



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

A-14

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

2014 JAN 24 AM 11:19

COUNTY OF SANTA BARBARA
CLERK OF THE
BOARD OF SUPERVISORS

Department Name: General Services
Department No.: 063
For Agenda Of: February 4, 2014
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

14-0013 0204-23

TO: Board of Supervisors
FROM: General Services Matthew P. Pontes, Director (805) 560-1011
Contact Info: Greg Chanis, Assistant Director (805) 568-3096

SUBJECT: First Amendment to Joint Occupancy Agreement for Santa Maria Juvenile Court, Santa Maria, Fourth District

County Counsel Concurrence

As to form Yes

Auditor-Controller Concurrence

As to form Yes

Other Concurrence: Risk Manager and District Attorney,

Public Defender

As to form Yes

Recommended Actions:

That the Board of Supervisors:

- a) Approve and authorize the Chair to execute the attached original and duplicate original First Amendment to Joint Occupancy Agreement between the Judicial Council of California, Administrative Office of the Courts (AOC), and the County of Santa Barbara, to provide for the AOC's remodel of the security entrance, including an addition of approximately 300 square feet, to the County-owned Santa Maria Juvenile Court Facility, located at 4285 California Blvd. in Santa Maria, at the sole cost of the AOC (Fourth District); and
- b) Determine that the proposed action is exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15301, and approve and direct staff to file and post the attached Notice of Exemption on that basis.

Summary Text:

The Board's action to approve the First Amendment to Joint Occupancy Agreement (First Amendment) between the AOC and the County will allow the AOC to complete the Santa Maria Juvenile Court Common Area Addition/Remodel of the security entrance lobby and waiting area at the County-owned property located at 4285 California Blvd., in Santa Maria, which is designed to improve the functionality and safety of the court facility, at the sole cost of the AOC.

Background:

The Trial Court Facilities Act of 2002 was adopted to provide for the transfer of responsibility for funding and operation of trial court facilities in California from the counties to the State. The AOC and the County entered into a Transfer Agreement between the Judicial Council of California, Administrative Office of the Courts, and the County of Santa Barbara for the Transfer of Responsibility of Court Facility for the Santa Maria Juvenile Court (“SMJC”), with an effective date of November 25, 2008. Concurrently, AOC and County entered into a Joint Occupancy Agreement Between the AOC and the County for the SMJC, also with an effective date of November 25, 2008 (the “JOA”), setting forth the terms governing the Parties’ respective rights and responsibilities regarding their shared possession, occupancy, and use of the SMJC.

The Transfer Agreement requires the County to make monthly payments (“County Facilities Payments”, or “CFP”s) to the AOC, based on historical costs associated with a former court facility in Santa Maria, which was replaced by the SMJC. In addition, the JOA sets out the respective responsibilities of the AOC and the County in regard to the shared cost of utilities and operation of the common areas of the SMJC. Section 3.2.2 provides that the AOC pays for the operation of the common areas, including utility costs, subject to reimbursement by the County for its proportionate share. Section 3.2.2 also states that the AOC may make reasonable additions and alterations to the common areas of the SMJC, subject to written consent by the County. This First Amendment provides that consent, and establishes that the entire cost of the project will be paid by the AOC, and that the County’s CFP and shared cost percentage for purposes of apportioning the common area and utility charges will remain unchanged.

Plans and specifications for the common area remodel/addition have been approved by Robert Ooley, the County Architect. There are three County departments that occupy a portion of the SMJC; District Attorney, Public Defender, and County Counsel. Each department has reviewed the plans and expressed its support for the project. The AOC will coordinate all construction activities in advance with the three departments in order to ensure that their normal operations at the SMJC are not adversely impacted in any material way. Although the common area will be expanded by approximately 300 square feet, or ten percent, it is estimated that there will be no increase in common area or utility charges. There will be no expansion of use of the affected area, and, with the use of energy efficient lighting, etc., utilities and operating costs may actually be reduced.

The remodel/addition project for the common area of the SMJC described and approved in this First Amendment involves minor alterations of an existing public structure, and does not involve any expansion of use or any significant physical changes that would have any potential effect on the environment. Therefore, approval and execution of the First Amendment is exempt from environmental review in accordance with the California Environmental Quality Act (CEQA) Guidelines, Section 15301 – Class 1, which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alterations of existing public or private structures, facilities, mechanical equipment, or topographical features involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination.

Fiscal and Facilities Impacts:

Although the remodel/addition project will increase the common area by approximately ten percent, there will be no expansion of use of the area, and the installation of energy efficient fixtures and lighting are intended to reduce common area utility charges. Therefore, there will be no fiscal impacts to the affected departments or increase in General Fund contributions.

The project will involve temporary facilities impacts to the three County departments occupying the SMJC, however, the AOC is required by the First Amendment to coordinate all construction activities in advance with those County departments to ensure that normal operations are not adversely impacted.

Special Instructions:

After Board action, please distribute as follows:

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|--------------------------------------------------------|-----------------------------------------------------------------------------|
| 1. Original First Amendment | Clerk of the Board Files ✓ RB |
| 2. Duplicate Original First Amendment & Minute Order | County Real Property |
| 3. Copy of First Amendment
and copy of Minute Order | Auditor-Controller
Financial Reporting Division,
Attn: Betsy Schaffer |

Attachments:

1. First Amendment to Joint Occupancy Agreement (Original and duplicate original)
2. Notice of Exemption

**Upon execution by the Board, the Original and Duplicate Original will be returned to the Administrative Office of the Courts for final execution. A fully executed original will be returned to the Clerk of the Board for their file.*