

**MEMORANDUM  
DEPARTMENT OF FACILITY SERVICES  
COUNTY OF PLACER**

To: **BOARD OF SUPERVISORS**

Date: **MAY 18, 2010**

From: **JAMES DURFEE / MARY DIETRICH** *MD*

Subject: **APPROVAL OF A RESOLUTION RELATING TO COURT FACILITIES**

**ACTION REQUESTED / RECOMMENDATION:** Approve a Resolution authorizing the Director of Facility Services, or his designee, to take actions on behalf of the Board of Supervisors in order to implement administrative requirements associated with approved Transfer Agreements and affiliated Joint Occupancy Agreements and Memorandums of Understanding between the Administrative Office of the Courts (AOC) and the County of Placer.

**BACKGROUND:** The Trial Court Facilities Act of 2002 required the transfer of responsibility for the funding and operation of all of the trial court facilities in the State from counties to the AOC. This legislation followed other important court reform measures including the Trial Court Funding Act (AB 233) approved in 1997 that transferred responsibility for funding court operations from counties to the State. The County of Placer concluded its requisite transfers of responsibility in 2008.

In addition to the provisions contained in the Transfer Agreements, the County and the AOC entered into ongoing agreements for operation and maintenance of facilities and areas designated as common and court exclusive use. From time to time these agreements may require administrative amendments or modifications, or new agreements may need to be developed. For example, the County and the AOC are currently working on an amendment to the Historic Courthouse Transfer Agreement to allow the County to provide maintenance services to court exclusive use areas on a continuing basis without the need to amend the agreement on an annual basis.

In reviewing the approved resolutions associated with the Transfer Agreements, staff and County Counsel believe that an unambiguous resolution delegating authority to the Director of Facility Services or his designee, to approve and implement administrative provisions of these agreements is advisable. Approval of this Resolution will streamline processes with the AOC and provide clear authority to the Director to act on your Board's behalf relative to the facilities addressed in the Transfer Agreements.

**ENVIRONMENTAL CLEARANCE:** Your Board's approval of a Resolution is not a project as defined in the California Environmental Quality Act.

**FISCAL IMPACT:** There is no fiscal impact associated with approval of this Resolution.

ATTACHED: RESOLUTION

JD:MD:

cc: COUNTY EXECUTIVE OFFICE

TFACIBSMEMO2010AOC DELEGATED AUTHORITY.DOCX

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# Before the Board of Supervisors County of Placer, State of California

IN THE MATTER OF: A RESOLUTION DELEGATING  
AUTHORITY TO THE DIRECTOR OF FACILITY  
SERVICES, OR HIS DESIGNEE, TO TAKE ACTIONS TO  
FULFILL RESPONSIBILITIES CONTAINED IN TRANSFER  
AGREEMENTS BETWEEN THE ADMINISTRATIVE  
OFFICE OF THE COURTS AND THE COUNTY OF  
PLACER FOR VARIOUS COURT FACILITIES.

Resolution. No: \_\_\_\_\_

The following RESOLUTION was duly passed by the Board of Supervisors of the  
County of Placer at a regular meeting held \_\_\_\_\_, 2010 by the following  
vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Attest:

\_\_\_\_\_  
Chairman, Board of Supervisors

\_\_\_\_\_  
Clerk of said Board

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WHEREAS, the Trial Court Facilities Act of 2002 required the transfer of responsibility for the  
funding and operation of all of the trial court facilities in the State from counties to the  
Administrative Office of the Courts (AOC); and

WHEREAS, on March 20, 2007, the Placer County Board of Supervisors approved a Transfer  
Agreement for the Historic Courthouse to the AOC; and

WHEREAS, on June 10, 2008, the Placer County Board of Supervisors approved a Transfer  
Agreement for the South Placer Courthouse located in the Bill Santucci Justice Center to the  
AOC; and

WHEREAS, on September 23, 2008, the Placer County Board of Supervisors approved  
Transfer Agreements for the County Main Jail Courtroom and the Juvenile Detention Facility  
Courtroom to the AOC; and

WHEREAS, on September 23, 2008, the Placer County Board of Supervisors approved a Deferred Transfer Agreement for the Tahoe Public Safety Building Courtroom with the AOC; and

WHEREAS, these Transfer Agreements involve continuing commitments of both the AOC and the County to share the costs of facility upkeep and maintenance, including the landscape, lighting and parking serving the facilities and contain other administrative requirements for implementation; and

WHEREAS, these Transfer Agreements contain obligations between the parties for operation and maintenance of these facilities and areas designated as common areas and in some cases court exclusive use areas; and

WHEREAS, delegation of authority to the Director of Facility Services to take actions associated with the administrative responsibilities contained in the Transfer Agreements and affiliated agreements for maintenance and operation will streamline processes with the AOC and provide clear authority to the Director to act on your Board's behalf relative to the facilities addressed in the Transfer Agreements.

NOW THEREFORE, BE IT RESOLVED, that the Placer County Board of Supervisors does hereby delegate authority to the Director of Facility Services, or his designee, to take actions, enter into agreements, and/or modify agreements as may be required from time to time to fulfill the purpose and intent of the Transfer Agreements between the County of Placer and the Administrative Office of the Courts where the financial impact of any such amendment is less than \$25,000.

