



City Of Camarillo

601 Carmen Drive • P.O. Box 248 • Camarillo, CA 93011-0248

Office of the City Manager
(805) 388-5307
Fax (805) 388-5318

April 23, 2012

The Honorable Judge Vincent O'Neill, Jr.
Presiding Judge, Superior Court of California
County of Ventura
800 South Victoria Avenue
Ventura, CA 93009

Subject: Grand Jury Report, "Vehicle Impound Fees in Ventura County"

Dear Honorable Vincent J. O'Neill, Jr.:

This letter is in response to the Grand Jury's Findings and Recommendations pertaining to the fees collected by local municipalities for the release of impounded vehicles.

FINDINGS

Finding FI-01:

All Cities provided the administrative cost basis for the impound release fees charges to the public.

Response:

We concur with this finding.

Finding FI-02:

All Cities have passed resolutions authorizing the collection of the fees required for release of a vehicle from impound.

Response:

We concur with this finding.

Finding FI-04:

Vehicle release fees across the County for violations of Vehicle Code sections 12500 and 14601 vary from \$11 in unincorporated areas, to \$300 in Thousand Oaks.

Response:

We concur with this finding.

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Finding FI-05:

Six Cities (Camarillo, Fillmore, Moorpark, Ojai, Santa Paula, and Simi Valley) and the Sheriff (unincorporated County areas) do not identify any additional tasks or any extra hours required to process the impoundment of a DUI vehicle versus the cost of other types of impoundments. This transfers extra costs from the DUI violator to the general public. (FA-03-FA-06, FA-09, FA-10)

Response:

We do not concur with this finding: Existing law already holds the violator liable for the costs incurred by public agencies when an emergency response is required due to his/her impairment from the consumption of alcoholic beverage or any drug while driving a vehicle. Other procedures are in place to recoup these costs. These procedures are separate and apart from the administrative fees authorized by C.V.C. 22850.5. Therefore we believe there are no additional costs associated with a DUI violator to transfer to the general public.

Finding FI-06:

There is no standardized list of allowable categories of impound costs used to calculate vehicle release fees across the County. Some cities base fees on costs that occur after a traffic stop transitions to the impound process. This cost basis also includes the vehicle release paperwork. Other cities and the Sheriff collect fees based only on the cost of the paperwork generated at the end of the impound process. This disparity in the services included in the fee allocations for violations of Vehicle Code sections 12500, 14601, and 23152 is a major factor in the fee variations. (FA-03-FA-14)

Response:

We concur with this finding.

RECOMMENDATIONS

Recommendation R-02:

Representatives of all law enforcement agencies within the County should meet and identify a standard set of tasks, labor hours and overhead items to cover the full spectrum of administrative costs for violations of Vehicle Code sections 12500, 14601, and 23152. (FI-06)

Response:

On April 20, 2012, all Ventura County law enforcement agencies were invited by Oxnard Police Chief Jeri Williams, President of the Ventura County Law Enforcement Coordinating Committee (VCLECC), comprised of the Sheriff and all Chiefs of Police in Ventura County, to participate in a study session(s) within the next 30 days to identify a standard set of tasks, labor hours and overhead items to cover the full spectrum of administrative costs when towing a vehicle for violations of Vehicle Code sections 12500, 14601, and 23152. No specific date has been established at this time.

However, prior to the above meeting, all of the Ventura Sheriff's Office Contract Cities (Camarillo, Ojai, Fillmore, Moorpark, Thousand Oaks and West County Patrol) are scheduled to meet on April 24, 2012 to identify a standard set of criteria for vehicle tow fees.

Recommendation R-03:

All Cities should apply their local rates and factors and their targeted cost recovery goals to calculate their individual vehicle release fees using the standardized cost category list from Recommendation R-02. It should be recognized that categories not included in the cost basis for approved fees represent costs to be borne by the general public and not the violator at a time of reduced public safety budgets. As necessary, new resolutions authorizing any revised vehicle release fees should be passed and the basis for the fees should be available to the public. (FI-04-FI-06)

Response:

After the above scheduled study session(s) with all Ventura County law enforcement agencies, it will require additional analysis by each city prior to implementation due to salary and staffing variations. Additionally, the City of Camarillo is currently undergoing a User Fee Analysis by a contracted firm, NBS, for all city fees, including vehicle towing. Prior to any changes to the Vehicle Tow Release user fee, it will require a review and analysis by the NBS project manager and/or City Staff; review by the City Manager; and presentation to the City Council for formal adoption of all user fees. This process should take approximately 2-3 months but is expected to be completed by June 30, 2012.

Thank you for the opportunity to respond to this Grand Jury report. If additional explanation is needed, please feel free to contact Police Commander Steve DeCesari at 805-388-5102.

Sincerely,


Bruce Feng
City Manager

sd/jg

cc: David H. Gale, Foreman
Ventura County Grand Jury
800 S. Victoria Avenue
Ventura, CA 93009

Enclosures: Response to Grand Jury Report Form and Attachment

City of Camarillo Response to Grand Jury Report
On Vehicle Towing User Fee

RECOMMENDATIONS:

Recommendation numbered R-02 has not yet been implemented, but will be implemented in the future.

Response: On April 20, 2012, all Ventura County law enforcement agencies were invited by Oxnard Police Chief Jeri Williams, President of the Ventura County Law Enforcement Committee (VCLEC), comprised of the Sheriff and all Chiefs of Police in Ventura County, to participate in a study session(s) within the next 30 days to identify a standard set of tasks, labor hours and overhead items to cover the full spectrum of administrative costs when towing a vehicle for violations of Vehicle Code sections 12500, 14601, and 23152. No specific date has been established at this time.

However, prior to the above meeting, all of the Ventura Sheriff's Office Contract Cities (Camarillo, Ojai, Fillmore, Moorpark, Thousand Oaks and West County Patrol) are scheduled to meet on April 24, 2012 to identify a standard set of criteria for vehicle tow fees.

Recommendation numbered R-03 requires further analysis.

Response: After the above scheduled study session(s) with all law enforcement agencies, it will require additional analysis by each city prior to implementation due to salary and staffing variations. Additionally, the City of Camarillo is currently undergoing a User Fee Analysis by a contracted firm, NBS, for all city fees, including vehicle towing. Prior to any changes to the Vehicle Tow Release user fee, it will require a review and analysis by the NBS project manager and/or City Staff; review by the City Manager; and presentation to the City Council for formal adoption of all user fees. This process should take approximately 2-3 months but is expected to be completed by June 30, 2012.

Response to Grand Jury Report Form

Report Title: VEHICLE IMPOUND FEE REPORT

Report Date: April 23, 2012

Response by: _____ Title: _____

FINDINGS

- I (we) agree with the findings numbered: FI-01, FI-02, FI-04, FI-05, FI-06
- I (we) disagree wholly or partially with the findings numbered: _____
(Attach a statement specifying any portions of the findings that are disputed; include an explanation of the reasons therefor.)

RECOMMENDATIONS

- Recommendations numbered _____ have been implemented.
(Attach a summary describing the implemented actions.)
- Recommendations numbered R-02 have not yet been implemented, but will be implemented in the future.
(Attach a timeframe for the implementation.)
- Recommendations numbered R-03 require further analysis.
(Attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.)
- Recommendations numbered _____ will not be implemented because they are not warranted or are not reasonable.
(Attach an explanation.)

Date: 4/24/12 Signed: Rene L. Teep

Number of pages attached 1