

1 RESOLUTION OF THE BOARD OF SUPERVISORS OF
2 ORANGE COUNTY, CALIFORNIA, PARKING FINE OR FORFEITURE
3 DISTRIBUTIONS TO FUNDS PER GC 76000 ET SEQ.

4 April 23, 2019

5 WHEREAS, on November 12, 1991, the Orange County Board of Supervisors ("Exhibit
6 A") approved Resolution #91-1336, which is attached to this Resolution as Exhibit A. Exhibit A
7 stated the Legislature had imposed an added penalty of \$2.50 for the Courthouse Construction Fund
8 and an added penalty of \$2.50 for the Criminal Justice Facilities Planning Fund, each to be included
9 in every penalty, fine or forfeiture for a parking offense, and the bail schedule is required to be
10 adopted to reflect the penalties prescribed by law; and

11 WHEREAS, as stated in Exhibit A, the Board of Supervisors resolved added penalty of
12 \$2.50 each to every penalty, fine or forfeiture for a parking offense to be imposed for the
13 Courthouse Construction Fund and the Criminal Justice Facilities Planning Fund in lieu of the
14 \$1.50 surcharge previously imposed on each such fund, in accordance with Government Code
15 Section 76000 (b) and that bails schedule amounts should be increased as appropriate to reflect the
16 added penalty. The County Treasurer was directed to transmit to the State Controller for deposit in
17 the General Fund \$1.00 of every penalty collected pursuant to Government Code Section 76000(c);
18 and

19 WHEREAS, Government Code Section 76000(d) states the authority to impose the two-
20 dollar-and-fifty-cent penalty authorized by subdivision (b) shall be reduced to one dollar (\$1) as of
21 the date of transfer of responsibility for facilities to the Judicial Council except for money that is
22 needed to pay for construction provided for in Section 76100 and undertaken prior to the transfer of
23 responsibility for facilities from the county to the judicial council; and

24 WHEREAS, in 2002, The Trial Court Facilities Act (SB 1732) established the authority
25 for the transfer of court facilities from the Counties to the State Judicial Council of California. On
26 November 24, 2009, the County transferred the responsibilities for Lamoreaux Justice Center,
27 Juvenile Justice Center Facility, to the State, Judicial Council of California; and

28 WHEREAS, the Courthouse Temporary Construction Fund (No. 105) is a county
construction fund established pursuant Government Code section 76100; and

WHEREAS, Government Code section 70402(a) states any amount in a county's
courthouse construction fund established by Section 76100 shall be transferred to the State Court
Construction Fund at the later of the following dates: (1) the date of the last transfer of
responsibility for court facilities from the county to the Judicial Council, or December 31, 2009,
whichever is earlier, or (2) the date of the final payment of bonded indebtedness for any court
facility that is paid from that fund; and

WHEREAS, on March 11, 2019, the Judicial Council of California notified the County of
Orange by letter that the County's bond indebtedness on the Juvenile Justice Center Facility is
scheduled to conclude on June 1, 2019 and pursuant to Government Code section 70402(a) any
amount in the County's Courthouse Construction Fund (CCF) established per Government Code

Resolution No: 19-029, Item No. 46
Revised Resolution to Raise Parking Surcharges/Penalties

1 section 76100 will be transferred to the State Court Facilities Construction Fund after that date. A
2 copy of the notification letter is attached to this Resolution as Exhibit B.

3 NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF
4 THE COUNTY OF ORANGE, AS FOLLOWS:

5 **Section 1.** That effective July 1, 2019, the \$2.50 penalty authorized under Government
6 Code 76000(b) is reduced by \$1.50 for the completion of bonded indebtedness on Juvenile Justice
7 Facility, responsibility for which has been transferred to the State Judicial Council of California in
8 2009, the \$1.50 added penalty for the Courthouse Construction Fund 105 in accordance with the
9 Government Code Section 76100 shall be eliminated. The remaining \$1.00 penalty authorized
under the Government Code Section 76000 (b) shall be deposited into the County General Fund in
accordance with the Government Code Section 76000 (c); and

