



**COUNTY ADMINISTRATIVE OFFICE  
COUNTY OF TULARE  
AGENDA ITEM**

**BOARD OF SUPERVISORS**

KUYLER CROCKER  
District One

PETE VANDER POEL  
District Two

AMY SHUKLIAN  
District Three

J. STEVEN WORTHLEY  
District Four

MIKE ENNIS  
District Five

**AGENDA DATE:** June 5, 2018 **REVISED**

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
CONTACT PERSON: Sophia Almanza    PHONE: 636-5005				

**SUBJECT:** Memorandum of Understanding with Tulare County Superior Court for Fiscal Year (FY) 2018/19

- REQUEST(S):**  
That the Board of Supervisors:
1. Approve the Memorandum of Understanding with the Superior Court of Tulare County for the provision of general services for court facilities and One-Time Funding in the amount not to exceed \$178,407 to support the Preliminary Hearing Courtroom located in the Superior Court's Pretrial Facility, from July 1, 2018 through June 30, 2019; and
  2. Authorize the Chairman to sign four (4) copies of the Memorandum of Understanding.

**SUMMARY:**  
Tulare County provides various general services to the Superior Court of Tulare County (Court). In general, the Trial Court Funding Act of 1997 ("the Act") identified that no county is responsible to provide funding for court operations. The Act also provides that a county may bill the Superior Court for the direct and indirect cost of services and supplies provided in support of court operations.

Consequently, for the past seven years, the Tulare County Superior Court and County of Tulare have entered into similar Memoranda of Understanding (MOU) as the agreement for county-provided general services and payment by the Court. The original agreement was approved as to form by County Counsel on May 13, 2017 and

**SUBJECT:** Memorandum of Understanding with Tulare County Superior Court for FY 2018/19  
**DATE:** June 5, 2018

was approved by the Board of Supervisors on May 23, 2017. The substantive deviations from the standard County boilerplate identified in the original agenda item were: the time period of the agreement and the specific dollar amount. The proposed amendment to the agreement does not include any additional deviations from the standard County boilerplate.

For Fiscal Year 2018/19, the proposed MOU provides a detailed list of general county services for court facilities and the reimbursement rates. For example, the MOU states that the County shall provide Internal Services, Fleet Services and Temporary Services, including telecommunications, mail, maintenance, courier, copier, and custodial services.

These services will be provided largely by the County's General Services Agency in conjunction with other county departments. (For reference, see Attachment A, Memorandum of Understanding, Exhibit A [Services to be Performed].)

Allowable and unallowable costs are defined by state law. The costs for FY 2018/19 Direct Charges for Tulare County Courts are experiencing an increase of \$26,828 primarily as a result of increased maintenance charges. The Direct Charges for Law Library are similar to last year. The Direct Charges for Collections includes an overall decrease of \$2,982. The Indirect Charges for the Judicial Council are experiencing an increase of \$27,076 based on increases in maintenance charges. The Indirect Charges for the Unallowable category are experiencing an overall increase of \$2,765. (For reference, see Attachment A, Memorandum of Understanding, Exhibit B-2 [Indirect and Overhead Costs: FY 2018/19] providing detail of these costs.)

Additionally, to continue to support court operations, a special provision is included in the MOU – similar to last year's MOU -- relating to One-Time Funding for the Preliminary Hearing Courtroom located at the Superior Court's Pretrial Facility.

More specifically, the County will reimburse the Court with One-Time Funding for fifty percent (50%) of the Salary and Benefits for four (4) Preliminary Hearing Courtroom Clerks in the amount not to exceed \$178,407.

Based on the analysis prepared by this office, the County would be saving approximately \$ 5.1 million described more specifically as follows:

Add: Tulare County Superior Court MOU Request	\$178,407
Less: Estimated Transportation Cost (Minimum)	\$226,656
<u>Less: Estimated Inmate Housing Cost</u>	<u>\$5,141,666</u>
Net Savings	(\$5,189,915)

(See Attachment B (Review of Superior Court's Request for Funding of Pre-Trial Facility Staffing Memorandum) pages 3 to 6.)

**SUBJECT:** Memorandum of Understanding with Tulare County Superior Court for  
FY 2018/19

**DATE:** June 5, 2018

**FISCAL IMPACT/FINANCING:**

The MOU revenues and expenses will be proposed in the Fiscal Year 2018/19 budget for the General Services Agency, Miscellaneous Criminal Justice and the Court's Budget. The special provision of One-Time Funding to the Court will be proposed in the FY 2018/19 Miscellaneous Administration Budget.

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

The County's five-year strategic plan includes the Organizational Performance Initiative to continuously improve organizational effectiveness and fiscal stability. The approval of the Memorandum of Understanding helps fulfill this initiative by assuring that necessary costs are provided at reasonable rates.

**ADMINISTRATIVE SIGN-OFF:**

  
Sophia Almanza  
Deputy CAO – Budget and Finance

  
Michael Spata  
County Administrative Officer

cc: Auditor-Controller  
County Counsel  
County Administrative Office (2)

Attachment(s)

Attachment A - Memorandum of Understanding FY 2018/19 Superior Court Services Agreement

Attachment B - Review of Superior Court's Request for Funding of Pre-Trial Facility Staffing Memorandum

**BEFORE THE BOARD OF SUPERVISORS  
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF APPROVAL OF THE )  
FY 2018/19 MEMORANDUM OF ) Resolution No. \_\_\_\_\_  
UNDERSTANDING WITH TULARE ) Agreement No. \_\_\_\_\_  
COUNTY SUPERIOR COURT )

UPON MOTION OF SUPERVISOR \_\_\_\_\_, SECONDED BY  
SUPERVISOR \_\_\_\_\_, THE FOLLOWING WAS ADOPTED BY THE  
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD JUNE 5, 2018, BY  
THE FOLLOWING VOTE:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST: MICHAEL C. SPATA  
COUNTY ADMINISTRATIVE OFFICER/  
CLERK, BOARD OF SUPERVISORS

BY: \_\_\_\_\_  
Deputy Clerk

\* \* \* \* \*

1. Approved the Memorandum of Understanding with the Superior Court of Tulare County for the provision of general services for court facilities and One-Time Funding in the amount not to exceed \$178,407 to support the Preliminary Hearing Courtroom located in the Superior Court's Pretrial Facility, from July 1, 2018 through June 30, 2019; and
2. Authorized the Chairman to sign four (4) copies of the Memorandum of Understanding.