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OFFICE OF THE ERIE COUNTY DISTRICT ATTORNEY

FRANK A. SEDITA, III
DISTRICT ATTORNEY

OPEN

June 13, 2011

The Erie County Legislature
92 Franklin Street
Buffalo, NY 14202

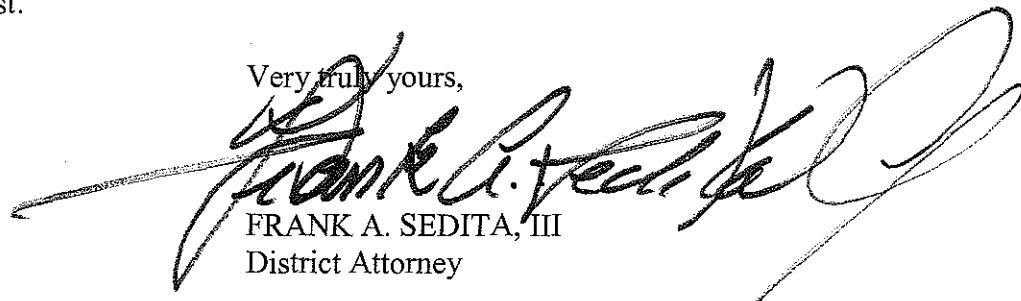
Re: District Attorney's Office Restructure
Immediate Consideration Requested

Honorable Members:

Enclosed please find a proposed resolution and accompanying memorandum requesting authorization to effectuate the reorganization of the District Attorney's Office. The funds necessary to effectuate the changes being requested are available within the District Attorney's 2011 Appropriations. This proposal reflects a cost savings and again reflects our commitment to fiscal responsibility.

Thank you for your immediate consideration of this matter. If this Honorable Body requires further information, kindly contact me and I will be happy to accommodate your request.

Very truly yours,


FRANK A. SEDITA, III
District Attorney

FAS/ah
Enclosure

13E-8

ACCOMPANYING MEMORANDUM

To: Erie County Legislature
From: Frank A. Sedita, III, District Attorney
Date: June 13, 2011
Re: District Attorney's Office Restructure
Immediate Consideration requested

I. Summary of Recommended Action

The proposed resolution and accompanying memorandum request authorization to effectuate some personnel changes within the District Attorney's Office to better suit the needs of this Office and retain the most highly qualified individuals to perform those duties. This will involve eliminating a position, upgrading the pay levels of various positions and advancing employee's incremental steps.

II. Fiscal Implications of Proposal

The Erie County District Attorney's staff reorganization and salary authorization will have no additional personal services costs and will be implemented while keeping within the District Attorney's adopted appropriation for 2011. The funds necessary to effectuate the requested changes are available with the elimination of a part time position and a savings of county share from our 2011 MVTIF grant.

III. Reasons for Recommendation and Background of Proposal

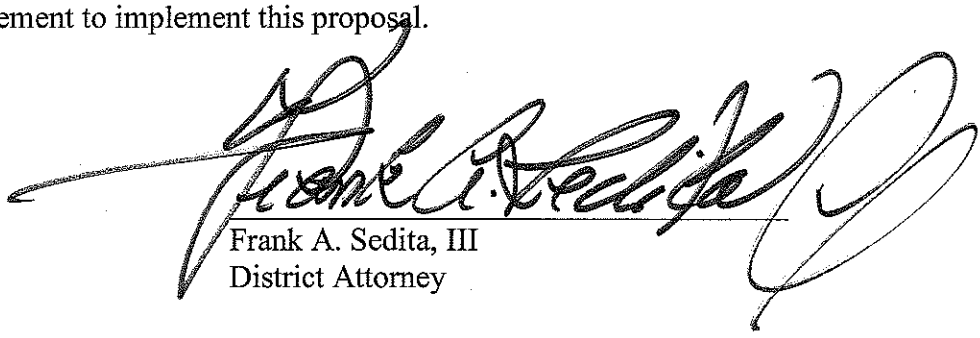
In order to retain the best and the brightest to fill the most challenging positions within this office, it is important that they are compensated appropriately. The County runs the risk of losing individuals to the private sector where they can earn higher salaries and greater benefits and runs an even greater risk of losing criminal cases. This will continue our goal in maintaining a highly professional prosecutors' office in a cost efficient manner. The foregoing reorganization helps retain highly qualified prosecutors and staff and returns money to the county taxpayer.

