

**SANTA BARBARA COUNTY
BOARD AGENDA LETTER**



Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Agenda Number:
Prepared on: 2/4/05
Department Name: General Services
Department No.: 063
Agenda Date: 2/22/05
Placement: Administrative
Estimate Time:
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Ron Cortez, Director
General Services Department

STAFF CONTACT: Connie Smith, Agent (568-3097)
Real Estate Services Office

SUBJECT: Fourth Amendment to the Lease Agreement (Folio: 003029)
Third Supervisorial District

Recommendation(s):

That the Board of Supervisors approve and execute the Fourth Amendment to the Lease Agreement between the County of Santa Barbara and Buellton Property Investment for the lease of office space in Buellton. This Amendment will extend the lease for 3 years including 2 renewal options of 1 year each for a total of 5 years under the same terms and conditions of the original lease and subsequent three (3) amendments. The extended term commences March 1, 2005 and expires February 28, 2008. The monthly rental rate for the first year of the extended term is \$2,448.45.

Alignment with Board Strategic Plan:

The recommendation is primarily aligned with actions required by law or by routine business necessity.

Executive Summary and Discussion:

The County Sheriff's Department has been occupying this particular commercial office space in Buellton since March 1, 1996, and the lease is scheduled to expire on February 28, 2005. The space occupied is approximately 3,190 square feet of office and garage/storage space. The Board's approval of this Amendment will grant the County Sheriff's Department continued use of the commercial office space for an additional 3 years with 2 renewal options of 1 year each for a total of 5 years.

Mandates and Service Levels:

No change in programs or services levels.

Subject: Fourth Amendment to Lease Agreement (Folio #003029);
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Fiscal and Facilities Impacts:

The monthly rent of \$2,448.45 will be paid from the Sheriff's Department Budget #032; Fund: 0001; Account: 7580; Program: 1038. There are no facilities impacts associated with this action

Special Instructions:

After Board approval, please distribute as follows:

- | | |
|--|--|
| 1. Original Amendment | - Board's Official File |
| 2. Duplicate original amendment & Minute Order | - Attn: Connie Smith, Real Estate Services,
Courthouse, 2 nd Floor Annex |

NOTE: Real Estate Services will make copies of the Amendment and Minute Order for the Sheriff's department and will deliver the duplicate original to Buellton Property Investment.

Concurrence:

Sheriff's Department

Project: Sheriff Narcotics Lease at 94
Commerce Drive, Buellton
Folio: 003029
APN: 137-500-009 (Portion)
Agent: CS

FOURTH AMENDMENT TO THE LEASE AGREEMENT

THIS FOURTH AMENDMENT TO THE LEASE AGREEMENT is made by and between the

COUNTY OF SANTA BARBARA, a political subdivision of the State of California, hereinafter referred to as "COUNTY,"

and

RALPH E. TODD and STEVE TODD, dba, BUELLTON PROPERTY INVESTMENT, a Limited Partnership, hereinafter referred to as "LESSOR,"

with reference to the following:

WHEREAS, COUNTY and LESSOR entered into a Lease Agreement (hereinafter "Agreement") on March 1, 1996, and subsequently amended same on April 15, 1998, April 4, 2000, and July 24, 2001, for COUNTY'S use of a portion of the office building known as 94 Commerce Drive, in the City of Buellton, State of California, as office space for the Santa Barbara Narcotics Enforcement Team (hereinafter "SBRNET"); and

WHEREAS, the parties desire to amend said Agreement by extending the lease term for a period of 3 years with two (2) renewal options of one- (1) year each for a total of five (5) years from and after the expiration date of the current term, February 28, 2005.

NOW THEREFORE, in consideration of the premises, and the mutual covenants and conditions contained herein, the COUNTY and LESSOR agree as follows:

1. Section 3, TERM, is hereby deleted in its entirety and shall be replaced to read as follows:

“3. **TERM**: The term of this Agreement shall be for a period of three (3) years, commencing on March 1, 2005, and terminating on February 28, 2008, unless sooner terminated as hereinafter provided.”

2. Section 4. EXTENSION AND RENEWAL OF LEASE, is hereby deleted in its entirety and shall be replaced to read as follows:

“4. **EXTENSION AND RENEWAL**: Provided COUNTY is in compliance with all terms and conditions of this Agreement, COUNTY is hereby granted two (2) options to renew this Agreement from and after the expiration of the then-current term, which options shall be for a period of one (1) year each as follows:

Extension Period One, 1 year	March 1, 2008 through February 28, 2009
Extension Period Two, 1 year	March 1, 2009 through February 28, 2010

On behalf of COUNTY, Santa Barbara County Sheriff or designee may exercise said options to renew by providing written notice to LESSOR at least thirty (30) days prior to the expiration of the then-current term.

3. It is expressly understood that in all other respects, said terms and conditions of the original Agreement dated March 1, 1996, and subsequent amendments dated April 15, 1998, April 4, 2000, and July 24, 2001, shall be in full force and effect.

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Project: Sheriff Narcotics Lease at 94
Commerce Drive, Buellton
Folio: 003029
APN: 137-500-009 (Portion)
Agent: CS

IN WITNESS WHEREOF, COUNTY and LESSOR have executed this Fourth Amendment to Lease Agreement to be effective March 1, 2005.

"COUNTY"
COUNTY OF SANTA BARBARA

ATTEST:
MICHAEL F. BROWN
CLERK OF THE BOARD

Chair, Board of Supervisors

By: _____
Deputy Clerk

Date: _____

"LESSOR"
BUELLTON PROPERTY INVESTMENT, a
Limited Partnership

Ralph E. Todd

SBRNET:

Steve Todd

Jim Anderson, Sheriff

APPROVED AS TO FORM:
STEVEN SHANE STARK
COUNTY COUNSEL

APPROVED AS TO FORM:
ROBERT W. GEIS, CPA
AUDITOR-CONTROLLER

By: _____
Deputy

By: _____
Deputy

APPROVED:

APPROVED AS TO INSURANCE FORM:

Ron Carlentine, SR/WA
Real Property Manager

Stephen D. Underwood
Chief Assistant County Counsel