10 **Section 2.** There will be no change to the \$2.50 penalty imposed for the Criminal Justice
11 Facilities Planning Fund, whose facilities remain with the County, in accordance with Government
12 Code Section 76101 and 76000 (b). The \$1.50 of the \$2.50 Criminal Justice Facilities penalty
13 imposed shall be deposited into the Criminal Justice Facilities Planning Fund 104 in accordance
with the Government Code Section 76101. The remaining \$1.00 Criminal Justice Facilities penalty
authorized under the Government Code Section 76000 (b) shall be deposited into the County
General Fund in accordance with the Government Code Section 76000 (c);

14 **Section 3.** That the Clerk of this Board is hereby directed to transmit to the Treasurer,
15 Auditor-Controller, the Orange County Sheriff's Department, each of the courts in the County, and
all cities in the County a copy of this Resolution.

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RESOLUTION OF THE BOARD OF SUPERVISORS OF
ORANGE COUNTY, CALIFORNIA

November 12, 1991

On motion of Supervisor Wieder, duly seconded and carried, the following Resolution was adopted:

WHEREAS, this Board of Supervisors has previously adopted Resolutions stating that the implementation of Government Code Section 76000(b), and the predecessor legislation thereof, is necessary to the County for the purposes authorized with respect to each of the authorized funds established, and herewith reaffirms its resolutions of necessity;

WHEREAS, the Legislature has imposed an added penalty of \$2.50 for the Courthouse Construction Fund and an added penalty of \$2.50 for the Criminal Justice Facilities Planning Fund, each to be included in every penalty, fine or forfeiture for a parking offense, and the bail schedule is required to be adopted to reflect the penalties prescribed by law;

NOW, THEREFORE, BE IT RESOLVED that an added penalty of \$2.50 each is imposed for the Courthouse Construction Fund and the Criminal Justice Facilities Planning Fund in lieu of the \$1.50 surcharge currently imposed on each such fund, in accordance with Government Code Section 76000 et seq. The County Treasurer is directed to transmit to the State Controller for deposit in the General Fund \$1.00 of every penalty collected pursuant to Government Code Section 75000 for trial courts.

Resolution No. 91-1336
Resolution to Raise Parking
Surcharges/Penalties (ICB:vn)

COUNTY COUNSEL
ORANGE COUNTY

PO192-210 (5/77)

1 The Clerk of the Board is hereby directed to transmit on the next
 2 business day following the adoption of this Resolution a copy of the
 3 Resolution to the Clerk of each Municipal Court in the County, to the
 4 County Treasurer and to each city, district and issuing agencies of
 5 the County.

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COUNTY COUNSEL
ORANGE COUNTY

F0192-210 (5/77)

Gaddi Vasquez
Chairman of the Board of Supervisors

SIGNED AND CERTIFIED THAT A COPY
OF THIS DOCUMENT HAS BEEN DELIVERED
TO THE CHAIRMAN OF THE BOARD

Linda D. Ruth
LINDA D. RUTH
Clerk of the Board of Supervisors
of Orange County, California

AYES: SUPERVISORS HARRIETT M. WIEDER, GADDI H. VASQUEZ, ROGER R.
STANTON, DON R. ROTH AND THOMAS F. RILEY

NOES: SUPERVISORS NONE

ABSENT: SUPERVISORS NONE

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.

I, LINDA D. RUTH, Clerk of the Board of Supervisors of
Orange County, California, hereby certify that the above and foregoing
Resolution was duly and regularly adopted by the said Board at a
regular meeting thereof held on the 12th day of November, 1991, and
passed by a unanimous vote of said Board members present.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this
12th day of November, 1991.

Linda D. Ruth
LINDA D. RUTH
Clerk of the Board of Supervisors
of Orange County, California

COUNTY COUNSEL
ORANGE COUNTY

FO192-230 (5/77)



JUDICIAL COUNCIL OF CALIFORNIA

2850 Gateway Oaks Drive, Suite 300 • Sacramento, California 95833-4348

Telephone 916-263-1400 • Fax 916-643-8028 • TDD 415-865-4272

TANI G. CANTIL-SAKAUYE
Chief Justice of California
Chair of the Judicial Council

MARTIN HOSHINO
Administrative Director

JOHN WORDLAW
Chief Administrative Officer

ZLATKO THEODOROVIC
Director, Budget Services

March 11, 2019

Ms. Lisa Bohan-Johnston
Budget Director
Orange County
333 W. Santa Ana Blvd
Santa Ana, CA 92701

