



# Monterey County

## Item No.

### Board Report

Board of Supervisors Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: RES 21-045

March 16, 2021

**Introduced:** 2/24/2021

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** BoS Resolution

Adopt a Resolution to:

- a. Approve a modified Standard Agreement with Data Ticket, Inc. to provide parking citation processing and collection services for the County of Monterey in a total amount not to exceed \$250,000, for a term of five (5) years, beginning on March 16, 2021 and ending on March 16, 2026;
- b. Authorize and direct the Auditor-Controller to amend the Fiscal Year (FY) 2020-21 Adopted Budget for General Fund, Fund 001, Facilities Services Appropriation Unit RMA006, to increase appropriations by \$25,000, financed by a decrease in appropriations in General Fund Contingencies, Fund 001, Appropriation Unit CAO020 (4/5th vote required); and
- c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute the modified Standard Agreement and future amendments to the Agreement where the amendments do not increase the approved Agreement amount.

#### RECOMMENDATION:

It is recommended that the Board of Supervisors adopt a resolution to:

- a. Approve a modified Standard Agreement with Data Ticket, Inc. to provide parking citation processing and collection services for the County of Monterey in a total amount not to exceed \$250,000, for a term of five (5) years, beginning on March 16, 2021 and ending on March 16, 2026;
- b. Authorize and direct the Auditor-Controller to amend the Fiscal Year (FY) 2020-21 Adopted Budget for General Fund, Fund 001, Facilities Services Appropriation Unit RMA006, to increase appropriations by \$25,000, financed by a decrease in appropriations in General Fund Contingencies, Fund 001, Appropriation Unit CAO020 (4/5th vote required); and
- c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute the modified Standard Agreement and future amendments to the Agreement where the amendments do not increase the approved Agreement amount.

#### SUMMARY/DISCUSSION:

Monterey County Code, Chapters 12.32, 12.40, 14.12, and 21.58 et seq., govern County parking regulations and enforcement at County-owned facilities, institutions, and along County roadways in unincorporated areas. County facilities and institutions countywide are subject to parking enforcement. Controlled parking areas include but are not limited to; the West Alisal Street Government Center and Courthouse Campus, Natividad Medical Center (NMC), County Parks facilities, and unincorporated County roadways. Parking citations are issued by private security firms contracted by the County, County Parks, Monterey County Sheriff's Office (MCSO), California Highway Patrol (CHP), and National Forest Service in accordance with the Monterey County Code and the California Vehicle Code.

The authority for parking matters is delegated to the County Administrative Office (CAO). In January 1994, the CAO-Revenue and Recovery Division whose functions included collection of parking citation fines, was incorporated into the Office of the Treasurer-Tax Collector (TTC). In early 2019, TTC advised the CAO that it could no longer process parking citations after August 2019. In June 2019, the CAO issued a request for proposals for parking citation processing and collection services (parking citation services). Three (3) proposals were received. After evaluation of the proposals, the CAO recommended the selection of Data Ticket, Inc. (Data Ticket). On September 10, 2019, the Board of Supervisors approved Resolution No. 19-300, which authorized contracting for parking citation processing and collection services and allocated \$30,000 to the Resource Management Agency (RMA) for transitioning these services to the selected vendor. Since the vendor had not been selected by the end of FY 2019-20, the \$30,000 was returned to the General Fund on June 30, 2020. In the interim period while a Standard Agreement (SA) with Data Ticket was being developed, RMA processed parking citation payments. RMA was dissolved by the Board on November 30, 2020 and was succeeded by Public Works, Facilities, & Parks (PWFP). PWFP continued processing parking citation payments while finalizing an SA for parking citation processing and collection services.

