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SUPREME COURT
FILED

MAR 20 2014

Frank A. McGuire Clerk

Deputy

In the Supreme Court of the State of California

**THE PEOPLE OF THE STATE OF
CALIFORNIA,**

Plaintiff and Respondent,

v.

OCTAVIO AGUILAR,

Defendant and Appellant.

Case No. S213571

First Appellate
District, Division Four,
Case No. A135516

Contra Costa County
Superior Court, Case
No. 51202696

REQUEST FOR JUDICIAL NOTICE

Respondent requests that the Court take judicial notice of the attached: (1) Contra Costa County Ordinance No. 2011-13 (Attachment A); and (2) Contra Costa County 2011/2012 Booking Unit Cost Analysis, showing Total Projected Costs per Booking of \$564.32 as reported to the Contra Costa County Board of Supervisors (Attachment B). These documents are included in the official records of the Contra Costa County Board of Supervisors Meeting of June 28, 2011, when an increase in the

Criminal Justice Administrative Fee was approved, pursuant to Government Code section 29550. The documents are also available on the website of the Contra Costa County Board of Supervisors.¹

Defendant asserts that a criminal justice administrative fee (a booking fee) in this case is unsupported by evidence of actual costs. The documents of which notice is requested are relevant to support the argument of respondent that such evidence exists. The documents show the actual costs made known to the Board of Supervisors, and the action of that board in setting the fee (and designating the adjusted fee of one-half that amount as required when certain localities reimburse the county) to be imposed by the trial courts.

Evidence Code section 452, subdivision (b), provides that a Court may take judicial notice of “legislative enactments issued by or under the authority of the United States or any public entity in the United States.” Section 452, subdivision (c), provides for judicial notice of the “Official acts of the legislative, executive, and judicial departments of the United States and of any state of the United States.”

The resolutions and ordinances of a county board of supervisors are generally subject to notice under Evidence Code section 452, subdivision (b); and the records supporting those actions and made a part of the record are generally noticed pursuant to section 452, subdivision (c), so long as the proponent of judicial notice explains the purpose and relevance of the items proffered in evidence. (See *Center for Biological Diversity, Inc. v. FPL*

¹ The documents are available, respectively, at [http://66.166.146.155/docs/2011/bos/20110628_153/8319_bookingfeord\(2\).doc](http://66.166.146.155/docs/2011/bos/20110628_153/8319_bookingfeord(2).doc) and http://66.166.146.155/docs/2011/BOS/20110628_153/8319_BOOKCALC2011.pdf.

Group, Inc. (2008) 166 Cal.App.4th 1349, 1356 fn. 7; *O'Keefe v. Atascadero County Sanitation District* (1971) 21 Cal.App.3d 719, 728.)

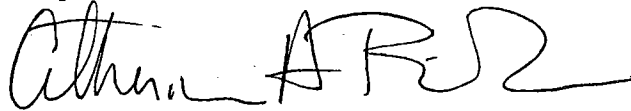
CONCLUSION

For the foregoing reasons, respondent requests that the Court take judicial notice of Contra Costa County Ordinance No. 2011-13 and the Contra Costa County Criminal Justice Administrative Fee Methodology.

Dated: March 20, 2014

Respectfully submitted,

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ATTACHMENT A

ORDINANCE NO. 2011-13

[Criminal Justice Administrative and Jail Access (Booking) Fees]

The Contra Costa County Board of Supervisors ordains as follows:

SECTION I. PURPOSE AND AUTHORITY.

This ordinance repeals and re-enacts uncodified ordinance 2007-26 to continue in effect the criminal justice administrative fee imposed under Government Code section 29550 and the jail access fee imposed under Government Code section 29551, and provide for increases in these fees. (Ords. 2011-26; 2007-26; 2005-14; 2003-15; 2001-10; 98-23; 96-19; 94-24; 91-3.)

SECTION II. ORDINANCE 2007-26 REPEALED.

Ordinance 2007-26 is hereby repealed and its provisions are re-enacted as follows.

SECTION III. CRIMINAL JUSTICE ADMINISTRATIVE FEE/JAIL ACCESS FEE

IMPOSED.

