



## Board Agenda Item 38

DATE: September 26, 2017

TO: Board of Supervisors

SUBMITTED BY: Dawan Utecht, Director, Department of Behavioral Health  
Robert W. Bash, Director of Internal Services/Chief Information Officer

SUBJECT: Amendment II to Lease No. 10-309 with the FMAAA Foundation

### RECOMMENDED ACTION(S):

**Approve and authorize the Chairman to execute a retroactive Second Amendment to Lease No. 10-309 with the Fresno-Madera Area Agency on Aging Foundation to extend the term from April 1, 2017 to a month-to-month lease for 4,000 sq. ft. of office space at 2085 E. Dakota, Fresno and 4,000 sq. ft. of storage space 2025 E. Dakota, Fresno and increase the rent by \$1,280 to \$6,680 per month for the Public Guardian's Office, total not to exceed \$80,160 a year.**

The Department of Behavioral Health's Public Guardian Office (PGO) leases 4,000 sq. ft. of office space at 2085 E. Dakota, Fresno and 4,000 sq. ft. of storage space at 2025 E. Dakota, Fresno. The Department recommends continuation of the lease but, on a month-to-month basis. When the space was first leased in June 2010, Fresno-Madera Area Agency on Aging (FMAAA) proposed a reduced rent (\$1.00 for office and \$0.35 for storage) as a result of County budgetary issues. The recommended lease amendment cost is \$1.32 for office space (\$5,280 monthly) and \$0.35 per sq. ft. for storage space (\$1,400 monthly); a total of \$6,680 a month. The lease is paid for with Mental Health (Lanterman-Petris-Short) and Probate conservatorship funds, with no increase in Net County Cost.

### ALTERNATIVE ACTION(S):

There are no viable alternative actions. The Department would like to continue to occupy space at the FMAAA property as it provides both office and storage space at a nominal cost. The recommended lease is on a month-to-month basis and the Department is open to finding a more economical site.

### RETROACTIVE AGREEMENT:

The recommended amendment is retroactive to April 1, 2017. The original lease expired on March 31, 2017, due to staffing changes, an oversight occurred resulting in a delay in presenting the recommended amendment to your Board sooner. The Department has since established procedures to insure a similar oversight will be avoided in the future.

### FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. The recommended lease amendment will increase the amount per sq. ft. from \$1.00 to \$1.32.

The cost includes the following:

Office space	\$0.85
Janitorial	\$0.40
<u>Security</u>	<u>\$0.07</u>
TOTAL	\$1.32

Storage	\$0.35
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The PGO occupies 4,000 sq. ft. of office space (\$5,280 per month) and utilizes 4,000 sq. ft. (\$1,400 per month) of storage space. The total rent for FY 2017-18 will be \$80,160 (\$63,360 for office space and \$16,800 for storage space).

Lease costs will be funded with the Mental Health (Lanterman-Petris-Short) and Probate conservatorship funds. The lease continued to be paid through June 2017 and in July 2017, following the County Administrative Officer's approval, was paid up to August 2017 using the County voucher system. Sufficient appropriations and estimated revenues are included in the Department's Org 5630 FY 2017-18 Recommended Budget.

#### DISCUSSION:

The original lease as executed on June 22, 2010 when the PGO was housed with the former Coroner/Public Administrator's Office on Nielsen Avenue. On May 18, 2010, your Board approved amending County Ordinance Code, section 2.28.020, which transferred the responsibility to act as Public Guardian for Fresno County from the Coroner-Public Administrator to the local County Mental Health Director, effective June 28, 2010.

Prior to the transfer of functions, the Coroner-Public Administrator was looking for an alternate facility to house the PGO due to the disrepair of the Nielsen facility. As an alternative location, FMAAA identified available office space at the Senior Resource Center, 2085 E. Dakota, Fresno and storage space at 2025 E. Dakota Avenue, Fresno. The proposal received from FMAAA indicated a per square foot rate well below current market value in the area. The location was ideal for the PGO operations as it is centrally located with convenient access to board and care homes, nursing homes, public transportation, downtown courts, banking, and other County staff from the Department of Social Services located on the Sierra Campus with whom the PGO interacts daily.

The recommended amendment resulted from a request by FMAAA to increase the office space rent to \$1.32 per sq. ft., the amount other County departments pay for space at the Senior Resource Center.

With your Board's approval, the lease will be on a month-to-month basis. Any future rent increase will require your Board's approval. The recommended amendment includes janitorial and security services provided at the facility by FMAAA vendors. Utilities will be paid by the PGO based on usage.

#### REFERENCE MATERIAL:

BAI #54, May 20, 2014, (Amendment to Lease No. 10-309)  
BAI #40, June 22, 2010, (Lease No. 10-309)  
BAI #27, May 18, 2010

#### ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Amendment II to Lease No. 10-309

#### CAO ANALYST:

Sonia De La Rosa