



Board Agenda Item 46

DATE: June 22, 2021

TO: Board of Supervisors

SUBMITTED BY: Raman Bath, County Librarian
Robert W. Bash, Director, Internal Services/Chief Information Officer

SUBJECT: Riverdale Library Branch Estoppel Certificate

RECOMMENDED ACTION(S):

Approve and authorize the Director of Internal Services/Chief Information Officer, or designee, to execute:

- a. **the Estoppel Certificate required by Lease Agreement No. 20-314/L-042 for 20975 Malsbary Street in Riverdale, CA with Sandy Hill, Trustee of the Hill Marital Trust; and,**
- b. **upon review and approval by County Counsel as to legal form and Auditor-Controller/Treasurer-Tax Collector as to accounting form, future related Estoppel Certificates, as well as Subordination and Attornment Agreements, and any other necessary agreements, certificates, notices, instruments, or documents required by the Lessor.**

Approval of the recommended action will authorize the Director of Internal Services Department/Chief Information Officer, or designee, to execute documents required by the lessor during the term of the recommended lease, including, but not limited to, an estoppel certificate or a subordination and attornment agreement. The estoppel will confirm to a potential lender that the County has a lease with the property owner. The lease is related to a property that houses the Riverdale Library Branch. This item pertains to a location in District 4.

ALTERNATIVE ACTION(S):

There is no viable alternative action. Upon the terms of the lease, the County is required to enter an Estoppel if requested by the lessor.

FISCAL IMPACT:

There is no monetary consideration or fiscal impact to the County associated with the recommended actions. The five-year lease is funded from Measure B and property tax revenue. Sufficient appropriations and estimated revenues will be included in the Library Org 7511 FY 2021-22 Recommended Budget.

DISCUSSION:

The Library has leased space at 20975 Malsbary Street in Riverdale since 1978. On August 20, 2020, Lease Agreement No. 20-314/L-042 was approved by County Counsel and Auditor-Controller/Treasurer-Tax Collector and signed by the Department Director for the term of July 1, 2020 through June 30, 2025, assuming the County exercises its two additional one-year term periods.

The lessor is requesting the County's approval and execution of an estoppel certificate, which will confirm to a potential lender that the County has a lease with the property owner, the terms of the lease, and that the County and the lessor are conforming and will continue to conform to all terms and conditions of the lease.

Approval of the recommended action will also authorize the Department Director to execute future Estoppel Certificates, Subordination and Attornment Agreements, along with other future necessary agreements, certificates, notices, instruments, or documents required by the lessor, upon review and approval by County Counsel and the Auditor-Controller/Treasurer-Tax Collector.

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Estoppel Certificate

CAO ANALYST:

Sonia M. De La Rosa