

RESOLUTION NO. .

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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RESOLUTION AUTHORIZING: A) THE PRESIDENT OF THE BOARD OF SUPERVISORS TO EXECUTE AN AMENDMENT TO THE PERMIT AGREEMENT WITH BANK OF AMERICA, N.A., TO ENABLE THE CONTINUED OPERATION OF AN ATM AT THE COUNTY-OWNED BUILDING LOCATED AT 2415 UNIVERSITY AVENUE, IN THE CITY OF EAST PALO ALTO, FOR AN INITIAL TERM OF FIVE YEARS AT A STARTING MONTHLY BASE RENT OF \$1,746.62; AND B) THE COUNTY MANAGER, OR HIS DESIGNEE, TO ACCEPT AND EXECUTE ON BEHALF OF THE COUNTY ANY AND ALL NOTICES, OPTIONS, CONSENTS, APPROVALS, TERMINATIONS, AND DOCUMENTS IN CONNECTION WITH THE PERMIT AGREEMENT

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, on January 6, 1998, as authorized by Resolution No. 61629, County and Bank of America, N.A. entered into a Permit Agreement for the installation, operation, and maintenance of an ATM at the County-owned building located at 2415 University Avenue, in the City of East Palo Alto; and

WHEREAS, on March 1, 2013, as authorized by Resolution No. 65416, County and Bank of America, N.A. entered into a First Amendment to the Permit Agreement to extend the term and increase the monthly base rent; and

WHEREAS, the current Permit Agreement will expire on February 28, 2018, and the County and Bank of America, N.A. desire to amend the Permit Agreement to extend the term, adjust the monthly base rent, and restrict use during certain hours; and

WHEREAS, there has been presented to this Board of Supervisors for its consideration and acceptance an amendment to the Permit Agreement, reference to which is hereby made for further particulars, whereby Bank of America, N.A. may extend its Permit Agreement through February 28, 2023 with an option to extend for an additional five years, in accordance with the terms and conditions contained in said amendment to the Permit Agreement; and

WHEREAS, this Board has been presented with an amendment to the Permit Agreement and has examined and approved same as to both form and content and desires to enter into same.

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the President of the Board of Supervisors be, and is hereby, authorized and directed to execute said Amendment to the Permit Agreement for and on behalf of the County of San Mateo, and the Clerk of this Board shall attest the President's signature thereto.

IT IS FURTHER DETERMINED AND ORDERED that the County Manager, or his designee, is hereby authorized to accept or execute on behalf of the County, any and all amendments, options, notices, consents, approvals, terminations, and documents in connection with the Permit Agreement.

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