

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: Steven Kueny, City Manager 

DATE: July 11, 2012 (CC Meeting of 7/18/12)

SUBJECT: Consider Support for Keeping East County Courthouse Open Two Days per Week and a Resolution Amending the Fiscal Year 2012/13 Budget to Appropriate \$25,000 from the General Fund Reserve

BACKGROUND

In October 2011, the Superior Court of California, County of Ventura (Superior Court) published a Public Notice announcing its consideration of reassigning the two East County Civil Law Judges and all related operations, except unlawful detainers, to its main courthouse in Ventura. The notice stated the East County Courthouse would also continue to hear and accept filings for Family Law, Small Claims, and Traffic matters. The Superior Court indicated the proposed changes were a result of significant funding reduction by the State of California (State). On November 2, 2011, the City Council voted to oppose the proposed reassignment.

The cities of Moorpark, Simi Valley, and Thousand Oaks, including the Mayors of Moorpark and Simi Valley, subsequently had meetings with Presiding Judge O'Neill, Judge Back, and Superior Court Executive Officer Michael Planet to discuss our concerns and the need to work collaboratively to insure appropriate funding for the Superior Court and services to the East County. We also requested a one year delay to allow all involved parties to explore alternatives. Though they were sympathetic to our concerns, we were unable to convince the Superior Court to delay its intended actions.

In early 2012, as the State Budget situation worsened, the Superior Court fund balance was forfeited, and the Superior Court was forced to plan for the elimination of virtually all services at the East County Courthouse.

Supervisor Foy with the assistance of the City of Simi Valley continued to pursue this matter and developed a short-term plan to keep the East County Courthouse open on a

limited basis for a two year period. This interim plan requires financial support from the County and cities.

DISCUSSION

The interim plan provides for the East County Courthouse to stay open two days per week for Small Claims, Unlawful Detainers, and Traffic Citation cases for a two year period. This plan requires a two year funding commitment by the County and cities of \$275,000 per year. During this two year period, the affected parties would seek a long-term solution to provide a more appropriate share of State court funding to Ventura County.

The County has approved \$50,000 of funding per year. In addition, the County has worked with the Superior Court to achieve an estimated \$170,000 in operational savings which facilitates reaching this \$275,000 funding requirement.

The cities would be responsible for the remaining \$225,000 for each of two years. The rationale for this is that all cities benefit to some extent based on the transfer of over 17,000 cases annually to Ventura from the East County Courthouse and the resulting delay and increased costs and lost work time for law and code enforcement personnel. The proposed cost sharing among the cities is a result of cooperative discussions (similar to those used in the past for Regional Housing Needs Assessment [RHNA] numbers) that considered city size, proximity to the East County Courthouse and ability to pay for the more distant, smaller cities of Fillmore, Port Hueneme, Ojai, and Santa Paula.

The discussions resulted in a suggested amount for the cities with recognition that each City Council would need to make a decision to participate as follows:

Camarillo	\$ 15,000
Moorpark	\$ 25,000
Oxnard	\$ 30,000
Simi Valley	\$ 75,000
Thousand Oaks	\$ 65,000
Ventura	\$ <u>15,000</u>
Total:	\$ <u>225,000</u>

The Superior Court has agreed that even if subjected to further cuts, they will maintain its commitment to keep the East County Courthouse open two days per week so long as the \$275,000 in annual funding is committed.

The proposed \$25,000 contribution for Moorpark would not be offset by a reduction in lost work time or savings in overtime and fuel/mileage costs by avoiding travel to

Ventura. While there would be some cost savings, the real value of keeping the East County Courthouse open is buying time to develop and implement adequate long-term funding for the Superior Court while providing more convenient access to the courts for residents and businesses.

At the May 30, 2012, Budget Workshop, this proposal was brought to the attention of the City Council. At that time, it was a consensus of the City Council to support the proposal with a funding contribution for a two year period. The City Manager stated that funding was not proposed as part of the FY 2012/13 Budget but would be presented at a later date as an appropriation from the General Fund Reserve.

