



**COUNTY OF HUMBOLDT**

**Master**

**File Number: 19-1428**

<b>File ID:</b> 19-1428	<b>Type:</b> Informational Report	<b>Status:</b> Passed
<b>Version:</b> 1	<b>Agenda Section:</b> Consent	<b>Department:</b> Public Works
<b>Subject:</b>		<b>File Created:</b> 09/20/2019
		<b>Final Action:</b> 10/08/2019
<b>Title:</b> Ratify approval for Lessee's Option to Extend Term of the Lease at the Courthouse Caf <sup>2</sup> (4/5 Vote Required)		

**Internal Notes:**

**Agenda Date:** 10/08/2019

**Agenda Number:** 10.

**Sponsors:**

**Enactment Date:**

**Attachments:** Staff Report, Attachment No. 1 - Lease, Attachment No. 2 - First Amendment, Attachment No. 3 - Lessee notification, Attachment No. 4 - Letter

**Enactment Number:**

**Recommendation:**

**Public Notice Date:**

**Drafter:** tdeage1@co.humboldt.ca.us

**Effective Date:**

**History of Legislative File**

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Board of Supervisors	10/08/2019	approved				Pass
	<b>Action Text:</b> A motion was made by Supervisor Wilson, seconded by Supervisor Bass, that the recommendations be approved. The motion carried by the following vote: Aye: 5 Supervisor Bohn, Supervisor Fennell, Supervisor Bass, Supervisor Wilson and Supervisor Madrone						

**Text of Legislative File 19-1428**

**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 Caf<sup>2</sup> (4/5 Vote Required)

..end

**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 Cafe with Christopher J. Rohrs on a year to year basis, not to exceed September 30, 2023. (4/5 Vote Required)

**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 Caf  at the Humboldt County Courthouse (Attachment No. 1 - Lease). The lease was set to expire on September 30, 2019.

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

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 September 30, 2023 upon ninety (90) days' notice prior to expiration. On September 25, 2019, lessee untimely notified the county of his intention to exercise this extension (Attachment No. 3 - Lessee notification). Public Works sent out a letter on September 30, 2019 regarding the extension of the lease (Attachment No. 4 - Letter). Due to the late notice and to ensure that the extension was granted before the lease terminated, Public Works approved of the lease extension.

Staff recommends and requests your Board to ratify Public Works approval of the lease extension for one year with the lease terminating on September 30, 2020.

The Courthouse Caf  continues to be a source of nourishment and congregation for Courthouse employees and the general public. It is therefore recommended the Board approve the lessee's request to exercise the option to extend the term on a year to year basis, not to exceed September 30, 2023.

**FINANCIAL IMPACT:**

The lessee pays Four Hundred and Forty-five Dollars (\$445) per month. The rent is Four Hundred Dollars (\$400) which is deposited into the Snack Bar Equipment Replacement Trust (3815). The additional Forty-five Dollars (\$45) is deposited to the general fund through the Facilities Management budget unit 1100-162 for upkeep of the floors in the Courthouse Caf  per the First Amendment to the Lease approved by your Board on May 7, 2019.

**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 approve the lessee's request to exercise the option to extend the term on a year to year basis, not to exceed September 30, 2023, however this is not recommended as the premises would deteriorate with nonuse and the employees of the courthouse and public would be deprived of nourishment and congregation.

**ATTACHMENTS:**

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

**PREVIOUS ACTION/REFERRAL:**

Board Order No.: C30 & C38  
Meeting of: 6/05/18 & 5/07/19  
File No.: 19-519

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DEPARTMENT OF PUBLIC WORKS  
**COUNTY OF HUMBOLDT**  
MAILING ADDRESS: 1106 SECOND STREET, EUREKA, CA 95501-0579  
AREA CODE 707

On-line  
Web: [humboldtgov.org](http://humboldtgov.org)

Public Works Building Second & L St., Eureka Fax 445-7409		Clark Complex Harris & H St., Eureka Fax 445-7388	
Administration	445-7491	Natural Resources	445-7741
Business	445-7652	Natural Resource Planning	267-9542
Engineering	445-7377	Parks	445-7651
Facility Management	445-7621	Roads	445-7421
		Land Use	445-7205

September 30, 2019

Christopher J. Rohrs  
1081 Nelson Way  
McKinleyville, CA 95519

Re: Letter of

Dear Mr. Rohrs:

Your lease at the Courthouse Café is set to expire on September 30, 2019.

You had previously sent us notice of your wish to exercise your term extension option for one year. However, your notice was sent less than the ninety (90) day minimum requirement date as specified in the lease. Thus, we were unable to obtain in time our Board approval to extend the term prior to the lease expiration date.

We understand you had missed the ninety (90) day period by mistake and is requesting the County to accept your notice after the lease expiration date of September 30, 2019.

The County hereby accepts your request, and therefore will present to the Board on October 8<sup>th</sup> a request for the Board to ratify this mistake and accept the term extension option for one year, ending on September 30, 2020.

Sincerely,

Thomas K. Mattson  
Director  
Public Works