



Agenda Item 8

DATE: February 24, 2015 (Continued from February 10, 2015)

TO: Board of Supervisors

FROM: Margaret Mims, Sheriff-Coroner

SUBJECT: Patrol Vehicle Replacement and Legal Costs

RECOMMENDED ACTIONS:

1. Adopt resolution increasing the FY 2014-15 appropriations and estimated revenue for the Sheriff's Office Org 3111 in the amount of \$1,200,000 to purchase Sheriff patrol vehicles (4/5 vote).
2. Adopt resolution increasing the FY 2014-15 appropriations and estimated revenue for the Sheriff's Org 3111 in the amount of \$90,000 for outside legal services (4/5 vote).

There is no increase in net County cost associated with these actions. Prior year revenues in excess of accruals and Asset Forfeiture funds are recommended for the purchase of thirty (30) patrol vehicles, and for estimated legal costs associated with the Espinoza (donning/doffing) case.

ALTERNATIVE ACTION:

If the first recommended action is not approved, the department will not be able to purchase replacement patrol vehicles, which will result in the Department's continued use of existing high mileage, maintenance prone vehicles, and the increased likelihood that patrol operations will be compromised.

If the second recommended action is not approved, an alternative funding source would need to be identified.

FISCAL IMPACT:

There is no additional net County cost associated with the recommended actions. Asset Forfeiture funds in the amount of \$300,000 and prior year revenue in excess of accruals in the amount of \$990,000 are recommended to finance the vehicle purchase (\$1,200,000) and legal costs (\$90,000). The first resolution will appropriate the funds and offsetting revenues in the FY 2014-15 Sheriff's 3111 budget and will fund the purchase of 30 vehicles at a cost of \$30,000

ADMINISTRATIVE OFFICE REVIEW

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each. Additionally, the Sheriff's Asset Forfeiture Fund will be used for the up fitting cost estimated at \$300,000 or \$10,000 per vehicle. Maintenance costs are included in the FY 2014-15 Sheriff's 3111 budget and will be included in the FY 2015-16 requested budget for Org 3111.

The second resolution will appropriate the funds and offsetting revenues in the FY 2014-15 Sheriff's 3111 budget. Prior year revenue in excess of accruals will be used to fund \$90,000 in legal costs related to the Espinoza (donning/doffing) case.

Approval of the recommended actions will increase FY2014-15 appropriations and estimated revenues for the Sheriff Org 3111 in the amount of \$1,290,000.

DISCUSSION:

The Sheriff-Coroner's Office maintains a fleet of patrol vehicles to provide a law enforcement presence for the unincorporated areas of the County's 6000 square miles. As a General Fund department, the Sheriff's Office does not charge itself "depreciation" for the replacement of Sheriff patrol vehicles. In addition, due to fiscal constraints, funding has not been available for the replacement of patrol vehicles on an ongoing basis. Limited funds have been directed to the repair or replacement of patrol vehicle components as they fail. Because of the wear and tear and extended mileage on the patrol fleet, repairs needed to keep many of the vehicles operational now include engines, transmissions and other repairs that exceed the salvage value of the vehicle.

To reduce the excessive cost of repairs and to benefit from new vehicle warranties, the Sheriff recommends using additional revenue received over accrual estimates and Asset Forfeiture funds to replace patrol vehicles. Procurement options are limited due to acquiring a large number of vehicles at one time. If the first recommended action is approved by your Board, the Sheriff-Coroner's Office will utilize State of California contract pricing and work with local dealerships for the purchase of the 30 vehicles. The Sheriff's Office will continue to evaluate the ability to fund replacement vehicles on an annual basis. In addition, the Sheriff-Coroner's Office will return to your Board within the next 60 days with recommendations for the development of a vehicle replacement fund, including a recommendation to allocate an additional \$600,000 in prior year revenue in excess of revenue accruals to this fund.

Approval of Recommended Action No. 2 will be used to pay invoices related to *Espinoza et al. v. County of Fresno* (also known as the donning and doffing case), arising out of the Sheriff-Coroner's Office. The County ultimately settled the suit the day before the trial was to begin. County Counsel estimates approximately \$80,000 in trial and settlement costs and \$10,000 in a possible appeal involving other issues in the case to be paid by the County to McCormick Barstow in FY 2014-15.