

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

569



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

**SUBMITTAL DATE:**  
December 12, 2008

**SUBJECT:** Transfer of Responsibility of the Palm Springs 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

<b>FINANCIAL DATA</b>	<b>Current F.Y. Total Cost:</b>	\$57,259	<b>In Current Year Budget:</b>	No
	<b>Current F.Y. Net County Cost:</b>	\$57,259	<b>Budget Adjustment:</b>	Yes
	<b>Annual Net County Cost:</b>	\$114,518	<b>For Fiscal Year:</b>	08/09

<b>SOURCE OF FUNDS:</b> Facilities Management – Maintenance and Energy Budgets, Court Facilities Budget	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input checked="" type="checkbox"/>

**C.E.O. RECOMMENDATION:** APPROVE

BY: Jennifer L. Sargent  
 County Executive Office Signature

Dep't Recomm.:  Policy  Consent

Per Exec. Ofc.:  Policy  Consent

FORM APPROVED COUNTY COUNSEL  
 BY: Marshall Victor 12/18/08 DATE

FISCAL PROCEDURES APPROVED  
 ROBERT E. BYRD, AUDITOR-CONTROLLER  
 BY: Susana Garcia-Bocanegra 12/19/08  
 SUSANA GARCIA-BOCANEGRA  
 Departmental Concurrence

**BACKGROUND:**

The Transfer of Responsibility Agreement recognizes the County of Riverside as holding title to the Palm Springs court space, which is located within the Palm Springs County Administrative Center at 3255 E. Tahquitz Canyon Way in Palm Springs. Since the court 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 Palm Springs court space is \$114,518, with payments beginning on January 30, 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 Palm Springs Court space shares utility costs with the remaining building 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	\$51,035
Decrease Appropriations		
10000-7200300000-522310	Maint-Building and Improvements	\$17,043
10000-7200600000-529540	Utilities	<u>\$33,992</u>
		\$51,035