

COUNTY OF EL DORADO

LEASE #298-L1411

AMENDMENT I

This Amendment I to that Lease #298-L1411 (hereinafter referred to as the "Lease"), made and entered into by and between the County of El Dorado, a political subdivision of the State of California (hereinafter referred to as "Lessee"), and William P. Floyd Family Limited Partnership, a California Limited Partnership (hereinafter referred to as "Lessor/Assignor").

RECITALS

WHEREAS, Lessee leases the property located at 1900 Lake Tahoe Boulevard, South Lake Tahoe, California, consisting of 7,444 square feet of improved office space and surrounding parking areas (hereinafter referred to as "Premises") in accordance with Lease #298-L1411 dated March 11, 2014, incorporated herein and made by reference a part hereof; and

WHEREAS, in accordance with Section 5 of the Lease if Lessor/Assignor receives an offer to purchase the property from a third party, Lessee has the right of first refusal to purchase the property, and Lessee declined to exercise its right of first refusal pursuant to Board of Supervisors direction on October 28, 2014 (Legistar #14-0346); and

WHEREAS, the Premises has been acquired by Anderio LLC (hereinafter referred to as "Lessor/Assignee") effective February 18, 2015; and

WHEREAS, Lessor/Assignor will remain liable for all obligations, covenants, and conditions, and/or liabilities related to the Premises prior to February 18, 2015 under the terms and conditions of the Lease; and

WHEREAS, Lessor/Assignee will assume all of Lessor/Assignor's duties, responsibilities and obligations under the terms and conditions of the Lease effective February 18, 2015 and for the duration of the Lease; and

WHEREAS, the parties hereto have determined and agreed to amend **Section 1.2 – Lessor**.


NOW, THEREFORE, the parties agree to the assignment of the Lease from Lessor/Assignor to Lessor/Assignee effective February 18, 2015; and that Lessor/Assignee assumes all duties, covenants and obligations of Lessor/Assignor under the Lease and as amended, and is responsible for the performance of the obligations, covenants and conditions in accordance with all the terms and conditions of the Lease effective February 18, 2015; and that Lessor/Assignor shall remain liable, jointly and severally, for all obligations, acts or omissions occurring prior to February 18, 2015, and that Lessor/Assignee further agrees that all indemnity and insurance obligations shall remain in full force and effect for the lease of Premises, as stated herein above. Additionally, the parties do hereby agree that the Lease shall be amended a first time to read as follows:

Section 1.2 – Lessor is amended in its entirety to read as follows:

1.2	<u>Lessor:</u>	Name:	Anderio LLC
		Address for Payments:	Anderio LLC 2196 Lake Tahoe Blvd. South Lake Tahoe, CA 96150
		Address for Notices:	Natalia Chandra RVM Associates 611 Wilshire Blvd., Suite 1008 Los Angeles, CA 90017
			Peggy Eichhorn and Kelly Pelcher Coldwell Banker McKinney & Assoc., Inc. 2196 Lake Tahoe, Blvd. Lake Tahoe, CA 96150

Except as herein amended, all other parts and sections of Lease #298-L1411 shall remain unchanged and in full force and effect.

Department Concurrence:

By: 
 Don Ashton
 Director
 Health & Human Services Agency

Dated: 4/7/2015

//

//

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to Lease #298-L1411 on the dates indicated below.

-- LESSEE --

By: B. K. Veerkamp Dated: 4-28-15
Brien K. Veerkamp, Chair
Board of Supervisors

ATTEST:
James S. Mitrising
Clerk of the Board of Supervisors

By: James S. Mitrising Dated: 4-28-15
Deputy Clerk

-- LESSOR / ASSIGNOR --

WILLIAM P. FLOYD FAMILY LIMITED PARTNERSHIP
A California Limited Liability Company

By: William P. Floyd Dated: 4-4-15
William P. Floyd, Trustee
U/T/D dated 9/8/94, as amended F/B/O
The Floyd Management Trust,
General Partner

By: Celes Buck Dated: 4-4-15
Celes Buck, Trustee
U/T/D dated 9/8/94, as amended F/B/O
The Floyd Management Trust,
General Partner

-- LESSOR / ASSIGNEE --

ANDERIO LLC
A California Limited Liability Company

By: Natalia Chandra Dated: 4/3/15
Natalia Chandra
Its: Manager

CONTRACT ROUTING SHEET

Date Prepared: March 30, 2015

Need Date: ASAP

PROCESSING DEPARTMENT:

Department: Procurement & Contracts
Dept. Contact: Linda Silacci-Smith
Phone #: x5417
Department
Head Signature: [Signature]
for Eric Hennike

CONTRACTOR:

Name: Anderio LLC, c/o Coldwell Banker
Address: 2196 Lake Tahoe, Blvd.
South Lake Tahoe, CA 96150
Phone: _____

CONTRACTING DEPARTMENT: CAO – Facilities

Service Requested: Amendment to Lease – Assignment of Lessor
Contract Term: no change in term Contract Value: no change in compensation
Compliance with Human Resources requirements? Yes: _____ No: _____
Compliance verified by: N/A – Lease

COUNTY COUNSEL: (Must approve all contracts and MOU's)

Approved: ✓ Disapproved: _____ Date: 3/31/2015 By: J. SanDiego
Approved: _____ Disapproved: _____ Date: _____ By: _____

2015 MAR 31 AM 7:51
DORADO COUNTY COUNSEL

PLEASE FORWARD TO RISK MANAGEMENT. THANKS!

