

**CALENDAR ITEM  
C116**

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A 10, 11,14, 23

06/23/11

W 26463

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J.Frey

**Cession of Concurrent Criminal Jurisdiction  
To the United States Department of Veterans Affairs  
Pursuant to California Government Code Section 126 over Lands Comprising  
The VA Martinez Outpatient Clinic, Martinez, Contra Costa County;  
The Sacramento VA Medical Center, Rancho Cordova, Sacramento County;  
The VA Palo Alto Campus, Palo Alto, Santa Clara County**

Pursuant to Government Code Section 126 the State Lands Commission is authorized on behalf of the State of California to cede concurrent criminal jurisdiction to the United States for the lesser of five years or so long as the United States owns the lands upon finding:

- a. The land is held for the erection of forts, magazines, arsenals, dockyards and other needful buildings, or other public purpose within the purview of Clause 17 of Section 8 of Article 1 of the United States Constitution or for the establishment, consolidation, and extension of national forests under the Act of Congress approved March 1, 1911 known as the Weeks Act, or for any other federal purpose;
- b. The cession is in compliance with the laws of the United States;
- c. The United States has in writing requested such cession; and
- d. The State reserves jurisdiction over the land for purposes of water acquisition and management;
- e. The Legislature and the State except and reserve to the State all deposits of minerals, including oil and gas, in the land, and the right to prospect for, mine, and remove such deposits from the land;
- f. The United States has agreed to compensate the State for costs incurred in processing the cession.

Presently, the United States has proprietary jurisdiction over lands comprising the VA Martinez Outpatient Clinic, 150 Muir Rd., Martinez, Contra Costa County; the Sacramento VA Medical Center, 10535 Hospital Way, Rancho Cordova, Sacramento County; and the VA Palo Alto Campus, 3801 Miranda Ave., Palo Alto, Santa Clara County.

## CALENDAR ITEM NO.116 (CONT'D)

By letter dated April 1, 2011 the United States has requested that the State of California cede concurrent criminal legislative jurisdiction over all of these facilities for the lesser of five years or so long as the United States owns the lands. The United States believes the cessions are in the best interests of both governments stating:

“The State of California will benefit from enhanced law enforcement on the three properties. VA police will no longer be required to request assistance from local police when violations of State of California law occur. VA police will be authorized to arrest violators, issue a citation or incarcerate the accused, and refer the matter to the appropriate State of California District Attorney for prosecutions. Local police will be able to reallocate limited law enforcement resources more efficiently to other duties and responsibilities.”

City and County law enforcement agencies having jurisdiction where these facilities are located have sent the Commission letters supporting the United States obtaining jurisdiction.

If the cessions of concurrent criminal jurisdiction are made, the United States and the State of California will have the same degree of State criminal law enforcement authority and federal officers will have the authority to make arrests for state and federal crimes committed on the properties mentioned in this agenda item. The cession of concurrent criminal jurisdiction does not affect civil jurisdiction within these federal properties and is now and will continue to be held by the State.

A noticed public hearing was held on June 2, 2011. Notice of the hearing was published as required by Section 126 and served upon the Clerk of the Board of Supervisors for the Contra Costa, Sacramento and Santa Clara Counties. Identical notices were also served on the clerks for the cities of Martinez, Rancho Cordova and Palo Alto. Affidavits of the publication and service are found in the Commission's files. No comments in opposition to the cession were received.

The Commission staff believes that the cessions of concurrent criminal jurisdiction over these three facilities are in the best interests of the State of California in connection with the exercise of criminal jurisdiction over them.

- Exhibit A Land Description for the VA Martinez Outpatient Clinic, 150 Muir Way, Martinez, Contra Costa County.
- Exhibit A-1 Site Map for the VA Martinez Outpatient Clinic, 150 Muir Way, Martinez, Contra Costa County.
- Exhibit B Land Description for the Sacramento VA Medical Center, 10535 Hospital Way, Rancho Cordova, Sacramento County.
- Exhibit B-1 Site Map for the Sacramento VA Medical Center, 10535 Hospital Way, Rancho Cordova, Sacramento County.
- Exhibit C Land Description for the VA Palo Alto Campus, 3801 Miranda Ave., Palo Alto, Santa Clara County.
- Exhibit C-1 Site Map for the VA Palo Alto Campus, 3801 Miranda Ave., Palo Alto, Santa

## CALENDAR ITEM NO.116 (CONT'D)

Clara County.

