



**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: 1/12/2010
Placement: Administrative
Estimated Tme:
Continued Item: N/A
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Select_From Robert Nisbet, Director (560-1011)
Contact Info: Paddy Langlands, Assistant Director (568-3096)

**SUBJECT: Amendment #1 to the Transfer Agreement for the SM Family Mediation Facility
Fifth District**

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors approve Amendment #1 (Attached) to original Transfer Agreement for the Santa Maria Family Mediation Facility.

Summary Text:

The Trial Court Facilities Act of 2002 (Act) was adopted to provide for the transfer of responsibility of trial court facilities from counties to the Administrative Office of the Courts (AOC). The County of Santa Barbara complied and transferred all court facilities to the AOC in December 2008. It has become necessary to extend the potential transfer date on Santa Maria Mediation Facility so that the County can fulfill its obligations to build the new Santa Maria Courts Clerks building.

Background:

One of the Court facilities that were to be transferred was a facility that the County has been leasing for many years known as the "Santa Maria Family Mediation Facility". In the original transfer agreement, attached (section 4.3) it was stipulated that the County would build a new Court Clerks building on the Cook and Miller campus and when completed the Court staff would move from the leased facility into the new building. This would reduce the payment the County would be required to make to the AOC for future years. If the County did not have a signed construction contract in place by December 2009 then the actual lease would be transferred to the AOC and an ongoing, higher payment from the County to the State would apply.

For the past year the County, AOC and the local Superior Courts have been working together finalizing the design of the new building and due to the increased number of reviews and some changes it has not been possible to complete design, bidding and awarding of a contract by the deadline of December 2009. Both the AOC and the County wish to continue with the building of the new facility and approving this amendment will extend the deadline by six months. If a signed contract for the new Court Clerks Building is not in place by this new deadline of June 30th, 2010 then the lease will be transferred to the State.

Performance Measure:

N/A

Fiscal and Facilities Impacts:

Budgeted: Yes

Staffing Impacts:

Legal Positions:

FTEs:

Special Instructions:

Board Chair to sign two (2) original copies of the Amendment 1 to the Transfer Agreement for the Santa Maria Family Mediation Facility.

Clerk of the Board provide three copies of the minute Order approving the Attachment 1

All documents should then be sent to Paddy Langlands, General Services, Assistant Director for further processing with the AOC.

Attachments:

1. One (1) original Amendment 1 to the Transfer Agreement for the Santa Maria Family Mediation Facility and one (1) duplicate original.
2. Copy of the SM Family Mediation Transfer Agreement

Authored by:

Paddy Langlands

cc:

Eunice Calvert Banks (Administrative Office of the Courts)

Michael Ledbetter, Deputy County Counsel