



Agenda Date: 10/4/2005  
Agenda Placement: 6I

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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**TO:** Board of Supervisors  
**FROM:** Britt Ferguson for Nancy Watt - County Executive Officer  
County Executive Office  
**REPORT BY:** Helene Franchi, Management Analyst III, 253-4820  
**SUBJECT:** Amendment to Contract with the Courts

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### **RECOMMENDATION**

County Executive Officer requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 4137 with the Board of Law Library Trustees and the Superior Court of California amending the Memorandum of Understanding to reflect changes in the location, type and manner of provision of some of the services, to add provisions relating to network security, to clarify the procedure for automatic adjustment of the reimbursement rates, and to make various technical changes.

### **EXECUTIVE SUMMARY**

Pursuant to Assembly Bill 233 passed in 1997, the County, Court and the Law Library entered into a memorandum of understanding dated July 1, 1999. The document sets forth the terms and conditions under which the Court would continue to provide and the County would reimburse the Court for the costs of those services which do not meet the definition of "court operations" set forth in Rule 810 of the California Rules of Court. Staff from the Court and the County are recommending that the document be amended to reflect current arrangements regarding network security, clarifying procedures for automatic adjustment of the reimbursement rates, and other technical changes.

### **FISCAL IMPACT**

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	Funding is appropriated in Central Services Budget Unit for FY 05-06.
Is it Mandatory or Discretionary?	Mandatory
Is the general fund affected?	Yes

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Future fiscal impact:	The County is required to obtain these services. At the present time, staff has concluded that this is most cost effective way to do this. Staff from both the Court and the County will annually review services provided by the Court and budget for those services.
Consequences if not approved:	The County is required to obtain these services in some form or other. If this contract is not approved the County would be required to either increase its workforce or out source to third party contractors.
Additional Information:	None

### **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

### **BACKGROUND AND DISCUSSION**

In FY 1998-99, the Board of Supervisors approved the original Memorandum of Understanding (MOU) between the Court and the County for certain additional services which do not meet the definition of "court operations" set forth in Rule 810 of the California Rules of Court. The MOU outlines those services provided by the Courts and establishes reimbursement by the County for those services. The document also sets forth the various revenue accounts the Courts shall receive.

Today's action reflects the current arrangement regarding network security, clarifies procedures for automatic adjustments of reimbursement rates to reflect actual costs, and also includes other technical non-substantive changes.

Services currently being provided by the Courts to the County include:

- | Operation of the County Law Library;
- | Comprehensive Collections Program;
- | Grand Jury Administration;
- | Expert Witness and other expert services not otherwise required by law; and
- | Electronic Access to Court Records: Interconnectivity Security Protocols.

The Central Services budget includes an appropriation of \$183,550 to cover the cost of these services.

### **SUPPORTING DOCUMENTS**

None

CEO Recommendation: Approve

Reviewed By: Britt Ferguson