



ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input checked="" type="checkbox"/> Public Hearing
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other

Prepared By: Randy Latimer, Traffic Sergeant Agenda Item No. K-3

Reviewed By: City Manager [Signature] City Attorney [Signature] Finance [Signature] Other (Specify) _____

DATE: July 7, 2010

TO: City Council

FROM: John Crombach, Chief of Police [Signature]
Police Department

SUBJECT: Establishment and Adjustment of Fees and Charges for the Release of Towed Vehicles

RECOMMENDATION

That City Council:

1. Hold a public hearing to receive public testimony regarding the proposed new fees and adjustments to current fees for the release of towed vehicles.
2. Adopt a resolution establishing new fees and adjusting current fees for the release of towed vehicles.

DISCUSSION

The Oxnard Police Department has the responsibility and authority to ensure that motorists safely traverse our city's roadways. With that responsibly, the police department has the authority to store and/or impound vehicles in cases where the operator is found to be improperly licensed or arrested, or where the vehicle is used in the commission of a crime. The police department is also charged with vehicle abatement and has the authority to store vehicles that are deemed abandoned or that create public nuisances or hazards.

California Vehicle Code section 22850.5 allows a city to adopt a regulation, ordinance, or resolution establishing procedures for the release of properly impounded vehicles and for the imposition of a charge equal to its administrative costs relating to the removal, impound, storage, or release of the vehicles. It is the State's posture that a city's cost associated with the towing of a vehicle in either a traffic stop/impound or an illegally parked vehicle situation (storage) should not be borne by the general public but by the owner of said vehicle.

Establish and Adjustment of Fees and Charges for Vehicle Towing Releases

June 2, 2010

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Annual Review and Adjustment of fees

City Council's Resolution No. 12,905, establishing financial management policies, requires an annual review of activities supported by user fees and charges to determine costs and effect adjustments sufficient to cover actual costs, including the impact of inflation. The determination of costs is to be based on direct and indirect costs of providing services.

The 2010-11 vehicle release fee study was conducted by a committee comprised of members within the Oxnard Police Department who deal directly with the vehicle release process and who have the most knowledge of the components related to vehicle release procedures. The study took into consideration the streamlining of the vehicle release process, advances in technology related to the tracking of stored/impounded vehicles, and the current state of the economy. Based on the study, it is recommended that the Oxnard Police Department adjust the current vehicle release fees to achieve full cost recovery which will entail reducing vehicle release fees in some of the categories. The last time fees were adjusted was in FY 05/06.

The police department recommends that the vehicle release fees be separated into three (3) separate categories: Abandoned Vehicle Abatement Release, Basic Vehicle Release, and DUI Vehicle Release.

- Abandoned Vehicle Abatement Release – Vehicles that have been towed as obviously abandoned or in violation of City Code sections 8-37(A) or 8-42(A).
- Basic Vehicle Release – Vehicles that have been towed under the following circumstances: as evidence; driver was arrested (except DUI); driver was unlicensed; the driver's license was suspended or revoked; vehicle was creating a hazard in the roadway; or vehicle was used in the commission of a public offense.
- DUI Vehicle Release – Vehicles that have been towed from drivers who were arrested for driving under the influence of alcohol and/or drugs.

FINANCIAL IMPACT

We anticipate that the new DUI Vehicle Release fee will offset any loss of revenue due to the reduction of unlicensed driver tow fees. Therefore, the financial impact will be minimal.

Attachment #1 - Resolution Establishing New Fees and Adjusting Current Fees

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD
ESTABLISHING AND ADJUSTING FEES FOR THE RELEASE OF TOWED VEHICLES

WHEREAS, on June 24, 2008, the City Council adopted financial management policies (“the policies”) to be followed in the development and implementation of the City budget; and

WHEREAS, the policies are updated annually; and

WHEREAS, subsection B of section III of the policies requires annual review of activities supported by user fees and charges to determine costs and effect adjustments sufficient to recover actual costs, including the impact of inflation; and

WHEREAS, such review has been performed to establish new fees and adjust current fees; and

WHEREAS, the new fees and adjustments to current fees included in this resolution will provide full cost recovery to the Police Department for costs incurred for the towing and/or impounding of motor vehicles; and

WHEREAS, the adoption of this resolution is exempt from the California Environmental Quality Act (CEQA) as the establishment of fees for the purpose of meeting operating expenses, including employee wages and fringe benefits as shown on Exhibit A, attached hereto and incorporated herein by reference; and

WHEREAS, notice was given of the proposed adoption of this resolution and a public hearing was held thereon.

NOW, THEREFORE, the City Council of the City of Oxnard finds that the fees adopted by this resolution are for the purpose of meeting operating expenses, including employee wages and fringe benefits, as set forth in the fee schedule provided in Exhibit A.

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NOW THEREFORE, the City Council of the City of Oxnard resolves:

The proposed fees set forth in Exhibit A are adopted.

PASSED AND ADOPTED THIS ___th day of July, 2010 by the following vote:

AYES:

NOES:

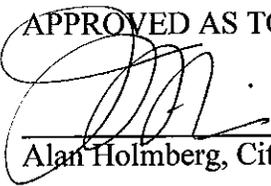
ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

Daniel Martinez, City Clerk

APPROVED AS TO FORM:



Alan Holmberg, City Attorney

for

7.13.10

New Fee Schedule at Net Regular Cost and Time Adjustment

Unlicensed Driver/Basic

*Unlicensed Driver and Basic release fees will be combined

RANK	Full Cost Fee	Average Units (hr)	Total Fee	
POII	146.06	1.00	146.06	
Commander	249.60	.08	19.97	
Dispatcher	77.81	.08	6.22	
Records Tech	46.36	.75	34.77	
Word Processor	57.58	.33	19.00	
B&W Cruiser	15.06	1.00	15.06	
TOTAL			241.08	241.00

DUI arrest

RANK	Full Cost Fee	Average Units (hr)	Total Fee	
POII	146.06	1.50	219.09	
Commander	249.60	.08	19.97	
Dispatcher	77.81	.08	6.22	
Records Tech	46.36	.75	34.77	
Word Processor	57.58	1.00	57.58	
Booking Officer	63.01	1.00	63.01	
B&W Cruiser	15.06	1.00	15.06	
TOTAL			415.70	416.00

Abandoned Vehicle Abatement

RANK	Full Cost Fee	Average Units (hr)	Total Fee	
CSO	72.61	1.00	72.61	
Commander	249.60	.08	19.97	
Dispatcher	77.81	.08	6.22	
Records Tech	46.36	.75	34.77	
B&W Cruiser	15.06	1.00	15.06	
TOTAL			148.63	149.00

