



COUNTY OF HUMBOLDT

Legislation Text

File #: 24-986, **Version:** 1

To: Board of Supervisors

From: Sheriff

Agenda Section: Consent

Vote Requirement: Majority

SUBJECT:

Amendment to Agenda Item 22-125 for the Agreement with the City of Blue Lake for Law Enforcement Services dated November 1, 2021

RECOMMENDATION(S):

That the Board of Supervisors:

1. Amend recommendation #1 and #2 from the Board of Supervisors May 24, 2022 meeting agenda item 22-125 (Attachment 1) to clarify that the executed agreement from November 1, 2021 to June 30, 2024 (Attachment 2) does not have a total contract amount cap by removing "in the amount of \$327,670" from the recommendations;
2. Clarify that the Sheriff's Deputy Director of Financial and Support Services has the authority to notice the City of Blue Lake of the recomputed annual amount as a staff representative of the County in accordance with Section 11 of the Agreement (Attachment 2); and
3. Ratify charges in the amount of \$190,685.00 to the City of Blue Lake for Law Enforcement Services in accordance with the Agreement for the period of July 1, 2023 to June 30, 2024.

STRATEGIC PLAN:

This action supports the following areas of your Board's Strategic Plan.

Area of Focus: Safe & Healthy Communities

Strategic Plan Category: 1001 -Support and sustain partnerships between public safety and partner agencies to enhance public safety in our communities

DISCUSSION:

On May 24, 2022 the Board approved an Agreement between the County of Humboldt through its Sheriff's Office (HCSO) and the City of Blue Lake for Law Enforcement Services. Section 11 of the Agreement states that the total amount charged shall be recomputed annually. The executed Agreement does not include a maximum contract cap for the term of the Agreement. An error was made in the May 24, 2022 agenda item recommendations which took the first year's annual amount pro-rated, plus the same annual amount for years 2 and 3 for a total of \$327,670 as the maximum value of the contract. This was inaccurate as the amount for years 2 and 3 was unknown at the time the agenda item came before the Board. The inaccurate agenda item recommendation has created some confusion with the City of Blue Lake which needs to be rectified so that HCSO can receive payment for services provided in FY2023-24.

On May 20, 2022, HCSO provided notice to the City of Blue Lake that the recomputed amount for law enforcement services increased from \$122,876 to \$146,450 for the period of July 1, 2022 to June 30, 2023. The City of Blue Lake did not appeal the amount and paid the \$146,450 in full.

On May 31, 2023, HCSO provided notice to the City of Blue Lake that the recomputed amount increased from \$146,450 to \$315,656. This increase was due to expense increases and the availability of more detailed data resulting in a change in the methodology for calculating the costs. The City of Blue Lake paid the first quarter in the amount of \$78,914, and subsequently appealed the annual amount. In good faith, HCSO has met with the City of Blue Lake and has negotiated changes to the calculation methodology resulting in the amount being recalculated to \$190,685.00. HCSO has continued to provide services in accordance with the agreement without any interruptions.

Although the City of Blue Lake has verbally agreed to the recalculated amount of \$190,685 in a new agreement that is intended to be effective July 1, 2024, the City of Blue Lake has not agreed to the recalculated rate to be paid in FY2023-24. The City of Blue Lake is citing the agenda item recommendations from May 24, 2022 stating that the contract amount for the term of the agreement is \$327,670 even though the legally binding contract does not specify a contract cap. At this time the City of Blue Lake has taken the position that it will pay the same amount in FY2023-24 as they paid in FY2022-23 in the amount of \$146,450.

HCSO would like to correct the original agenda item and clarify that the Board of Supervisors has given authority to HCSO staff to carry out the terms of the executed agreement so that it can continue to work with the City of Blue Lake to finalize the amount due for law enforcement services provided in FY2023-24. HCSO is hoping that once this matter is clarified, it will remove the barrier to receiving the cost of actual services for the current fiscal year. Once an agreement can be reached with the City of Blue Lake regarding payment for services received in FY2023-24, then HCSO will bring to your Board the new agreement for approval to be effective July 1, 2024.

SOURCE OF FUNDING:

City of Blue Lake

FINANCIAL IMPACT:

There is no financial impact to correcting the agenda item recommendations from May 24, 2022 other than the staff time to prepare this agenda item for the Board.

OTHER AGENCY INVOLVEMENT:

City of Blue Lake

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board could choose to not approve this correction to the original agenda item, but that is not recommended since the executed agreement is the legal binding document which allows for annual increases for actual cost of services with no contract cap.

ATTACHMENTS:

Attachment 1 - Staff report for agenda item 22-125

Attachment 2 - Agreement with the City of Blue Lake dated November 1, 2022

PREVIOUS ACTION/REFERRAL:

Meeting of: May 24, 2022

File No.: 22-125