



Legislation Text

File #: 22-0270, **Version:** 1

Sheriff's Office recommending the Board approve and authorize the Chair to sign Lease 5927 with EDH Waterfront LLC for the lease of space housing the El Dorado Hills substation, replacing FENIX contract 3280 upon its completion, for an additional three (3) year period from May 1, 2022 to April 30, 2025 for a not to exceed amount of \$48,000.

FUNDING: General Fund.

DISCUSSION / BACKGROUND

The Sheriff's Office (SO) has been leasing space in El Dorado Hills for a substation since 1997. In May 2010, the SO relocated to the leased location at 4354 Town Center Blvd., Suite 112, saving approximately \$12,000 in monthly rent since there were zero monthly rental costs associated with the lease. The initial Lease was for the period May 1, 2010 through April 30, 2013, Amendment I extended the term to April 30, 2014 and Amendment II extended the term to April 30, 2015 on contract 5927.

On March 24, 2015, Amendment III extended the term to April 30, 2017, and kept the rent at zero (\$0) per month but increased operating expenses to a flat rate of \$850 per month from May 1, 2015 through April 30, 2016, and a flat rate of \$875 per month from May 1, 2016 through April 30, 2017.

Amendment IV amended the term of lease for a two year renewal from May 01, 2017 to April 30, 2019 and set rent payments in the amount of zero dollars (\$0) for the term, but increased operating expenses to a flat rate not to exceed \$900 per month from May 1, 2017 through April 30, 2018, and \$930 per month from May 1, 2018 through April 30, 2019.

Effective July 25, 2018, EDH Waterfront assumed all the obligations, covenants, and conditions, and/or liabilities of this lease agreement. Amendment V updated all references to the Lessor from Town Center East, LP to EDH Waterfront LLC, and updated the Payment and Notices sections to reflect this change in ownership. Additionally, Amendment V also changed the Premise section to reflect the Sheriff's Office vacating Suite 112 and moving to Suite 113, effective September 1, 2018.

Amendment VI extended the lease to extend the term from May 1, 2019 to April 30, 2022, and set the rent payments at zero dollars (\$0), and increased operating expenses to a flat rate of \$2,083.33 per month from May 1, 2019 through April 30, 2020, a flat rate of \$1,250 per month from May 1, 2020 through April 30, 2021, and a flat rate of \$1,287.50 per month from May 1, 2021 through April 30, 2022. The Sheriff's Office paid a more expensive operating expenses fee in the first year of the lease to account for space improvement costs paid for by the EDH Waterfront, LLC.

Upon completion of FENIX contract 5927, scheduled for April 30, 2022, the Sheriff's Office is requesting the Board approve the new agreement (FENIX 5927) to begin on May 1, 2022 with no lapse in service. The new agreement sets forth the terms for the next 3 years, including monthly payments of \$1,320.41 for an agreement total of approximately \$48,000. Additionally, the agreement allows for an option to extend and the end of the agreement pending Board approval.

The Sheriff's Office presence in El Dorado Hills has increased community relations, transparency and overall public safety. It is the Sheriff's Office hope that these relationships continue to flourish.

ALTERNATIVES

N/A

PRIOR BOARD ACTION

The Board approved the original lease agreement on April 27, 2010 on Legistar Item 09-1502. Amendments I, II, III, and IV were approved on April 23, 2013, April 29, 2014, March 24, 2015, and April 11, 2017, respectively, on Legistar Item 13-0337. Amendment V was approved on August 28, 2018 on Legistar Item 18-1271. Finally, Amendment VI was approved on April 2, 2019 on Legistar Item 19-0385.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel has reviewed and approved this agreement.

CAO RECOMMENDATION / COMMENTS

Approve as recommended.

FINANCIAL IMPACT

No change to Net County Cost. These expenses are budgeted in the Sheriff's Office annual operating budget, and will continue to be requested in following years. The lease contains a provision for termination by the County if no funds are appropriated for this purpose

CLERK OF THE BOARD FOLLOW UP ACTIONS

Please return two (2) fully executed copies back to Facilities for distribution.

STRATEGIC PLAN COMPONENT

Public Safety

CONTACT

Undersheriff Bryan Golmitz