

(R-90-444)

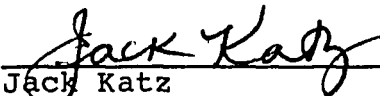
RESOLUTION NUMBER R-274157

ADOPTED ON AUGUST 3, 1989

BE IT RESOLVED, by the Council of The City of San Diego, that this Council, in joint concert with the County of San Diego, supports the recommendations set forth in Attachment A hereto concerning a memorandum of understanding between The City of San Diego, the County of San Diego, the San Diego Redevelopment Agency, and the San Diego's County Regional Justice Facility Financing Agency.

BE IT FURTHER RESOLVED, that the subcommittee be and it is hereby directed to explore the possibility of night court and report back to the City Council and Board of Supervisors.

APPROVED: JOHN W. WITT, City Attorney

By 

Jack Katz
Senior Chief Deputy

JK:smm
09/05/89
Or.Dept:Clerk
R-90-444
Attachment A
Form=r.none

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO,
REDEVELOPMENT AGENCY OF THE CITY OF SAN DIEGO, AND
THE REGIONAL JUSTICE FACILITY FINANCING AGENCY

1. The City of San Diego agrees to lease at a nominal value to the County of San Diego approximately 25-40 acres of land in the metropolitan San Diego area. The exact amount of land required depends on the final site plan to be developed by the County. Both parties agree to also explore and review an exchange of land. The facility will meet the design review and landscaping criteria of the City of San Diego.
2. This leasehold can only be used for the express purpose of construction and operation of a pre-trial detention facility which will ultimately accommodate 2,700 inmates.
3. If the Financing Agency prevails in the Proposition A (1/2 Cent Sales Tax) litigation, it will pay the City fair market value for the purchase in fee of this property within 12 months of the final judgement on the Proposition A litigation. Fair market value will be determined by an appraiser mutually agreed to by the City, County and the Financing Agency.
4. If the Financing Agency does not prevail in the Proposition A litigation and another new substantial and comparable revenue source is identified, the County will pay fair market value to purchase said property from the City using a mutually agreed upon appraisal. This purchase will also be made within 12 months of the receipt of funds from the revenue source.
5. The County anticipates that it will receive approximately \$33 million from the State of California in September, 1989 for jail construction. The County agrees to commit these funds to the immediate construction of a 500-bed permanent pre-trial detention facility (Phase I).
6. The City Council and the Board of Supervisors agree to take all necessary actions to facilitate the construction schedule and to support state legislation which may expedite the construction process.

ATTACHMENT A
R-274157

7. The County of San Diego agrees to retain the current courts (including the nine new additional Superior courtrooms) in the downtown area. The County recognizes that the City of San Diego, through the Redevelopment Agency of the City of San Diego, has funded a \$100,000 study updating a Downtown Court Facilities Master Plan. This study should be complete by November 1, 1989.
8. The City of San Diego agrees to dedicate a \$3 million fund, through the Redevelopment Agency of the City of San Diego, for the immediate construction including tenant improvements of the nine additional Superior courtrooms in the downtown area. Any remaining funds will be spent on the architectural and engineering studies required as part of the Downtown Court Facilities Master Plan.
9. In the event that the Financing Agency fails to prevail in the Proposition A litigation and the County is unsuccessful in approving a new and comparable revenue source, the City agrees that if a new revenue source is approved by the City or an existing revenue source is substantially increased, it will use its General Government Revenues to assist the County in financing the construction and operation of jails and courtrooms within the City of San Diego. Contingent upon the commitment of new revenues to assist in the construction and operation of courts and jails, the County agrees to maintain the existing financial relationship between the City and County as it relates to the distribution of fines and/or the charging for bookings.
10. The City Council and the Board of Supervisors agree to jointly support an emergency request of \$12 million in funding from the State of California for a 200-bed pre-arraignment detention facility to be operated by the City of San Diego for a period of three years.

ATTACHMENT A

R 274157

1509

7/1/89

AUG 3 1989

Passed and adopted by the Council of The City of San Diego on....., by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ed Struiksm	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR
Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, California.

(Seal)

By *Ellen Board*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R 274157 Adopted AUG 3 1989