Re: Reporting of Revenues and Expenditures per Government Code 70403(a)

Dear Ms. Bohan-Johnston:

Pursuant to Government Code (GC) section 70402(a) any amount in a county's Courthouse Construction Fund (CCF) established per Government Code section 76100 shall be transferred to the State Court Facilities Construction Fund at the later of the following: (1) the date of the last transfer of responsibility for court facilities from the county to the Judicial Council, or December 31, 2009, whichever is earlier, or (2) the date of the final payment of bonded indebtedness for any court facility that is paid from that fund. Per our records, the county's bond indebtedness on the Juvenile Justice Center Facility is scheduled to conclude on 6/1/2019.

As noted in the table below, all agreements have been completed, and the facilities in your county have transferred to the state. Based upon the square footage transferred to the state, 100 percent of the balance of the county's Courthouse Construction Fund is subject to transfer to the State Court Facilities Construction Fund, as well as any future collections.

Building ID	Building Name	Court Square Footage	Transferred Square Footage	County Retained Square Footage
30-A1	Central Justice Center	322,724	322,724	
30-A2	Central Justice Center Annex	7,727	7,727	
30-A3	Civil Complex Center	28,766	28,766	
30-B1	Betty Lou Lamoreaux Justice Center	127,655	127,655	
30-B2	Computer Systems Trailer	5,381	5,381	
30-C1	North Justice Center	89,544	89,544	
30-D1	West Justice Center	83,288	83,288	
30-E1	Harbor Justice Center	73,166	73,166	-
30-J1	1015 N. Main Street	230	230	
30-K1	27573 Puerta Real	5,206	5,206	
30-K2	27559 Puerta Real	910	910	
64-E1	601 W. Santa Ana Blvd -4 DCA	51,960	51,960	
Total Square Footage		796,557	796,557	0
Percentage of Total Square Footage			100.00%	0.00%

Please remit a check to the State of California - Judicial Council and mail to the following address. Please include verification of the fund balance at time of issuance. Upon receipt, the check will be deposited into the State Court Facilities Construction Fund in accordance with GC section 70402(a).

Judicial Council
 Attn: Jimmy Dang, Sixth Floor
 455 Golden Gate Avenue
 San Francisco, California 94102-3688

Please feel free to contact me at 916-263-7498 or at donna.newman@jud.ca.gov if you have any questions related to this matter.

Sincerely,



Donna Newman, Supervisor
 Budget Services

**cc: Hon. Kirk Nakamura, Presiding Judge, Superior Court of Orange County
Ms. Anil Kukreja, Team Manager – Programs III to VII, Orange County
Ms. Emma Jungwirth, Principal Program Budget Analyst, Department of Finance
Mr. Mike Courtney, Director, Facilities Services, Judicial Council
Mr. Zlatko Theodorovic, Director, Budget Services, Judicial Council
Ms. Lucy Fogarty, Deputy Director, Budget Services, Judicial Council
Ms. Angela Michael, Principal Manager, Accounting Services, Judicial Council**

The foregoing was passed and adopted by the following vote of the Orange County Board of Supervisors, on April 23, 2019, to wit:

AYES:	Supervisors:	ANDREW DO, MICHELLE STEEL, DONALD P. WAGNER DOUG CHAFFEE, LISA A. BARTLETT
NOES:	Supervisor(s):	
EXCUSED:	Supervisor(s):	
ABSTAINED:	Supervisor(s):	

CHAIRMAN

STATE OF CALIFORNIA)
)
COUNTY OF ORANGE)

I, ROBIN STIELER, Clerk of the Board of Orange County, California, hereby certify that a copy of this document has been delivered to the Chairman of the Board and that the above and foregoing Resolution was duly and regularly adopted by the Orange County Board of Supervisors

IN WITNESS WHEREOF, I have hereto set my hand and seal.



ROBIN STIELER
Clerk of the Board
County of Orange, State of California

Resolution No: 19-029
Agenda Date: 04/23/2019
Item No: 46



I certify that the foregoing is a true and correct copy of the Resolution adopted by the Board of Supervisors, Orange County, State of California

Robin Stieler, Clerk of the Board of Supervisors

By _____
Deputy