



## Legislation Details (With Text)

**File #:** 23-1425      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 7/18/2023      **In control:** Board of Supervisors

**On agenda:** 12/5/2023      **Final action:** 12/5/2023

**Title:** District Attorney recommending the Board:  
 1) Approve the use of Department of Justice Asset Forfeiture Funds for the Fausel House (772 Pacific Street) facility lease;  
 2) Approve and authorize the Purchasing Agent to execute lease Agreement 3486, Amendment I, extending the term of the facility lease (772 Pacific Street) 5 years and increasing the amount of the lease agreement by \$180,900, for a total revised amount of \$344,880; and  
 3) Delegate authority to the Purchasing Agency to execute any future amendments, as needed, that do not increase the maximum dollar amount or change the term of Agreement 3486, contingent upon approval by County Counsel.

**FUNDING:** Department of Justice Asset Forfeiture Funds.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Approved BR AGMT 3486 Amd I\_23-1425, 2. B - Agmt 3486 Amd I PE\_23-1425.pdf

Date	Ver.	Action By	Action	Result
12/5/2023	1	Board of Supervisors	Approved	Pass

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**FUNDING:** Department of Justice Asset Forfeiture Funds.

### DISCUSSION / BACKGROUND

On October 30, 2018, with Legistar item 18-1619, the Board approved and authorized the Purchasing Agent to execute a lease agreement for office space located at 772 Pacific Street in Placerville, also known as the Historical Fausel House or Fausel Building, with Fausel Professional Center, LLC for a 62-month term in the amount of \$163,980. Additionally, it was directed that all future costs related to the lease be funded with Asset Forfeiture funds. The leased space is used as the District Attorney's Office (DA) dedicated Child Advocacy Center (CAC), where services related directly to child victims and their families are provided.

The DA, through an agreement with the Federal DOJ, receives monies for assets seized by partner agencies, also referred to as Equitable Sharing Funds (EQSHR). The funds are deposited into a trust

fund in the County Treasury until such time the DA requests the use of the funds per the guidelines established in the Equitable Sharing agreement with DOJ. One of the requirements outlined is obtaining Board approval for the use of EQSHR funds. According to the guidelines, EQSHR funds shall be used by law enforcement agencies for law enforcement purposes only, which includes a wide range of operational expenses. The DA is requesting the use of \$34,380 from the EQSHR fund to support the Fiscal Year (FY) 2023-24 lease costs for Fausel House.

Lease Agreement 3486, Amendment I extends the term an additional 5 years and increases the agreement amount by \$180,900, for a total revised agreement amount of \$344,880. The extension of the term was triggered by the five-year option at a 2% rate increase. An option to add 2 three-year extensions at a 3% rate increase was also added to the compensation section of the lease for subsequent years.

### **ALTERNATIVES**

Should the Board opt not to approve this request to for the Purchasing Agent to execute lease Agreement 3486, Amendment I and approve the use of EQSHR funds to offset lease costs for FY 2023-24, the department will need to consider alternative locations for their established CAC and associated operations.

### **PRIOR BOARD ACTION**

10/30/2018 Legistar item 18-1619 - Board approved facility lease Agreement 3486 for a period of 62 months in the amount of \$163,980.

04/18/2023 Legistar item 23-0723 - Board approved the use of Asset Forfeiture Funds for the 772 Pacific Street facility lease agreement cost.

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

Procurement & Contracts and County Counsel

### **CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

### **FINANCIAL IMPACT**

There is no change to Net County Cost as the use of Equitable Sharing Funds is being requested. The appropriations and revenue for the lease agreement cost is included in the FY 2023-24 budget.

### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

N/A

### **STRATEGIC PLAN COMPONENT**

Public Safety

### **CONTACT**

Vern Pierson, District Attorney