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

FROM: Executive Office and Department of Facilities Management


SUBMITTAL DATE:
August 8, 2008

SUBJECT: Transfer of the Blythe Courthouse to the State of California

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Transfer of Responsibility 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; and,
2. Direct the Auditor-Controller to process the budget adjustments for FY 08/09 as outlined in Schedule "A".

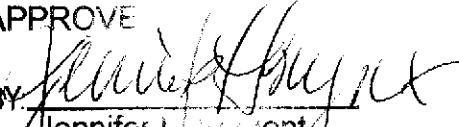
BACKGROUND (Commences on Page 2)



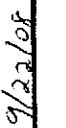

 Gary M. Christmas
 Deputy County Executive Officer
 Executive Office


 Robert Field, Director
 Department of Facilities Management

FINANCIAL DATA	Current F.Y. Total Cost:	\$52,173	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$52,173	Budget Adjustment:	Yes
	Annual Net County Cost:	\$62,607	For Fiscal Year:	08/09

SOURCE OF FUNDS: Facilities Management – Maintenance, Energy and Real Estate Division Budgets, Court Facilities Budget	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input checked="" type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE
 BY 
 Jennifer L. Sargent
 County Executive Office Signature

FORM APPROVED COUNTY COUNSEL
 BY:  09-18-08
 MARSHAL VICTOR DATE
 Reviewed by

 Christopher Hans
 Departmental Concurrence
 FISCAL PROCEDURES APPROVED
 ROBERT E. BYRD, AUDITOR-CONTROLLER
 BY:  9/22/08
 SAMUEL WONG
 Dep't Recomm.: Consent Policy
 Per Exec. Ofc.: Consent Policy

BACKGROUND:

The Transfer of Responsibility Agreement recognizes the County of Riverside as holding title to the Blythe Courthouse, which is located at 265 North Broadway in Blythe, until the financing obligation for the courthouse is satisfied in 2027, at which time title to the building will transfer to the state. The County of Riverside and the Judicial Council of California, Administrative Office of the Courts (JC-AOC) have mutually agreed that the Blythe court building falls within an "exclusive use" designation, which means that the JC-AOC occupies more than 80% of the facility and the JC-AOC is therefore entitled to assume responsibility for its operation.

The primary legislation governing the court transfer process, commonly referred to as SB 1732, requires the county to provide a source of funding for the ongoing operations, maintenance, utilities, and insurance costs of court facilities by paying the JC-AOC what has historically been expended; the payment is referred to as a County Facilities Payment (CFP). The county is obligated to pay the CFP on a quarterly basis. The annual CFP amount for the Blythe courthouse is \$62,607, with payments beginning on October 1, 2008, subject to a proration of the annual payment reflecting the date of Board approval of the transfer agreement. The CFP must be paid to the JC-AOC in perpetuity, but is not indexed to increase with inflation over time.

The electric meter for the Blythe Courthouse is currently shared with the Blythe County Administrative Center and the Blythe Jail. A new meter needs to be installed so that electrical usage can be determined specifically for the Blythe courthouse, at an estimated cost of \$80,000. Until such time as the county and JC-AOC agree that the parties have the funds to cover such costs, Facilities Management will pay the electrical costs attributable to the Blythe Courthouse with reimbursement from the JC-AOC.

FINANCIAL DATA:

Facilities Management's maintenance and a portion of the energy divisions' net county cost will be reduced to reflect the stoppage of service for the facility and will be transferred to the court facilities budget. Insurance costs will be funded through the county's Court Facilities budget with reimbursement from the JC-AOC until the debt service is satisfied.

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SCHEDULE A

Increase Appropriations		
10000-1103900000-536200	Cont. to Non-County Agency	55,633
Decrease Appropriations		
10000-7200300000-522310	Maint-Building and Improvements	32,276
10000-7200600000-529540	Utilities	<u>23,357</u>
		55,633