

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

522



FROM: Executive Office and Department of Facilities Management

SUBMITTAL DATE:
 November 18, 2008

SUBJECT: Transfer of Responsibility of the Temecula 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
 Executive Office

Robert Field
 Robert Field, Director
 Department of Facilities Management

FINANCIAL DATA	Current F.Y. Total Cost:	\$23,707	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$23,707	Budget Adjustment:	Yes
	Annual Net County Cost:	\$47,414	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
Jennifer L. Sargent
 BY: Jennifer L. Sargent

County Executive Office Signature

Dep't Recomm.: Consent Policy

Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.:

District: 3 | **Agenda Number:**
 ATTACHMENTS FILED WITH THE CLERK OF THE BOARD

3.8

BACKGROUND:

The Transfer of Responsibility Agreement recognizes the County of Riverside as holding title to the Temecula Courthouse, which is located at 41002 County Center Drive in Temecula. Because the courthouse is not the majority occupant, 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).

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 Temecula courthouse is \$47,414, 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 Temecula Courthouse shares utility costs with the remaining campus tenants. The county will incur and pay the utility costs relating to the courthouse and will be subsequently reimbursed by the JC-AOC. The JC-AOC will operate and maintain the courthouse 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	21,667
Decrease Appropriations		
10000-7200300000-522310	Maint-Building and Improvements	7,429
10000-7200600000-529540	Utilities	<u>14,238</u>
		21,667