### IT IS RECOMMENDED THAT THE COMMISSION

1. Find that the activity is exempt from the requirements of CEQA pursuant to 14 Cal. Code Regs. 15061 because the activity is not a project as defined by Public Resources Code Section 21065 and 14 Cal. Code Regs. 15378.
2. Determine that the public hearing held on June 2, 2011 complied with Government Code section 126 and Title 2 California Code of Regulations sections 2600 et seq. dealing with cession of concurrent criminal jurisdiction and that the following requirements have been satisfied:
  - A. The United States has by letter dated April 1, 2011 requested in writing that the State of California cede concurrent criminal jurisdiction in accordance with California Government Code section 126 over lands comprising the VA Martinez Outpatient Clinic, 150 Muir Rd., Martinez, Contra Costa County; the Sacramento VA Medical Center, 10535 Hospital Way, Rancho Cordova, Sacramento County; and the VA Palo Alto Campus, 3801 Miranda Ave., Palo Alto, Santa Clara County as more particularly described in Exhibits A, B and C attached and by reference made a part hereof, said lands being within the State of California.
  - B. The lands are held by the United States for the erection of forts, magazines, arsenals, dockyards and other needful buildings or other public purpose within the purview of Clause 17 of Section 8 of Article 1 of the Constitution of the United States, or for the establishment, consolidation, and extension of national forests under the Act of Congress approved March 1, 1911 known as the Weeks Act, or for any other federal purpose in that they are used by the United States Department of Veterans Affairs for the operation of federal medical facilities.
  - C. The lands were acquired by the United States by purchase or condemnation or were withdrawn from the public domain.
  - D. Jurisdiction ceded herein shall continue for the lesser of five years or so long as the United States owns the lands.
  - E. In ceding concurrent criminal jurisdiction the Legislature and the State reserve jurisdiction over the land, water and use of water with full power of control and regulate the acquisition, use, control and distribution of water with respect to the land affected by such cession.
  - F. In ceding concurrent criminal jurisdiction the Legislature and the State except and reserve to the State all deposits of minerals, including oil and gas, in the land, and the right to prospect for, mine, and remove such deposits from the land.

## CALENDAR ITEM NO.116 (CONT'D)

- G. The cession is pursuant to and in compliance with the laws of the United States and the United States has agreed to accept the cession subject to the conditions referenced in Government Code section 126.
  - H. The United States has agreed to compensate the State for its costs incurred in processing the request for the cession.
3. Determine that a cession of concurrent criminal jurisdiction over the lands described in Exhibits A, B and C attached hereto and by reference made a part hereof is in the best interests of the State of California because the United States Veterans Administration police will be authorized to arrest violators, issue a citation or incarcerate the accused, and refer the matter to the appropriate State of California District Attorney for prosecutions. Local police will be able to reallocate limited law enforcement resources more efficiently to other duties and responsibilities.
  4. Cede concurrent criminal jurisdiction to the United States over the VA Martinez Outpatient Clinic, 150 Muir Rd., Martinez, Contra Costa County; the Sacramento VA Medical Center, 10535 Hospital Way, Rancho Cordova, Sacramento County; and the VA Palo Alto Campus, 3801 Miranda Ave., Palo Alto, Santa Clara County for the lesser of five years or so long as the United States owns the lands; said cessions to be effective upon receipt by the Commission of a letter of acceptance of the cessions from the United States as required by 40 USC 3112 and recordation of the certificates of cession of concurrent criminal jurisdiction in the official records of the counties where the affected lands are located.
  5. Authorize the Commission's Executive Officer to issue a Certificate of Cession of Concurrent Criminal Jurisdiction for each of the three properties and have it recorded in the official records for Contra Costa, Sacramento and Santa Clara Counties.

## EXHIBIT A

### **VA Martinez Outpatient Clinic 150 Muir Rd., Martinez, Contra Costa County (Land Description for Jurisdiction Purposes)**

