



# County of San Mateo

## Inter-Departmental Correspondence

---

**Department:** COUNTY MANAGER

**File #:** 18-057

Board Meeting Date: 1/23/2018

---

**Special Notice / Hearing:** None  
**Vote Required:** Majority

**To:** Honorable Board of Supervisors

**From:** John L. Maltbie, County Manager

**Subject:** An amendment to the Permit Agreement with Bank of America, N.A., to allow for the continued operation of an ATM within the County-owned building located at 2415 University Avenue, in the City of East Palo Alto (No. 5253)

### **RECOMMENDATION:**

Adopt a 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.

### **BACKGROUND:**

In 1998, the County and Bank of America 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 ("Agreement"). In 2013, the Agreement was amended to extend the term to February 28, 2018 and increase the monthly base rent. County and Bank of America desire to amend the Agreement again to further extend the term, adjust the monthly base rent, and restrict use during certain hours.

### **DISCUSSION:**

Real Property Services has negotiated an Amendment to the Agreement to extend the term through February 28, 2023, and provide an option to extend the term for an additional five years thereafter. The Amendment will also increase the monthly base rent from \$1,695.75 to \$1,746.62, and prohibit access during the hours of 1:00 am to 6:00 am. Since the ATM is located on the exterior of the building with access provided by way of the parking lot, the access restrictions will occur due to the

County's new parking restrictions at County-owned facilities. There are no proposed changes to the premises or use of the site as a result of this Amendment. All other terms of the Agreement will remain the same.

County Counsel has reviewed and approved the Amendment to the Agreement and resolution as to form. The Director of Public Works concurs in this recommendation.

Approval of the Amendment to the Agreement contributes to the Shared Vision 2025 outcome of a Collaborative Community by establishing an agreement that benefits the County of San Mateo while also benefiting the public.

**FISCAL IMPACT:**

The initial monthly rent of \$1,746.62 will be deposited to the Facilities Account for the Department of Public Works.