

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

787



FROM: Facilities Management and the
Capital Improvement Program (CIP) Team

SUBMITTAL DATE: July 21, 2003

SUBJECT: 1933 Courthouse Addition Stabilization and Rehabilitation Project

RECOMMENDED MOTION: That the Board of Supervisors:

1. Authorize the use of the superior court filing fees for debt service on the 1933 Courthouse Addition Project; and,
2. Direct Facilities Management to return to the Board with agreements for architectural and planning services.

BACKGROUND: On November 26, 2002, the Board of Supervisors expanded the surcharge for superior court filings to all superior court cases, recognizing the need for additional remodeling and seismic stabilization of eligible court facilities, in particular the 1933 addition to the Riverside County Historic Courthouse. On December 10, 2002, the Board directed County staff to work with the Court to provide recommendations regarding completion of the Historic Courthouse. Subsequently, on December 23, 2002, the CIP Team received approval in principle, from the Board to provide seismic stabilization and rehabilitation for the 1933 Courthouse addition and to solicit architectural services to develop the schematic design.

The Riverside County Superior Court has concurrently been pursuing agreement from the State Judicial Council regarding the appropriateness of the use of the expanded surcharge for court filings for purposes of rehabilitation and seismic stabilization of the 1933 addition to the Historic Courthouse. On July 16, 2003, Presiding Judge Doug Miller received verbal concurrence from the Judicial Council, Administrative Office of the Courts, indicating their agreement that using the filing fees for such purposes would be appropriate to complete the work on the 1933 addition.

- Continued -

MIKE J. SYLVESTER, Director
Department of Facilities Management

TONY CARSTENS
Deputy County Executive Officer

FINANCIAL DATA:

CURRENT YEAR COST

N/A

ANNUAL COST:

NET COUNTY COST

**IN CURRENT YEAR BUDGET:
BUDGET ADJUSTMENT FY:**

SOURCE OF FUNDS: Superior Court Filing Fees

C.E.O. RECOMMENDATION:

APPROVE

County Executive Officer Signature

CONCUR
Riverside County Superior Court

Consent
 Policy
 Consent
 Policy

Department Recommendation:
Per Executive Office:

Prev. Agn. ref. MO's 3.23 (5/21/02); 3.8 (11/26/02); 3.43 (12/10/02); 3.2 (12/23/02)

Dist.

AGENDA NO.

3.26

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County Counsel and Executive Office staff have also further explored the use of the filing fee surcharge to support the 1933 addition improvements. In the original 1997 Historic Courthouse rehabilitation project, the 1933 addition was included in the original loan authorization, however work on the addition did not proceed to completion since jail facilities were still located on the second and third floors. The Sheriff's Department has since vacated these floors and the work can proceed as was originally planned. County Counsel and the EO have concluded that the risk to the County is negligible that anyone, the State or otherwise, would find that the use of these funds for the 1933 addition is improper. Specifically, Government Code 26826.1 states that court filing fees collected in Riverside County may only be used for seismic stabilization, construction, and rehabilitation of the Riverside County Courthouse, and the Indio Branch Courthouse. The state would have to seek new legislation to divert funds from the current allocation to the Riverside and Indio Courthouses.

As the Board is aware, there is extremely limited space in the downtown area and many County departments are already in cramped quarters, with expansion requirements for additional staff. Rehabilitation of the 1933 addition will allow the relocation of various Court staff currently occupying the Old Municipal Court facility, the District Attorney building and leased space in the Bar Association building. Relocating Court staff to the rehabilitated 1933 addition to the Historic Courthouse annex will assist County departments requiring additional space.

Since the Board of Supervisors previously authorized the use of superior court filing fees for debt service on rehabilitation of the 1933 addition, and County Counsel, the Riverside County Superior Court and the state concur with the use of these funds for the project, the CIP Team recommends that the Board of Supervisors move forward with securing architectural services and proceed with the rehabilitation of the 1933 addition. Further, the CIP Team recommends the Board direct the Executive Office to secure financing for the project at an estimated order of magnitude costs of \$9.75 to \$10.25 million utilizing the superior court filing fees towards debt service.

Please note that at this time, staff is not recommending that the later-constructed annex to the Courthouse or the Simons Building be included in the rehabilitation project. County staff and the Superior Court staff will continue to pursue alternative funding for those structures.

Attached for reference, is the Courthouse Addition Planning & Programming Executive Summary prepared by architect Milford Wayne Donaldson, FAIA, the consultant retained by FM for the development of the building program.