(a) There is hereby imposed upon every city, special district, school district, community college district, college, or university, ("Agencies") a fee for the administrative costs, including applicable overhead costs, of booking or other processing at any Contra Costa County jail of every person arrested by an employee of such Agencies and brought to such county jail facility for booking or detention.

(b) There is hereby imposed upon every person who is arrested by an employee of an Agency, and brought to any Contra Costa County jail for booking and detention, and later convicted of a criminal offense related to the arrest, a fee for the administrative costs, including applicable overhead costs, of his booking or other processing at the Contra Costa County jail.

(c) Subject to Government Code section 29551, subsections (b) and (d), such fees shall be payable on account of every booking or other processing of a person at a Contra Costa County jail.

(d) For the purpose of this fee, the term 'Contra Costa County jail' means and includes every detention facility in Contra Costa County operated under the control of the Contra Costa County Sheriff-Coroner.

SECTION IV. FEE AMOUNTS.

(a) The amount of the criminal justice administrative (booking) fee that may be imposed pursuant to Government Code section 29550, subdivision (c) is five hundred and sixty-four (\$564.00) dollars.

(b) The reduced amount of the criminal justice administrative fee that may be imposed pursuant to Government Code section 29550, subdivision (a) is two hundred and eighty-two (\$282.00) dollars. Commencing July 1, 2011, this amount shall be adjusted as provided in Government

Code section 29551, subdivision (e).

(c) The amount of the jail access fee that may be imposed pursuant to Government Code section 29551, subdivision (b) is five hundred and sixty-four (\$564.00) dollars.

SECTION V. REGULATIONS.

The Contra Costa County Board of Supervisors, by resolution, may adopt regulations governing the application and administration of these fees.

SECTION VI. SEVERABILITY.

If any provision of this ordinance is held invalid or unenforceable by a court of competent jurisdiction, that holding shall not affect the validity or enforceability of the remaining fees or provisions, and the Board of Supervisors declares that it would have adopted each part of this ordinance irrespective of the validity of any other part.

SECTION VI. EFFECTIVE DATE.

This ordinance shall become effective 30 days after passage, and within 15 days of passage shall be published once with the names of the Supervisors voting for and against it in the Contra Costa Times, a newspaper of general circulation published in this County.

PASSED ON _____ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: DAVID TWA, Clerk
of the Board of Supervisors and
County Administrator

By: _____

Board Chair

JKD/jd

[http://64.166.146.155/docs/2011/BOS/20110628_153/8319_bookingfeeord\(2\).doc](http://64.166.146.155/docs/2011/BOS/20110628_153/8319_bookingfeeord(2).doc)

ATTACHMENT B

CONTRA COSTA COUNTY
CRIMINAL JUSTICE ADMINISTRATIVE FEE METHODOLOGY

The criminal justice administrative (booking) fee is authorized by State Law by the terms of Government Code Section **29550**. Booking fees under this section are limited to one-half the actual administrative cost of booking or other processing of persons arrested and brought to County detention.

The Contra Costa County Board of Supervisors will receive oral and/or written testimony regarding this fee on Tuesday, June 28, 2011, at 10:00 AM in the Board's Chambers, 651 Pine Street, 1st floor, Martinez. Attached are the criminal justice administrative fee calculations and supporting documentation.

The "all inclusive" method of costing was used to determine the fee. The rationale for the all inclusive method is to determine the annual cost of the booking service and divide that amount by the annual number of bookings to establish a rate per booking. Specific questions regarding this material should be directed to the **County Administrator's Office** at (925) 335-1077.

Source Data

Salaries & Benefits data was taken from the 2011-12 County-Wide Salary Projection. Where specific individuals could be identified, the individual salaries and benefits amounts were used. Where staffing assignments are frequently rotated, an average salaries and benefits amount calculated for each job classification was used.

Services & Supplies data was taken from the May 2011 adjusted budget reflected in the Sheriff's budget statement.

Time allocations, identity of administrative staff, determination of which services and supplies amounts were allowable, direct or indirect, and the number of bookings were obtained from discussions with Sheriff and Health Services Department personnel.

