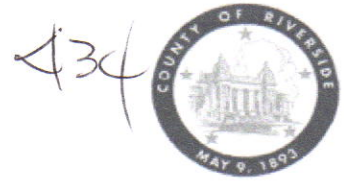


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Executive Office and Department of Facilities Management

SUBMITTAL DATE:
December 12, 2008

SUBJECT: Transfer of Responsibility of the Indio CAC/Annex Justice Center 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:	\$150,225	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$150,225	Budget Adjustment:	Yes
	Annual Net County Cost:	\$300,450	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

FORM APPROVED COUNTY COUNSEL
 BY: *MP Keeler* 12/18/08
 MARSHAL VICTOR DATE

FISCAL PROCEDURES APPROVED
 ROBERT E. BYRD, AUDITOR-CONTROLLER
 BY: *Susana Garcia-Bocanegra* 12/18/08
 SUSANA GARCIA-BOCANEGRA

Departmental Concurrence

Dep't Recomm.: Consent Policy

Per Exec. Ofc.: Consent Policy

BACKGROUND:

The Transfer of Responsibility Agreement recognizes the County of Riverside as holding title to the Indio CAC/Annex Justice Center court space, which is located within the Indio County Administrative Center at 82-675 Highway 111 in Indio. 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 Indio CAC/Annex Justice Center court space is \$300,450, 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 county reserves the right to open the agreement to meet spaces needs.

The Indio CAC/Annex Justice Center court space shares utility costs with the remaining campus 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.

Executive Office and Department of Facilities Management
Transfer of Responsibility of the Indio CAC/Annex Justice Center Court Space to the
State of California
December 12, 2008
Page 3

SCHEDULE A

Increase Appropriations		
10000-1103900000-536200	Cont. to Non-County Agency	\$135,090
Decrease Appropriations		
10000-7200300000-522310	Maint-Building and Improvements	\$ 31,189
10000-7200600000-529540	Utilities	<u>\$103,901</u>
		\$135,090