



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

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

Department Name: General Services
Department No.: 063
For Agenda Of: June 2, 2015
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: General Services Matthew P. Pontes, Director (805) 560-1011
Contact Info: Greg Chanis, Assistant Director (805) 568-3096
SUBJECT: Garden Street Parking Lease to Judicial Council of California, Santa Barbara;
First Supervisorial District (Folio 003728)

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

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 Lease Agreement (Attachment 1) between the County of Santa Barbara and the Judicial Council of California (JCC), on behalf of the Santa Barbara Superior Court, for the continued use of 40 non-exclusive parking spaces in the County's Garden Street Parking Lot, located at 1016 Santa Barbara Street, in Santa Barbara, through June 30, 2019, with three one-year options to extend, for a monthly rent not to exceed three thousand dollars (\$3,000.00); and
- b) Determine that the proposed action is exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15301, *Existing Facilities*, and approve and direct staff to file and post the attached Notice of Exemption (Attachment 2) on that basis.

Summary Text:

The Board's approval of the Lease Agreement with the JCC for 40 non-dedicated parking spaces at the County-owned Garden Street Parking Lot, located at 1016 Santa Barbara Street, in Santa Barbara, will allow the JJC to continue to provide parking for jurors near the Historic Santa Barbara Courthouse and the Figueroa Courthouse properties, for the benefit of the Santa Barbara Superior Court; for a period of five years, with three one-year options to extend, at a monthly rent not to exceed \$3,000.00, which will be used to reimburse the County for the monthly cost of replacement parking spaces for County employees in the City of Santa Barbara's Granada Parking Structure.

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 JCC and the County entered into a Transfer Agreement for the transfer of responsibility for the Santa Barbara Figueroa Courthouse from the County to the JCC, with an effective date of May 6, 2008. Pursuant to the terms of the Transfer Agreement, the County was obligated to provide the Santa Barbara Superior Court (“Court”) 81 off-site parking spaces for use by the Court.

In addition to the 81 off-site parking spaces provided by the County to the Courts pursuant to the Transfer Agreement, the JCC and the County negotiated a separate agreement whereby the JCC leases 40 non-dedicated parking spaces in the County’s Garden Street Parking Lot from the County for the benefit of the Court, to be used by jurors and prospective jurors. In return, the JCC pays to the County a sum not to exceed \$3,000.00 per month, to reimburse the County for the cost of replacement parking spaces at the City of Santa Barbara’s Granada Parking Structure. That separate agreement was memorialized in a letter dated May 24, 2007, between the County and the Superior Court of the County of Santa Barbara, on behalf of the JCC, for the benefit of the Court.

The County, the JCC, and the Courts have been complying with the terms of that May 24, 2007 letter agreement. The County has been leasing parking spaces from the City of Santa Barbara at the Granada Parking Structure. The Courts have been utilizing the juror parking spaces in the Garden Street Parking Lot, and the JCC has been making the required monthly payments to the County. The JCC requested a more formal agreement memorializing the terms set forth in the May 24, 2007 letter agreement, to satisfy their internal auditing requirements. This Lease Agreement has a commencement date of July 1, 2014, to correspond to the JCC’s current fiscal year, which will allow the JCC to continue to make the required monthly payments, and to address this fiscal year’s prior payments to comply with its internal auditing requirements. The term of the Lease will continue for a period of five years, through June 30, 2019, with three options to renew the Lease for a term of one year each.

Execution of the Lease Agreement provides for the continued leasing by the JCC of the parking spaces in the County-owned lot, an existing public facility, for the benefit of the Courts. The action will involve no expansion of use, and there is no reasonable possibility of a significant environmental impact. The continued leasing arrangement between the County and the JCC does not pose a risk of significant cumulative impacts resulting from projects of the same type, and the project will have no impacts on any uniquely sensitive habitat. Therefore, this project is exempt from environmental review in accordance with the exemption set forth in 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:

Budgeted: N/A

Fiscal Analysis:

Monthly rental payments made by the JCC pursuant to the terms of the Lease, will be deposited into Fund 0001, Dept 063, Program 1204, Line Item 5909.

Key Contract Risks:

N/A

Staffing Impacts:

None

Special Instructions:

Upon execution, the Clerk should distribute as follows:

1. Original executed Lease Agreement, NOE & Minute Order
2. Dupl. Orig. executed Lease Agreement & Minute Order

Board's Official File
GS/Real Property Div.

Attachments:

1. Lease Agreement (in duplicate, for execution)
2. Notice of Exemption

Authored by: Don Grady, GS/Real Property Division Manager