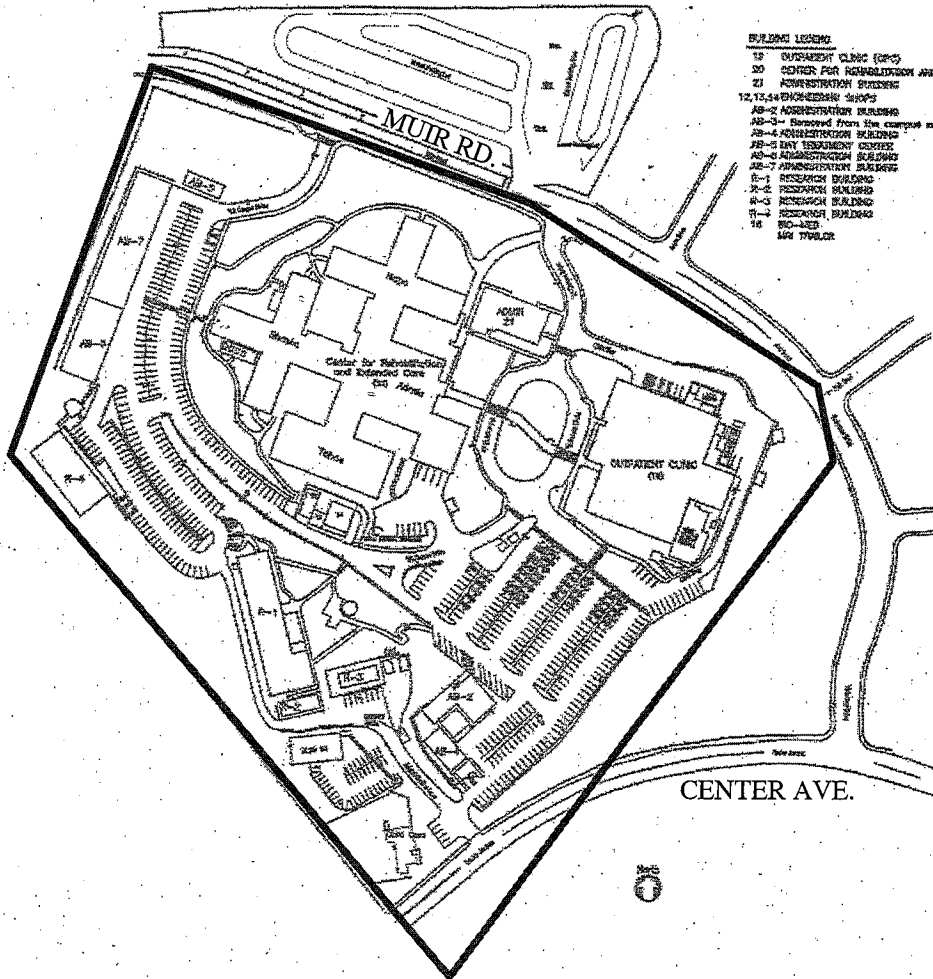
Portion of the Rancho Las Juntas, containing 25.775 acres, more or less, described as follows:

Commencing on the Northeast line of the 20 acre parcel of land described in the deed from E. J. Ball, et ux; to John Perreria, et ux, recorded July 21, 1925 in Volume 6 of Official Records, at page 101, at the most Easterly corner of the 1.439 acre parcel of land described as Parcel 11 in the deed from John Periera, et ux, to the State of California recorded September 26, 1938, in Volume 473 of Official Records, at page 455; then from said point of commencement South 70°32' East along said Northeast line, 151.58 feet; thence South 19°28' West, 20 feet to the Southwest line of the County Road known as Muir Station Road and the actual point of beginning of the herein described parcel of land; thence from said point of beginning Easterly along the Southwest line of said Muir Station Road as follows: South 70° 32' East 667.78 feet South 57° 44' 30" East, 562.63 feet and South 11° 56' 30" East, 128.31 feet; thence leaving said road South 36° 11' 20 " West, 1058.37 feet; thence North 40° 25' 02" West, 1131.42 feet to a point which bears South 19° 28' West, 680 feet from the point of beginning; thence North 19° 28" East 680 feet to the point of beginning.

Land Description Provided by US Department of Veterans Affairs

NO SCALE

# SITE



VA Martinez Outpatient Clinic - 150 Muir Rd., Martinez

NO SCALE

# LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the area over which jurisdiction is being ceded and is based on unverified information provided by the U.S. Veterans Administration.

# Exhibit A-1

W 26463  
 U.S. VETERANS AFFAIRS  
 APN 162-270-003  
 CESSION OF JURISDICTION  
 CONTRA COSTA COUNTY



## EXHIBIT B

### VA Sacramento Medical Center 10535 Hospital Way, Rancho Cordova, Sacramento County (Land Description for Jurisdiction Purposes)

A parcel of land in the County of Sacramento, State of California, and more particularly described as follows: All that portion of Mather Air Force Base, more particularly described as follows:

