



**Treasurer-Tax Collector
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One
PETE VANDER POEL
District Two
AMY SHUKLIAN
District Three
EDDIE VALERO
District Four
DENNIS TOWNSEND
District Five

AGENDA DATE: January 28, 2020 - **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 checked="" 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: Frank Vigario PHONE: 559-636-5295

SUBJECT: Memorandum of Understanding with the Superior Court of California, County of Tulare.

REQUEST(S):

That the Board of Supervisors:

1. Approve the Memorandum of Understanding with the Superior Court of California, County of Tulare, allowing for the establishment of a Judicial Council of California bank account for the deposit of criminal fines, fees, and forfeitures. The term of this agreement shall commence on February 1, 2020, and will remain in effect until terminated by either party; and
2. Authorize the Chairman to sign three (3) copies of the Memorandum of Understanding.

SUMMARY:

The previous Agreement between the County of Tulare (County) and the Superior Court of California, County of Tulare (Court) provided for the establishment of a bank account by the County Treasury to facilitate the efficient collection and distribution of criminal fines, fees, and forfeitures by the Court. Costs associated with the account were reimbursed by the Court.

Government Code section 68085.9 provides an exception to the usual rule that money received by a trial court must be deposited in the county treasury. If the court, the county, and the Administrative Director of the state courts agree, then the money that would otherwise have gone into the county treasury may instead be deposited in a bank account established by the Administrative Director. Government Code section 77009(b) provides that if such an agreement is entered into, it must describe the scope of service, method of service delivery, the term of the

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January 28, 2020

agreement, the anticipated service outcomes, and the cost of the service. The amount of any indirect or overhead costs must be individually stated, with the method of calculation.

This Agreement would allow the Tulare County Superior Court to use a separate bank account instead of the County Treasury, in accordance with these statutes.

FISCAL IMPACT/FINANCING:

There is no additional net cost to the County General Fund.

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 this Memorandum of Understanding helps to fulfill this initiative through communication and collaboration between government agencies resulting in increased efficiencies.

ADMINISTRATIVE SIGN-OFF:



Cass Cook, CFIP
Auditor-Controller / Treasurer-Tax Collector

cc: County Administrative Office

Attachment(s): Memorandum of Understanding between the County of Tulare and the Superior Court, County of Tulare regarding Establishing a Separate Collections Bank Account for Criminal Fines, Fees, and Forfeitures.

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

IN THE MATTER OF MEMORANDUM)
OF UNDERSTANDING WITH THE) Resolution No. _____
SUPERIOR COURT OF CALIFORNIA,) Agreement No. _____
COUNTY OF TULARE)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

1. Approved the Memorandum of Understanding with the Superior Court of California, County of Tulare, allowing for the establishment of a Judicial Council of California bank account for the deposit of criminal fines, fees, and forfeitures. The term of this agreement shall commence on February 1, 2020, and will remain in effect until terminated by either party; and
2. Authorized the Chairman to sign three (3) copies of the Memorandum of Understanding.