

**MEMORANDUM
DEPARTMENT OF FACILITY SERVICES
COUNTY OF PLACER**

To: **BOARD OF SUPERVISORS** Date: **FEBRUARY 26, 2008**
From: **JAMES DURFEE / ALBERT RICHIE**
Subject: **LEASE AMENDMENT NO. 1 – TAHOE PROBATION DEPARTMENT**

ACTION REQUESTED/RECOMMENDATION: Approve Lease Amendment No. 1 between the County of Placer and Lake Canyon Limited Partnership to facilitate a move of Probation Department staff between suites in the building located at 7252 North Lake Boulevard in Tahoe Vista, CA, and authorize the Chairman to sign this Lease Amendment on behalf of your Board.

BACKGROUND: In June of 1993, the Probation Department's Tahoe Division began operating in the building located at 7252 North Lake Boulevard in Tahoe Vista, CA. Over the next several years this operation expanded and outgrew its initial occupancy of Suite 201, and in May 2002, your Board approved the lease of additional space in Suite 204. The term of this Lease Agreement is from May 1, 2007 through April 30, 2010, and the Agreement provides for three additional two-year options at the County's discretion. While this arrangement relieved overcrowding in the facility, the building layout requires that staff walk over winter snow and ice to utilize the restroom and office machines in Suite 201. The Probation Department recently found that a suite accessible to the interior is available, and requested that Property Management secure this space.

In response to this request, the Property Management Division negotiated Lease Amendment No. 1, which relinquishes Suite 204 and adds Suite 202 to the leased premises. This modification results in a modest increase of 145 square feet, which is subject to the existing rental rate of \$1.55 per square foot. All other provisions of the Lease Agreement remain unchanged by this Amendment. In order to facilitate the relocation of Probation's staff between suites in this facility, your Board must authorize the Chairman to sign this Lease Amendment No. 1.

ENVIRONMENTAL CLEARANCE: The lease of this facility is Categorically Exempt from review pursuant to Section 15301 of the California Environmental Quality Act. This Section provides for activities, including leasing of existing facilities, when there is no expansion of use beyond that previously existing.

FISCAL IMPACT: The monthly rent will commence at approximately \$2,210 per month, or \$26,524 annually (an increase of \$2,697 annually), and Building Operating Expenses are estimated at \$7,700 annually (an increase of \$632). Funding for the new total annual lease cost is available in the Probation Department's 2007/2008 Budget.

JD:MD:MR:mm

ATTACHMENT: LEASE AMENDMENT NO. 1

AVAILABLE FOR REVIEW AT THE CLERK OF THE BOARD'S OFFICE: LEASE AGREEMENT

cc: COUNTY EXECUTIVE OFFICE
PROBATION DEPARTMENT

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LEASE AGREEMENT NO: CN028064

ADMINISTERING AGENCY: County of Placer, Facility Services Department
Property Management Division

AMENDMENT NO: 1

DESCRIPTION: IN REFERENCE TO PLACER COUNTY'S LEASE AGREEMENT CN028064, THIS AMENDMENT MODIFIES THE DESCRIPTION OF THE PREMISES TO PROVIDE FOR RELOCATION OF COUNTY STAFF FROM SUITE 204 TO SUITE 202 AT 7252 NORTH LAKE BOULEVARD, TAHOE VISTA.

WHEREAS, the County of Placer (hereinafter "COUNTY") and LAKE CANYON LIMITED PARTNERSHIP (hereinafter "LANDLORD") have heretofore entered into Lease Agreement CN028064 to lease Suite 201 at 1,024 sq/ft and Suite 204 at 257 sq/ft for a total of 1,281 sq/ft of office space in the abovementioned facility. The initial Lease Term expires April 30, 2010 and the COUNTY has the option to extend the term(s) for three two-year extensions; and

WHEREAS, the COUNTY and LANDLORD wish to amend Lease Agreement CN028064 to relocate COUNTY staff from Suite 204 to Suite 202 which is directly across the Hall from Suite 201 as shown on Exhibit A-1; and,

WHEREAS, the net difference between Suite 204 and Suite 202 is an additional 145 sq/ft of office space; and,

NOW, THEREFORE, in consideration of the promises, terms, conditions, and covenants set forth in Lease Agreement CN028064, COUNTY and LANDLORD hereby mutually agree as follows:

