



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 8/9/2016

Agenda Placement: 9E

Set Time: 11:00 AM PUBLIC HEARING

Estimated Report Time: 10 Minutes

NAPA COUNTY BOARD OF SUPERVISORS

Board Agenda Letter

TO: Board of Supervisors

FROM: Tracy Schulze - Auditor-Controller
Auditor - Controller

REPORT BY: Marie Nicholas, Accountant-Auditor II - 253-4977

SUBJECT: Resolution - Jail Access and Arrestee Fees

RECOMMENDATION

Auditor-Controller and Director of Corrections request adoption of a resolution setting the Jail Access Fee imposed by Government Code Section 29551(b) and the Arrestee Fee imposed by Government Code Section 29550(c) through (e) for fiscal year 2016-2017.

(CONTINUED FROM AUGUST 2, 2016)

EXECUTIVE SUMMARY

Pursuant to Government Code Section 29551(b), a Jail Access Fee may be imposed to offset costs incurred during the booking process on each agency for each person arrested by that city, special district, school district or community college district and booked into the County Jail for violation of any of the following non-felony crimes: (1) municipal code violations, and (2) misdemeanor violations other than driving under the influence offenses and domestic violence misdemeanor offenses including enforcement of protective orders. These fees are charged where such arrests and bookings exceed the Agency's previous three-year average (for fiscal years 2013-2014 through 2015-2016) of bookings into the County Jail for such crimes. For fiscal year 2016-2017, the Jail Access Fee is recommended to increase from \$180 to \$182, effective August 9, 2016.

Pursuant to Government Code Section 29550(c) through (e), an Arrestee Fee will be imposed to offset actual costs incurred during the booking process, based on a court order on each person arrested by an officer or agent of the County and brought to the County Jail for booking or detention. For fiscal year 2016-2017 the Arrestee Fee is recommended to increase from \$180 to \$182, effective August 9, 2016.

Staff is recommending adoption of the resolution attached.

PROCEDURAL REQUIREMENTS:

1. Open Public Hearing.
2. Staff reports.
3. Public comment.
4. Close Public Hearing.
5. Motion, second, discussion and vote on the item.

FISCAL IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	No
What is the revenue source?	The Department of Corrections does not expect to generate significant revenues from either of the fees and as such has not included this revenue in its budget. Any revenues generated will be recorded in the Charges for Services revenue account.
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	This action generates revenue to offset booking costs in the County jail.
Is the general fund affected?	Yes
Future fiscal impact:	None
Consequences if not approved:	The Department of Corrections will not be able to collect the revenue that might be available from Jail Access and Arrestee Fees during the year.
Additional Information:	

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

The Jail Access Fee and the Arrestee Fee provide for recovery of the costs of booking an arrestee. The fees are calculated by dividing the total allowable direct and indirect booking costs incurred during the fiscal year 2015-2016 by the average number of bookings per year over the past five years. Indirect costs include an allocation of supervision, management and allowable overhead. This item is exempt from the voting requirements of Article XIII C of the California Constitution because it is a charge for a specific government service directly provided to the payor, that is not provided to those not charged and which does not exceed the reasonable cost for providing that service.

The Jail Access Fee, pursuant to Government Code Section 29551(b), is chargeable to a city or governmental agency in any year in which the State appropriates funds for the Criminal Justice Administration Fee, and a city or other governmental agency exceeds their three-year average number of bookings for specified non-felony crimes. Every city or governmental agency may thus be charged the Jail Access Fee for each booking in excess of their

three-year average.

The Arrestee Fee, pursuant to Government Code Section 29550(c) through (e), may be imposed on each person arrested by an officer or agent of the County and brought to the County Jail for booking or detention. The Arrestee Fee is assessed to the arrestee at the discretion of the Court.

A resolution is attached to increase both the Jail Access Fee and the Arrestee Fee from \$180 to \$182 per booking effective August 9, 2016. Also attached are the Auditor-Controller's work papers showing the calculation of the fees. The \$2.00 increase is the net result of cost of living wage adjustments and higher health care costs, offset by a reduction in supplies purchased during the past year and reduced A-87 costs charged due to accounting changes by the County.

SUPPORTING DOCUMENTS

A . Resolution

B . Auditor-Controller's Fee Calculation

CEO Recommendation: Approve

Reviewed By: Molly Rattigan