

FORM APPROVED COUNTY COUNSEL
 BY: MS Keener 12/5/08
 MARSHA L. VICTOR DATE

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

558



FROM: Executive Office and Department of Facilities Management

SUBMITTAL DATE:
 December 5, 2008

SUBJECT: Transfer of Responsibility of the Corona Court Space 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
 Chief Deputy County Executive Officer
 Executive Office

Robert Field
 Robert Field, Director
 Department of Facilities Management

FINANCIAL DATA	Current F.Y. Total Cost:	\$54,320	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$54,320	Budget Adjustment:	Yes
	Annual Net County Cost:	\$108,640	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
 Jennifer L. Sargent

County Executive Office Signature

Dep't Recomm.: Consent Policy

Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.:

District: 2

Agenda Number:

ATTACHMENTS FILED
 WITH THE CLERK OF THE BOARD

3.7

FISCAL PROCEDURES APPROVED
 ROBERT E. BYRD, AUDITOR-CONTROLLER
 BY: Robert E. Byrd 12/8/08
 SUSANA GARCIA-BOCANEGRA, Departmental Concurrence

BACKGROUND:

The Transfer of Responsibility Agreement recognizes the County of Riverside as holding title to the Corona Court Space, which is located within the Corona County Administrative Center at 505 S. Buena Vista. Since the court space is located within the Corona County Administrative Center (CAC), the County of Riverside and the Judicial Council of California, Administrative Office of the Courts (JC-AOC) have mutually agreed that the county will retain title to the building, as allowable under Government Code §70323 (b) (1). Additionally, under Government Code §70344 (b), if the county chooses to expand into the court space, it is obligated to compensate the state for its equity in the facility and for relocation costs at the fair market rate.

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 Corona courthouse is \$108,640, with payments beginning on January 1, 2009, 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 court space in the Corona CAC shares utility costs with the remaining tenants. The county will incur and pay the utility costs relating to the court space and will be subsequently reimbursed by the JC-AOC. The JC-AOC will operate and maintain the court space.

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.

SCHEDULE A

Increase Appropriations		
10000-1103900000-536200	Cont. to Non-County Agency	46,321
Decrease Appropriations		
10000-7200300000-522310	Maint-Building and Improvements	21,309
10000-7200600000-529540	Utilities	<u>25,012</u>
		46,321