



Board Agenda Item 34

DATE: January 21, 2020

TO: Board of Supervisors

SUBMITTED BY: Robert W. Bash, Director of Internal Services/Chief Information Officer
Dawan Utecht, Director, Department of Behavioral Health
Raman Bath, County Librarian
Delfino E. Niera, Department of Social Services

SUBJECT: Retroactive Assignment of Leases to Fresno Rescue Mission

RECOMMENDED ACTION(S):

Sitting as the In-Home Supportive Services Public Authority Governing Board:

1. **Approve and authorize the Chairman to execute a retroactive assignment of Lease Agreement No. 01-130-5 from FMAAA Foundation to Fresno Rescue Mission, effective August 10, 2019, with no changes to the ongoing term or maximum compensation.**

Sitting as the Fresno County Board of Supervisors:

1. **Approve and authorize the Chairman to execute a retroactive assignment of Lease Agreement No. 01-130-5 from FMAAA Foundation to Fresno Rescue Mission, effective August 10, 2019 with no changes to the ongoing terms or maximum compensation.**
2. **Approve and authorize the Chairman to execute a retroactive assignment of Lease Agreement No. 04-561-3 from FMAAA Foundation to Fresno Rescue Mission, effective August 10, 2019 with no changes to the ongoing term or maximum compensation.**
3. **Approve and authorize the Chairman to execute a retroactive assignment of Lease Agreement No. 10-309-4 from FMAAA Foundation to Fresno Rescue Mission, effective August 10, 2019 with no changes to the ongoing term or maximum compensation.**
4. **Approve and authorize the Chairman to execute a retroactive assignment of Lease Agreement No. 11-742-3 from FMAAA Foundation to Fresno Rescue Mission, effective August 10, 2019 with no changes to the ongoing term or maximum compensation.**
5. **Approve and authorize the Chairman to execute a retroactive assignment of Lease Agreement No. 12-141-3 from FMAAA Foundation to Fresno Rescue Mission, effective August 10, 2019 with no changes to the ongoing term or maximum compensation.**

The Department of Social Services and the Department of Behavioral Health each have two separate leases with the FMAAA (Fresno-Madera Area Agency on Aging) Foundation (four leases total). Additionally, the FMAAA Foundation leases space to the Fresno County Public Library. On August 10, 2019, the Fresno Rescue Mission (FRM) purchased the buildings leased to the County under these five leases. The

recommended action will formalize the assignment of the five leases between the County and the FMAAA Foundation to the new owners of the complex, FRM. There is no additional Net County Cost associated with the recommended action, as the terms of the leases remain unchanged. This item is countywide.

ALTERNATIVE ACTION(S):

There is no viable alternative action. If the recommended action is not approved by your Board, the County will be unable to pay for the spaces the County leases in the buildings.

RETROACTIVE AGREEMENT:

The recommended Assignments are retroactive to August 10, 2019 to align with the date FRM acquired the property. There was a delay in receiving final review and approvals from all related parties.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. The assignments do not change the ongoing terms or costs of any of the leases.

DISCUSSION:

Three County departments, the Department of Social Services, the Department of Behavioral Health, and the Library, collectively have 5 leases with FMAAA within the buildings located on E. Dakota Ave., near Highway 41. On August 10, 2019, FMAAA sold the buildings to the FRM. The recommended assignments of leases formally assign the lease documents from FMAAA to the FRM. The assignments also amend the "Notice" provisions of each lease to reflect the notice information for FRM, instead of FMAAA Foundation. No other changes are made to the terms, costs, or other portions of the leases.

REFERENCE MATERIAL:

Lease No. 01-130-5:

BAI #37, July 10, 2018 (Fourth Amendment)
BAI #52, June 20, 2017 (Third Amendment)
BAI #57, August 20, 2013 (Second Amendment)
BAI #46, February 27, 2007 (First Amendment)
BAI #35d, April 17, 2001 (Original Lease)

Lease No. 04-561-3:

BAI #37, July 10, 2018 (Second Amendment)
BAI #39, February 27, 2007 (First Amendment)
BAI #48, December 14, 2004 (Original Lease)

Lease No. 10-309-4:

BAI #37, July 10, 2018 (Third Amendment)
BAI #38, September 26, 2017 (Second Amendment)
BAI #54, May 20, 2014 (First Amendment)
BAI #40, May 18, 2010 (Original Lease)

Lease No. 11-742-4:

BAI #37, July 10, 2018 (Second Amendment)
BAI #34, October 13, 2015 (First Amendment)
BAI #35, December 13, 2011 (Original Lease)

Lease No. 12-141-3:

BAI #37, July 10, 2018 (Second Amendment)

BAI #34, October 13, 2015 (First Amendment)

BAI #48, March 27, 2012 (Original Lease)

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - L-167 Assignment of Lease 01-130

On file with Clerk - L-329 Assignment of Lease 04-561

On file with Clerk - L-279 Assignment of Lease 10-309

On file with Clerk - L-288 Assignment of Lease 11-742

On file with Clerk - L-290 Assignment of Lease 12-141

CAO ANALYST:

Yussel Zalapa