County of Santa Cruz

Auditor-Controller-Treasurer-Tax Collector
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Edith Driscoll, Auditor-Controller-Treasurer-Tax Collector

Meeting Date: September 13, 2016

Date: August 26, 2016

To: The Board of Supervisors

From: Edith Driscoll, Auditor-Controller-Treasurer-Tax Collector

Subject: Franchise Tax Board Court Ordered Debt Standard Agreement with Treasurer-Tax Collector

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Section 19280 et seq. of the California Revenue and Taxation Code provides that fines, state or local penalties, forfeitures, restitution fines, restitution orders, or any other amounts imposed by a Superior Court of the State of California upon a person or any other entity that are due and payable in an amount totaling no less than one hundred dollars ($100), in the aggregate, for criminal offenses, including all offenses involving a violation of the Vehicle Code, may be referred by the Superior Court, the County, or the State to the Franchise Tax Board for collection under guidelines prescribed by the Franchise Tax Board.

The Judicial Council of California, Administrative Office of the Courts, on behalf of the Superior Courts and counties of the State of California, and AllianceOne are parties to Master Agreement No. MA-200903, that authorizes collections services for the courts and counties. Under the terms of the Master Agreement, AllianceOne and the Santa Cruz County Treasurer-Tax Collector's office executed a Participation Agreement on March 1, 2009 in which the parties agreed to refer accounts to the Franchise Tax Board Court Ordered Debt ("FTB COD") Program.

Your board has previously authorized the Treasurer-Tax Collector to enter into an agreement with the FTB COD program and that agreement will expire on November 30, 2016. The Treasurer-Tax Collector is seeking your approval to renew the agreement for a period of three (3) years beginning from the date it is signed by all parties through November 30, 2019. The new agreement extends the current maximum Administrative Fee of fifteen (15%), through the period of the new agreement and there is no impact on the Net County Cost.

It is, therefore, RECOMMENDED that the Board of Supervisors:

1) Adopt resolution providing authorization for the Treasurer-Tax Collector to

execute an agreement with the Franchise Tax Board to collect court ordered debts on behalf of the Santa Cruz County Courts.

2) Approve the agreement with the Franchise Tax Board through November 30, 2019, and authorize the Treasurer-Tax Collector to sign the agreement.

Submitted by:

Edith Driscoll, Auditor-Controller-Treasurer-Tax Collector 8/26/2016

Recommended:

Susan A. Mauriello, County Administrative Officer

Attachments:

a Resolution (Court)
b FTB COD Court Agreement - unsigned