



COUNTY OF HUMBOLDT

Legislation Text

File #: 21-675, **Version:** 1

To: Board of Supervisors

From: Public Works

Agenda Section: Consent

SUBJECT:

Lease with Carrington Company of 627 H Street For Use As Conflict Counsel Offices

RECOMMENDATION(S):

That the Board of Supervisors:

1. Approve and authorize the Chair of the Board to sign the attached Lease Agreement with Carrington Company for 627 H Street, Eureka, for use as Conflict Counsel offices.

SOURCE OF FUNDING:

General Fund (1100)

DISCUSSION:

Conflict Counsel provides indigent services for the courts in criminal cases for which the terminal digit is 3,4,5 or 6 in the four criminal courts and in those cases for which a conflict of interest exists for the Public Defender's Office. For reasons involving confidentiality and conflicts of interest, the Public Defender and Conflict Counsel are separately housed based on the State Bar of California Guidelines that each office is required to maintain individual offices physically separate from each other including separate and distinct telephone numbers, network systems, equipment, file storage, and staff.

The offices of Conflict Counsel have been located at 935 3rd Street, Eureka, since July 2012. A 2018 Americans with Disabilities Act (ADA) assessment of the building at 935 3rd Street identified multiple accessibility barriers. The county has performed nonstructural ADA barrier removal at this location. Remaining barriers of a structural nature are the responsibility of the owner. In 2018 the county went into holdover at 935 3rd Street due to the inability to negotiate lease terms that included ADA barrier remediation. Because this building is not fully ADA compliant there is a need to relocate the program.

Public Works Real Property was charged with finding a new facility for Conflict Counsel, which needs to be centrally located, within walking distance from the Courthouse, at least 3,000 square-feet, and be fully ADA compliant. The building located at 627 H Street, Eureka, was discovered after an extensive search. The owner of 627 H Street, The Carrington Company, agreed to remodel and lease the premises to the county for use as Conflict Counsel's office. The landlord will remodel all 3,500 square

feet of the premises to full ADA compliance and lease the premises to the county for ten (10) years with two (2) five (5) year options. The agreement for this remodel will be an amendment to the lease and will be brought before your Board at a later date for approval.

FINANCIAL IMPACT:

Per the lease, upon Lessor's completion of construction, county's acceptance of construction and occupation of the premises, the county shall pay \$1.90 per square-foot for a total of \$6,650 per month, which will annually escalate by 3%. In addition, a forthcoming first amendment to this lease shall include the results of public bidding for the renovation work to the premises, which is to be paid by the county and amortized over the 10-year term of the lease. Staff estimate that this amortized cost will not exceed \$0.85 per square foot, or \$2,975 per month as a reimbursement for construction to the premises for a total of \$357,000. In the event that the reimbursement costs exceed staff's estimate, the forthcoming first amendment will specify that reimbursement will be capped at \$415,000 total. Based on staff's estimated construction costs, \$2.75 per square foot is within the market rate for this location, considering the size, amenities, new construction and full ADA compliance.

There are sufficient funds budgeted in the Conflict Counsel budget, 1100-246, for this lease.

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:

The Board may choose not to approve this Lease at 627 H Street, Eureka. This is not recommended as the office at which Conflict Counsel is currently located, 935 3rd Street, does not provide sufficient space and is not ADA compliant.

ATTACHMENTS:

1. Lease with Carrington for 627 H Street
2. Exhibit A - Premises
3. Exhibit B - Conceptual Space Layout
4. Exhibit C - Scope of Consultant Services
5. Exhibit D - Consultant Contract Terms and Conditions
6. Exhibit E - Construction Protocols
7. Exhibit F - Receipt of Notice of Completion

PREVIOUS ACTION/REFERRAL:

Board Order No.: C-9, D-10, C-10

Meeting of: 5/15/2012, 3/24/2015, 5/16/2017

File No.: N/A