

FORM APPROVED COUNTY COUNSEL  
10/10/08  
DATE

Reviewed by  
CJP TAM  
Christopher Hans  
Departmental Concurrence

FISCAL PROCEDURES APPROVED  
ROBERT E. BYRD, AUDITOR-CONTROLLER  
BY SAMUEL WONG 10/10/08

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

### 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 Hemet 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*  
Gary M. Christmas  
Deputy County Executive Officer  
County Executive Office

*Robert Field*  
Robert Field  
Director  
Department of Facilities Management

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 99,697	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$ 99,697	Budget Adjustment:	Yes
	Annual Net County Cost:	\$132,929	For Fiscal Year:	08/09

SOURCE OF FUNDS: Facilities Management – Maintenance, and Energy 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

Prev. Agn. Ref.: | District: 3 | Agenda Number: 3.9

ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

**BACKGROUND:**

The Transfer of Responsibility Agreement recognizes the County of Riverside as holding title to the Hemet Courthouse, which is located at 880 N. State Street in Hemet, until the financing obligation for the courthouse is satisfied in 2015, 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 Hemet 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 Hemet courthouse is \$132,929, 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 meters for water, gas, electric and the building automation controls for the Hemet Courthouse are currently shared with the buildings located within the campus proximity, which includes the Assessor, Department of Child Support Services and the Community Health Agency. New meters need to be installed so usage can be determined specifically for the Hemet courthouse, at an estimated cost of \$145,000. 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 utility costs attributable to the Hemet 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.

SCHEDULE A

Increase Appropriations		
10000-1103900000-551100	Cont. to Other County Funds	\$118,425
Decrease Appropriations		
100000-7200300000-522310	Maint-Building and Improvements	\$ 36,494
100000-7200600000-529540	Utilities	<u>81,931</u>
		\$118,425