



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legislation Details (With Board Report)

File #:	17-0492	Name:	Superior Court Funds
Type:	General Agenda Item	Status:	Consent Agenda
File created:	5/4/2017	In control:	Board of Supervisors
On agenda:	5/16/2017	Final action:	

Title: Adopt a Resolution to:
 Authorize the Auditor-Controller to amend the Adopted 2016-17 Budget by increasing appropriations by \$115,314 for the County Administrative Office (001-1050-8038-CAO017), offset by a decrease of \$115,314 in the appropriation for contingencies (001-1050-8034-CAO020) to reimburse the Monterey County Superior Court for funds deposited into County of Monterey accounts from FY 2006-07 through FY 2013-14.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. 17-0492 Resolution, 3. Completed Board Order & Resolution

Date	Ver.	Action By	Action	Result
5/16/2017	1	Board of Supervisors	amended	Pass

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RECOMMENDATION:

It is recommended that the Board of Supervisors:

Authorize the Auditor-Controller to amend the FY 2016-17 Adopted Budget by increasing appropriations by \$115,314 for the County Administrative Office (001-1050-8038-CAO017), offset by a decrease of \$115,314 in the appropriation for contingencies (001-1050-8034-CAO020) to reimburse the Monterey County Superior Court for funds deposited into County of Monterey accounts from FY 2006-07 through FY 2013-14.

The Budget Committee approved this request at their meeting of April 28, 2017.

BACKGROUND:

The Monterey County Superior Court deposits funds from fines and other services provided by the Court into Monterey County through the Treasurer Tax Collector. These funds are then parceled out to state, County and local entities as mandated by State regulations. The original claim for reimbursement of these funds that were deposited with the Treasurer-Tax Collector, totals \$230, 628.27. Based on information I was able to locate, the revenue collected under PC 1463.22(a) landed in the year-end general fund balance. PC 1463.22(a) provides \$17.50 from each conviction of a violation of VC 16028 to defray court costs incurred for administering VC 16028, 16030, and 16031. This issue of funds being deposited and not disbursed to the Court surfaced when the Court Administration discovered a programming error within their system in FY2014-15.

The original claim for reimbursement of the funds was received in November of 2014 in the Budget Section of the County Administrative Office. This issue has been handled by several staff in various Departments since then to verify that these funds were indeed deposited into the County accounts and owed to the Superior Court. The Auditor-Controller and Administrative Office finance staff have been able to verify in the Advantage System that these funds were deposited into the County Accounts from FY 2009-10 through FY 2013-14 in the amount of \$149,218.27. At this time, we are not able to confirm the totals for FY 2006-07 through FY 2008-09 because the Advantage Program did not exist and the Auditor Controller would have to verify this information manually. The would have to go through paper files in order to verify the deposits.

The claim by the Monterey Superior Court deposited the following amounts during these fiscal years:

FY 06-07 - \$24,902.50	FY07-08 - \$28,875.00	FY08-09 - \$27,632.50
FY 09-10 - \$38,500.00	FY10-11 - \$37,975.00	FY11-12 - \$27,313.38
FY12-13 - \$24,498.07	FY13-14 - \$20,931.82	

Attempts were made by CAO staff trying to negotiate other methods of payment to offset the reimbursement, such as paying for services the Court currently pays and offering to work with the Court in providing video arraignments in South County at the King City Court. The Court liked the idea of the providing services to South County but have been working with Greenfield on a few things and are only interested in the reimbursement at this point. The reason for their interest in the funds at this time is because they have had a huge drop in revenues and need the money to make it through the end of this Fiscal Year according to the Presiding Judge and their Chief Financial Officer. The CAO broached the idea of spreading the funds owed over two fiscal years (\$115,314.13 in FY 2016-17 and \$115,314.13 in FY 2017-18) which the Court is amendable to.

OTHER AGENCY INVOLVEMENT:

Monterey County Superior Court staff and staff from County Counsel, Auditor- Controller, Treasurer-Tax Collector and the County Administrative Office.

FINANCING:

Staff is requesting the use of General Fund Operational Contingencies in the amount of \$115,314.13 be used to reimburse the Monterey County Superior Courts for amount due in FY 2016-17.

General Fund Operational Contingencies are sourced with one-time funding. The current available amount of General Fund Contingencies is \$4,000,269. With this requested action the remaining General Fund Operational Contingencies would be \$3,884,955.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

- Economic Development
- X Administration
- Health and Human Services
- Infrastructure
- X Public Safety

Prepared by: Manuel T. González, Assistant County Administrative Officer
Attachments on file with the Clerk of the Board.