



COUNTY OF HUMBOLDT

For the meeting of: 10/27/2020

File #: 20-1294

To: Board of Supervisors

From: Public Works

Agenda Section: Consent

SUBJECT:

Ratify Approval for Lessee's Option to Extend Term of the Lease at the Courthouse Café (4/5 Vote Required)

RECOMMENDATION(S):

That the Board of Supervisors:

1. Ratify and approve the lessee's option to extend the term of the lease at the Courthouse Café with Christopher J. Rohrs to Sept. 30, 2021.

SOURCE OF FUNDING:

Snack Bar Equipment Replacement Trust (3815)

DISCUSSION:

On June 5, 2018, your Board approved a lease to Christopher J. Rohrs (lessee) to operate and maintain the Courthouse Café at the Humboldt County Courthouse (Attachment No. 1 - Lease).

On May 7, 2019, your Board approved a First Amendment to Lease Agreement to lessee for the county to periodically clean and wax the floors of the Courthouse Café at lessee's expense (Attachment No. 2 - First Amendment).

On Oct. 8, 2019, your Board approved the ratification of lessee's option to extend the term of the lease to Sept. 30, 2020.

On Apr. 28, 2020, your Board approved a temporary waiver of monthly rent payment obligation from the lessee, effective retroactively on Apr. 1, 2020, until further notice. COVID -19 Pandemic had suspended public access and reduced employee use of the Courthouse Café, resulting in lost revenue.

Under the terms of the lease, the lessee has the option to extend the term of the lease on a year to year basis, but not beyond Sept. 30, 2023, upon ninety (90) days notice prior to expiration. On Sept. 30, 2020, the lessee untimely notified the county of his intention to exercise this extension (Attachment No. 3 - Lessee Notice). Public Works sent out a letter, dated Sept. 30, 2020, regarding the extension of

the Lease (Attachment No. 4 - County Letter). Due to the late notice and to ensure that the extension was granted before the lease terminated, Public Works approved the lease extension.

Staff recommends and requests that your Board ratify Public Works' approval of the lease extension for one year with the lease terminating on Sept. 30, 2021.

FINANCIAL IMPACT:

The Courthouse Café is presently closed with no income to the lessee. The Board's approval to request the lessee's request to exercise the option to extend the term to Sept. 30, 2021, will ultimately allow the lessee to reopen upon notice from the County Health Department.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by providing community-appropriate levels of service .

OTHER AGENCY INVOLVEMENT:

Public Works

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board could choose not to ratify Public Works approval of the lease extension for one year with the lease terminating on Sept. 30, 2021. However, this is not recommended as the lessee will have to vacate and the county will need to find another tenant to provide services at the Courthouse Cafe.

ATTACHMENTS:

- Attachment No. 1 - Lease
- Attachment No. 2 - First Amendment
- Attachment No. 3 - Lessee Notice
- Attachment No. 4 - County Letter

PREVIOUS ACTION/REFERRAL:

Board Order No.: C30, C38, C10 & C18
Meeting of: 6/05/18, 5/07/19, 10/08/19 & 4/28/20
File No.: 19-519 / 19-1428 & 20-436