



Ventura County **SHERIFF'S OFFICE**

Jim Fryhoff - Sheriff | **John Reilly** - Undersheriff

800 S. Victoria Avenue, Ventura, CA 93009 | 805.654.2385 | VenturaSheriff.org



150
YEARS
OF SERVICE

December 19, 2023

Board of Supervisors
County of Ventura
800 South Victoria Avenue
Ventura, California 93009

Subject: **Approval of, and Authorization for the Purchasing Agent or Designee to Sign, a Sheriff's Civil Division Software and Services Master Agreement and Addendum with Teleosoft Incorporated totaling \$88,474, effective January 1, 2024, for a Software Module; Approval of Sheriff Information Technology Services' (IST) Purchase of Related IST Software Equipment in the Amount of \$10,952; Approval of the Use of Funds From the Sheriff's Civil Automation Fees Trust Account in the Total Amount of \$99,426 for the Agreement with Teleosoft and Related IST Equipment; Waiver of Board Policy Prohibiting Inclusion of Attorney's Fees Provisions in County Contracts. (RECOMMENDATION NO. 5 REQUIRES 4/5th VOTE).**

Recommendations:

It is recommended that your Board:

1. Approve, and authorize the Purchasing Agent or designee to sign, a Sheriff's Civil Division software and services agreement with Teleosoft Inc., for a total amount of \$88,474 which includes a one-time fee of \$77,447 for software and services and \$11,027 for annual maintenance and support.
2. Approve, and authorize an amount of \$10,952 for Sheriff's Information Technology Services to purchase server storage equipment to accommodate the new software.
3. Approve the use of the total amount of \$99,426 from the Sheriff's Civil Automation Fees Trust Account (N951-810A) for the Sheriff's Civil Software project and for Sheriff's ITS to purchase related equipment.
4. Waive Board policy prohibiting the inclusion of attorney's fees provisions in County contracts for the subject Master Agreement.

5. Authorize the Auditor-Controller to process the necessary accounting transactions to increase appropriations and emancipated revenue as follows (Requires 4/5th vote):

INCREASE 2550-2555	Charges for Services	\$99,426
INCREASE 2550-2555	Services & Supplies	\$38,243
INCREASE 2550-2555	Computer Software	\$61,183

Fiscal Impact Statement:

Mandatory:	No
Source of Funding:	Government Code Section 23731, Sheriff's Civil Automation Fees Trust Account (N951-810A)
Funding Match Required:	None
Impact on Other Departments:	None

<u>Summary of Revenues and Costs:</u>	<u>FY2023-24</u>	<u>FY2024-25</u>
Revenues:	\$ 99,426	\$ 0
Costs		
Direct	\$ 99,426	\$ 0
Indirect Dept.	\$ 0	\$ 0
Indirect - County CAP	\$ 0	\$ 0
Total Costs	\$ 99,426	\$ 0
Net County Cost	\$ 0	\$ 0
Recovered Indirect Costs	\$ 0	\$ 0

Current Fiscal Year Budget Projection:

FY 2023-24 Budget Projection for Sheriff Detention Services – Division 2550				
	Adopted Budget	Adjusted Budget	Projected Budget	Estimated Variance
Appropriations	\$135,613,272	\$142,544,814	\$142,544,814	\$0
Revenue	\$61,934,849	\$67,547,351	\$67,547,351	\$0
Net Cost	\$73,678,423	\$74,997,463	\$74,997,463	\$0

Strategic Plan

Approval of this Master Agreement, funds and purchases is in line with the County of Ventura Strategic Plan since these funds and purchases will be used to maintain and improve Sheriff's Office information technology usage, efficiency and outcomes. The approval of this agreement, funds and purchases promotes fiscal efficiency by using the already-established Sheriff's Civil Automation Fees Trust Account, meaning there will be no net cost to the County.

Discussion:

The Sheriff's Civil Automation Fees Trust Account is designated, pursuant to statute (Government Code Section 26731), to collect processing fees assessed by the Sheriff under Government Code Sections 26721, 26722, 26725, 26726, 26728, 26730, 26733.5, 26734, 26736, 26738, 26742, 26743, 26744, and 26750. Government Code Section 26731 specifically states that fee proceeds "shall be for the exclusive use of the sheriff's civil division" and that 95% of the fee proceeds "shall be expended to supplement the costs of the depositor [Sheriff] for the implementation, maintenance, and purchase of auxiliary equipment and furnishings for automated systems."

As your Board is aware, the Sheriff's Civil Division serves civil process in accordance with Government Code Section 26608. The Civil Division works in conjunction with the California State Courts and is required to process, serve and execute all civil documents in a timely and efficient manner as set forth in the California Civil Code of Procedure. Civil process includes small claims documents, summons and complaints, restraining orders, bank levies, wage garnishments, levies upon real and personal property and evictions.

The software system used by the Civil Division tracks all of the civil processes. It generates State mandated judicial forms to perform numerous levies, such as wage and bank garnishments, and eviction notices. The civil software system also maintains all accounting records by applying fees and payments, calculating interest and disbursing monies.

