



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Sheriff
Department No.: 032
For Agenda Of: 02-26-2008
Placement: Departmental
Estimated Tme: 15 minutes
Continued Item: No
If Yes, date from:
Vote Required: 4/5

TO: Board of Supervisors

FROM: Department Sheriff Bill Brown
Director
Contact Info: Douglas Martin, CFO ext 4293

SUBJECT: Resolution to Adopt Revised Administrative Fees related to the Towing, Storage and Release of Motor Vehicles

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Select_Other

As to form: Select_Concurrence

Recommended Actions:

That the Board of Supervisors consider and adopt a Resolution setting the administration fees for the processing of removal, impound, storage and release of motor vehicles to \$130 for standard tows and \$160 for 30 Day tows and \$170 for Forfeiture tows.

Summary Text:

The Sheriff's Department expends a significant amount of staff time processing the towing and storage of vehicles for persons arrested and abandoned vehicles. Under current policy (94-469), the department is allowed to charge \$45 per tow to recover a portion of the administrative costs incurred in the activity. Because the County's tow fees have not been updated since 1994, the fees are set at a rate that is well below full cost recovery. The department proposes to increase the fee to capture the allowable administrative costs associated with the department's towing activities, consistent with State law and the County's fee policy.

Vehicle Code § 22850.5(a) provides the legal authority for a fee to recover "...administrative costs relating to the removal, impound, storage, or release of the vehicles."

There are three different types of tow actions that can be taken, as follows:

- Standard Tows – This action clears the roadway of a vehicle and allows the owner to claim the car as soon as fees are paid.

- 30 Day Hold – These tows allow the vehicle to be held in the storage area of the tow company for a minimum of 30 days to allow the owner to clear outstanding legal issues such as a suspended license or registration. There is more paperwork involved in the processing of a 30 Day Hold.
- Forfeiture tows – A vehicle can be forfeited by the owner when storage and tow fees are not paid or if the owner fails to claim the vehicle. This fee recovers the department’s additional costs incurred in the processing of a forfeiture.

A recent time study completed by the Sheriff’s Department documented the positions and time required to process each type of tow. Costs include the fully loaded salaries of the Sheriff’s Department positions involved in the tow fee process but do not include any department overhead or County indirect costs. The time incurred depends on the type of tow and the position of the individual involved. The work performed by law enforcement personnel is standard and does not vary a lot. The work performed by administrative staff does vary significantly due to nature of the tow action.

Background:

Other counties and cities charge a varying rate for tow fees:

	<u>Standard tows</u>	<u>30 day tows</u>	<u>All tows</u>
San Luis Obispo	\$99.25	\$176.80	n/a
Ventura County			
Unincorporated			\$ 11.00
Thousand Oaks City			110.00
Camarillo City			80.00
Moorpark City			80.00
Santa Barbara Police	\$60.00	\$115.00	n/a
Santa Maria Police			\$ 32.00
Lompoc Police	63.60	\$ 12.00	n/a

While fees vary widely, the focus of this resolution is cost recovery for the tow-related activities performed by the Sheriff’s Department. Vehicle Code § 22850.5(a) provides the legal authority for a fee to recover “...administrative costs relating to the removal, impound, storage, or release of the vehicles.”

Fiscal and Facilities Impacts:

Budgeted: Yes

No budget adjustment is necessary for the remainder of FY2007-08 due to the short time remaining in the fiscal year. If approved, the FY2008-09 budget will reflect the increased revenue expectation.

Narrative:

This fee increase will have a positive impact on the Sheriff Department and contract city revenues. The County budgeted \$30,000 for tow fees in FY2007-08. The County also collects and passes on tow fees for the contract cities. In FY2006-07, about 1,212 tows fee were paid, resulting in \$54,555 in revenue. \$21,069 (468 tows) was rendered to the contract cities where the tow was initiated. \$33,486 (744 tows) was revenue to the County for the unincorporated areas.

If tow activity remains constant, and assuming that the tows will be split evenly between standard and 30 day tows, revenue from this action will increase about \$47,000 for the contract cities and \$75,000 for the county. More importantly, the costs the department incurs in processing tow activity will be recouped.

Staffing Impacts:

Legal Positions:

FTEs:

No change in staffing is anticipated with the proposed fee increase.

Special Instructions:

Please send a copy of the executed Resolution to Douglas Martin, CFO, Sheriff's Department.

Attachments:

Fee Resolution

Authored by:

Douglas Martin, CFO, Sheriff's Department, ext. 4293

cc:

Bob Geis, Auditor-Controller

Mike Brown, County Executive Officer

Steve Underwood, Chief Assistant County Counsel