209) 525-4556 or at 2215 Blue Gum Ave Modesto, CA.
- D. Approval to Introduce and Waive the First Reading of an Ordinance to Amend Stanislaus County Code Section 7.32.110 Voluntary Surrender and to Adopt the 2009 Fee Schedule in accordance with Stanislaus County Code Chapter 7.50 Animal Services Fees (for further information, contact Annette Patton, Deputy Director of the Stanislaus County Department of Animal Services at (209) 342-1787 or at 2846 Finch Road, Modesto, CA.

ADDITIONAL NOTICE IS GIVEN that the proposed Ordinances and Fee Schedules will be available for review on April 17, 2009, in the Clerk of the Board Office, 1010 10th Street, Suite 6700, Modesto, CA.

NOTICE IS FURTHER GIVEN that at the said time and place, interested persons will be given the opportunity to be heard. Material submitted to the Board for consideration (i.e. photos, petitions, etc.) will be retained by the County. If a challenge to one or more of the above items is made in court, persons may be limited to raising only those issues they or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: March 24, 2009

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk of
the Board of Supervisors
of the County of Stanislaus,
State of California.

BY:


Elizabeth A. King, Assistant Clerk

**DECLARATION OF PUBLICATION
(C.C.P. S2015.5)**

**COUNTY OF STANISLAUS
STATE OF CALIFORNIA**

I am a citizen of the United States and a resident Of the County aforesaid; I am over the age of Eighteen years, and not a party to or interested In the above entitle matter. I am a printer and Principal clerk of the publisher of **THE MODESTO BEE**, printed in the City of **MODESTO** , County of **STANISLAUS** , State of California, daily, for which said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of **STANISLAUS** , State of California, Under the date of **February 25, 1951, Action No. 46453**; that the notice of which the annexed is a printed copy, has been published in each issue there of on the following dates, to wit:

Apr 17, 2009, Apr 23, 2009

NOTICE OF PUBLIC HEARINGS
NOTICE IS HEREBY GIVEN that on April 28, 2009, at 9:15 a.m., or as soon thereafter as the matter may be heard, the Stanislaus County Board of Supervisors will meet in the Basement Chambers, 1010 10th St., Modesto, CA, to consider: (A) Approval to Introduce and Waive the First Reading of an Ordinance to Establish New Fees and Amend Existing Fees for Building Permits (for further information, contact Dennis Wister, Chief Building Official, Stanislaus County Department of Planning and Community Development at (209) 525-6557 or at 1010 10th Street, Suite 3400, Modesto, CA); (B) Approval to Introduce and Waive the First Reading of an Ordinance to Establish New Fees and Amend Existing Fees for Planning Services (for further information, Kirk Ford, Director of the Planning and Community Development Department at (209) 525-6330 or at 1010 10th Street, Suite 3400, Modesto, CA); (C) Approval to Introduce and Waive the First Reading of an Ordinance to Amend Existing Juvenile Hall Daily Fee and Juvenile Justice Daily Support Fee for the Stanislaus County Probation Department (for further information, contact Karen Curci, Probation Department Administrative Services Manager, at (209) 525-4556 or at 2215 Blue Gum Ave Modesto, CA); (D) Approval to Introduce and Waive the First Reading of an Ordinance to Amend Stanislaus County Code Section 7.32.110 Voluntary Surrender and to Adopt the 2009 Fee Schedule in accordance with Stanislaus County Code Chapter 7.50 Animal Services Fees (for further information, contact Annette Patton, Deputy Director of the Stanislaus County Department of Animal Services at (209) 342-1787 or at 2846 Finch Road, Modesto, CA. ADDITIONAL NOTICE IS GIVEN that the proposed Ordinances and Fee Schedules will be available for review on April 17, 2009, in the Clerk of the Board Office, 1010 10th Street, Suite 6700, Modesto, CA. NOTICE IS FURTHER GIVEN that at the said time and place, interested persons will be given the opportunity to be heard. Material submitted to the Board for consideration (i.e. photos, petitions, etc.) will be retained by the County. If a challenge to one or more of the above items is made in court, persons may be limited to raising only those issues they or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors. BY ORDER OF THE BOARD OF SUPERVISORS. DATED: March 24, 2009. ATTEST: CHRISTINE FERRARO TALLMAN, Clerk of the Board of Supervisors of the County of Stanislaus, State of California. BY: Elizabeth A. King, Assistant Clerk
Pub Dates April 17, 23, 2009

I certify (or declare) under penalty of perjury
That the foregoing is true and correct and that
This declaration was executed at

MODESTO, California on

April 23rd, 2009

(Signature)