Commencing for reference at an 1½ inch pipe and Lead Ball Cap, set in the fence line, said point have a coordinate of North 331, 213.93 and East 2, 203,580.50, California State Plane Coordinate System Zone 2, per U.S. Corps of Engineers Map File No. 101-12-807. The following are ground distances. Thence from said point of commencement South 89° 21' 14" West 672.82 feet to a ¾ inch steel pin being the Point of Beginning, thence from said Point of Beginning South 00° 37' 38" East 242.27 feet to a ¾ inch steel pin; thence South 85° 27' 54" West 514.47 feet to a ¾ inch steel pin; then South 60° 51' 59" West 331.91 feet to a PK nail; thence South 59° 05' 20" West 1185.10 feet; thence North 50° 25' 44" West 236.77 feet; thence North 00° 38' 28" West 741.56 feet to a steel pin; thence North 88° 48' 52" East 209.87 feet to a steel pin; thence North 00° 38' 06" West 136.35 feet; thence North 89° 21' 14" East 1799.51 feet to the point of beginning.

Said parcel contains 26.004 acres more or less.

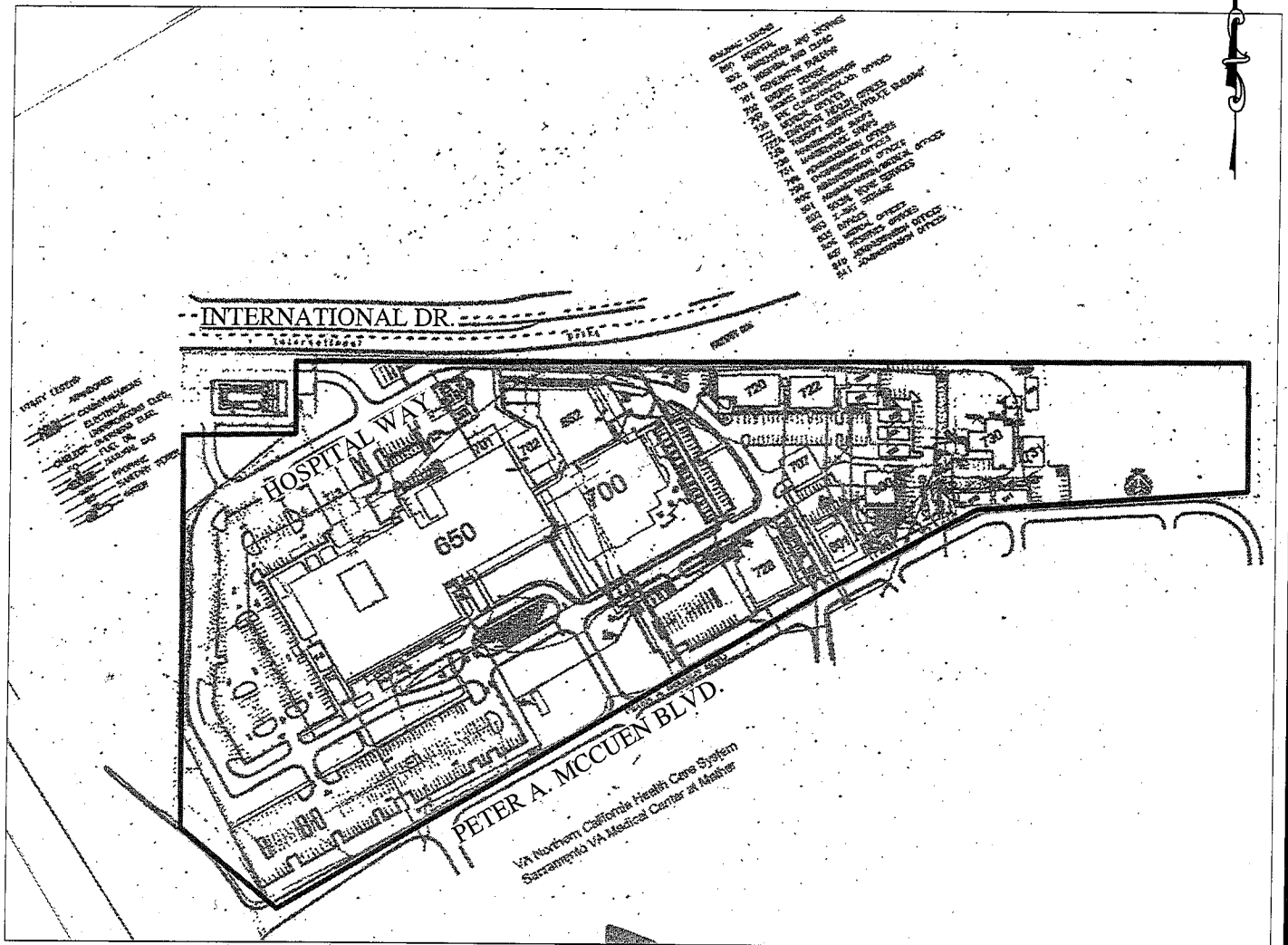
Land Description Provided by US Department of Veterans Affairs





