

Departmental Concurrence

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

490



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

**SUBMITTAL DATE:**  
December 5, 2008

**SUBJECT:** Amendment to the Transfer Agreement of the Family Law Court Building in Riverside

**RECOMMENDED MOTION:** That the Board of Supervisors approve the Amendment to 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 amendment on behalf of the Board; and,

**BACKGROUND:** On December 19, 2006, under Agenda Item 3.10, the Board of Supervisors approved the transfer of responsibility agreement for the Family Law court building in Riverside to the Judicial Council of California, Administrative Office of the Courts (JC-AOC). This transfer constituted a transfer of responsibility until the financing obligation is satisfied in 2027; at which time title will transfer to the state. The initial agreement set the annual Court Facility Payment (CFP) at

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Gary M. Christmas  
Gary M. Christmas  
Chief Deputy County Executive Officer  
Executive Office

Robert Field  
Robert Field, Director  
Department of Facilities Management

FINANCIAL DATA	Current F.Y. Total Cost:	\$149,713	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$149,713	Budget Adjustment:	No
	Annual Net County Cost:	\$299,426	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 type="checkbox"/>

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

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

**BACKGROUND:**

\$269,190 annually. Following the county's execution of the transfer agreement, it was determined that the State Department of Finance (DOF) had rejected the initial annual CFP payment amount, as well as the cost methodology used to determine the CFP's operations and maintenance costs for the Family Law court building. The DOF recommended the county pay a higher modified annual CFP amount. The county rejected this recommendation and instead decided to exercise its rights under Government Code 70333 to take the matter up under dispute resolution through the Court Facilities Dispute Resolution Committee (CFDRC).

Pursuant to Government Code Section 70303, the CFDRC formally heard the county's case on September 30, 2008, and subsequently submitted its recommendations to the Director of the State Department of Finance. On November 14, 2008, the Director of the State Department of Finance approved the CFDRC's recommended modified annual CFP payment for the Family Law court building in Riverside in the amount of \$299,426 annually.

Thus, the amendment to the transfer of responsibility agreement amends the annual CFP payment amount from \$269,190 to \$299,426 annually. It establishes the official transition date for the Family Law court building as December 10, 2008. Finally, it establishes that the county's annual CFP payment is prorated for FY 2008/09 based upon the official date of transition.

**FINANCIAL DATA:**

Facilities Management's maintenance and energy divisions' net county cost will be reduced to reflect the operations and maintenance 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. Facilities Management will request any necessary budget adjustments to its FY 2008/09 budget pertaining to the amendment of the Riverside Family Law court building in the 3<sup>rd</sup> Quarter Budget Report.