



# County of El Dorado

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## Legislation Text

File #: 13-0367, Version: 1

District Attorney recommending the Board authorize the Chair to sign a Lease Agreement (Contract No. 491-L1311) with Mark D. Zinser and Kathryn Fae Zinser Trust, for property located at 532 Main Street, Placerville, CA for a five (5) year, 3 month term commencing June 15, 2013 through September 14, 2018 in an amount not to exceed \$349,604 for the term of the lease.

**FUNDING:** A combination of Grant Funding and General Fund.

| <b>BUDGET SUMMARY:</b>         |           |
|--------------------------------|-----------|
| Total Estimated Cost.....      | \$349,604 |
|                                |           |
| Budgeted.....                  | \$0       |
| New Funding.....               |           |
| Savings.....                   |           |
| Other.....                     |           |
| Total Funding Available.....   | \$0*      |
|                                |           |
| Change To Net County Cost..... | -0-       |

\*Funding will be included in the FY 2013-14 budget

### Fiscal Impact/Change to Net County Cost

The District Attorney's office will include funding for the lease in their FY 2013-14 budget. There could be an increase in Net County Cost in FY 2013-14. The FY 2013-14 budget is still being compiled. Additional lease costs may be covered by some grant funding. Total increased rental cost for FY 2013-14 is estimated at approximately \$52,000. This number could fluctuate based on total tenant improvement costs which will be amortized over the term of the lease agreement.

### Reason for Recommendation

The District Attorney's Office has been in need of additional space for several years. The MDIC program has been operating out of office space at the Office of Education but that arrangement is coming to an end. In addition, the District Attorney will be moving the Victim Witness Program into the new office space along with the MDIC program. The leased space at 532 Main Street is in close proximity to the District Attorney's main office and the Courthouse.

The County's Facilities Office negotiated a lease wherein the landlord will provide tenant improvements up to an amount not to exceed \$44,000. Any cost in excess of \$44,000, but not exceeding \$50,000 will be equally divided and added to the base monthly rental rate across the sixty-three month Lease term. In the event the tenant improvements exceed \$50,000, any additional costs



in excess which arise in connection with the tenant improvements shall be considered to be an "Over Allowance Amount." The Over Allowance Amount shall be paid by the tenant to the Lessor, as Additional Rent, within thirty (30) days after Tenant's receipt of an invoice. The Lease includes a fiscal out section subject to Exhibit C - Termination Fee Schedule.

This agreement is contingent upon the City of Placerville waiving their 60 Day rule regarding lease space between the City and the County. It is anticipated that the City Council will approve a waiver at their April 9 meeting. Once this City Council waives the 60 day requirement and the Board of Supervisor's approved the lease agreement, the process of tenant improvements will begin. The District Attorney is planning to occupy the space in June 2013.

**Action(s) to be taken following Board approval**

Board Chairman will sign two (2) copies of the Lease agreement and return to Purchasing for distribution.

**Contact**

Russ Fackrell, Facilities

Vern Pierson, District Attorney

**Concurrences**

County Counsel & Risk Management.