NO SCALE

# SITE



VA Sacramento Medical Center - 10535 Hospital Way, Rancho Cordova

NO SCALE

# LOCATION



MAP SOURCE: USGS QUAD

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## Exhibit B-1

W 26465  
 U.S. VETERANS AFFAIRS  
 APN 067-0010-013  
 CESSION OF JURISDICTION  
 SACRAMENTO COUNTY



## EXHIBIT C

### VA Palo Alto Campus 3801 Miranda Ave., Palo Alto, Santa Clara County (Land Description for Jurisdiction Purposes)

Beginning at a concrete monument in the southwesterly line of the lands of the City and County of San Francisco acquired by said City and County by that Final Decree of Condemnation recorded January 20, 1953, in volume 2686 of Official Records of Page 36, Santa Clara County Records. The Final Judgment of Condemnation was entered November 24, 1952 in Judgment Book No. 56 at Page 414 in the County Clerk's Office, Santa Clara County, California (Decree No. 75835). Said monument is distant South 08° 52' 37" West, 45.22 feet from the City and County of San Francisco's Centerline Station D23 1213 + 37.52. Said point of beginning also lies in the northeasterly line of Junipero Serra Boulevard (90' wide);

Thence along the respective lines of the City and County of San Francisco and Junipero Serra Boulevard North 53° 19' 15" West, 900.68 feet to a concrete monument;

Thence continuing along the said lines of the City and County of San Francisco and Junipero Serra Boulevard on the arc of a curve to the left with a radius of 3045.56 feet through a central right angle of 13° 17' 30", an arc distance of 706.52 feet to a concrete monument;

Thence continuing along said line of the City and Junipero Serra Boulevard North 66° 36' 45" West 259.34 feet to an iron pipe;

Thence leaving said line North 23° 23' 15" East 80.00 feet to a point in the Northeasterly line of said City and County of San Francisco;

Thence leaving said line North 27° 39' 22" East, 793.41 feet to an iron pipe set in the center line of Matadero Creek;

Thence along the center line of said Matadero Creek the following courses and distances: North 22° 48' 15" East, 194.86 feet to an iron pipe; North 16° 49' 30" East, 250.02 feet to an iron pipe; North 55° 58' 15" East 64.01 feet to an iron pipe; North 82° 44' 30" East 36.48 feet to an iron pipe; South 69° 59' 00" East, 135.66 feet to an iron pipe; North 67° 45' 27" East, 69.95 feet to an iron pipe; North 26° 43' 15" East, 31.21 feet to an iron pipe; North 17° 26' 15" East, 84.50 feet to an iron pipe; North 29° 26' 00" East, 156.75 feet to an iron pipe; North 60° 23' 30" East, 63.66 feet to an iron pipe; South 64° 45' 30" East, 109.39 feet to an iron pipe; North 75° 29' 45" East, 72.92 feet to an iron pipe; North 60° 40' 30" East 138.41 feet to an iron pipe;

Thence South 75° 41' 30" East, 141.98 feet to an iron pipe; said pipe lies in the

southwesterly line (or in the northwesterly production thereof) of that certain land conveyed by Edward Barron Estate company to J. E. Reiter, B. L. Reiter, B. L. Driscoll and R. F. Driscoll, by deed recorded in Book 496 of Deeds at page 432, Santa Clara County Records;

Thence South 56° 59' 00" East along said line (or its northwesterly production) 628.31 feet to a point in the southwesterly line of the Southern Pacific Company's leased right of way (80' wide) described in that certain lease to Peninsular Railroad Company by lease dated February 23, 1906 in Book N of Leases at page 232, Santa Clara County Records;

Thence along said southwesterly line South 18° 57' 30" East, 1876.00 feet to the point of intersection with the southwesterly line of the lands of the City and County of San Francisco above described.