RISK MANAGEMENT: (All contracts and MOU's except boilerplate grant funding agreements)

Approved: ✓ Disapproved: _____ Date: 4/1/15 By: [Signature]
Approved: _____ Disapproved: _____ Date: _____ By: _____

2015 APR 01 PM 2:00
RISK MGMT.

OTHER APPROVAL: (Specify department(s) participating or directly affected by this contract).

Departments: _____
Approved: _____ Disapproved: _____ Date: _____ By: _____
Approved: _____ Disapproved: _____ Date: _____ By: _____



County of El Dorado

330 Fair Lane, Building A
Placerville, California
530 621-5390
FAX 622-3645
www.edcgov.us/bos/

Master Report

File Number: 14-0346

***File ID #:** 14-0346

Agenda Agenda Item
Type:

Status: Approved

Version: 3

Reference:

Gov Body: Board of
Supervisors

Created: 02/26/2014

Agenda Title: 04/28/15 HHS, Amendment 1 to Lease Agreement
298-L1411, 1900 Lake Tahoe Blvd., SLT

Final Action: 04/28/2015

Title: Chief Administrative Office, Facilities Management Division, and Health and Human Services Agency, Mental Health Division, recommending the Board consider the following:

- 1) Approve and authorize the Chair to sign Amendment 1 to Lease 298-L1411, which assigns said Lease to Anderio, LLC, effective February 18, 2015, who purchased 1900 Lake Tahoe Boulevard, South Lake Tahoe from William P. Floyd Family Limited Partnership, a California Limited Partnership. There is no change to the original term of September 5, 2014 through September 4, 2024 or to the maximum contractual obligation of \$1,347,388.47; and
- 2) Authorize the Chair, or designee, to execute further documents relating to Lease 298-L1411, including amendments which do not increase the maximum dollar amount or term of the Lease and contingent upon approval by County Counsel and Risk Management.

FUNDING: Medi-Cal Clinical Funding, Early and Periodic Screening, Diagnostic and Treatment, Utilization Review Funding, Mental Health Services Act Administration and Clinical Services Allocations, Medi-Cal Administrative Reimbursements and Realignment/Fund Balance Dollars. (State Funding)

Notes:

Agenda Date: 04/28/2015

Agenda Number: 20.

Sponsors:

::

Attachments: 3A - 298-L1411, A1, approved Contract Routing Sheet, 04-28-15, 3B - 298-L1411, Amendment 1, 04-28-15, 2A - Response to Letter of Intent BOS 10-28-14, Staff Update spreadsheet Rcvd 10-28-14 BOS 10-28-14, A - CRS Lease Agmt 298-L1411 3-11-14, B - Lease Agmt 298-L1411 3-11-14, C - Summary Lease Agmt 298-L1411 3-11-14, Executed Agreement 298-L1411 (BOS 3-11-14), Letter of Notificaiotn 1900 Lake Tahoe Blvd.pdf

::

::
Contact: Don Ashton, M.P.A., Director

::
 ::

Approval History

Version	Date	Approver	Action
1	02/26/2014	James Robbins	Approved
1	02/27/2014	Don Ashton	Approved
1	02/28/2014	Agenda Coordinator	Delegate
1	03/04/2014	Creighton Avila	Approved
Notes	Consent - HHSA made final corrections on 3/03		
1	03/04/2014	Theresa R Daly	Approved
2	10/24/2014	Russell Fackrell	Approved
2	10/24/2014	Agenda Coordinator	Delegate
2	10/24/2014	Laura Schwartz	Approved
Notes	Department Matters. Approved to route only.		
2	10/24/2014	Theresa R Daly	Approved
Notes	Approving to route only. 10/24/14 jm-cob		
3	04/09/2015	James Robbins	Approved
3	04/09/2015	Don Ashton	Approved
3	04/09/2015	Agenda Coordinator	Delegate
3	04/10/2015	Creighton Avila	Approved
Notes	Consent		
3	04/10/2015	Pamela Knorr	Approved

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Board of Supervisors	03/11/2014	Approved				Pass
	Action Text:	This matter was Approved on Consent Calendar 2.					
Mover:	Ron Briggs		Yes: 4 - Briggs, Santiago, Supervisor Mikulaco and Supervisor Veerkamp				4
2	Board of Supervisors	10/28/2014	Approved				Pass

Action Text: A motion was made by Supervisor Santiago, seconded by Supervisor Veerkamp to decline the Right of First Refusal to purchase the property located at 1900 Lake Tahoe Boulevard, South Lake Tahoe, pursuant to Lease Agreement No. 298-L1411 Section 5.0, Right of First Refusal.

