

ATTACHMENT 1



COUNTY OF HUMBOLDT

For meeting of: March 27, 2001

DATE: MARCH 16, 2001

TO: BOARD OF SUPERVISORS

FROM: JOHN E. MURRAY, COUNTY ADMINISTRATIVE OFFICER *J Murray*

SUBJECT: FUNDING OF COURTS PROJECTS WITHIN THE COURTHOUSE

RECOMMENDATION(S):

It is recommended that the Board of Supervisors authorize the Chairman to sign the attached amendment to our agreement with the Courts that commits the Courthouse Construction Fund (#1420) to pay for the upcoming Courts Remodeling Project.

ON FILE WITH THE
CLERK OF THE BOARD

DISCUSSION:

The Board at their February 6, 2001, meeting approved proceeding with a project to remodel the Courthouse for, among other items, our tenants, the Courts. In order to fund this project, the Courthouse Construction Fund (#1420) cashflow will be used for approximately ten years. The Court/County relationship is in a state of flux due to changes in the State law and there is concern that the Courts will ultimately control the Courthouse Construction Fund, the attached amendment will guarantee that any accumulated debt for this project that is chargeable to the Courthouse Construction Fund will be paid prior to using the fund for other purposes.

Prepared by: John E. Murray CAO Approval: *J Murray*

REVIEW: Auditor _____ County Counsel _____ Personnel _____ Risk Manager _____ Other _____

TYPE OF ITEM:

Consent

Departmental

Public Hearing

Other _____

pc: CAO
Court Executive Office

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT
 Upon motion of Supervisor NEELY
 seconded by Supervisor RODONI
 and unanimously carried by those members
 present, the Board hereby adopts the
 recommended action contained in this report.

Dated: MAR 27 2001
LORA CANZONERI, Clerk of the Board

by: *Lora Canzoneri*

**AMENDMENT TO MEMORANDUM OF UNDERSTANDING
BETWEEN THE COUNTY OF HUMBOLDT AND
THE SUPERIOR COURT OF CALIFORNIA, COUNTY OF HUMBOLDT**

This is an amendment to the Memorandum of Understanding (hereinafter MOU) entered into on February 27, 2001, by and between the County of Humboldt (hereinafter COUNTY), and the Superior Court of California, County of Humboldt (hereinafter COURT). This amendment is entered into on MARCH 27, 2001.

WHEREAS, the parties have previously entered into a MOU which addresses the continued provision of services by the COUNTY to the COURT; and

WHEREAS, the parties desire to amend the MOU to address certain concerns regarding the Courthouse Construction Fund.

Now, therefore, it is agreed that the aforementioned MOU is hereby amended as set forth below:

1. Section II is hereby added to read:

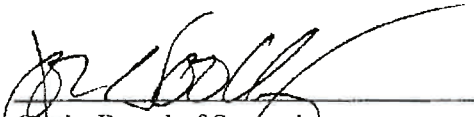
As of the date of this MOU, COUNTY administers a fund set up pursuant to Section 76100 of the Government Code, and known as the Courthouse Construction Fund (Fund No. 1420). This fund has been established pursuant to state law, for the purpose of acquiring, rehabilitating, constructing or financing courtrooms and court buildings.

The COUNTY, with the concurrence of the COURT, is commencing the design and construction of a project to rehabilitate the County Courthouse at 825 Fifth Street, Eureka, California. The project is generally described in the attached report to the Board of Supervisors, dated January 24, 2001, and attached hereto as Exhibit A of the MOU. The parties intend that this project be funded over time from funds held in the Courthouse Construction Fund.


If the administration of the Courthouse Construction Fund is removed from the control of the

If the administration of the Courthouse Construction Fund is removed from the control of the COUNTY and placed with the COURT or any other agency, it is agreed that this Fund will first be utilized to pay off any project debts, with interest at the County Treasurer-Tax Collector investment pool rate, consistent with state laws governing this Fund.

In witness whereof, this amendment to the MOU has been executed as of the date first shown above.



Chair, Board of Supervisors
MAR 27 2001



Presiding Judge