County Administration data were taken from the most current Cost Plan prepared by the Auditor-Controller.

Allocation Method

To the extent possible, all direct costs were identified and included in booking as direct. Allowable indirect costs were allocated between "booking" and "all other programs" on the basis of direct salaries and benefits.

Contra Costa County
 2011/12 Booking Unit Cost Analysis
 Booking Unit Direct Costs and Indirect Overhead Allocation

Calculation Summary

<u>Description</u>	<u>Booking Costs</u>	<u>Schedule Reference</u>
Direct Salaries & Benefits	\$11,265,149	1
Indirect Costs:		
Department Administration	862,918	4
Martinez Detention Administration	1,034,810	6
County Administration-Cost Plan Allocation	(71,539)	8
Systems Maintenance Costs	26,832	10
Total Estimated Booking Unit Costs	\$13,118,170	
Projected Number of Annual Bookings	<u>23,246</u>	9
Total Projected Cost Per Booking	<u>\$564.32</u>	
Recalculated Booking Fee	<u>\$282.16</u>	

Cost Analysis
Salaries and Benefits

Class Name	Function	Positions per Shift	SHIFT			Annualized Hours	Annual Salaries & Benefits*	Productive Hourly Rate 1800 hrs/yr	Annual Sal & Ben Excl Holiday	Holiday Incremental Rate	Annual Holidays	Sheriff Retiree Health Costs
			SHIFTS									
			Day	Swing	Morning							
Sheriff Intake		2	20.0	20.0	20.0	21,900	94.28	2,064,732	47.14	110,308	87,179	
Sheriff Escort		3	21.0	24.0	21.0	24,090	94.28	2,271,205	47.14	121,338	95,897	
Sheriff Classification		1	10.0	10.0	10.0	10,950	94.28	1,032,366	47.14	55,154	43,589	
Intake		1	2.0	2.0	2.0	2,190	93.624	113,902	26.01	6,086	3,740	
Central Control		1	2 min/booking			775	93.624	40,301	26.01	2,029	1,323	
Reconciliation		1	12.5			650	85.691	30,947	23.81	0	1,110	
Intake		1	9.0	9.0	9.0	9,855	82.193	449,979	22.83	24,040	16,829	
Restock		1	1 hr/day			365	79.291	16,078	22.03	0	623	
Calibrate Livescan		1	3.0			156	91.600	7,939	25.45	0	266	
Direct Supervision		1	10.0	10.0	10.0	10,950	206,062	1,253,556	57.24	66,971	43,589	
Medical consultation		1	15 min/booking for 20% total bookings			1,162	108.00	125,528	0.00	0	N/A	
Psychiatric consultation		1	5 min/booking for 5% total bookings			97	210.74	20,412	0.00	0	N/A	
Intake		2	16.0	16.0	16.0	17,520	176.505	1,718,011	49.03	91,784	N/A	
Intake		1	8.0	8.0	8.0	8,760	132,887	646,751	36.92	34,554	N/A	
Health Program Supervisor		1	10.0			520	142,836	41,262	39.68	1,547	N/A	
Totals						109,940	1,693,419	9,832,969		513,811	294,147	
						23,246						

on Totals
 Annual Bookings (feeds from Summary page)
 Annual Calculations:
 Martinez Detention Facility budgeted overtime (feeds from Fiche-Costplan Rpt tab)
 Martinez Detention Facility estimated salaries & benefits
 Overtime as a percent of straight time

Booking direct salaries & benefits excluding holiday pay (multiply by O/T rate above)
 Martinez Detention Facility overtime expense allocated to booking
 Total Annual Direct Salaries & Benefits Costs (to summary schedule)

1,500,000
 21,038,941
 7.1%

Contra Costa County
 2011/12 Booking Unit Cost Analysis
 Martinez Detention Facility Services and Supplies

