



MOORPARK

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May 31, 2012

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VENTURA COUNTY
GRAND JURY

The Honorable Vincent J. 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 Judge O'Neill:

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-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. The average (mean) vehicle release fee for the County is \$137.79. (FA-03-FA-14)

Response:

We concur with this finding.

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 concur with the first sentence of this finding, however we do not concur with the second sentence. A thorough analysis of the time and tasks associated with various reasons for impounding vehicles shows that there is no difference between a vehicle impounded for a DUI arrest and vehicles impounded for other reasons. Therefore we believe there are no additional costs associated with a DUI violator to transfer to the general public.

The Honorable Vincent J. O'Neill, Jr.
Presiding Judge, Superior Court of California
Re: Grand Jury Report, "Vehicle Impound Fees in Ventura County"
Page 2
May 31, 2012

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:

We agree with the recommendation; however, we believe that each city and county law enforcement agency is unique in how it staffs and handles the processing of paperwork, including impounded vehicle reports. The methods unique to each agency could result in differing amounts charged by each agency for a vehicle release fee. Additionally, each of the five cities that contract with the Ventura County Sheriff's Office for law enforcement services are charged contract rates that reflect the unique frontline and overhead services each city receives, resulting in slightly different contract rates for a given resource. These differences could also result in differing amounts charged by each city for vehicle release fees.

The Ventura County Law Enforcement Coordinating Committee (made up of the various Chiefs of Police, the Sheriff, and other law enforcement executives) has discussed the issue and has planned to form a committee to work out a possible standardized methodology for charging towed vehicle release fees, to the extent possible.

At the time of the last fee revision through Resolution in 2004, the City of Moorpark did a comprehensive study to capture as much of the costs associated with impounded vehicles as possible. In reviewing the analysis that supported the \$110 vehicle release fee charged by the City of Moorpark, it is our belief that

The Honorable Vincent J. O'Neill, Jr.
Presiding Judge, Superior Court of California
Re: Grand Jury Report, "Vehicle Impound Fees in Ventura County"
Page 3
May 31, 2012

the fee could be updated to reflect current rates, but that the tasks associated with impounding and releasing a vehicle would remain the same.

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

We agree with the recommendation that all Cities should apply their local rates and factors and their targeted cost recovery goals to calculate their individual vehicle release fees, however we reiterate our response to Recommendation R-02 regarding the uniqueness of each law enforcement agency's costs and staffing, which would result in differing vehicle release fees for each agency.

Thank you for the opportunity to respond to this Grand Jury report. If additional explanation is needed, please feel free to contact my office at 517-6212.

Sincerely,



Steven Kueny
City Manager

cc: Moorpark City Council

Foreman, Ventura County Grand Jury
800 S. Victoria Avenue
Ventura, CA 93009