The proposed modified SA (Attachment A) is now ready for Board consideration and approval. Per the proposed SA, Data Ticket will provide the following services; add County citations to their database, coordinate with the Department of Motor Vehicles to identify vehicle ownership, provide reports, and perform collections. Data Ticket will hold an In-Trust account with the County to deposit funds collected and remit gross receipts to the County. Data Ticket will track tax and fee liability due to the State and County will process fee payments. Additionally, Data Ticket will offer a web-based interface and provide training to allow County Departments and NMC to view their parking citation activity and pull reports. Should a parking citation escalate and require a hearing, Data Ticket provides a service to facilitate and process the appeal. Individual County Departments and NMC will be responsible for additional fees related to appeals and/or any special handling requested. Lastly, Data Ticket will perform monthly reconciliations along with its monthly invoicing. The term of the proposed SA will be effective upon Board approval (March 16, 2021) through March 16, 2026. The total amount payable to Data Ticket for the five-year period will not exceed \$250,000 (\$50,000 per year).

The SA has been modified in the following areas:

Section 9.03 Insurance Coverage Requirements: Data Ticket does not own vehicles; therefore, the proposed SA has been revised to delete the insurance requirement for owned vehicles.

Section 10.5 Royalties and Inventions has been deleted per Data Ticket's request because it conflicts with Section 5.5-Ownership of Exhibit A-Scope of Services/ Payment Provisions.

PWFP requests the Board adopt a resolution to approve a modified SA with Data Ticket for provision of parking citation processing and collection services and to direct the Auditor to amend the FY 2020-21 budget to increase appropriations by \$25,000 financed by General Fund contingencies and to authorize Contracts/Purchasing to execute the modified SA and future amendments that do not increase the approved five-year total agreement amount of \$250,000 (Attachment B-Draft Resolution).

OTHER AGENCY INVOLVEMENT:

PWFP staff collaborated with parties that issue citations on behalf of Monterey County, including the PWFP-Parks Division, CAO, TTC, NMC, MCSO, and CHP. The Office of County Counsel-Risk Manager and the Auditor-Controller's Office reviewed and approved the proposed modified SA as to form and fiscal provisions, respectively. At their October 7, 2020 meeting, the Budget Committee supported this recommendation.

FINANCING:

RMA was allocated \$30,000 in FY 2019-20 to establish an SA for parking citation services. Due to the timing of negotiating the proposed SA, the \$30,000 allocated was not expended; therefore, no funding was provided in FY 2020-21. Without additional funding, PWFP does not have the resources to perform management oversight of the Data Ticket SA. The estimated maximum annual cost of processing parking citations is \$50,000, which includes the processing of citation appeals. A variance in Data Ticket citation processing fees could occur depending upon the volume of citations and level of escalation (See Attachment C-Potential Data Ticket Costs). Staff will evaluate the costs of providing this service and adjust the annual contract amount, if needed, when actual data and corresponding costs are known. Also, a variance in Data Ticket fees could occur should the County parking citation fee schedule increase as the upper tier of collection activity is percentage based.

PWFP accounts for parking citations under PWFP-Facilities, which is a Central Services Department for the Countywide Cost Allocation Plan (COWCAP). COWCAP allocates costs to Operating Departments and then reimburses Central Service Departments. The cost of parking citation services will be shared among all Operating Departments. COWCAP reimbursements are two (2) years in arrears; accordingly, PWFP is requesting a funding allocation to cover Data Ticket SA costs for the first year. The estimated SA cost for FY 2020-21 is \$25,000. PWFP is recommending that financing the requested appropriations increase using General Fund Contingencies. The contingencies unit has earmarked funds for this agreement. During the development of the FY 2021-22 Baseline Budget, staff will request an augmentation to cover the cost of the second year of this SA.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The recommended action supports the Board of Supervisors Administration Strategic Initiative by ensuring accurate, timely, and transparent fiscal accounting and effective resource management enabling PWFP to complete essential public services.

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- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

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Attachments:

Attachment A-Proposed SA with Data Ticket

Attachment B-Draft Resolution

Attachment C-Potential Data Ticket Costs

(Attachments are on file with the Clerk of the Board)