Notes: *Public Comment: K. Payne*

Mover: Norma Santiago Yes: 4 - Santiago, Supervisor Mikulaco, Supervisor Veerkamp and 4-1
Supervisor Frentzen
Absent: 1 - Briggs

3 Board of Supervisors 04/28/2015 Approved Pass

Action Text: This matter was Approved on the Consent Calendar.

Mover: Ron Mikulaco Yes: 5 - Supervisor Mikulaco, Supervisor Veerkamp , Supervisor 5
Frentzen, Supervisor Ranalli and Supervisor Novasel

Text of Legislative File 14-0346

Chief Administrative Office, Facilities Management Division, and Health and Human Services Agency, Mental Health Division, recommending the Board consider the following:

- 1) Approve and authorize the Chair to sign Amendment 1 to Lease 298-L1411, which assigns said Lease to Anderio, LLC, effective February 18, 2015, who purchased 1900 Lake Tahoe Boulevard, South Lake Tahoe from William P. Floyd Family Limited Partnership, a California Limited Partnership. There is no change to the original term of September 5, 2014 through September 4, 2024 or to the maximum contractual obligation of \$1,347,388.47; and
- 2) Authorize the Chair, or designee, to execute further documents relating to Lease 298-L1411, including amendments which do not increase the maximum dollar amount or term of the Lease and contingent upon approval by County Counsel and Risk Management.

FUNDING: Medi-Cal Clinical Funding, Early and Periodic Screening, Diagnostic and Treatment, Utilization Review Funding, Mental Health Services Act Administration and Clinical Services Allocations, Medi-Cal Administrative Reimbursements and Realignment/Fund Balance Dollars. (State Funding)

DEPARTMENT RECOMMENDATION:

Chief Administrative Office, Facilities Management Division, and Health and Human Services Agency, Mental Health Division (HHSA) recommend approval of Amendment 1 to Lease 298-L1411 (Lease), which will allow HHSA to make required rental payments to Anderio LLC, the new owner of 1900 Lake Tahoe Boulevard, South Lake Tahoe. Without this amendment, the County will be in default of the Lease for nonpayment of rents.

DISCUSSION / BACKGROUND:

On March 11, 2014, the Board approved Lease 298-L1411 with William P. Floyd Family Limited Partnership, a California Limited Partnership, thereby allowing HHSA to consolidate various Mental Health services provided in the South Lake Tahoe area to one location and, in doing so, promote clinical efficiencies and improve client care through the co-location of required services (File ID 14-0346 / Agenda No. 21). Prior to this move, the Mental Health and Alcohol and Drug Program staff were located at multiple locations in South Lake Tahoe, which impeded cohesive treatment and coordinated services to clients in the South Lake Tahoe area.

On October 28, 2014, in accordance with Section 5 of the Lease, the County declined to exercise its right of first refusal to purchase 1900 Lake Tahoe Boulevard, South Lake Tahoe, which allowed the William P. Floyd Family Limited Partnership to enter into negotiations with Anderio, LLC for its purchase of said property (File ID 14-0346 / Agenda No. 14).

ALTERNATIVES:

No suitable alternative sites have been identified at this time.

OTHER DEPARTMENT / AGENCY INVOLVEMENT:

Concurrence of County Counsel, Risk Management, and Facilities Division.

CAO RECOMMENDATION:

It is recommended that the Board approve this item to pay the rent at the 1900 Lake Tahoe Boulevard location in South Lake Tahoe.

FINANCIAL IMPACT:

There is no Net County Cost associated with this Lease. Sufficient appropriations were included in the Fiscal Year (FY) 2014-15 Budget and will be included in future budgets for the term of the Lease.

CLERK OF THE BOARD FOLLOW UP ACTIONS

1. Clerk of the Board to obtain signature of the Chair on three (3) originals of Amendment 1 to Lease 298-L1411.
2. Clerk of the Board to return two (2) signed originals of Amendment 1 to HHSA at 3057 Briw Road.

STRATEGIC PLAN COMPONENT:

Health and Human Services Agency Strategic Plan Project 1.2: Facilities; Objective 4.2.5: Create an efficient process working with other County departments to ensure timely and consistent contracts, fiscal responsibility, and satisfactory facilities for HHSA programs and staff.

CONTACT

Don Ashton, M.P.A., Director