Schedule 2

<u>Acct</u>	<u>Description</u>	<u>10/11</u> <u>Approp</u>	<u>Unallowable</u>	<u>Indirect</u>
2100	Office Expense	\$70,000		\$70,000
2102	Books-Periodicals-Subscriptions	1,000		\$1,000
2103	Postage	1,000		\$1,000
2110	Communications	29,000		\$29,000
2111	Telephone Exchange Service	46,893		\$46,893
2120	Utilities	200		\$200
2130	Small Tools and Instruments	1,000		\$1,000
2131 / 2132	Minor Equipment	15,000		\$15,000
2140	Medical & Lab Supplies	0		\$0
2150	Food	1,000,000	(1,000,000)	\$0
2160	Clothing & Personal Supplies	180,000	(93,047)	\$86,953
2170	Household Expense	515,000		\$515,000
2200	Memberships	0		\$0
2250	Rents/Leases: Equipment	20,000		\$20,000
2251	Computer Software Costs	0		\$0
2262	Building Occupancy Costs	27,300		\$27,300
2270	Maintenance: Equipment	30,000		\$30,000
2276	Mtc. Radio-Electronic Equipment	1,500		\$1,500
2281	Maintenance of Buildings	0		\$0
2282	Grounds Maintenance	2,000		\$2,000
2284	Requested Maintenance	100,000		\$100,000
2300	Transportation and Travel	0		\$0
2301	Auto Mileage-Employees	1,000		\$1,000
2302	Use of Company Vehicle-Equipment	0		\$0
2303	Other Travel-Employees	17,000		\$17,000
2305	Freight Drayage Express	0		\$0
2310	Professional/Specialized Svcs	15,000	(15,000)	\$0
2314	Contracted Temporary Help	0	0	\$0
2315	Data Processing	0		\$0
2330	Other Gen Svcs Charges	0		\$0
2331	GSD Courier Service	2,120		\$2,120
2335	Other Telecom Charges	2,000		\$2,000
2340	Other Interdepartmental Charges	0		\$0
2467	Training and Registrations	10,000		\$10,000
2476	Recreation	0		\$0
2477	Education, Supplies, & Courses	0		\$0
2479	Other Special Departmental Expense	12,000		\$12,000
2491	Cash Shortage Reimbursement	250		\$250
	Totals	<u>\$2,099,263</u>	<u>(\$1,108,047)</u>	<u>\$991,216</u>

*3000 and 4000 accounts were excluded, since they relate to capital items.

* Source - CY (10/11) May 11 Budget Statement - Appropriations - 100300/0300 - 2xxx's for 2578 MDF

Contra Costa County
 2011/12 Booking Unit Cost Analysis
 Overhead Allocation Rate Calculation

Schedule 3

<u>Total Direct Salaries & Benefits:</u>	<u>Amounts</u>	<u>Schedule</u>
<u>Department Overhead Allocation Rate</u>		
Booking Salaries & Benefits	\$11,265,149	1
Department Total Salaries & Benefits	<u>131,736,612</u>	
Booking Labor as a percent of Department Labor (Used in Schedule 4)	<u>8.6%</u>	
<u>MDF Overhead Allocation Rate</u>		
Booking Salaries & Benefits	11,265,149	1
MDF Total Salaries & Benefits	<u>24,120,208</u>	
Booking Labor as a % of MDF Labor (Used in Schedule 6)	<u>46.7%</u>	
<u>Detention Overhead Allocation Rate</u>		
Booking Salaries & Benefits	11,265,149	1
Detention Total Salaries & Benefits	<u>54,064,780</u>	
Booking Labor as a % of Detention Labor (Used in Schedules 8 & 10)	<u>20.8%</u>	

Contra Costa County
 2011/12 Booking Unit Cost Analysis
 Department Administrative Overhead

