



Legislation Text

File #: 18-1239, **Version:** 1

HEARING - Sheriff's Office recommending the Board adopt and authorize the Chair to sign Resolution **182-2018** to:

- 1) Establish a consolidated fee schedule to become effective August 28, 2018; and
- 2) Supersede all previous Sheriff's Office fee schedule Resolutions excluding Resolutions that address fees for Civil Process which shall remain unaffected. (Est. Time: 20 Min.)

FUNDING: Revenue

DISCUSSION / BACKGROUND

Government Code Section 54985 authorizes the Board of Supervisors to adopt new fees, fee levels and charges.

The proposed resolution includes references to the statutory fee authority from the Penal Code, Government Code, Evidence Code, Health and Safety Code, Business and Professions Code or County Ordinance, which in some cases caps the amount charged.

The methodology used to develop the proposed fees include the calculation of staff hourly rates taken from the County's 210 Salaries and Benefits Report, documented personnel time spent on specific activities, comparing fees offered from other Counties and Municipalities and reasonability.

In carrying out the Fee Study, the Sheriff's Office focused on three areas: 1) Records Fees, which include Concealed Carry Weapons (CCW) Fees 2) Weekender and Work Program Fees 3) Parking Penalties.

Records Fees

Fees collected in the Records division consist of report copies, rolling fees, clearance letters, local criminal history checks, repossession, subpoenas, itinerant license, massage license, fortune teller license, second hand dealer/pawn broker license, explosives permits, and card room licenses and Concealed Carry Weapon (CCW) Permit fees. Not including CCW fees, the Sheriff's Office estimates that an additional \$1,000 in revenues will be observed from the proposed Records Fee updates based on FY 2016/17 activities. Many of the Records fees are determined by Statute. For the fees not determined by Statute we are recovering on average, 85% of our pre-overhead cost. This does not take into consideration the time spent by the Fiscal Division tracking, counting the cash, depositing the cash and accounting for the cash in the Financial System. Nor does it include an Overhead Rate for Administration. The Sheriff's Office has not completed their Overhead rate for FY 2018/19 but it is generally over 40%.

Concealed Carry Weapons (CCW's)

Fees collected for CCW's consist of new license (Regular, EDSO Correction Employees, Judge, Reserve, State Corrections, Retired Peace Officer, Federal Agent, Employment), renewals of existing licenses (Regular, EDSO Correction Employees, Judge, Reserve, State Corrections, Retired Peace Officer, Federal Agent, Employment), modifications of existing licenses(usually for adding weapons to

a per) and from issuing copies of duplicate licenses. The Sheriff's Office is proposing that the maximum charge per statute for the Sheriff's Office fees for new CCW licenses, renewals and modifications. If the proposed fee increases are approved, the Sheriff's Office is estimating an increase of \$65,000 in revenues based on CCW licenses issued in 2017. The Sheriff's Office is limited to charging \$100 for their portion of processing a CCW and \$25 for processing a renewal. Based on a time study conducted by the Sheriff's Office Support Services Division, it costs the Sheriff's Office an estimated \$185 in staff time to process a new CCW and it costs an estimated \$68 to process a CCW renewal. The time study did not take into consideration the time spent by the Fiscal Division staff for tracking, counting the cash, depositing the cash and accounting for the cash in the Financial System. Nor did it include an Overhead Rate for Administration. The Sheriff's Office has not completed their Overhead rate for FY 2018/19 but it is generally over 40%.

Weekender

The Sheriff's Office charges a fee to those sentenced by a Judge to serve Jail time in alternative manner other than serving "Straight Time". A Judge may sentence an individual to serve Jail time on the weekend, where he or she would pay \$40 per night to serve "Weekender Time". The Sheriff's Office has increased this fee by \$10 from the original \$30 charge. The Sheriff believes this is a reasonable increase. Ordinance 3527 allows the Sheriff to establish an "Administrative Fee" for Weekender Time, subject to the approval of the Board of Supervisors; in no event shall the fee exceed the actual cost to confine an inmate. On average the Sheriff's Office observes roughly \$6,500 in revenues from this program. We expect to see an increase of \$2,000 in revenues by increasing the fee as proposed. The new Weekender Fee the Sheriff's Office is proposing is \$40. The Sheriff's Office daily jail rate is an estimated \$155. It takes an estimated 1 hour and 50 minutes of staff time to get an individual initially set up for Weekender time. It takes another 45 minutes of staff time to intake an individual for Weekender time for each visit. The combined hourly rate for the positions that work directly with the Weekender program is \$56.42 per hour. This does not take into consideration the time spent by the Fiscal Division tracking, counting the cash, depositing the cash and accounting for the cash in the Financial System. Nor does it include an Overhead Rate for Administration. The Sheriff's Office has not completed their Overhead rate for FY 2018/19 but it is generally over 40%.

