



# Board Agenda Item 8

DATE: April 13, 2021

TO: Board of Supervisors

SUBMITTED BY: Margaret Mims, Sheriff-Coroner-Public Administrator

SUBJECT: Amendment to Master Schedule of Fees - Sheriff

RECOMMENDED ACTION(S):

- 1. Conduct first hearing to amend the Fresno County Master Schedule of Fees, Charges and Recovered Costs Ordinance by adding new Subsection 2611 (Public Records Act Fees) to Section 2600 - Sheriff; waive reading of the Ordinance in its entirety; and set second hearing for May 11, 2021;**
- 2. Conduct first hearing to amend the Fresno County Master Schedule of Fees, Charges and Recovered Costs Ordinance by amending Subsection 3401 (Photocopy Charge (Paper to Paper)) of Section 3400 - Misc. Countywide Fees (by adding the Sheriff's Office to the list of certain departments excluded from this Countywide fee); waive reading of the Ordinance in its entirety; and set second hearing for May 11, 2021;**
- 3. Designate County Counsel to prepare a fair and adequate summary of each of the proposed Ordinances; and**
- 4. Direct the Clerk of the Board to post and publish the required summaries in accordance with Government Code Section 25124(b)(1).**

Approval of the recommended actions would revise the existing Master Schedule of Fees, Charges, and Recovered Costs based on the Sheriff's Office's costs for FY 2019-20.

The first recommended action, the recommended amendment adding new Subsection 2611 - Public Record Act Fees, is specific to the Sheriff's Office. Those rates will create certain new rates, depending on the type of record requested, the type of copy requested, and the requested media and manner of providing such type of copy. Such types of records or copies, as applicable, include paper, electronic, audio, video, dispatch audio tape, and photos, and the construction of certain records, depending on the type of records requested. Such rates will allow the Sheriff's Office to recover the duplication materials cost and certain operating costs. Such rates will also allow the Sheriff's Office to recover certain salary and benefits costs in connection with direct costs of copying, including, the construction of records, and costs of compilation, extraction of programming but not redaction. Except in connection with paper records, the Sheriff's Office is currently not collecting any fees related to the rates under the proposed Subsection 2611.

The second recommended action, the recommended amendment to Subsection 3401 - Misc. Countywide Fees, would add the Sheriff's Office to the list of certain departments excluded from Countywide Section 3401 (Photocopy Charge (Paper to Paper)), because the new recommended Sheriff's Office's photocopy rates would be set forth specifically in Subsection 2611.

This item is countywide.

ALTERNATIVE ACTION(S):

Your Board may direct staff to use current fees or propose alternative fees which may not recover 100% of costs.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. It is anticipated that with the proposed fees, the Sheriff's Office will ensure full cost recovery for salary and benefits costs, duplications materials cost, services and supplies.

DISCUSSION:

In accordance with the County Ordinance Code 4.44.020, fees charged to the public must be included in the County's Master Schedule of Fees, charges and recovered costs and any revision or modification to the schedule requires approval by the Board of Supervisors.

Recommended new Subsection 2611-The Public Record Act Fees rate has been created by the Sheriff's Office and reviewed and approved by the Auditor-Controller/Treasurer-Tax Collector (ACTTC) according to their interoffice memorandum dated June 16, 2020 and March 3, 2021.

Recommended new Subsection 2611-Public Records Act Fees includes the following types of fees, which will be billed at approved rates or at actual cost as detailed in Attachment A:

- Processing Fees:
  - Electronic copies, including Excel or scanned electronic copies (e.g., PDFs);
  - Paper-B&W; Paper-Color, Paper-Any size/color;
  - Photos-B&W, Photos-Color, Photos-B&W or Color-Other Sizes or type; and
  - Audio, Video, Dispatch Audio Tapes, and other electronic records.
- Media Costs:
  - 8GB Thumb Drive, 16GB Thumb Drive, 32GB Thumb Drive, Data CD/DVD, Media CD, Labels.
- Delivery Costs:
  - Postage to Mail, Mailing Container.

Also included in the recommended new Subsection 2611 are certain new fees to recover certain salary and benefits costs that will be incurred for Sheriff's Lieutenant, Sheriff's Sergeant, and Sheriff's Deputy for Audio, Video, Dispatch Audio Tape Records, and Other Electronic Records as well as certain photos in connection with the construction of records, and costs of compilation, extraction or programming but not redaction. The previously-approved IT Labor Rate (per County Ordinance Code sec. 2604, adopted November 24, 2008) is cross referenced in Subsection 2611.

For recommended new Subsection 2611, fees will be billed at approved rates or at actual cost as detailed in Attachment A. The Public Record Act Fees specifically for the Sheriff's Office, ensures proper cost recovery and have been reviewed by the Auditor-Controller/Treasurer-Tax Collector.

Under the Countywide Subsection 3401 - Misc. Countywide Fees, Photocopy Charge (Paper to Paper), photocopying will be billed at the approved rates under this Subsection except for certain departments. The recommended amendment to Subsection 3401 would add the Sheriff's Office to the list of certain departments excluded from Countywide Section 3401, because the new recommended Sheriff's Office's photocopy rates would be set forth specifically in Subsection 2611.

If your Board approves the recommended Ordinances in the second hearing, which is scheduled to take place on May 11, 2021, the Sheriff's Office will review other fees included in Section 2600 and will return with an item to your Board for approval of additional fees changes, as needed.

REFERENCE MATERIAL:

BAI #27 - October 22, 2019  
BAI #7 - October 8, 2019  
BAI #20 - October 30, 2007

ATTACHMENTS INCLUDED AND/OR ON FILE:

MSF FY 2020-21 Attachment A 2600  
MSF FY 2020-21 Exhibit A 2600  
MSF FY 2020-21 Exhibit A 3400  
MSF FY 2020-21 Ordinance 2600  
MSF FY 2020-21 Ordinance 3400  
On file with Clerk - Summary of Ordinance 2600  
On file with Clerk - Summary of Ordinance 3400

CAO ANALYST:

Yussel Zalapa