



## Legislation Details (With Text)

**File #:** 23-0948      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 5/2/2023      **In control:** Board of Supervisors

**On agenda:** 6/6/2023      **Final action:** 6/6/2023

**Title:** Chief Administrative Office, Community Development Finance and Administration, recommending the Board discharge the Department of Transportation Director from further accountability to collect the debts listed on the attached Discharge of Accountability Summary in the amount of \$10,387.37, pursuant to Government Code Sections 25257 through 25259.

FUNDING: N/A

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Accountability Report, 2. B - Discharge Letter

Date	Ver.	Action By	Action	Result
6/6/2023	1	Board of Supervisors	Approved	Pass

Chief Administrative Office, Community Development Finance and Administration, recommending the Board discharge the Department of Transportation Director from further accountability to collect the debts listed on the attached Discharge of Accountability Summary in the amount of \$10,387.37, pursuant to Government Code Sections 25257 through 25259.

**FUNDING:** N/A

**DISCUSSION / BACKGROUND**

The Department of Transportation (Transportation) is requesting authorization to approve immediate discharge of the debts summarized in Attachment A. The debts listed total \$10,387.37 owed to Transportation. Some of these debts date as far back as 2007 and are all uncollectible due to the expiration of the statute of limitations. Per the Code of Civil Procedure 337, the statute of limitations for collecting this debt is 4 years.

Government Code Sections 25257 through 25259 governs the discharge of accountability of debts due and payable to the County. The law allows the Board of Supervisors to make an order discharging the department, officer, or employee from further accountability and if appropriate may direct the County Auditor-Controller to adjust any charge against the department, officer, or employee in the like amount.

When County debts are determined to be uncollectible because the amount owed is too small to justify the cost of collection, the debtor is deceased, the statute of limitations to collect the debt has expired, or the debt was discharged in bankruptcy proceedings, the debts are included on an application for discharge.

The attached debts are charges for encroachment inspection work completed by Transportation staff for each listed debtor. The entities were initially invoiced but there was a malfunction with the billing

system and the outstanding amounts were not accurately reflected in the aging ledger.

The transition to a new billing system brought these debts to the attention of staff; however, the statute of limitations has expired on all the attached debts. The option of giving the debts to Revenue Recovery for an attempt at collection was considered but was ultimately deemed to not be an option due to the age of the debts. We are now requesting for these debts to be discharged as our last option.

Upon approval by the Board, Chief Administrative Office, Community Development Finance and Administration (CDFA), will take the necessary steps to reflect the discharge of accountability in their collection systems. CDFA will coordinate with the Auditor's Office as necessary to ensure appropriate recording of any financial transactions.

**ALTERNATIVES**

N/A

**PRIOR BOARD ACTION**

N/A

**OTHER DEPARTMENT / AGENCY INVOLVEMENT**

Auditor-Controller

**CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

**FINANCIAL IMPACT**

While there is a financial impact associated with the County providing services for which no compensation was received, there is no change to the Transportation budget. These debts are considered uncollectible and have not been factored into fund balances or projected revenues for Transportation.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

N/A

**STRATEGIC PLAN COMPONENT**

Good Governance

**CONTACT**

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