FISCAL IMPACT

If the City Council continues its support for this proposal, an appropriation of \$25,000 from the General Fund Reserve for FY 2012/13 would be needed at this time with an additional \$25,000 appropriation in FY 2013/14. The funding would only be provided if the total funding commitment is received.

STAFF RECOMMENDATION (ROLL CALL VOTE)

- 1) Confirm support for keeping the East County Courthouse open two days per week; and
- 2) Adopt Resolution No. _____ appropriating \$25,000 from the General Fund Reserve.

SK:db

Attachment: Resolution No. _____

RESOLUTION NO. 2012 - _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, AMENDING THE FISCAL YEAR 2012/13 BUDGET TO APPROPRIATE \$25,000 FROM THE GENERAL FUND (1000) TO SUPPORT THE EAST COUNTY COURTHOUSE OPERATIONS TWO DAYS PER WEEK

WHEREAS, on October 2011 the Superior Court of California, County of Ventura posted a Public Notice announcing its consideration to reassign two East County Civil Law Judges and all related civil clerk's office operations, except unlawful detainers, to the main courthouse located at the Hall of Justice 800 South Victoria Avenue, Ventura, California at the beginning of 2012. The proposed changes were a result of significant funding reduction in the court system; and

WHEREAS, on November 2, 2011 the City Council authorized the Mayor to sign a letter opposing the proposed reassignment; and

WHEREAS, District 4 Board of Supervisor Peter Foy, in collaboration with the cities of Moorpark, Simi Valley and Thousand Oaks formulated an interim plan to keep the East County Courthouse open two days per week for Small Claims, Unlawful Detainers and Traffic Citations cases for a two-year period; and

WHEREAS, a staff report has been presented to the City Council discussing the interim plan, which would require \$275,000 per year in financial support from the County of Ventura and the cities; and

WHEREAS, the same staff report provided the cost sharing calculation among the agencies and the City of Moorpark is proposed to contribute \$25,000 per year; and

WHEREAS, on June 20, 2012, the City Council adopted the Operating and Capital Improvement Budget for Fiscal Year 2012/13, which does not include any appropriation to fund this annual contribution; and

WHEREAS, on July 18, 2012 the City Council confirmed its intention to support the East County Courthouse operations and approved the suggested contribution of \$25,000 per year; and

WHEREAS, an appropriation increase of \$25,000 from the General Fund (1000) is requested to finance the City's participation into the interim plan; and

WHEREAS, Exhibit "A" hereof describes said budget amendment and its resultant impact to the budget line item.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council supports the interim plan to keep the East County Courthouse open two days per week for two-year period; and elects to participate in the cost sharing arrangement with the County of Ventura, cities of Camarillo, Oxnard, Simi Valley, Thousand Oaks and Ventura.

SECTION 2. A budget amendment allocating \$25,000 from the General Fund (1000) to finance the fiscal year 2012/13 annual contribution to the interim plan, as more particularly described in Exhibit "A" attached hereto is hereby approved.

SECTION 3. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 18th day of July, 2012.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk

Attachment: Exhibit A – Budget Amendment

**BUDGET AMENDMENT FOR
GENERAL FUND (1000) TO FINANCE THE ANNUAL
CONTRIBUTION TO THE EAST COUNTY COURTHOUSE
OPERATIONS
FY 2012/13**

FUND BALANCE ALLOCATION:

Fund Title	Fund-Account Number	Amount
General Fund	1000-5500	\$ 25,000.00
Total		\$ 25,000.00

EXPENDITURE APPROPRIATION:

Account Number	Current Budget	Revision	Amended Budget
1000-1100-0000-9274	\$ -	\$ 25,000.00	\$ 25,000.00
	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -
	\$ -	\$ -	\$ -
Total	\$ -	\$ 25,000.00	\$ 25,000.00

Finance Approval: 