

MONTEREY COUNTY BOARD OF SUPERVISORS

MEETING: June 14, 2011 - 10:30 a.m.	AGENDA NO.: S-3
SUBJECT: Approve and adopt a Resolution amending Article VII of the Master Fee Resolution to set fees and authorize a collection of fees, including but not limited to Criminal Justice Administration Fees (Jail Access/Booking Fees), by the Sheriff's Office effective July 1, 2011, as attached in Exhibit I.	
DEPARTMENT: Sheriff Office	

RECOMMENDATION

It is recommended the Board of Supervisors Approve and adopt a Resolution amending Article VII of the Master Fee Resolution to set fees and authorize a collection of fees, including but not limited to Criminal Justice Administration Fees (Jail Access/Booking Fees), by the Sheriff's Office effective July 1, 2011, as attached in Exhibit I.

SUMMARY

The Monterey County Code Section 1.40.010 of Chapter 1.40 provides that all fees, penalties, refunds, reimbursements, and charges of any kind by the County shall be specified in the Monterey County Fee Resolution. Article VII reflects the authorized fees of the Sheriff's Office. The Sheriff's Office is submitting for approval general adjustments in administrative and service fees to reflect increases and decreases in costs, including but not limited to Criminal Justice Administration Fees, also known as Jail Access and Booking fees. All requests to modify individual fees in Article VII are calculated to recover no more than the actual costs to render the identified services.

DISCUSSION

On April 25, 2011, the Sheriff provided written notice, with the cost calculation basis, to all local public agencies as required by Government Code section 29550 (a)(2) that the Monterey County Sheriff planned to propose that the County of Monterey increase and adjust the amount of the Criminal Justice Administrative Fees (Jail Access Fee and Booking Fee) for the FY 2011-12 and that such proposal would be considered by the Board of Supervisors as a scheduled item held on June 14, 2011.

Booking Fee Charges are identified in the Uniform Guidelines for the Implementation of Assembly Bill 1805. Government Code Section (GCS) 29551 allows counties to recover lost appropriations in any fiscal year in which the State does not appropriate at least \$35 million for the purposes of GCS 29550. The proposed charges for booking and processing arrested persons for FY 2011-12 is \$146.90 per person. Pursuant to current statutory restrictions, the Sheriff is requesting authority to collect fees up to, but not to exceed, the actual fully loaded administrative cost requested herein of \$146.90 per booking. The actual amount charged will be based upon the statutory prescribed formula and appropriations by the State of California and as allowable by GCS 29551.

The Jail Access Fee is for each booking in excess of the three year average, per agency, for crimes including:

- A. Municipal Code Violations
- B. Misdemeanor Violations, except for driving under the influence offenses and domestic violence misdemeanor offenses, including enforcement of protective orders, etc.

The Jail Access Fee includes an adjustment from the current charge of \$170.73 per booking to \$211.39. GCS section 29550 allows a county detention facility to charge "actual administrative costs" which include those costs for functions that are performed in order receive an arrestee into a county detention facility.

Other fees throughout the Article are being submitted for adjustment based on increase or decrease of the costs of providing the service or administratively processing the requested document. Adjustments include fully loaded costs of personnel and increased overhead costs. By example, the adjustment to supplemental law enforcement service fees recommended for approval in this fee schedule are not computed on a production hourly basis, but instead include the cost of overtime compensation, and all payroll differentials such as Peace Officers Standards and Training certification pay, investigator differentials and Special Weapons and Tactics team compensation which are unique to law enforcement salaries. As with the other fee adjustments herein, the fees requested for these services therefore reflect no more than the reasonably calculated "fully loaded" costs to the County, and reflect no more than the burden costs associated with providing these services or benefits received by the payor of those services.

The calculations and documents in support of all fee adjustments recommended herein are on file with the Clerk to the Board. In all cases the proposed fees reflect no more than the actual, reasonable, fully loaded costs of the services provided to the payor.


OTHER AGENCY INVOLVEMENT

The County Counsel's Office has reviewed the report and concurs with the recommendation. Pursuant to Monterey County Code Section 2.76, the Auditor-Controller's Office reviewed and approved the fees for the supplemental law enforcement service.

FINANCING

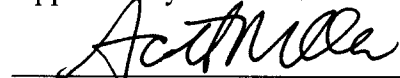
There is no net county cost to the General Fund as a result of this recommendation. The estimated revenues and expenditures are included in the FY 2011-12 budget requests and recommendations.

Prepared by:


Lori Woodle, Accountant III
759-7254

Date: 5/27/11

Approved by:


Scott Miller
Sheriff-Coroner

Date: 5/27/11

Enc.: Proposed Article VII and Proposed Resolution
Cc: Michael J. Miller, Auditor-Controller,
County Counsel