

Bond Case Briefs

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COUNTY FEES - CALIFORNIA

City of Clovis v. County of Fresno

Court of Appeal, Fifth District, California - January 16, 2014 - Cal.Rptr.3d - 2014 WL 172397

Cities petitioned for writ of mandate challenging county's calculation of vehicle license fee (VLF), Swap and Triple Flip service fee. The Superior Court ordered the county to apply the methodology advocated by the cities and to issue refunds to the cities, and also ordered the county to pay prejudgment and postjudgment interest. County appealed.

The Court of Appeal held that:

- Prejudgment interest was applicable;
- Seven percent was the correct rate of postjudgment interest under prior law; and
- Statute reducing prejudgment and postjudgment interest applied only prospectively from its effective date.

Trial court acted correctly in awarding prejudgment interest against county on cities' successful mandamus claims for recalculation of county's VLF, Swap and Triple Flip service fees, since the money the county was ordered to pay was "damages" for purposes of prejudgment interest. Where the money the county was ordered to pay could be made certain by calculation, the cities were entitled to recover the money on a particular day, and the county caused the overcharges by using an erroneous method of calculating the property tax administration fee.