Schedule 4

CLASSIFICATION	SCHEDULE AMOUNT
Sheriff	393,811
Undersheriff -Exempt	333,385
Sheriff's Chief Management Services	188,122
Commander (2)	600,182
Captain (3)	848,703
Lieutenant (2)	487,257
Administrative Lieutenant	224,232
Sergeant (2)	385,985
Deputy Sheriff-40 hour	138,430
Director, Support Services (2)	303,122
Administrative Services Asst	107,832
Administrative Analyst (2)	183,264
Executive Secretary	103,608
Executive Assistant	113,256
Sheriff's Fiscal Officer	162,648
Clerical Supervisor	95,024
Clerks-Senior (8)	621,581
Supervising Accountant	146,016
Accountant I	100,644
Accounting Technician	98,688
Account Clerk-Advanced (9)	755,856
Sheriff's Specialist (2)	195,401
Background Investigators (3)	397,707
Information Systems Project Manager (2)	332,314
Network Administrator	143,460
Network Analyst II	152,568
Information System Specialist III (3)	372,828
Information System Programmer (2)	240,372
Information Systems Technician II	109,632
Equipment Service Writer	85,596
TOTAL DEPT. ADMINISTRATION SALARIES & BENEFITS	8,421,524
<u>Services & Supplies</u>	
Allowable as Indirect (from Schedule 5)	1,612,404
Total Dept Administration Allowable as Indirect	10,033,928
Booking Direct Labor as a % of Department Direct Labor (from Schedule 3)	8.6%
Department Administration Allocated to Booking	862,918

Contra Costa County
2011/12 Booking Unit Cost Analysis
Department Services and Supplies

Description	10/11		Indirect	Direct
	Approp	Unallowable		
2100 Office Expense	65,500		\$65,500	
2102 Books-Periodicals-Subscriptions	3,500		\$3,500	
2103 Postage	6,000		\$6,000	
2110 Communications	56,000		\$56,000	
2111 Telephone Exchange Svc	54,900		\$54,900	
2130 Small Tools & Instruments	8,000		\$8,000	
2131 / 2132 Minor Equipment	27,140		\$27,140	
2140 Medical & Lab Supplies	6,000		\$6,000	
2141 Pharmaceutical Supplies	7,000		\$7,000	
2150 Food	0		\$0	
2160 Clothing & Personal Supplies	118,500		\$118,500	
2170 Household Expense	2,000		\$2,000	
2190 Publications/Legal Notices	10,100		\$10,100	
2200 Memberships	31,225		\$31,225	
2250 Rents/Leases: Equipment	24,000		\$24,000	
2251 Computer Software Costs	7,750		\$7,750	
2260 Rents/Leases: Property	0		\$0	
2262 Building Occupancy	38,590		\$38,590	
2270 Maintenance: Equipment	5,400		\$5,400	
2271 / 2272 Garage	200		\$200	
2276 Maintenance Radio-Electronic Equipment	1,500		\$1,500	
2281 Bldg Maintenance	3,000		\$3,000	
2282 Grounds Maintenance	7,000		\$7,000	
2284 Requested Maintenance	24,732		\$24,732	
2301 Auto Mileage-Employees	14,500		\$14,500	
2302 Use of Company Vehicle-Equipment	0		\$0	
2303 Other Travel-Employees	81,000		\$81,000	
2305 Freight Drayage-Express	100		\$100	
2310 Professional/Specialized Services	310,000		\$310,000	
2313 Outside Attorneys	0		\$0	
2314 Contracted Temporary Help	11,000		\$11,000	
2315 Data Processing	19,665		\$19,665	
2326 Information Security Charges	18,733		\$18,733	
2331 GSD Courier Service	12,269		\$12,269	
2335 Other Telecom Chgs	7,700		\$7,700	
2340 Other Interdptmntal Charges	17,000		\$17,000	
2463 Audio-visual	0		\$0	
2467 Training & Registration	104,300		\$104,300	
2477 Education Supplies & Courses	9,000		\$9,000	
2478 Feed - Non Agricult Animal	0		\$0	
2479 Other Special Departmental Expense	499,000		\$499,000	
2490 Misc Service Supplies	100		\$100	
Totals	\$1,612,404	\$0	\$1,612,404	\$0

* Source - CY (10/11) May 11 Budget Statement - Appropriations - 100300/0255 - 2xxx's for 2499 Sher Admin
3000 and 4000 accounts were excluded, since they relate to capital items.

