County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169

LEROY D. BACA, SHERIFF

May 25, 2004

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Dear Supervisors:

**APPROVAL OF ADMINISTRATIVE FEE INCREASE
FOR THE RELEASE OF PROPERLY IMPOUNDED/STORED VEHICLES
(ALL DISTRICTS) (3 VOTES)**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Set a public hearing regarding the adoption by your Board to increase the administrative fee for the release of vehicles properly impounded/stored by the Los Angeles County Sheriff's Department pursuant to Vehicle Code Section 22850.5.

2. Following the hearing, adopt the attached Resolution to increase the administrative fee, from $78.00 to $93.00, for the release of a vehicle properly impounded/stored by the Sheriff's Department, to be effective immediately.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The increase is necessary to realign the rate charged by the County of Los Angeles with neighboring law enforcement agencies, which generally assess a fee between $92.00 and $100.00.

The administrative fee of $78.00 has not been adjusted since July 1996. The proposed fee of $93.00, which is based on the current salaries and employee benefits of Sheriff's personnel, is necessary to fully recover increased costs.

Implementation of Strategic Plan Goals

An increase in the administrative fee supports the County's Strategic Goal of Fiscal Responsibility. Pursuant to Vehicle Code Section 22850.5, the fee increase will allow the Department to fully recover its costs associated with the release of properly impounded/stored vehicles.

FISCAL IMPACT

Revenue from the collection of the vehicle administrative fee for the past three fiscal years averaged $500,000 annually. A $93.00 fee would yield additional revenue of approximately $96,000 each year.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Vehicle Code Section 22850.5 stipulates that state and local law enforcement agencies can recover an administrative fee for towing lawfully stored or impounded vehicles. At the meeting held on June 13, 1996, your Board approved an administrative fee of $78.00 for the release of a vehicle properly impounded/stored by the Sheriff's Department, to be effective July 1, 1996. It is now recommended that your Board increase the fee to $93.00.

It is now recommended that your Board increase the fee to $93.00, which is comparable to the rate charged by both the Los Angeles and Beverly Hills Police Departments, while the City of Azusa charges a fee of $113.00. Though the California Highway Patrol (CHP) does not recover any fee, the CHP indicated that most agencies generally assess an administrative fee between $92.00 and $100.00.

A public hearing is required pursuant to Government Code Section 66018 prior to the approval of an increase to an existing fee.

A notice of public hearing has been published by the Executive Office in accordance with Section 6062a, as required by Section 66018 of the Government Code.

This letter has been reviewed by the County Counsel's Office.

CONTRACTING PROCESS

On December 14, 1999, your Board adopted a standardized memorandum of understanding (MOU) for towing and storage of privately owned vehicles impounded for violation of the California Vehicle Code and/or local ordinances. Your Board approved the Sheriff's Department's Vehicle Towing and Storage Program and authorized the Sheriff or his designee to execute vehicle towing and storage MOUs as required to meet the needs of the Department.

The increase of the administrative fee has no impact on the memorandums of understanding, as costs for towing and storage of impounded vehicles are paid by the vehicle owner.

IMPACT ON CURRENT SERVICES

Approval of this action will enable the Sheriff's Department to fully recover personnel costs associated with the release of a properly impounded/stored vehicle.

CONCLUSION

Upon approval by your Board, please return an adopted copy of this action to the Sheriff's Department, to the attention of Director Wendy Watanabe, Financial Programs Bureau. Ms. Watanabe may be reached at (323) 526-5232.

Respectfully submitted,

LEROY D. BACA
SHERIFF

NOTICE OF PUBLIC HEARING
PROPOSED FEE SCHEDULE

Notice is hereby given that a public hearing will be held by the Board of Supervisors regarding increasing the administrative fee for the release of properly impounded/stored vehicles, from $78 to $93, pursuant to Vehicle Code Section 22850.5.

Said hearing will be held on _____at 9:30 a.m., in the Hearing Room of the Board of Supervisors, Room 381B, Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, California 90012.

The Board of Supervisors will consider and may adopt the fee schedule. Further, notice is given that the Board of Supervisors may continue this hearing from time to time.

Written comments may be sent to the Executive Office of the Board of Supervisors at the above address. If you do not understand this notice or need more information, please call (213) 629-3531, ext. 319.

Si no entiende esta noticia o si necesita mas informacion, favor de llamar a este numero (213) 629-3531, ext. 319.

_____
VIOLET VARONA-LUKENS, Executive Officer-
Clerk of the Board of Supervisors of the
County of Los Angeles

RESOLUTION
OF THE BOARD OF SUPERVISORS OF
THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
REGARDING INCREASING THE ADMINISTRATIVE FEE FOR
IMPOUNDED/STORED VEHICLES

WHEREAS, The Board of Supervisors of the County of Los Angeles is charged with providing vital services in the area of courts, law enforcement, and adult and juvenile justice to a population in excess of ten million people; and

WHEREAS, California Vehicle Code Section 22850.5 provides that a County may impose a charge, equal to its administrative costs, relating to the removal, impound, storage or release of a vehicle, upon the release of a properly impounded/stored vehicle; and

WHEREAS, these administrative costs may be waived upon verifiable proof that the vehicle was stolen at the time the vehicle was removed; and

WHEREAS, a peace officer (including a deputy sheriff) as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the California Penal Code, or any regularly employed and salaried employee, who is engaged in directing traffic or enforcing parking laws and regulations, has the authority to remove, impound, store and release a vehicle under various sections of the Vehicle Code; and

WHEREAS, the Sheriff's Department is able to collect the charge at its station facilities twenty-four hours each day and authorize the release of a removed, impounded or stored vehicle; and

WHEREAS, the Sheriff's Department's administrative cost relating to the removal, impound, storage and release of a properly impounded/stored vehicle has been determined to be $93.00 each vehicle.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Los Angeles, pursuant to Vehicle Code Section 22850.5, hereby authorizes the increase in the administrative fee to $93.00 for the release of a vehicle which was properly removed, impounded, or stored by any peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code, or any regularly employed and salaried employee, who is engaged in directing traffic or enforcing parking laws and regulations, employed by the County of Los Angeles.

ADOPTED by the Board of Supervisors of the County of Los Angeles on this _____ day of _____, 2004.

VIOLET VARONA-LUKENS, Executive Officer
Clerk of the Board of Supervisors of the
County of Los Angeles

By:_____
Deputy

APPROVED AS TO FORM:

OFFICE OF THE COUNTY COUNSEL

BY:_____
Principal Deputy