

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

697



**FROM:** Department of Facilities Management

**SUBMITTAL DATE:**  
February 13, 2009

**SUBJECT:** Statutorily-Required State Court Construction Penalty Addition to County Parking Fines

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Formally recognize the statutory requirement to collect the State Court Construction Penalty addition to the County's Board-approved parking fines, pursuant to Government Code Section 70372(b); and
2. Authorize the Director of Facilities Management or his designee to collect the statutorily required State Court Construction Penalty in addition to the current existing Board-approved county parking fines and deposit the penalties with the County Treasurer.

**BACKGROUND:** On May 6, 2008, Agenda Item 9.4, and pursuant to County Ordinance No. 626.7, the Board of Supervisors approved the current miscellaneous (non-monthly) parking rates and citation fines. Pursuant to Government Code Section 70372(b), for every parking offense where a parking penalty, fine, or forfeiture is imposed, an added state court construction penalty of \$4.50 must be  
(Continued)

*Robert Field*

Robert Field, Director  
Department of Facilities Management

<b>FINANCIAL DATA</b>	<b>Current F.Y. Total Cost:</b>	<b>\$ 0</b>	<b>In Current Year Budget:</b>	N/A
	<b>Current F.Y. Net County Cost:</b>	<b>\$ 0</b>	<b>Budget Adjustment:</b>	N/A
	<b>Annual Net County Cost:</b>	<b>\$ 0</b>	<b>For Fiscal Year:</b>	08/09

<b>SOURCE OF FUNDS:</b> Intra-Internal Charges, Interfund-Parking, Parking Fees	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:** APPROVE

**County Executive Office Signature** BY: *Serena Chow*  
Serena Chow

FORM APPROVED COUNTY COUNSEL  
BY: Gordon V. Woo 3/2/09 DATE  
GORDON V. WOO

Consent     Policy  
 Consent     Policy

Dept' Recomm.:  
 Per Exec. Ofc.:

**Prev. Agn. Ref:** 3/25/08 9.4, 4/15/08    **District:** All    **Agenda Number:**

**3.20**

**BACKGROUND (continued):**

included in the total penalty, fine or forfeiture collected.

Upon depositing the collected parking fines and penalties with the County Treasurer, the \$4.50 court construction penalty per occurrence should be transmitted by the County Treasurer to the appropriate state fund as legally mandated by statute. The table below provides the County's current Board-approved parking fines and penalties, as well as the combined amount that would be collected going forward once the court construction penalty is included.

**Current Parking Fines for Riverside County  
Adjusted to Include the Court Construction Penalty Pursuant to Gov't Code 70372(b)**

<b>Riverside County Parking Violation</b>	<b>Current Board-approved Fines</b>	<b>New Total Adjusted to Include Court Construction Penalty</b>
Parking Citation	\$ 40.00	\$ 44.50
Handicapped Citation	\$360.00	\$364.50

The Department of Facilities Management has vetted this statutory requirement with County Counsel and is in concurrence with County Counsel's legal opinion regarding the County's responsibility to collect and deposit the additional court construction penalty with the County Treasurer.