1. Section 2.A. "PREMISES" is hereby replaced in its entirety to state the following language:
 - A. Description: The space leased to the COUNTY, together with the appurtenant rights set forth in Sections 3 and 9, is described as those certain premises, Suite 201 (1,024 sq/ft) and Suite 202 (402 sq/ft), located in the building at 7252 North Lake Boulevard, in the Community of Tahoe Vista, Placer County, California, as shown on Exhibit A-1 (hereinafter "Premises"). The Leased Premises total one thousand four hundred twenty-six square feet (1,426 sq/ft).
2. Section 6, Paragraph A. "Monthly Rent" is hereby replaced in its entirety to state the following language:
 - A. Monthly Rent: COUNTY shall pay to LANDLORD Monthly Rent based on a rental rate of One and 55/100 Dollars (\$1.55) per square foot. The Monthly Rent that results from this Amendment #1 shall be Two Thousand Two

Hundred Ten and 30/100 Dollars (\$2,210.30) (hereinafter "Amended Base Rent"). The Amended Base Rent shall commence on the first day of the first full month following execution of this Amendment #1. Such Monthly Rent shall be paid by COUNTY to LANDLORD in advance of the first day of each calendar month. All payments shall be paid in lawful money of the United States of America unless otherwise provided, and shall be paid without deduction or offset, prior notice or demand at the address designated in Section 31. Any rent payment not made within twelve (12) days if its due date shall be subject to a five percent (5%) late charge.

3. Exhibit A, Premises, is hereby replaced in it's entirety with the attached Exhibit A-1, Premises.
4. Except as specifically modified herein, all terms and conditions contained in Lease Agreement CN028064 by and between the COUNTY and LANDLORD shall remain in full force and effect.

IN WITNESS WHEREOF, the PARTIES have duly executed this Lease Amendment, together with the herein-referred-to Exhibit, which is attached hereto, on the day and year last below written.

LANDLORD: LAKE CANYON LIMITED PARTNERSHIP

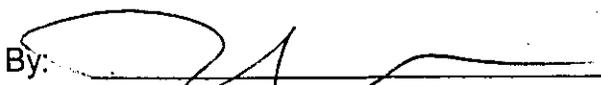
By:  Date: 1-13-08
Anton Bley, General Partner

PLEASE SIGN & DATE

COUNTY: COUNTY OF PLACER

By: _____ Date: _____
Chairman, Placer County Board of Supervisors

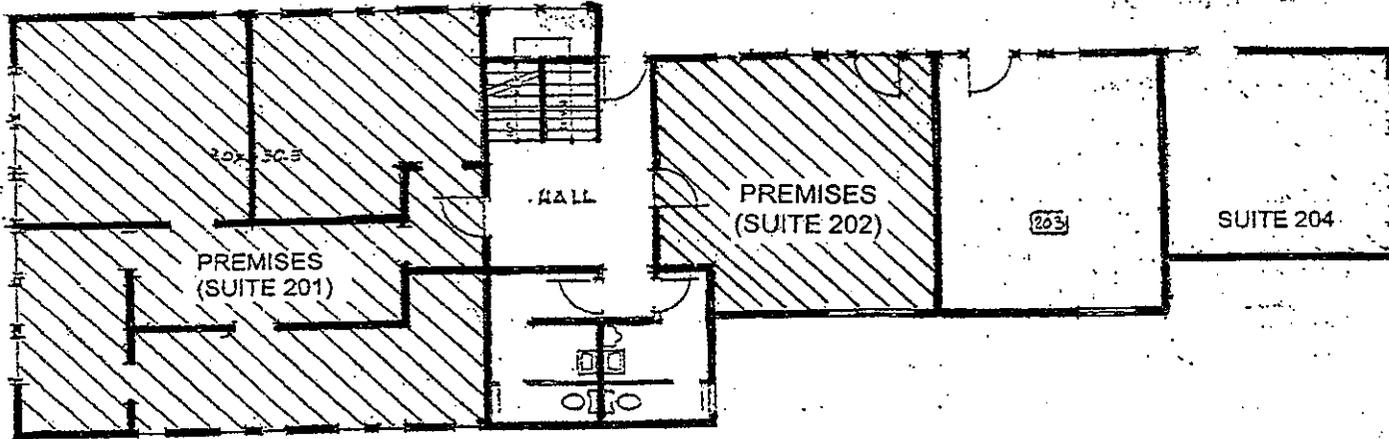
APPROVED AS TO FORM: COUNTY COUNSEL

By:  Date: 2/14/08
COUNTY COUNSEL

Attachments: EXHIBIT A-1 PREMISES

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EXHIBIT A-1
PREMISES



TAHOE PROBATION FACILITY
7252 NORTH LAKE BOULEVARD, TAHOE VISTA, CA

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