To the Honorable Council  
City of Norfolk, Virginia  

August 28, 2018

Subject: Special Revenue Appropriations for the Sheriff’s Classification Specialists

From: Sheriff Joseph P. Baron

Reviewed: Michael G. Goldsmith, Deputy City Manager

Ward/Superward: Citywide

Approved: Douglas L. Smith, City Manager

Item Number: R-14

I. Recommendation: Adopt Ordinance

II. Applicant: Norfolk Sheriff’s Office

III. Description:

This agenda item is an ordinance appropriating funds in the amount of $182,565 from the Inmate Commissary Account to provide salary and benefits for three (3) full-time Inmate Classifications Specialists in the Norfolk City Jail.

IV. Analysis

This is a continuation project involving the Inmate Classification Specialists as recommended by the Sheriff and approved by the City Manager. The ordinance appropriates $182,565, if and when available in the Inmate Commissary Account, for the Sheriff to employ three full-time Inmate Classification Specialists as recommended by the Sheriff and approved by the City Manager. These employees are not City employees.

The funds for these positions are derived from the net profits of the operation of the Norfolk City Jail Canteen, which the Sheriff is authorized to use for the benefits of prisoners. These employees provide intake, case management and classification services for the benefit of the inmates in the Norfolk City Jail.

V. Financial Impact

There is no fiscal impact to the Sheriff’s allocated budget.

VI. Environmental

N/A
VII. **Community Outreach/Notification**
Public notification for this agenda item was conducted through the City of Norfolk's agenda notification process.

VIII. **Board/Commission Action**
N/A

IX. **Coordination/Outreach**
This ordinance has been coordinated with the Norfolk Sheriff’s Office and the City Attorney’s Office.

Supporting Material from the Sheriff’s Department:
- Ordinance
ORDINANCE No.

AN ORDINANCE APPROPRIATING ONE HUNDRED EIGHTY TWO THOUSAND FIVE HUNDRED SIXTY FIVE DOLLARS ($182,565) IF AND WHEN RECEIVED FROM THE SHERIFF AND AUTHORIZING THE EXPENDITURE THEREOF TOWARDS SALARIES AND BENEFITS FOR THREE SHERIFF EMPLOYEES.

WHEREAS, the Sheriff of the City of Norfolk, Virginia desires to continue to employ during fiscal year 2019 three (3) persons as Inmate Classification Specialists, said positions having been previously created and filled by the Sheriff for service in the Jail during earlier fiscal years; and

WHEREAS, “Inmate Classification Specialist” is an employee classification previously created by the Sheriff, the salary and benefits of which (including retirement through the Virginia Retirement System) were previously established by the Sheriff; and

WHEREAS, the Sheriff is authorized by Virginia Code Section 53.1-127.1 to use funds from his Inmate Commissary Account for the benefit of prisoners; and it has been represented by the Sheriff that funds of at least One Hundred
Eighty Two Thousand Five Hundred Sixty Five Dollars ($182,565.00) exists within that account and are therefore available to be disbursed through the City's Department of Finance in the same manner as the funds for the salaries and benefits of other employees of the Sheriff; and

WHEREAS, the positions the Sheriff created are not City positions and the employees appointed to them are not City employees and do not have the rights or benefits accruing to City employment; and

WHEREAS, the Sheriff created the positions and appointed the employees and any rights they may have pursuant to their appointment, such as membership in the Virginia Retirement System, only accrue from the Sheriff's lawful action and their status as Sheriff's employees; and

WHEREAS, no part of the funding of their salaries or benefits will be provided by the City; now, therefore,

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That the sum of One Hundred Eighty Two Thousand Five Hundred Sixty Five Dollars ($182,565.00) is hereby appropriated and authorized to be expended, if and when received by the City from the Sheriff in the form of Inmate Commissary Account funds, toward the continued funding of the salaries and benefits of three (3) employees for the Sheriff in positions created by the Sheriff titled Inmate Classification Specialist.

Section 2:- That such positions are not City positions, they are constitutional officer positions created by the Sheriff; that the assignment of City class titles, position numbers and similar designations
to them is for administrative purposes only; that the persons the Sheriff appoints into these positions are not City employees; and that their rights to salaries and benefits, such as membership in the Virginia Retirement System, are as may be lawfully determined by the Sheriff, the State Compensation Board and the laws of the Commonwealth of Virginia.

Section 3:—That this ordinance shall be in effect from and after the date of its adoption.
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<th>DESCRIPTION</th>
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<td>GROUP LIFE INSURANCE</td>
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<td>RETIREMENT</td>
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<td><strong>TOTAL EXPENSES</strong></td>
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## FY 19 Payroll Budget

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<th>Insurance</th>
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**Total PR & Fringes**: 143,791  11,001  5,154  20,735  1,884

**Round to Nearest $ 500**