Previous Contract with Teleosoft

In 2017, the Board of Supervisors approved a contract with Teleosoft, Inc. system to provide software and upgrades that assisted our Civil Division to be more efficient. The Sheriff's Civil Division appreciates the Teleosoft software and how easy it is to use, but the previous contract needs to be replaced to include the new Assembly Bill requirements for Civil Automation.

New Assembly Bill Requirements for Civil Automation

On September 18, 2022, the State approved Assembly Bill No. 2791. The bill offers an exemption to existing law, the California Public Records Act, which requires public records to be open to the public for inspection. The bill is attempting to prevent public records requests from obtaining access to specific information in writs, summons, orders, or notices from civil proceedings. The bill is requiring Sheriff Offices throughout the state to upgrade their Civil Automation Services to accept and process documents electronically and limit the information that Sheriffs have access to. In summary, the bill requires the Sheriff to have the ability to perform the following functions by January 1, 2024:

- 1) Accept electronic signatures for requests made for civil services by litigants or their attorney of record
- 2) Prohibit requiring wet signatures in order to serve court documents, summons, orders, or other notices
- 3) Prohibit the Sheriff from reviewing the substance of a summons, order, or other notice except for specific criteria such as names, signature of judge, and court certification
- 4) Require all requests for civil services or processes to be made on the Judicial Council forms and would prohibit the Sheriff from requiring an additional form
- 5) Require the Sheriff to accept electronic transmission by email, fax, or in-person delivery of the Judicial Council forms
- 6) Protect the privacy and safety of litigants who, directly or through another person, seek the assistance of a sheriff's department in serving notice and process, it is necessary to limit the disclosure of the litigant's personal information to the public

Assembly Bill No 2791 states, "By requiring marshals or sheriffs, including their department or office to allow notices and other processes to be transmitted to the department or office by email, fax, thereby imposing a higher level of service on local government, this bill would impose a state-mandated local program."

Why Teleosoft?

The current software from Teleosoft Inc, has been easy to use and has provided Sheriff Civil with an efficient way to serve community members with their needs. Teleosoft's software and support is proven in Ventura County with the existing contract. Regarding the new Civil Automation software, Teleosoft, Inc. will provide the County with a pre-tested work product that has already shown to be satisfactory for county sheriff civil automation procedures in Sacramento County, Orange County, Solano County, and San Joaquin County. Sheriff review found the pricing is in line with other counties. These advantages justify our recommendation to piggyback on the previous agreement with Teleosoft.

ITS has worked with the Sheriff's Office and Teleosoft, Inc. to produce a Proposal for Product and Services for the software and services to be provided to the Sheriff's Civil Division. The package cost for software, implementation, configuration, training, and support is \$77,447. There is an increase in the annual maintenance and support service fee of \$11,027 payable to Teleosoft, Inc.

No Net Cost / Funded by the Civil Automation Fees Trust Account

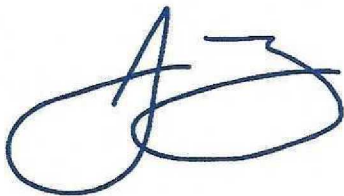
Funds for this purchase and maintenance cost are available in the Civil Automation Fees Trust Account (N951-810A). There is an ongoing annual server administration fee of \$10,952, payable to ITS through the Internal Service Fund. Funds for this cost are available in the trust account (N951-810A). The purchase has no net cost to the County. The Sheriff requests your Board to approve and authorize the Purchasing Agent, or his designee, to enter into an agreement with Teleosoft, Inc. and authorize the use of fund from the trust account (N951-810A) for the project as described above. The Sheriff also requests your Board to authorize the Auditor-Controller to increase appropriations and offset revenue accordingly in the Sheriffs budget.

Waiver of County Policy Regarding Attorney's Fees Provisions in County Contracts

The Purchasing Agent's signature on the Master Agreement requires the County's agreement to provisions entitling the prevailing party in a contract dispute to recover its attorney's fees from the other party. The Sheriff's Office has attempted to negotiate the exclusion of this language from the Master Agreement but Teleosoft requires it as part of its nationwide set of contracts. Thus, your Board is being requested to waive the Board's policy prohibiting the inclusion of such provisions in County contracts, for purposes of this Master Agreement only.

The Offices of the County Executive, County Counsel, the Auditor Controller, as well as General Services Agency – Procurement Services have reviewed this letter. If you have any questions or need additional information, please contact Assistant Sheriff Shane Matthews at 805-654-2305.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Jim Fryhoff', with a stylized, cursive script.

Jim Fryhoff
Sheriff

Exhibit 1 – 01012024 Ventura County Master Agreement
Exhibit 2 – 01012024 Ventura County Addendum B - E-filing
Exhibit 3 – Certificate of Liability Insurance 1
Exhibit 4 – Certificate of Liability Insurance 2