

RESOLUTION NO. .

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

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RESOLUTION AUTHORIZING: A) THE COUNTY MANAGER OR HIS DESIGNEE TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE JUDICIAL COUNCIL OF CALIFORNIA AND THE SUPERIOR COURT OF CALIFORNIA, SAN MATEO COUNTY, FOR THE COUNTY'S ACQUISITION OF THE TRAFFIC COURT ANNEX AND COURTROOM "O" IN THE NORTHERN BRANCH JAIL ANNEX IN EXCHANGE FOR 13,112 SQUARE FEET OF SPACE IN THE HALL OF JUSTICE IMPROVED WITH TWO NEW COURTROOMS AND AN EXPANDED COURT CLERK'S OFFICE; AND B) THE COUNTY MANAGER TO EXECUTE AND/OR ACCEPT ON BEHALF OF THE COUNTY ALL ADDITIONAL DOCUMENTS NECESSARY TO EFFECT SAID EXCHANGE, INCLUDING ANY NECESSARY AMENDMENTS TO EXISTING COURT FACILITY TRANSFER AGREEMENTS

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

WHEREAS, the Trial Court Facilities Act of 2002, Government Code section 70301 et seq. ("Act"), provided for the County's transfer of ownership and responsibility for the funding and operation of all trial court facilities, as defined in the Act, located within the County of San Mateo to the Judicial Council of California ("JCC"); and

WHEREAS, pursuant to the Act, the County and JCC entered into a number of facility-specific agreements ("Court Transfer Agreements") that effectively transferred to the JCC the real property interests in the land and buildings comprising the court facilities in the County, including the Hall of Justice ("HOJ"), the Traffic Court Annex ("Annex"), and Courtroom "O" in the Northern Branch Jail Annex located at the campus on 1050 Mission Road in South San Francisco ("Courtroom 'O'"); and

WHEREAS, the County is currently undertaking a capital project at the County

Government Center that will include the construction of a new County office building (“COB 3”) and related improvements, a portion of which is planned to be located, in part, on the parcel of land currently occupied by the Annex; and

WHEREAS, following completion of COB 3, the County will be relocating services and functions currently located in the HOJ, including on the first floor; and

WHEREAS, the Court Transfer Agreements concerning the Annex acknowledge the County’s desire to eventually re-acquire the Annex to facilitate the construction of a new office building and obligate the JCC to cooperate with the County in its efforts to develop the site; and

WHEREAS, the County also desires to re-acquire full ownership of the Northern Branch Jail Annex to enhance flexibility with respect to any potential future development of the site; and

WHEREAS, this Board finds that the property interests in the Annex and Courtroom “O” are required for County purposes, while the County’s interests in certain areas of the first floor of the HOJ will no longer be required for County purposes following the completion of COB 3; and

WHEREAS, the JCC agrees to convey its interests in the Annex and Courtroom “O” to the County as part of an exchange of real property interests; and

WHEREAS, there has been presented to this Board of Supervisors for its consideration and acceptance a Memorandum of Understanding Between the County of San Mateo, the Judicial Council of California and the Superior Court of California, San Mateo County, Regarding an Exchange of Facilities for the Construction of County

Office Building No. 3 (“MOU”), reference to which is hereby made for further particulars, whereby the JCC will transfer its interests in the Annex and Courtroom “O” to the County in exchange for approximately 13,112 square-feet of additional space on the first floor of HOJ that the County will improve with two courtrooms and an expanded court clerk’s space (“HOJ Improvements”); and

WHEREAS, pursuant to the MOU, the Courts shall contribute one million dollars and all needed fixtures, furniture, and equipment to the HOJ Improvements, and the County’s maximum fiscal obligation for the HOJ Improvements is \$7,898,902; and

WHEREAS, this Board has examined the MOU and approved it as to both form and content and desires to enter into it.

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that the County Manager or his designee is authorized to execute the MOU; and

IT IS HEREBY FURTHER ORDERED that the County Manager or his designee is authorized to execute and/or accept on behalf of the County all additional documents necessary to effect the MOU, including any necessary amendments to the Court Transfer Agreements.

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