



COUNTY OF HUMBOLDT

Legislation Text

File #: 19-222, **Version:** 1

To: Board of Supervisors

From: Public Works

Agenda Section: Consent

SUBJECT:

Request approval of the First Amendment to Lease at 715 Wildwood Ave, Rio Dell, for Library purposes with the Rio Dell Fire Protection District (RDFPD)

RECOMMENDATION(S):

That the Board of Supervisors:

1. Approve the First Amendment to Lease with the RDFPD;
2. Authorize the Chair of the Board to execute two (2) originals of the First Amendment to Lease;
and
3. Direct the Clerk of the Board to return one (1) executed original to Real Property for transmittal to the Lessor.

SOURCE OF FUNDING:

Library Fund
ADA Compliance ISF

DISCUSSION:

On June 5, 2012, the Board approved a lease with the Wildwood Fire Protection District, successor in interest to the RDFPD for county use of the Rio Dell Library, located at 715 Wildwood Avenue, Rio Dell.

On Sept. 7, 2016, the county entered into a Consent Decree with the United States Department of Justice (DOJ) that required the commencement of the Humboldt County Americans with Disabilities Act Compliance Project. The purpose of the Humboldt County Americans with Disabilities Act Compliance Project is to bring all county-owned and leased facilities that provide programs, services or activities to the public into compliance with the Americans with Disabilities Act (ADA) by Sept. 07, 2019. The Rio Dell Library is part of this compliance effort.

On Sept. 5, 2017, the county's independent licensed architect (ILA) performed a facilities assessment of the Rio Dell Library. On Jan. 23, 2018, the county received an assessment report containing only items listed in the consent decree. In March of 2018 the county received a draft Access Compliance

Assessment Report. On Nov. 20, 2018, the final report containing all ADA barriers at the Rio Dell Library was received.

On Aug. 23, 2018, the RDFPD provided the county with a letter stating they did not have the funding to perform the ADA barrier removal as designated in the Access Compliance Assessment Report. Multiple options for potential solutions to the ADA barrier removal at the Rio Dell Library have come before your board on Sept. 25, 2018, Oct. 9, 2018, Dec. 18, 2018, and lastly on Feb 5, 2019. Staff received direction from your Board on Feb. 5, 2019 to negotiate a new lease with the RDFPD. Should the lease negotiations stall the county would need to consolidate library services with the Fortuna Branch Library and close its services in Rio Dell or be subject to fines for non-compliance with the DOJ Consent Decree.

As part of the lease negotiations with the RDFPD the county has agreed to perform ADA barrier removal at the Rio Dell Library, and in return the RDFPD will allow the lease term to extend for approximately ten (10) years with the same monthly rental payment of Two Hundred Fifty Dollars (\$250), and one (1) option term of five (5) years with a monthly rent increase from \$250 to Five Hundred Dollars (\$500) per month.

We therefore request approval of the First Amendment to Lease to recite these provisions.

FINANCIAL IMPACT:

The County Library has sufficient funds to continue the \$250 a month rent for the initial term of ten (10) years, and \$500 a month rent for the five (5) year option term. On Nov. 13, 2018, your Board approved a contribution to ADA of \$400,000 for the Rio Dell Library project. There are sufficient funds to perform the ADA barrier removal.

STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by fostering transparent, accessible, welcoming and user friendly services.

OTHER AGENCY INVOLVEMENT:

Rio Dell Fire Protection District

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board could choose not to approve the First Amendment to Lease, however this is not recommended as it could result in the consolidation of library services and the closure of the Rio Dell Library or subject the county to fines for non-compliance with the DOJ Consent Decree.

ATTACHMENTS:

First Amendment to Lease

Lease

2018-08-23 Rio Dell Fire Protection Letter

Exhibit A - ADA Access Compliance Assessment Report dated November 20, 2018

PREVIOUS ACTION/REFERRAL:

Board Order No.: C-12, I-1, I-2, I.1, I-3, I-1

Meeting of: 6/5/12, 9/25/18, 10/9/18, 11/13/18, 12/18/18, 2/5/19

File No.: N/A, 18-1189, 18-1331, 18-1488, 18-1556, 18-1667