



# COUNTY OF HUMBOLDT

For the meeting of: 2/23/2021

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File #: 21-1

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**To:** Board of Supervisors

**From:** Public Works

**Agenda Section:** Consent

**SUBJECT:**

Second Amendment to Lease at 1608 Pickett Road, McKinleyville

**RECOMMENDATION(S):**

That the Board of Supervisors:

1. Approve the Second Amendment to lease with McKinleyville Community Services District (MCSD), lessor, for continued use of the Sheriff's Substation facility at 1608 Pickett Road, McKinleyville, for the period of Mar. 1, 2021 to and including Feb. 28, 2022;
2. Authorize the Chair of the Board of Supervisors to sign the Second Amendment to lease; and
3. Direct the Clerk of the Board to return one executed Second Amendment to lease to Public Works Real Property.

**SOURCE OF FUNDING:**

Sheriff's Operation Budget 1100 221

**DISCUSSION:**

On Mar. 1, 2015, the county entered into a lease with MCSD for use of a Sheriff Substation at 1608 Pickett Road, McKinleyville (Attachment 1 - Lease).

On Feb. 7, 2018, the county entered into a First Amendment to lease with MCSD to extend the term of the lease for three (3) additional years, ending on Feb. 28, 2021, and to adjust the rent for term based on the Consumer Price Index (Attachment 2 - First Amendment).

Staff is proposing a Second Amendment to the lease to extend the term of the lease for one (1) year, ending on Feb. 28, 2022, and to adjust the rent for this term based on Consumer Price Index (Attachment 3 - Second Amendment). The one (1) extension year will allow time and effort to ensure the premises are in compliance with all Americans with Disability Act (ADA) accessibility.

A future Third Amendment to lease is forthcoming to identify and denote the responsibilities of these ADA barriers for said compliance.

Attached is our propose Second Amendment to lease for requested approval and signature.

FINANCIAL IMPACT:

Rent has been One Hundred Eighty-One Dollars (\$181.00) a month, or Two Thousand One Hundred Seventy-Two Dollars (\$2,172.00) a year, since Mar. 1, 2018. Rent for the new term beginning on Mar. 1, 2021 and ending on Feb. 28, 2022, will be One Hundred Eighty-Eight Dollars and Fifty-Five Cents (\$188.55) per month, or Two Thousand Two Hundred Sixty-Two Dollars and Sixty Cents (\$2,262.60). The new rent's calculation is based on Consumer Price Index for November of 2020 and 2018, which takes into consideration no annual rent increases for the second and third year of the lease term. The lease expense is budgeted in Sheriff's Budget Unit 1100221210 North Area Command (NAC) for Fiscal Year 2020-21. There is no additional impact to the general fund.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by providing for and maintaining infrastructure .

OTHER AGENCY INVOLVEMENT:

Public Works Real Property

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board could deny approval of the Second Amendment to lease; however, this is not advisable as the lease would go into a month to month tenancy holdover period after Feb. 28, 2021. The tenancy holdover period would be subject to all terms and conditions of the lease except that Lessor may terminate the county's tenancy upon 30 days written notice with an increase of rent beyond what was negotiated in the lease. In addition, a new lease would require to eventually replace the tenancy holdover period, adding time and costs to the Sheriff's Budget.

ATTACHMENTS:

Attachment 1 - Lease

Attachment 2 - First Amendment

Attachment 3 - Second Amendment

PREVIOUS ACTION/REFERRAL:

Board Order No.: C13, C28

Meeting of: 2/10/2015, 2/06/18

File No.: N/A