Contra Costa County
2011/12 Booking Unit Cost Analysis
Martinez Detention Facility, Administrative Overhead

Schedule 6

<u>Salaries & Benefits</u>	<u>Amount</u>	<u>From Schedule</u>
Detention/MDF Administration Salaries & Benefits	\$1,224,652	7
<u>Services & Supplies</u>		
Allowable as Indirect	<u>\$991,216</u>	2
Total MDF Administration/Systems Support Allowable as Indirect	\$2,215,868	
Booking Direct Labor as a % of MDF Direct Labor	<u>46.7%</u>	3
MDF Administration Allocated to Booking	<u>\$1,034,810</u>	

Contra Costa County
 2011/12 Booking Unit Cost Analysis
 Martinez Detention Facility, Administrative Salaries and Benefits

Schedule 7

Staff	Percent of Time Spent MDF	Salary & Benefits	Indirect Sal. & Ben. Total
Detention Administration Related to MDF:			
Commander-Custody Services	33%	\$288,145	\$95,088
Captain-Custody Services	33%	\$284,509	\$93,888
Lieutenant-Custody Services	33%	\$237,074	\$78,234
Sergeant	33%	\$211,891	\$69,924
Sergeant	33%	\$195,508	\$64,518
Sergeant	50%	\$210,994	\$105,497
Executive Secretary	33%	\$103,608	\$34,191
Sheriff's Aide	33%	\$107,502	\$35,476
Senior Clerk	40%	\$86,580	\$34,632
Info System Project Manager	25%	\$168,114	\$42,029
Info System Specialist III	15%	\$128,076	\$19,211
Info System Technician II	15%	\$109,632	\$16,445
Info System Programmer/Analyst	10%	\$111,216	\$11,122
Full Time MDF Facility Administration:			
Lieutenant-MDF	100%	234,975	234,975
Sergeant - Operations	100%	191,701	191,701
Clerical Supervisor	100%	97,722	97,722
Total Indirect MDF Administration Salaries & Benefits (to Schedule 6)			<u>\$1,224,652</u>

Note: The Food Service and Inmate Services Directors were excluded from this analysis

Contra Costa County
 2011/12 Booking Unit Cost Analysis
 County A-87 Administrative Overhead Allocation

Schedule 8

The County prepares a Cost Plan Report each year to allocate County Administration costs to County Service Departments in accordance with A-87. Below is the allocation of these costs from the most recent Cost Plan to Booking activities.

	<u>Amounts</u>	<u>From Schedule</u>
Cost Plan allocation to Detention*	\$5,307,158	
Less Unallowable:		
Building Occupancy (including Use Allowance)	<u>5,651,096</u>	
Net Allowable	(343,938)	
Booking Fee Direct Labor % - Detention	<u>x 20.8%</u>	3
County Overhead Allocated to MDF Booking Unit	<u>(71,539)</u>	

* Source: Contra Costa County, costplan 10-11-page 11.

