



# Board Agenda Item 35

DATE: July 9, 2019

TO: Board of Supervisors

SUBMITTED BY: Jean M. Rousseau, County Administrative Officer

SUBJECT: Transfer of Title for the Superior Court of California, County of Fresno, Main Courthouse Division

## RECOMMENDED ACTION(S):

- 1. Authorize the Chairman to execute a Grant Deed for the transfer of title for the Superior Court of California, County of Fresno, Main Courthouse Division to the State of California on behalf of the Judicial Council of California; and**
- 2. Authorize the Chairman or his designee to execute Amended and Restated Transfer Agreement and Amended and Restated Joint Occupancy Agreement between the County of Fresno and the Judicial Council of California, together with other related documents.**

There is no additional Net County Cost associated with the recommended actions, which will complete the transfer of title of the Fresno County Main Courthouse to the State of California on behalf of the Judicial Council, as required by the Trial Court Facilities Act of 2002. This item is countywide.

## FISCAL IMPACT:

There is no increase in Net County Cost. There is a capital loss associated with the recommended actions, as a County asset will be removed from the County's financial records, and may result in a relatively small recognition of a loss on the disposal of the asset.

Pursuant to Business and Professions Code Section 6300, each County shall have a board of law library trustees, which governs the law library established for the county. The County's Law Library is located on the sixth floor of the Main Courthouse facility. Due to the Library's occupancy in this facility, the County is responsible for a portion (4.09%) of the Operations and Maintenance costs for the facility, which have averaged approximately \$20,000 per year.

As part of the legislation for the transfer of court facilities to the Judicial Council of California (JCC), the County is required to make County Facility Payments (CFPs) to the JCC based on a proration of historical costs (FY 1996 through FY 2000) for the Operations and Maintenance of court facilities. The CFP for this facility is approximately \$875,000 per year.

Sufficient appropriations are included in the FY 2019-20 Adopted Budget for Org 2838 for both the Operations and Maintenance Costs and CFP.

## DISCUSSION:

On December 16, 2008, the Board approved agreements with the Judicial Council to transfer first responsibility, and then title for the Main Courthouse facility in Fresno. It was noted that the transfer of title

would be brought back to your Board at a later date. The recommended actions will authorize the Chairman to execute the Grant Deed, and continue to provide for the shared occupancy of the Main Courthouse. Once accepted by the State Public Works Board, the Grant Deed will be recorded.

As noted above, the recommended actions provide for continued shared occupancy of the Main Courthouse, because the Law Library continues to occupy space on the sixth floor of this facility (approximately 5,400 square feet). Staff will return to your Board with a Termination of the Amended and Restated Joint Occupancy Agreement once a suitable location is found for the Law Library, and/or if the State wishes to sell this facility. The County will continue to pay for a portion (4.09%) of Operations and Maintenance costs for the Main Courthouse per year until the Law Library can be relocated. These costs have averaged approximately \$20,000 per year.

It should also be noted, the County will continue to pay the CFP for this facility of approximately \$875,000 per year.

REFERENCE MATERIAL:

BAI #39, December 16, 2008

CAO ANALYST:

Samantha Buck