



County of El Dorado

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Master Report

File Number: 08-1441

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Agenda Item
Type:

Status: Approved

Version: 2

Reference:

Gov Body: Board Of
Supervisors

Department: Chief Administrative
Office

Created: 09/11/2008

Agenda Title: CAO 11-18-08 Court Facility Transfer Agreements

Final Action: 11/18/2008

Title: Chief Administrative Office recommending Chairman be authorized to sign Transfer of Responsibility agreements for five Court facilities; Main Street Courthouse, Cameron Park Courthouse, Building C Shared Court facility, Johnson Courthouse and El Dorado Center Shared Court facility. (Refer 9/23/08, Item 26)

FUNDING: General Fund.

Notes:

Agenda Date: 11/18/2008

Agenda Number:

Sponsors:

Enactment Date:

Attachments: Joint Declaration.pdf,
ab_1491_bill_20080423_chaptered.pdf, Government
Code Section 70321(b)(1) Joint Declaration.pdf,
AOC Rev SB 1732 as amended (October 2007).pdf,
Court Facilities Summary 07 11 08.pdf, El Dorado
Building C JOA 4 County Clean Version.pdf, El
Dorado Building C Transfer Agreement 4 County
Clean Version.pdf, El Dorado Cameron Park
Appendix (Modular Court Facilities) to Transfer
Agreement.pdf, El Dorado Cameron Park TA 2 -
County Clean Version.pdf, El Dorado County - El
Dorado Center JOA 1 County Clean Version.pdf, El
Dorado County - El Dorado Center TA1 County
Clean Version.pdf, El Dorado Johnson Building MOU
1.pdf, El Dorado Johnson Building TA 1.pdf, El
Dorado Main Street TA 1 County Clean Version.pdf,
att'd 11-17-08 - FINAL CameronPark Grant Deed
(same as Exh C to TA).pdf, att'd 11-17-08 - FINAL
CameronPark Memo of TA (same as Exh J to
TA).pdf, att'd 11-17-08 - FINAL El Dorado Cameron
Park Exhibits.pdf, att'd 11-17-08 - FINAL El Dorado
Cameron Park TA.pdf, Att'd 11-17-08 - FINAL
Building C Memo of JOA (same as Exh G to TA).pdf,
Att'd 11-17-08 - Transfer Agreement Building C.pdf,

Time Required:

Att'd 11-17-08 - Joint Occupancy Agrmt, Att'd 11-17-08 - Exhibits A-I.pdf, att'd 11-17-08 - FINAL EI Dorado Johnson Building TA (3).pdf, att'd 11-17-08 - FINAL EI Dorado Johnson Building Exhibits.pdf, att'd 11-17-08 - FINAL EI Dorado Johnson Building Draft MOU.pdf, Att'd 11-17-08 - FINAL EI Dorado Main Street Grant Deed (same as Exh C to TA) (2).pdf, Att'd 11-17-08 - Final EI Dorado Main St. Exhibits (2).pdf, Att'd 11-17- 08 - FINAL EI Dorado Main Street Grant Deed (same as Exh C to TA) (2).pdf, Att'd 11-17-08 - Final EI Dorado Mian St. Memo of TA (same as Exh. k to TA).pdf, att'd 11-17-08 - FINAL EI Dorado Center Exhibits_1 (2).pdf, att'd 11-17-08 - FINAL EI Dorado Center JOA_1 (2).pdf, att'd 11-17-08 - FINAL EI Dorado Center TA_1 (2).pdf, Resolution att'd 11-18-08.pdf, SUMMARY submitted by K. Webb att'd 11-20-08, Letter from Co. Counsel att'd 11-24-08.pdf

Same:

Contact: Kelly Webb Ext 6565

Hearing Date:

Next Meeting Date:

Approval History

Version	Date	Approver	Action
1	09/16/2008	Agenda Coordinator	Approved
Notes	approve to route		
1	09/16/2008	Gayle Erbe-Hamlin	Approved
2	11/12/2008	Agenda Coordinator	Approved
Notes	approve to route		
2	11/12/2008	Gayle Erbe-Hamlin	Approved

