



Board Agenda Item 19

DATE: April 25, 2023

TO: Board of Supervisors

SUBMITTED BY: John Zaroni, Sheriff-Coroner-Public Administrator

SUBJECT: Retroactive First Amendment to Agreement with Lexipol, LLC

RECOMMENDED ACTION(S):

Approve and authorize the Chairman to execute retroactive First Amendment to agreement with Lexipol, LLC, to incorporate both the Law Enforcement and Custody Policy Manuals, retroactive to December 1, 2022, with no change to the term of April 1, 2020 through March 31, 2025 and increasing the maximum by \$250,320 to a total of \$500,000.

There is no increase in Net County Cost associated with the recommended actions. Approval of recommended action will update the agreement to include both the Law Enforcement and Custody Policy Manuals, ratify payments made for the Custody policy manual and training bulletins, and increase the maximum compensation amount of the agreement by \$250,320 for the remainder term of the agreement to cover upgrades and maintenance costs. This item is countywide.

ALTERNATIVE ACTION(S):

Should your Board not approve the recommended action, the Sheriff's Office will not be able to implement updated policies and add the Custody Policy Manual due in addition to paying future subscriptions and maintenance expenses.

RETROACTIVE AMENDMENT

The recommended amendment is retroactive to December 1, 2022 to ratify payments made by the Sheriff's Office for Lexipol's annual custody manual and training bulletins for the period of December 1, 2022 through March 31, 2023. Approval of the recommended action will allow the Sheriff's Office to incorporate the subscription to Lexipol's annual custody manual and training bulletins and upgrade to the custody full implementation for the remaining term of the agreement.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions, which will increase the maximum compensation of the agreement with Lexipol by \$250,320, to cover a recommended upgrade during the remainder of the agreement term. The department subscribed to Lexipol's annual custody policy manual and training bulletins and paid the invoice in the amount of \$18,139 of which the custody policy manual is not part of the agreement. Therefore, the recommended amendment will correct the oversight and ratify the payment made by the department. The Sheriff's Office has a pending invoice of \$97,000 for the upgrade that will be paid upon approval of the recommended amendment. Sufficient appropriations and estimated revenues for the additional costs are included in the Sheriff-Coroner-Public Administrator's FY 2022-23 Org 3111 Adopted Budget and will be included in future recommended budgets.

DISCUSSION:

On April 28, 2020, your Board approved Agreement No. 20-153 with Lexipol for the continuation of comprehensive law enforcement policy manual and daily training bulletin subscription services for the Sheriff's Office.

The Sheriff's Office has a need for a comprehensive policy manual that reflects up-to-date content specific to Federal and to California law, and applicable industry standards and best practices that can be customized to meet the needs of the Fresno County Sheriff's Office. The Lexipol program is unique in several ways, which currently includes the Policy Manual Development and Daily Training Bulletins.

Approval of the recommended action will allow Lexipol to include both the Law Enforcement and Custody Policy Manuals and daily training bulletin services. It will also increase the agreement maximum total to \$500,000 to add the Custody Policy Manual and future maintenance costs.

Department staff entered into a Master Service Agreement on December 1, 2022, to subscribe to Lexipol's annual custody policy manual and training bulletins, with a not-to-exceed amount of \$169,557. Although services were provided by Lexipol under that agreement, and an invoice was paid by the Department in the amount of \$18,139, it was later determined that it was not validly executed and should have been an amendment to this agreement. The recommended amendment corrects this oversight, ratifies the payment made, and provides that the Master Service Agreement is null and void.

As per the terms of the agreement, on March 1, 2023, the agreement was extended one year, and unless extended for one additional year, will expire on March 31, 2024.

REFERENCE MATERIAL:

BAI #29, April 28, 2020

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - First Amendment to Agreement with Lexipol

CAO ANALYST:

Samantha Buck