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**BOARD MEMBERS:**

- DISTRICT 1 - Dom Zanger
- DISTRICT 2 - Kollin Kosmicki
- DISTRICT 3 - Mindy Sotelo
- DISTRICT 4 - Angela Curro
- DISTRICT 5 - Ignacio Velazquez

COUNTY ADMINISTRATIVE OFFICER:  
Esperanza Colio Warren

COUNTY COUNSEL:  
Gregory Priamos

CLERK OF THE BOARD:  
Vanessa Delgado

**Agenda Item**  
**Regular Meeting of the**  
**Board of Supervisors**  
**Tuesday, November 18, 2025**

**Item Number: 3.1**

**MEETING DATE:** 11/18/2025

**DEPARTMENT:** COUNTY COUNSEL

**AGENDA ITEM PREPARER:** Gregory Priamos

**DEPT HEAD/DIRECTOR:** Gregory Priamos

**SUBJECT:**

**COUNTY COUNSEL - G. PRIAMOS**

1. Adopt Resolution No. 2025-100 Directing the Auditor Controller to Create a Sheriff’s Department Capital Projects Fund Account for its Shooting Range User Fees for Operational, Maintenance, and Capital Improvement Costs for the Shooting Range in furtherance of Resolution 2024-21; and
2. Authorize the County Counsel to file a legal action against the Auditor Controller to Compel him to Properly Perform his Duties Under the Law and to Comply with Resolution No. 2025-XXX in the event that the auditor refuses to comply with the Board’s direction.

SBC FILE NUMBER: 160  
 RESOLUTION NO.: 2025-100

**AGENDA SECTION:**

REGULAR AGENDA

**BACKGROUND/SUMMARY:**

On February 27, 2024, the Board of Supervisors adopted Resolution No. 2024-21 which established a fee for use of the Sheriff’s Department Shooting Range and directed that all fees collected pursuant to the resolution be dedicated to the maintenance and operational expense of the shooting range. More specifically, the fees are to be dedicated for the upkeep of the facility, safety improvements, equipment repair and replacement, other costs related to the operation of the range, and capital maintenance and improvements.

Since that time, the Auditor has refused all requests from the Sheriff’s Department to establish a special account to which the fees may be deposited in furtherance of the Board’s action. On September 3, 2025, the County Administrative Officer sent an email to the auditor requesting that he advise her as to

the necessary steps to establish the special account. The auditor's response on September 12 was insufficient to meet the Board's direction.

On Monday September 22, the Board of Supervisors held a budget workshop and during the course of that meeting, the Sheriff explained his Department's need for a special account for the shooting range user fees. He also advised that the auditor had refused to establish the special account. Supervisor Sotelo inquired as to whether such a special account could be established to which the County Counsel advised that it could. No action was taken by the auditor to establish the special account fund in response to the County Counsel's response to the questions of Supervisor Sotelo and Sheriff Taylor.

Nearly two years have elapsed and the Sheriff's Department has been unable to charge any user fees and has lost a significant amount of income for the operation, maintenance, and improvement of the shooting range. As a result, the range has fallen into further disrepair and the costs of the needed repairs have increased substantially. The auditor's actions clearly exceed his authority and have needlessly jeopardized public safety.

The County Counsel's Office was requested to review the situation and the auditor's actions. Therefore, on November 5, 2025, the County Counsel notified the auditor that the County Counsel viewed the auditor's continued refusal to create the special account and defiance of the Board's 2024 action as improper. The auditor simply does not have the authority to refuse to create the account. The Board, not the auditor, is the sole policy-making authority of the County and has plenary authority over the budget.

The County Counsel further notified the auditor of this intended action to have the Board of Supervisors adopt a resolution to compel him to create the special account. The auditor refused to respond directly to the County Counsel but instead responded to the Sheriff in an apparent change of heart.

Notwithstanding, the County Counsel has been advised that there are other public safety departments which have been refused the creation of special accounts for similar purposes and that those situations remain unresolved today. It remains to be seen whether the auditor will actually comply with the Board's action or will continue to defy the Board or will agree to establish special accounts for the other public safety departments. There is and has been a pattern of defying Board direction and Board requests for information by the auditor and therefore, it is requested that the Board follow the recommendation below for the benefit of the Sheriff's Department and the other county public safety departments.

## **FISCAL IMPACT:**

The auditor's actions have resulted in the Sheriff's Department's inability to collect the user fees over the past two years costing the Department significant monies for operations and maintenance. There will be an additional fiscal impact if the auditor refuses to comply with Resolution No. 2025-100 and the County Counsel is forced to initiate a legal action to compel him to properly perform his duties under the law. The costs may exceed \$100,000 depending upon the length and scope of the litigation.

## **STAFF RECOMMENDATION:**

1. Adopt Resolution No. 2025-100 Directing the Auditor Controller to Create a Sheriff's Department Capital Projects Fund for its Shooting Range User Fees for Operational, Maintenance, and Capital Improvement Costs for the Shooting Range in furtherance of Resolution 2024-21; and
2. Authorize the County Counsel to file a legal action against the Auditor Controller to Compel him to Properly Perform his Duties Under the Law and to Comply with Resolution No. 2025-XXX in the event that the auditor refuses to comply with the Board's direction.

**ATTACHMENTS:**

[Agenda Fact Sheet - Sheriff Range User Fee Special Account](#)

[Resolution - Sheriff's Department Shooting Range User Fee Special Account](#)