

BY: H. Keener 02/04/09 DATE  
MARSHAL VICTOR

Departmental Concurrence

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

414



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

**SUBMITTAL DATE:**  
January 30, 2009

**SUBJECT:** Amendment to the Transfer Agreement of the Hall of Justice Court Building in Riverside

**RECOMMENDED MOTION:** That the Board of Supervisors approve the Amendment to 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 amendment on behalf of the Board; and,

**BACKGROUND:** On May 8, 2007, under Agenda Item 3.8, the Board of Supervisors approved the transfer of responsibility agreement for the Hall of Justice court building in Riverside to the Judicial Council of California, Administrative Office of the Courts (JC-AOC). This transfer constituted a transfer of responsibility until the financing obligation is satisfied in 2015; at which time title will transfer to the state. However, the initial agreement did not address maintenance responsibility for

(Continued 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>	\$0	<b>In Current Year Budget:</b>	N/A
	<b>Current F.Y. Net County Cost:</b>	\$0	<b>Budget Adjustment:</b>	No
	<b>Annual Net County Cost:</b>	\$0	<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 type="checkbox"/>

**C.E.O. RECOMMENDATION:** APPROVE  
BY: Jennifer L. Sargent  
County Executive Office Signature

Dep't Recomm.:  Consent  Policy  
Per Exec. Ofc.:  Consent  Policy

Prev. Agn. Ref.: 3.8, 5-8-2007 | District: 2 | Agenda Number:

ATTACHMENTS FILED  
WITH THE CLERK OF THE BOARD

3.9

**BACKGROUND:**

the 2,500 gallon diesel fuel above ground storage tank (AST) which is located on the land adjacent to the Hall of Justice facility and also supports the Downtown Historic Courthouse facility. Following the full execution of the transfer agreement, it was recognized that the JC-AOC and county needed to come to agreement regarding who would be the managing party for the AST, as well as how AST related costs would be apportioned and shared between the parties.

Thus, the amendment amends the existing transfer agreement to include the definitions of the AST and its related equipment permits. The amendment also recognizes that once the closure of the existing underground storage tank (UST) located on the site is verified, as well as the verification of all necessary permits for the AST, the JC-AOC will accept managing party responsibility for the AST and the related equipment. The amendment also establishes the JC-AOC and county's apportioned share of costs related to the AST. It has been mutually agreed that the JC-AOC's share of costs shall be apportioned at 77.78% and the county's share shall be apportioned at 22.22% (based upon the JC-AOC using 700kw in support of the Hall of Justice facility and the county using 200kw in support of the Downtown Historic Courthouse facility).

**FINANCIAL DATA:**

No immediate costs are anticipated to be incurred at this time in relation to the AST, thus no additional Net County Cost will be incurred as a result of this amendment.