Thence along said line South 71° 04' 30" West, 178.63 feet to an iron pipe;

Thence leaving said line South 36° 40' 45" West, 719.86 feet to an iron pipe set in the northeasterly line of Junipero Serra Boulevard (90' wide);

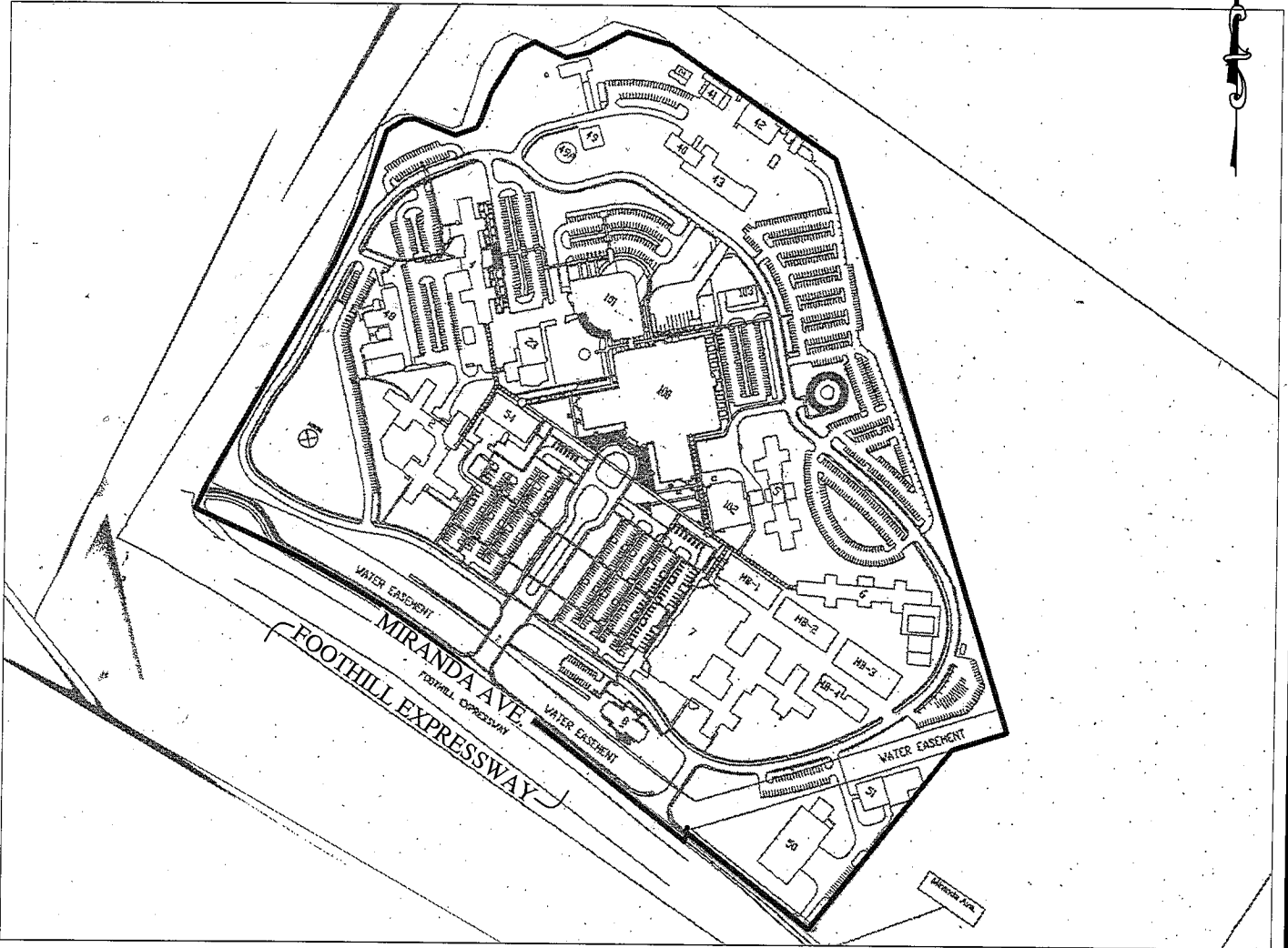
Thence along said northeasterly line North 53° 19' 15" West, 492.82 feet to the point of beginning.

Land Description Provided by US Department of Veterans Affairs



NO SCALE

### SITE



VA Palo Alto Campus - 3801 Miranda Ave., Palo Alto

NO SCALE

### LOCATION



MAP SOURCE: USGS QUAD

This Exhibit is solely for purposes of generally defining the area over which jurisdiction is being ceded and is based on unverified information provided by the U.S. Veterans Administration.

### Exhibit C-1

W 26464  
U.S. VETERANS AFFAIRS  
APN 142-17-011  
CESSION OF JURISDICTION  
SANTA CLARA COUNTY

