



District Attorney
COUNTY OF TULARE
AGENDA ITEM

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One

PETE VANDER POEL
District Two

PHILLIP A. COX
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: April 2, 2013 - **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 type="checkbox"/>	N/A <input checked="" type="checkbox"/>
CONTACT PERSON: Dan Underwood PHONE: 636-5494		

SUBJECT: Approve reissuance of a warrant

REQUEST(S):

That the Board of Supervisors:

Approve reissuance of a warrant in the amount of \$11,190.

SUMMARY:

In March 2012, Defendant was arrested for violating Vehicle Code 23152(a), (driving under the influence). Defendant's assets, including \$21,225 in currency, were seized. The case was dismissed, and Defendant successfully petitioned the Court for the return of his assets. Stipulation and Order No. 11-242249 stipulated the return of \$11,190 by the People.

On June 20, 2012, County warrant no. 2752939 was issued in the amount of \$11,190. However, Defendant never cashed the warrant. Per Government Code (GC) 29802(a), "any warrant issued is void if not presented to the county treasurer for payment within six months after its date."

Per GC 29802(b), "any time within two years from the date on which the original warrant became void, the payee or assignee of any warrant which is void as provided in this section may present the warrant to the governing body of the agency on which the warrant was drawn, or declare by affidavit that the warrant has been lost or destroyed, and the governing body may by resolution authorize the auditor to draw new warrants within the limitations prescribed by the resolution without prior individual order of the governing body, provided the limitations prescribed by this section have been complied with."

SUBJECT: Approve the reissuance of a warrant

DATE: April 2, 2013 - **REVISED**

Defendant completed an AUD 189 (Affidavit of Lost, Destroyed, Stolen, Forged or Missing Endorsement Payee Declaration) with the Auditor's Office on March 1, 2013, stating that the warrant was misplaced or lost.

Our office will now need to re-issue the warrant. However, Board Resolution 2011-0295 only authorized the Auditor's Office to draw warrants up to \$10,000. Due to the amount of the warrant, we are seeking the Board's permission to reissue the warrant in the amount of \$11,090.

FISCAL IMPACT/FINANCING:

Funds will be distributed from the office's Asset Forfeiture trust fund, which are included in our current budget. There is no net County cost.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's five-year strategic plan includes Organizational Performance initiatives to continuously improve organizational effectiveness and fiscal stability. This process ensures proper checks and balances within the County's financial system.

ADMINISTRATIVE SIGN-OFF:

Dan Underwood
Assistant District Attorney

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

Attachment(s) AUD 189

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

IN THE MATTER OF APPROVE THE
REISSUANCE OF A WARRANT.

) Resolution No. _____
) Agreement No. _____

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: JEAN M. ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

Approved reissuance of a warrant in the amount of \$11,190.