IV. Consequences for Negative Action

Failure to approve this request could result in the loss of highly qualified and extremely knowledgeable individuals who would be impossible to replace at the same level of experience.

V. Steps Following Approval of Measure

The District Attorney's Office will work with Personnel and the Division of Budget and Management to implement this proposal.



Frank A. Sedita, III
District Attorney

PROPOSED RESOLUTION

Re: District Attorney's Office
Re-Organization Changes

WHEREAS, in order for the Erie County District Attorney to retain the most experienced and high performing personnel to fill the most challenging positions within his office, it is important that they are compensated appropriately, and

WHEREAS, salaries for these positions were determined based on the County's respective Managerial Confidential and CSEA pay scales and have been prorated for the remaining twelve pay periods to reflect changes taking place as of July 1, 2011, and

WHEREAS, the Erie County District Attorney's staff reorganization and salary authorizations will require no additional cost to taxpayers and will be implemented while keeping within the District Attorney's adopted appropriations for 2011, and

WHEREAS, Section 2607 of the Erie County Charter states that independent elected officials, including the District Attorney, have the power to manage their departments within the parameters of their adopted budget.

NOW, THEREFORE, BE IT

RESOLVED, that one position of Confidential Criminal Investigator – Part Time, position # 51005727, is deleted from fund center 11400 (B100 #6363), and be it further

RESOLVED, that position of Assistant District Attorney IV (position #51003275) be changed from a JG15 to that of a JG16 in fund center 11400 (B100 #6364) and that a variable minimum step 4 be authorized for the new position, and be it further

RESOLVED, that two positions of Assistant District Attorney IV (position #51003871 and #464) be changed from a JG15 to that of a JG16 in fund center 11400 (B100 #6364), and be it further

RESOLVED, that one position of Assistant District Attorney II (position #407) be changed from a JG13 to that of a JG14 in fund center 11400 (B100 #6365), and be it further

RESOLVED, that the position of Target Crime Initiative Coordinator (position #51001962) be changed from a JG12 to that of a JG13 in fund center 11400 (B100 #6366), and be it further

RESOLVED, that advanced incremental step increases are authorized for the employees holding position #51004370 to a step 4 and #51003879 to a step 3, and be it further

RESOLVED, that authorization is hereby provided to reallocate funds within the 2011 District Attorney's General Fund as follows:

FUND CENTER 11400

Fund: 110

	<u>Increase/ (Decrease)</u>
500000 Full Time - Salaries	\$15,441
500010 Part Time - Salaries	(22,677)
502000 Fringe Benefits	2,910
559000 County Share Contribution	<u>4,326</u>
 Total Changes	 <u>\$ - 0 -</u>

and be it further,

RESOLVED, that authorization is hereby provided to reallocate funds within the District Attorney's Aid to Prosecution and Motor Vehicle Theft Grant as follows:

AID TO PROSECUTION (ATP)

Fund: 281, Cost Center: 1140050, Grant: 114ATP1112

<u>Revenue</u>	<u>Increase</u>
479000 County Share Contribution	<u>\$ 5,151</u>
 <u>Appropriation</u>	
500000 Full Time Salaries	\$ 4,334
502000 Fringe Benefits	<u>817</u>
	<u>\$ 5,151</u>

MOTOR VEHICLE THEFT AND INSURANCE FRAUD PREVENTION (MVTIF)

Fund: 281, Cost Center: 1140050, Grant: 114MVTIF2011

<u>Revenue</u>	<u>Decrease</u>
479000 County Share Contribution	<u>\$ 825</u>
 <u>Appropriation</u>	
500000 Full Time Salaries	<u>\$ 825</u>

and be it further,

RESOLVED, that the Director of Budget and the Commissioner of Personnel make any changes necessary to effectuate the implementation of this resolution effective July 1, 2011, and be it further

RESOLVED, certified copies of this resolution be forwarded to the Erie County District Attorney, the Erie County Executive, the Commissioner of Personnel and the Director of Budget and Management.