

438
**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



FROM: Executive Office and Department of Facilities Management

SUBMITTAL DATE:
February 16, 2007

SUBJECT: Update on SB1732 Transfer Process for Family Law Court Building and Approval of MOU for Construction

RECOMMENDED MOTION: That the Board of Supervisors approve the Memorandum of Understanding between the County of Riverside and the Judicial Council of California, Administrative Office of the Courts for Construction within the Riverside Family Law Court Facility

BACKGROUND: On December 19, 2006, the Board approved the transfer of the Family Law Court building to the Judicial Council of California, Administrative Office of the Courts (JC-AOC). The transfer is in accordance with SB1732 – Trial Court Facilities Legislation. At the time of the transfer, a county facilities payment (CFP) was established at \$269,190 to be paid annually to the JC-AOC. The county has since received notice in a letter dated January 26, 2007, from the California Department of Finance (DOF) that an amended CFP was established at \$335,165. The Executive Office, Department of Facilities Management and the Auditor-Controller disagree with the amended CFP amount based on the calculation method employed by the DOF, and in (continued on Page 2)

Gary M. Christmas

GARY M. CHRISTMAS
Deputy County Executive Officer

Rob Field

ROB FIELD
Director, Department of Facilities Management

**FINANCIAL
DATA**

Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	N/A
Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
Annual Net County Cost:	\$ 0	For Fiscal Year:	06-07

SOURCE OF FUNDS: N/A

Positions To Be Deleted Per A-30	☐
Requires 4/5 Vote	☐

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

Ken A. Miller

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

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RECEIVED RIVERSIDE COUNTY

Prev. Agn. Ref.: 3.10 12/19/06

District: 2

Agenda Number:

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BACKGROUND (continued):

accordance with Government Code 70366 (a), have 30 days after the notice from the DOF to appeal the CFP amount. On February 8, 2007, the County Executive Officer mailed a letter to the Court Facilities Dispute Resolution Committee, appealing the amended CFP amount, which is in accordance with Government Code 70365. Under the SB1732 legislation, the process for review of the county's appeal and rebuttal can take up to 160 days.

Due to the dispute of the CFP, under SB1732 Government Code 70363, the transfer for the Family Law facility has technically not occurred. Because the JC-AOC desire to begin construction of a new court within the Family Law facility in early March, a memorandum of understanding (MOU) between the JC-AOC and the county was prepared to effectuate the process. The county does not assume any liability from the ensuing construction. The county recognizes the need for additional courtrooms and does not want to impede this process while the CFP appeal process progresses. The AOC and local court recommendation is for the Board to approve said MOU for construction.