Work Program

Another alternative sentence that a Judge may order is "Work Program". This sentence allows an individual to report to the Sheriff's Office for supervised Work at a location in the County. When a Judge is considering Work Program as a sentence, affordability is assessed. A Judge may sentence a person that has committed a crime to Community Service instead of Work Program if one does not have the means to pay to work. The Sheriff's Office is proposing to increase the application fee and the charge per day to participate in Work Program by \$5. If approved, the application fee becomes \$45 and the daily charge to work would be \$25. The Sheriff believes this is a reasonable increase. On average, the Sheriff's Office observes roughly \$42,000 in revenues from work program. We expect to see an increase of an estimated \$10,000 in revenues by increasing the fee as proposed. It takes 1 hour and 55 minutes of Staff time to get an individual set up initially for Work Program. It takes 10 minutes of Staff time to check in an individual for Work Program. The combined hourly rate for the positions that work directly with the Weekender program is \$56.42 per hour. This does not take into consideration the time spent by the Fiscal Division tracking, counting the cash, depositing the cash and accounting for the cash in the Financial System. Nor does it include an Overhead Rate for Administration. The Sheriff's Office has not completed their Overhead rate for FY 2018/19 but it is generally over 40%.

Parking Penalties

The Sheriff's Office is proposing revisions to the existing Parking Penalty Schedule and is recommending adding 12 new Parking Penalties to the schedule. Proposed revisions and additions to the penalty schedule, an estimated revenue increase could be roughly \$20,000, based on FY 2017/18 citations issued.

Resolution and Ordinance References

Card Room - Resolution 294-82(Last Updated 1993)

Records Fees - Resolution 113-95(Last updated 1995)

Report Copies - Resolution 58-89 (Last updated 1989)

Fingerprints - Resolution 283-98(Last updated 1998)

Non-moving/Parking violations - Resolution 264-2007(VC22507.8 last updated in 2007), (Resolution 331-93 last updated Parking Penalty Schedule in 1994)

Second hand dealer - Resolution 231-83(Last updated 1983)

Weekender/Work Program - Ordinance 3527 (Last changed 1997)

It has been many years since the Sheriff's Office have revised the fees in the three areas that we are focusing on updating. This Resolution captures all of the fees charged in the three areas and puts them in one place which will make it easier to make changes in the future. The changes proposed do not exceed the reasonable cost of providing the associated services. The estimated revenue increase after observing an entire Fiscal Year with the recommended fees in effect would be \$98,000.

ALTERNATIVES

N/A

OTHER DEPARTMENT / AGENCY INVOLVEMENT

N/A

CAO RECOMMENDATION

The Sheriff has presented this item pursuant to Board direction that all departments review their fee schedules and update them to maximize cost recovery where appropriate. On June 26, 2018, the Board approved the addition of four Sheriff's Technician allocations to the Sheriff's Office, funded by rural counties revenue for three months, with the understanding that the Sheriff would return to the Board no later than the date of the Board's consideration of the Final Budget, in September, with a completed fee study and recommendations for ongoing funding of those allocations.

It should be noted that the funding anticipated as a result of the proposed fee increases does not represent full cost recovery, and would fund one of the approved allocations. Under a separate item, the Sheriff is proposing amendments to Title 5 of the County ordinance code relating to alarm permits and recommending corresponding fee increases that are anticipated to fund a second of the four approved allocations. During the Board's consideration of the Adopted Budget, a determination will need to be made regarding funding for the two remaining allocations, whose costs of approximately \$180,000 annually are not expected to be offset by fee revenue. Options include: Increasing fees for greater cost recovery; Use of rural counties funding, an ongoing revenue source; General Fund subsidy; and/or deletion of other vacant allocations.

FINANCIAL IMPACT

The estimated increase in revenues will be roughly \$98,000 based on the new fees proposed in the Sheriff's Office Fee update.

CLERK OF THE BOARD FOLLOW UP ACTIONS

1) Resolution to be signed by the Chair; One (1) certified copy to be returned to the Sheriff's Office.

STRATEGIC PLAN COMPONENT

Public Safety-Protects the community,prevents crime,enforces the law,administers justice,provides rehabilitative services and promptly responds to emergencies and calls for service.

CONTACT

Randy Peshon, Undersheriff