



San Bernardino County

Legislation Text

File #: 5047, Agenda Item #: 60

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

October 26, 2021

FROM

**TERRY W. THOMPSON, Director, Real Estate Services Department
MARIE GIRULAT, Director, Department of Child Support Services**

SUBJECT

License Agreement with the Judicial Council of California for Office Space for the Department of Child Support Services in Barstow

RECOMMENDATION(S)

Approve a license agreement with the Judicial Council of California for the use of approximately 225 square feet of office space in the Barstow Courthouse located at 235 East Mountain View Street for a period commencing upon full execution of this License, and ending on June 30, 2035, for the Department of Child Support Services in Barstow at no cost.

(Presenter: Terry W. Thompson, Director, 387-5000)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

**Operate in a Fiscally-Responsible and Business-Like Manner.
Improve County Government Operations.**

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). There are no license fees associated with the Department of Child Support's (DCSS) use of the office space located within the Barstow Courthouse.

BACKGROUND INFORMATION

The recommended action will provide for a new license agreement with the Judicial Council of California (JCC) commencing upon full execution of this License and ending on June 30, 2035, for approximately 225 square feet of office space located within the Barstow Courthouse located at 235 East Mountain View Street in Barstow for use by DCSS due to the move of all family law cases from the existing Victorville Courthouse to the Barstow Courthouse, as per the High Desert Courthouse Reorganization plan implemented by the JCC.

On November 18, 2008 (Item No. 18), the Board of Supervisors (Board) approved a Joint Occupancy Agreement (JOA), Contract No. 08-1131 with the JCC for the shared occupancy of the Barstow Courthouse by the JCC and the County. The JOA provided that either party may license to the other party any exclusive space controlled by it under the JOA if that exclusive space is no longer required by the controlling party. Following discussions in 2019 with the JCC to reorganize its High Desert courthouse facilities, on February 11, 2020 (Item No. 60), the Board approved Amendment No. 1 to the JOA with the JCC wherein the County

temporarily transferred use of all of the County-controlled portions of the Barstow Courthouse to the JCC, putting the entire courthouse under JCC control through June 30, 2035 with the JCC being solely responsible for all operating costs of the courthouse.

Effective November 9, 2020, the location of hearings for family law cases, including child support matters, which had been heard at the Victorville Courthouse, located at 14455 Civic Center Drive in Victorville, were relocated to the Barstow Courthouse. To accommodate approximately six DCSS staff, including attorneys, case managers and support staff, following an informal use as of November 9, 2020, due to the relocated hearings, the County will license 225 square feet of office space known as Room 241 in the Barstow Courthouse from the JCC for the period commencing upon full execution of the License, and ending on June 30, 2035, for DCSS staff to conduct administrative tasks related to child support court hearings, including document generation, court follow-up tasks and meeting with case participants.

DCSS requested the Real Estate Services Department (RESA) negotiate a license agreement with the JCC for the use of the office space. RESA negotiated a license commencing upon full execution of the License, and ending on June 30, 2035, at no cost or fee to DCSS for use of approximately 225 square feet of office space at 235 East Mountain View Street in Barstow. Either party may terminate this agreement by giving 30-days' written notice.

Staff has reviewed the recommended action pursuant to the California Environmental Quality Act (CEQA) and has determined that it does not constitute a project. Accordingly, no further action is required under CEQA.

Summary of License Terms

Licensor:	Judicial Council of California (Steven Saddler, Manager, Contracts)
Location:	235 East Mountain View Street, Barstow
Size:	Approximately 225 square feet of office space, known as Room 241 on the second floor of the Barstow Courthouse
Term:	Effective upon full execution of this License and ending on June 30, 2035
Options:	None
Fee:	No cost or fee for this license
Annual Increases:	None
Improvement Costs:	None
Custodial:	Provided by Licensor
Maintenance:	Provided by Licensor
Utilities:	Provided by Licensor

Insurance: Both parties are self-insured public entities

Right to Terminate: Either party may terminate this license with 30-days' written notice

Parking: Sufficient for County needs

PROCUREMENT

This license with the JCC is exempt from the procurement process required by County Policy 12-02 - Leasing Privately Owned Real Property for County Use (Policy 12-02) because Policy 12-02 does not apply to licenses of premises owned by a federal agency, the state, a city, a county, a school district, a special district, or other public entity.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Agnes Cheng, Deputy County Counsel, and Jacqueline Carey-Wilson, Deputy County Counsel, 387-5455) on October 1, 2021; Department of Child Support Services (Larita Manalili, Deputy Director, 478-7423) on September 22, 2021; Finance (Christopher Lange, Administrative Analyst III, 386-8393 and Carl Lofton, Administrative Analyst, 387-5404) on October 12, 2021; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on October 12, 2021.

(PN: 677-8321)