

FISCAL PROCEDURES APPROVED
ROBERT E. BYRD, Auditor-Controller

BY *[Signature]*
Deputy

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

930



FROM: Executive Office and Facilities Management

SUBMITTAL DATE:
April 11, 2005

SUBJECT: Approval of Agreements and Budget Adjustments Related to the Transfer of Responsibility for the Larson Justice Center to the State of California Judicial Council, in Accordance with the Trial Court Facilities Act of 2002 (SB1732)

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Approve the Transfer Agreement and related documents with the Judicial Council of California, Administrative Office of the Courts and authorize the Chairman to execute the agreement on behalf of the Board;
- 2) Approve the Memorandum of Understanding with the Judicial Council of California, Administrative Office of the Courts for Court Facility Services and authorize the Chairman to execute the agreement on behalf of the Board; and,
- 3) Approve and direct the Auditor-Controller to make the budget adjustments on Schedule A.

BACKGROUND:

(continued on page 2)

[Signature: Gary M. Christmas]

GARY M. CHRISTMAS
Deputy County Executive Officer

[Signature: Michael J. Sylvester]

MICHAEL J. SYLVESTER
Department of Facilities Management

FINANCIAL DATA

Current F.Y. Total Cost:	\$111,953	In Current Year Budget:	No
Current F.Y. Net County Cost:	\$111,953	Budget Adjustment:	Yes
Annual Net County Cost:	\$559,762	For Fiscal Year:	04-05

SOURCE OF FUNDS: General fund contributions allocated for utilities and operations

Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	<input checked="" type="checkbox"/>

C.E.O. RECOMMENDATION:

County Executive Office Signature

[Signature]

Policy
 Consent
 Dept't Recommit.
 Policy
 Consent
 Per Exec. Of.

Prep. An. Ref.: 3.8 10/19/04 | District: 4 | Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

3.2

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April 11, 2005

Subject: Approval of Agreements and Budget Adjustments Related to the Transfer of Responsibility the Larson Justice Center to the State of California Judicial Council.

BACKGROUND (continued): The County of Riverside was selected by the Judicial Council as a pilot county in the state for implementing SB1732. Previous Board action in October approved the in-concept transfer of responsibility for the Larson Justice Center (LJC) to the Judicial Council, Administrative Office of the Courts (AOC). Today's action presents the final documents necessary to effectuate the transfer of responsibility, as well as approve the agreement to provide facility maintenance services for all transferred court buildings between the Judicial Council and the Department of Facilities Management. These documents represent a culmination of negotiation and cooperation between the Executive Office, Facilities Management, County Counsel, Sheriff, the local Superior Court and the AOC.

The agreement for transfer of responsibility recognizes the County of Riverside as holding title to the LJC until the financing obligation is satisfied in 2021 and at such time, title will transfer to the State. The County of Riverside and AOC have mutually agreed the LJC falls within an "exclusive use" designation, in which the Courts occupy more than 80% of the facility and therefore assumes responsibility for the facility. The Courts occupy 80.81% of the LJC and the county occupies 19.19%.

In addition, Article 5 of SB1732 requires the county to provide an ongoing source of funding for operations and maintenance of court facilities. The county will pay the AOC a "County Facilities Payment" (CFP) based on historical maintenance and operational expenditures for the building. The annual amount to be paid to the AOC for the LJC is approximately \$559,762. This figure is based on the preliminary April inflation index factor and will be adjusted accordingly when the Bureau of Labor Statistics releases the final April index factor. This funding will be provided to the AOC in perpetuity, but shall not be indexed to increase with inflation over time; this will be a locked-in, fixed cost. The AOC will fund inflationary costs and capital replacements in future years.

The annual CFP to the AOC represents costs associated with operating the Court's portion of the building (80.81%). The county will be responsible for costs associated with the county's portion of the building (19.91%).

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April 11, 2005

Subject: Approval of Agreements and Budget Adjustments Related to the Transfer of Responsibility the Larson Justice Center to the State of California Judicial Council.

The AOC has requested that the County's Facilities Management Department continue to provide the maintenance services for the LJC through a contract arrangement. The attached Memorandum of Understanding between AOC and the county allows for Facilities Management to provide routine and preventative maintenance for transferred court facilities through June 2006. The AOC will pay Facilities Management for the services performed. After the initial term of the MOU, any continued services will have to be renegotiated.

The Transfer of Responsibility, the Memorandum of Understanding and all corresponding documents related to the Larson transfer of responsibility have been approved by County Counsel as to form.

Schedule A represents the necessary budget adjustments for the facility transfer.

Schedule A

Court Facilities Payment:

Increase Appropriations:

10000-1103900000-536200	Contribution to other non-County Agencies	\$111,953
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Facilities Management Budgets:

Decrease Appropriations:

10000-7200600000-529540	Utilities	\$62,066
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Increase Estimated Revenue:

10000-7200300000-777520	Reimbursement for Services	42,642
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Decrease Appropriations:

10000-1109000000-581000	Contingency	7,245
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