

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF THE COUNTY OF SAN BERNARDINO
AND RECORD OF ACTION**

June 22, 2021

FROM

ENSEN MASON, Auditor-Controller/Treasurer/Tax Collector

SUBJECT

Memorandum of Understanding with the Superior Court of California, County of San Bernardino, for Collection Services

RECOMMENDATION(S)

Approve **Memorandum of Understanding No. 21-469** with the Superior Court of California, County of San Bernardino, for collection services effective July 1, 2021.
(Presenter: Douglas R. Boyd, Assistant Auditor-Controller/Treasurer/Tax Collector, 382-7004)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.
Pursue County Goals and Objectives by Working with Other Agencies.

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). Costs incurred by the department are offset against the revenue collected on assigned accounts as authorized by California Penal Code Sections 1463.007.

BACKGROUND INFORMATION

Pursuant to San Bernardino County Code Section 12.4004, Central Collections shall be responsible to provide credit and collection services for County departments, the County Medical Center, and Courts, as well as accounting and collections distribution of fines, forfeitures, and penalties to other governmental entities for the Court-ordered portions collected. Further, California Penal Code Section 1463.010 requires the Superior Court of California, County of San Bernardino (Court), and the County of San Bernardino (County) to develop a cooperative plan to implement a collection program for the collection of court-ordered fees, fines, forfeitures, penalties, restitution, and assessments. The Court and County have developed such a program, and the Memorandum of Understanding (MOU) outlines their respective rights and responsibilities.

On October 31, 2017 (Item No. 19), the Board of Supervisors approved an MOU (Agreement No. 17-833) with the Court for a cooperative collection program through June 30, 2019, with two consecutive one-year options to renew by written agreement. On June 25, 2019 (Item No. 14), the Board of Supervisors approved Amendment No. 1 to Agreement No. 17-833, extending the agreement with the Court for a two-year term through June 30, 2021.

Approval of the recommended MOU will continue the partnership between the Court and County. The MOU will remain operational unless terminated by either party with 12 months'

**Memorandum of Understanding with the Superior Court of California,
County of San Bernardino, for Collection Services
June 22, 2021**

written notice and documented agreement of a subsequent collections program as required by Penal Code Section 1463.010, subdivision (b).

PROCUREMENT

N/A

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Robert F. Messinger, Chief Assistant County Counsel, 387-5455) on May 18, 2021; Risk Management (LeAnna Williams, Director, 386-8621) on May 10, 2021; Finance (Carl Lofton, Administrative Analyst, 387-5404) on June 7, 2021; and County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on June 7, 2021.

**Memorandum of Understanding with the Superior Court of California,
County of San Bernardino, for Collection Services
June 22, 2021**

Record of Action of the Board of Supervisors
County of San Bernardino

APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Dawn Rowe
Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: June 22, 2021



cc: ATC - Hermosillo w/agree
Contractor - C/O ATC w/agree
File - w/agree
CCM 06/28/2021