County of Contra Costa
OMB A-87 Cost Allocation Plan

Exhibit A

Department	Total	0259 AID TO POLICE SVC AREAS	0256 VEHICLE THEFT PROGRAM	0300-SHERIFF DETENTION	0300-SHERIFF DETENTION INMATES	0308- PROBATION	0308- PROBATION FACILITIES	0310 PROB CARE OF COURTS	0325 JUSTICE SYSTEM PROGRAMS	0330 CO DRAINAGE MAINTENANCE
BUILDING USE ALLOWANCE	\$6,913,946			\$1,699,636		\$487,363				
BUILDING USE RENTAL RATES	(\$3,570,398)					\$165,397				
EQUIPMENT DEPRECIATION	\$5,904,884			\$63,432	\$3,877	\$28,061	\$2,184			
0009-COUNTY ADMINISTRATOR	\$2,003,701			\$32,034	\$5,457	\$28,439	\$5,233			\$452
0010-AUDITOR-CONTROLLER	\$5,578,279			\$137,818	\$10,058	\$109,113	\$9,898			\$706
BOS- ANNUAL AUDIT	\$67,878			\$593	\$256	\$324	\$248			\$21
0015-TREASURER-TAX COLLECTOR	\$748,982			\$9,394	\$1,342	\$8,688	\$1,434			\$47
0020-PURCHASING	\$582,027					\$22,794				
0030-COUNTY COUNSEL	\$1,653,109					\$78,520				
0035-HUMAN RESOURCES	\$3,809,519			\$200,902		\$170,594				
0060-COMMUNICATIONS	\$799,004			(\$2,717)	\$9,166	\$369	(\$245)			
0149-GENERAL SERVICES	\$107,211									
0077-BUILDING OCCUPANCY	\$12,708,284					\$480,161	\$1,844,408			
0079-FACILITIES MAINTENANCE	\$1,568,976			\$11,059	\$107	\$22,003	\$2,511			
0145-EMPLOYEE / RETIREE BENEFITS	\$1,142,947			\$69,881	\$2,268	\$48,148	\$7,902			
0147-INFORMATION TECHNOLOGY	\$791,665			\$1,587	\$261	\$27,263	\$742			
0148-PRINT AND MAIL SERVICES	\$294,848			\$1,342	\$118	\$1,715	\$1,237			
0150-INSURANCE/RISK MANAGEMENT	\$1,872,761					\$280,648				
4990 RETIREMENT ADMINISTRATION	\$41,050			\$3,932	\$383	\$1,434	\$1,334			
Total Actual Costs	\$41,816,127			\$8,180,474	\$93,289	\$1,947,028	\$1,876,985			\$1,226
Roll Forward Amounts	(\$4,787,659)			(\$837,688)	\$8,402	\$52,092	(\$521,260)			
Regular Adjustments	\$1,593,277									
One Time Adjustments	\$1,039,254			\$84,382		\$5,715	\$3,081			
Total-Claimable Cost	\$39,679,966			\$5,307,158	\$42,871	\$2,004,836	\$1,358,816			\$1,226



Contra Costa County
 2011/12 Booking Unit Cost Analysis
 MDF Booking History

Schedule 9

Year	Month	MDF Bookings	12 Month Moving Average	12 Month Total of Average	% change from Prior Mo.
2010	February	1,803	1,895	22,855	-7.4%
2010	March	1,947	1,894	22,843	8.0%
2010	April	2,123	1,914	22,856	9.0%
2010	May	2,104	1,931	22,886	-0.9%
2010	June	1,933	1,934	22,920	-8.1%
2010	July	1,996	1,940	22,957	3.3%
2010	August	2,119	1,948	22,987	6.2%
2010	September	2,083	1,960	23,026	-1.7%
2010	October	2,040	1,971	23,078	-2.1%
2010	November	1,899	1,981	23,153	-6.9%
2010	December	1,871	1,989	23,246	-1.5%

Contra Costa County
2011/12 Booking Unit Cost Analysis
System Maintenance Costs

Schedule 10

	<u>Amounts</u>	<u>From Schedule</u>
Annual Software Maintenance Costs	\$129,000	
Annual Hardware Maintenance Costs	\$0	
Net Allowable	129,000	
Booking Fee Direct Labor % - Detention	<u>x 20.8%</u>	3
County Overhead Allocated to MDF Booking Unit	<u>26,832</u>	

DECLARATION OF SERVICE BY U.S. MAIL

Case Name: *People v. Octavio Aguilar*

No.: **S213571**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business.

On March 20, 2014, I served the attached **REQUEST FOR JUDICIAL NOTICE [WITH ATTACHMENTS]** by placing a true copy thereof enclosed in a sealed envelope in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

Kieran D.C. Manjarrez
Attorney at Law
1535 Farmers Lane, # 133
Santa Rosa, CA 95405

County of Contra Costa
Main Courthouse
Superior Court of California
P.O. Box 911
Martinez, CA 94553

The Honorable Mark Peterson
District Attorney
Contra Costa County District Attorney's
Office
900 Ward Street
Martinez, CA 94553

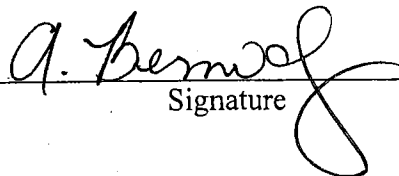
First Appellate District
Division Four
Court of Appeal of the State of California
Division Four
350 McAllister Street
San Francisco, CA 94102-3600
Via Hand Delivery on 3/20/14

First District Appellate Project
Via Email Only: eservice@fdap.org

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on March 20, 2014, at San Francisco, California.

A. Bermudez

Declarant



Signature