



Mendocino County

Legislation Text

File #: 21-0921, Version: 1

To: Board of Supervisors

From: Treasurer-Tax Collector Choose an item.

Meeting Date: August 17, 2021

Department Contact: Julie Forrester

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Department Contact: Shari Schapmire

Phone: 234-6884

Item Type: Consent Agenda

Time Allocated for Item:

Agenda Title:

Approval of Retroactive Amendment to the Memorandum of Understanding between the County of Mendocino and State of California Franchise Tax Board for the Collection of Court-Ordered Debt, Extending the Term of the Agreement through November 30, 2023.

Recommended Action/Motion:

Approve retroactive Amendment to the Memorandum of Understanding between the County of Mendocino and State of California Franchise Tax Board for the collection of court-ordered debt, extending the term of the Agreement through November 30, 2023; and authorize Chair to sign same.

Previous Board/Board Committee Actions:

Resolution 97-001 was adopted entering into the original agreement between the County of State Franchise Tax Board to collect court-ordered debts. The agreement has been extended every three years since implementation and was last extended on August 15, 2017, BOS Agreement No. 14-110-118-A1*, for the term of December 1, 2017-November 30, 2020.

Summary of Request:

The Court Collection department, operating under the Treasurer-Tax Collector, is responsible for the collection of installment payment plans or delinquent court-ordered debt from fines, fees, and restitution for infraction, misdemeanor, and felony cases. After local collection efforts are exhausted the department refers delinquent cases to Franchise Tax Board (FTB) for collection action such as demand notices, bank levies, and wage garnishments. Cost for the program is recovered by the retention of fine revenue as authorized by Penal Code 1463.007 enhanced collection program. The cost of the FTB program is set by Revenue Taxation Code section 19280 through 19283; specifically FTB may only charge actual collection costs not to exceed 15% of the amount collected. If FTB actual costs do not reach 15%, FTB provides a reimbursement of expenses charged to the County thereby reducing expenses of the program. The program has been operating at 10% actual expense for the last four fiscal years.

This agreement is retroactive as the contract was received late from FTB in February 2021. Since this time it has encountered other delays due to property system go-live, Cobblestone software issues and delays in County contract review and approval process.

Alternative Action/Motion:

Do not approve extension of contract.

How Does This Item Support the General Plan?

Supervisory District: All

vote requirement: Majority

Supplemental Information Available Online At:

Fiscal Details:

source of funding: Penal Code 1463.007

current f/y cost: \$9,663

annual recurring cost: 15% cap of revenue collected

budget clarification: \$90,499 budgeted for FY 21-22

budgeted in current f/y: Yes

if no, please describe:

revenue agreement: Yes

Agreement/Resolution/Ordinance Approved by County Counsel: Yes

CEO Liaison: Executive Office

CEO Review: Yes

CEO Comments:

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Executed By: Atlas Pearson, Deputy Clerk I

Date: August 17, 2021

Final Status: Approved

Executed Item Type: Interim Agreement

Number: *14-118-A2

Note to Department Number of Original Agreements

Returned to Dept: 0 Original Agreement Delivered to Auditor?

No

