

RESOLUTION NO. 039975

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

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RESOLUTION AUTHORIZING THE COUNTY MANAGER, OR HIS DESIGNEE, TO EXECUTE TRANSFER AGREEMENTS, JOINT OCCUPANCY AGREEMENTS, AND OTHER DOCUMENTS BETWEEN THE COUNTY AND THE JUDICIAL COUNCIL OF CALIFORNIA, ADMINISTRATIVE OFFICE OF THE COURTS ("AOC"), FOR THE TRANSFER OF RESPONSIBILITY FOR THE CENTRAL BRANCH COURTHOUSE, AND COURT-RELATED PORTIONS OF THE NORTHERN COUNTY CAMPUS, AND THE YOUTH SERVICES CENTER ("COURT FACILITIES")

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

WHEREAS, the Lockyer-Isenberg Trial Court Funding Act of 1997, AB233 provides for transfer of the primary obligation for funding of court operations from the counties to the State; and

WHEREAS, the Trial Court Facilities Act of 2002 (the "ACT"), assigned responsibility for trial court facilities to the California Judicial Council ("Council") and established the process for transfer of court facility responsibility to the State, which transfer is currently to be completed by December 31, 2009; and

WHEREAS, the County and the Council, acting through the Administrative Office of the Courts (together the "AOC") have pursuant to Board Resolution 069838, executed transfer agreements, a joint occupancy agreement, and other documents for the transfer of responsibility for the Hall of Justice and the Traffic/Small Claims Annex; and

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WHEREAS, the County and the AOC have negotiated the terms and conditions for transfer of responsibility for the remaining County-owned Court facilities commonly referred to as: the Central Branch Court Facility ("Central"); the Northern Branch Court Building ("Northern"); the Northern Branch Jail Annex ("Courtroom O"); and the Juvenile Branch at the Youth Services Center (the "Juvenile Court") (collectively, the "Court Facilities"); and

WHEREAS, for the Central, Northern and Courtroom O Court Facilities, AOC-executed versions of the various transfer agreements, joint occupancy agreements, and other agreements and documents regarding the proposed transfers (the "AOC-executed Agreements") have been presented to the Board for its review and acceptance; and

WHEREAS, the terms and conditions of the transfer agreement and joint occupancy agreement, and other documents regarding the proposed transfer of the Juvenile Court Facility (the "Juvenile Court Transfer Agreements") have been presented to the Board for its review and acceptance; and

WHEREAS, the Court Facility Payment ("CFP") calculations have been made and confirmed for all of the Court Facilities.

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the County Manager, or his designee, is hereby granted the authority to act on behalf of the County of San Mateo with regard to the execution of the AOC-executed Agreements, and any other agreement or documents (including escrow instructions, closing

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statements and similar documents and agreements) reasonably required to effect transfer of the Central, Northern and Courtroom O Court Facilities to the AOC consistent with the intent and implementation of the ACT.

BE IT FURTHER DETERMINED AND ORDERED that the County Manager is authorized to approve minor changes in or amendments to the Juvenile Court Transfer Agreements, and to act on behalf of the County of San Mateo with regard to the execution thereof, as reasonably required to effect transfer of the Juvenile Court Facilities to the AOC and maintain cost neutrality to the County as envisioned by the ACT to the extent possible, provided the form of such changes are approved by the County Counsel.

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Regularly passed and adopted this 17th day of March, 2009.

AYES and in favor of said resolution:

Supervisors:

MARK CHURCH

CAROLE GROOM

RICHARD S. GORDON

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER

NOES and against said resolution:

Supervisors:

NONE

Absent Supervisors:

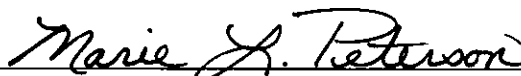
NONE



President, Board of Supervisors
County of San Mateo
State of California

Certificate of Delivery

I certify that a copy of the original resolution filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.



Marie L. Peterson, Deputy
Clerk of the Board of Supervisors

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