

FORM APPROVED COUNTY COUNSEL
BY: MS Victor 12/18/08
DATE
MARSHAL L. VICTOR

571

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



FROM: Executive Office and Department of Facilities Management

SUBMITTAL DATE:
December 5, 2008

SUBJECT: Transfer of the Southwest Justice Center Court Building 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:	\$128,107	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$128,107	Budget Adjustment:	Yes
	Annual Net County Cost:	\$256,214	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: 3

Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

3.9

BACKGROUND:

The Transfer of Responsibility Agreement recognizes the County of Riverside as holding title to the Southwest Justice Center Court building, which is located at 30755 – D Auld Road in Murietta until the financing obligation is satisfied in 2032; at such time, title will transfer to the state. Since the primary function of the building is to serve the Courts, the County of Riverside and the Judicial Council of California, Administrative Office of the Courts (JC-AOC) have mutually agreed to transfer the building to the JC-AOC.

The primary legislation governing the court transfer process, commonly referred to as SB1732, 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 Southwest Justice Center court building is \$256,214 (comprised of the CFP payments from the Lake Elsinore Court [\$40,124], Riverside 1961 Annex [\$128,433], and Perris Court [\$87,657] facilities whose operations were relocated to the Southwest Justice Center court building upon its occupancy in 2002), 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. Pursuant to the terms of the transfer agreement, the JC-AOC agrees to release the county from its court space liability regarding the Lake Elsinore Court, Perris Court, and Riverside 1961 Annex with the transfer of the Southwest Justice Center court building to the JC-AOC and the *application of the accumulated individual CFP payments of those court facilities being applied toward the operating and maintenance costs of the Southwest Justice Center court building.*

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.

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SCHEDULE A

Increase Appropriations		
10000-1103900000-536200	Cont. to Non-County Agency	\$118,745
Decrease Appropriations		
10000-7200300000-522310	Maint-Building and Improvements	\$ 23,730
10000-7200600000-529540	Utilities	<u>\$ 95,015</u>
		\$118,745