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:	
1	Board Of Supervisors	09/23/2008	Approved				Pass	
	Action Text:	A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago to authorize the Chairman to sign the Joint Declaration; and direct staff to continue to work on the Court Facility Transfer.						
Mover:	James R. Sweeney	Yes 5						5
		Dupray, Baumann, Supervisor Sweeney, Supervisor Briggs and Supervisor Santiago						
2	Board Of Supervisors	11/18/2008	Approved				Pass	

Action Text: A motion was made by Supervisor Sweeney, seconded by Supervisor Santiago, to approve, adopt and certify Resolution 313-2008 as required by the mandate of the Trial Court Facilities Act authorizing the immediate execution of the transfer agreements for the county's court facilities identified as the Main Street Courthouse, Building C, Cameron Park and the Johnson Building and authorizing the execution of the fifth and final transfer agreement for the court facility identified as El Dorado Center no later than December 31, 2008.

Mover: James R. Sweeney

Yes 5

Dupray, Baumann, Supervisor Sweeney, Supervisor Briggs and
Supervisor Santiago

5

Text of Legislative File 08-1441

Chief Administrative Office recommending Chairman be authorized to sign Transfer of Responsibility agreements for five Court facilities; Main Street Courthouse, Cameron Park Courthouse, Building C Shared Court facility, Johnson Courthouse and El Dorado Center Shared Court facility. (Refer 9/23/08, Item 26)

FUNDING: General Fund.

BUDGET SUMMARY:

Total Estimated Cost \$ 346,465

Funding

Budgeted \$ \$310,000 +

New Funding \$

Savings \$

Other \$

Total Funding Available \$

Change To Net County Cost \$ -0-

Fiscal Impact/Change to Net County Cost:

The estimated cost of the County Facility payment (CFP) will be approximately \$346,465 per year. The 2008-09 Proposed Budget includes \$310,000 for the CFP to facilitate payments once the transfers are complete. In addition, there will be savings from budgeted utility costs that the County will no longer be responsible for in three of the Courts which will help offset the first year's annual payment.

The Chief Administrative Office and the Auditor Controller's office have worked together to prepare the CFP forms. The Auditor Controller has signed the forms and they have been submitted to the Administrative Office of the Courts (AOC) for final review. Once the AOC approves the CFP forms they will be forwarded to the State Department of Finance for final approval. We anticipate that final approval will come within a couple of months following the transfers.

Background and Reason for Recommendation:

Senate Bill 1732 - Trial Court Facilities Legislation and subsequent Assembly Bill 1491 require all County's to transfer their Court facilities to the State. AB 1491 was signed on April 23, 2008 and since that time the majority of California County's have been

working to complete the required transfers. The first deadline to complete the transfers is September 30, 2008. On September 23, 2008, the Board of Supervisors and the Administrative Office of the Courts entered into a Joint Declaration extending the time period to complete the transfers until December 31, 2008.

Transfer Agreements for the Board's review and approval include the following for the five Court facilities:

Cameron Park -

Transfer of Responsibility including Transfer of Title upon completion of the ADR Modular Project (Appendix)

Main Street Courthouse -

Transfer of Responsibility including Transfer of Title

Building C -

Transfer of Responsibility and Joint Occupancy Agreement

El Dorado Center - South Lake Tahoe -

Transfer of Responsibility and Joint Occupancy Agreement

Johnson Building - South Lake Tahoe -

Transfer of Responsibility and MOU

Action to be taken following Board approval:

1. Board Chairman to sign 2 copies of each transfer agreement
2. Clerk to return all signed copies of each agreement to the Chief Administrative Office
3. Chief Administrative Office will forward signed transfer agreements to the Administrative Office of the Courts for final execution

Contact: Kelly Webb, Chief Administrative Office

Concurrences: County Counsel