

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

984



**FROM:** Executive Office and Department of Facilities Management

**SUBMITTAL DATE:**  
September 8, 2004

**SUBJECT:** Memorandum of Understanding between the County of Riverside and the Administrative Office of the Courts for Due Diligence Services related to the Trial Court Facilities Act of 2002 (SB1732)

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

- 1) Approve the Memorandum of Understanding between the County of Riverside and the Administrative Office of the Courts and authorize the Chairman to sign;
- 2) Authorize \$200,000 for initial dedication of funds related to the due diligence efforts, paid on a quarterly basis to the Administrative Office of the Courts, with the first payment due on October 1, 2004;
- 3) Direct the Auditor-Controller to process the budget adjustments on the attached Attachment D; and,
- 4) Direct the Executive Office to proceed with any necessary actions to effect this transaction.

**BACKGROUND:** The Trial Court Facilities Act of 2002, SB1732, was enacted to provide for the transfer of responsibility for funding and operation of trial court facilities from the counties to the Judicial Council of California (JDC). On August 18, 2003, the County of Riverside was selected by the JDC as a pilot county in the state for participation in SB1732.

(Continued on page 2)

Departmental Concurrence

FISCAL PROCEDURES APPROVED  
ROBERT E. BYRD, Auditor-Controller

Deputy

*Gary M. Christmas*  
GARY M. CHRISTMAS  
Deputy County Executive Officer

*Michael J. Sylvester*  
MICHAEL J. SYLVESTER, Director  
Department of Facilities Management

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 200,000	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	Yes
	Annual Net County Cost:	\$ 0	For Fiscal Year:	04/05

SOURCE OF FUNDS: Courthouse Construction Sub-Fund No. 11054 Interest Earnings	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input checked="" type="checkbox"/>

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

County Executive Office Signature

*Henry M. Muloche*

Consent  
 Policy  
 Consent  
 Policy  
 Dept't Recomm.:  
 Per Exec. Ofc.:

Prev. Agn. Ref.: \_\_\_\_\_ District: All Agenda Number: \_\_\_\_\_

**ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD**

3.5

Page 2  
August 31, 2004  
Executive Office

Memorandum of Understanding between the County of Riverside and the Administrative Office of the Courts for Due Diligence Services related to the Trial Court Facilities Act of 2002 (SB1732)

**BACKGROUND (Continued):**

In connection with and in anticipation of the transfer of responsibility, a Memorandum of Understanding (MOU) between the County of Riverside and the Administrative Office of the Courts (AOC) is attached for due diligence inspections with respect to the facilities. The inspections may include environmental assessments, physical inspections, preparation and review of ALTA surveys of the parcels of land on which certain of the facilities are located and other related due diligence services.

Attachment A is a list of the facilities to be inspected, and Attachment B consists of the contract work for environmental assessments. Attachment C consists of the surveyor contract and will be provided to the county when finalized. The county will not be responsible for any work unless approved by the named county signatories listed below as stipulated in the MOU.

The MOU is for engagement of services for the inspections. The MOU stipulates that the county will pay for 50% of the costs for contracted work and will jointly participate, along with the AOC, in the management and oversight of the provider's performance. The costs for said oversight will be borne by each participant. An initial dedication of funds for due diligence services of \$200,000 is required, and will be paid quarterly, with the first payment due to the AOC on October 1, 2004. Gary M. Christmas of the Executive Office and Mike J. Sylvester from Facilities Management will be the authorized parties representing the county for review and sign-off of due diligence services.

## ATTACHMENT D

Increase Appropriations

10000-1101200000-525440	Professional Services	\$200,000
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Increase Estimated Revenue

10000-1101200000-740040	Interest – Other	\$200,000
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