



COUNTY OF HUMBOLDT

Legislation Details (With Text)

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Title: Ratify a New Date for Removing the Temporary Waiver of Monthly Rent Payment Obligation From Christopher J. Rohrs

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Attachment No. 1 - Lease, 3. Attachment No. 2 - First Amendment, 4. Attachment No. 3 - Option No. 1, 5. Attachment No. 4 - Temporary Waiver of Rent, 6. Attachment No. 5 - Option No. 2, 7. Attachment No. 6 - Option No. 3

Date	Ver.	Action By	Action	Result
9/14/2021	1	Board of Supervisors	approved	Pass

To: Board of Supervisors

From: Public Works

Agenda Section: Consent

SUBJECT:

Ratify a New Date for Removing the Temporary Waiver of Monthly Rent Payment Obligation From Christopher J. Rohrs

RECOMMENDATION(S):

That the Board of Supervisors:

1. Ratify a new date for removing the temporary waiver of monthly rent payment obligation from Christopher J. Rohrs.

SOURCE OF FUNDING:

Capital Projects Reserved (3562)

DISCUSSION:

On Jun. 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 wash 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 (Attachment No. 3 - Option No.1).

On Apr. 28, 2020, your Board approved a temporary waiver of monthly rent payment obligation from the Lessee, effective 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 (Attachment No. 4 - Temporary Waiver of Rent).

On Oct. 27, 2020, your Board approved the ratification of Lessee's option to extend the term of the lease to Sept. 30, 2021 (Attachment No. 5 - Option No.2).

On July 13, 2020, your Board approved the Lessee's option to extend the term of the lease to Sept. 30, 2022, and to remove the temporary waiver of monthly rent payment obligation from Christopher J. Rohrs, effective July 1, 2021 (Attachment No. 6 - Option No.3)

However, in recent weeks multiple issues have arisen that have prevented the reopening of the café. These issues include refrigeration equipment that requires repair or replacement and facility construction work required to obtain a new permit from Environmental Health. With the above issues in mind, the re-opening has been delayed until further notice. Public Works expects that the refrigeration and construction work required should be completed within 6-8 weeks, as which time the reopening should be reconsidered. Public Works is recommending that your Board continue the temporary waiver of monthly rent payment obligation from Christopher J. Rohrs from July 1, 2021, until such time as the Courthouse Café can reopen.

FINANCIAL IMPACT:

The monthly rent in the amount of Four Hundred Forty-Five Dollars (\$445) will resume as soon as the Courthouse Café can reopen. Rent payments will be deposited as follows: \$45 to Public Works Facilities Maintenance budget unit 1100-162, for the upkeep of floors in the Courthouse Café; \$400 to the Capital Projects Trust (3562), for the maintenance of the Courthouse Café as described in section 9.A. of the lease agreement.

STRATEGIC FRAMEWORK:

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

OTHER AGENCY INVOLVEMENT:

Public Works

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your Board could choose not to ratify a new date of removing the temporary waiver of monthly rent payment obligation from Christopher J. Rohrs. However, this is not advisable as the lessee will not be able to make rental payments without revenue as a result of the Courthouse Café being closed.

ATTACHMENTS:

Attachment No. 1 - Lease

Attachment No. 2 - First Amendment

Attachment No. 3 - Option No.1

Attachment No. 4 - Temporary Waiver of Rent

Attachment No. 5 - Option No.2

Attachment No. 6 - Option No. 3

PREVIOUS ACTION/REFERRAL:

Board Order No.: C30, C38, C10, C19, C13 & C18

Meeting of: 6/05/18, 5/07/19, 10/08/19, 4/28/20, 10/27/20 & 7/13/21

File No.: N/A, 19-519, 19-1428, 20-436, 20-1294 & 21-864