



Board Agenda Item 25

DATE: May 8, 2018

TO: Board of Supervisors

SUBMITTED BY: Lisa A. Smittcamp, District Attorney-Public Administrator
Robert Bash, Director of Internal Services/CIO

SUBJECT: Lease of Office Space for District Attorney-Public Administrator

RECOMMENDED ACTION(S):

Approve and authorize the Chairman to execute a retroactive ten-year lease with Foundry Park Investors, LP for office space located at 2510 S. East Avenue, Suite 500, Fresno, CA, effective January 15, 2018, to be funded by the District Attorney-Public Administrator and Fresno Police Department.

Approval of the recommended lease will permit the Multi-Agency Gang Enforcement Consortium (MAGEC) to continue leasing 12,300 square feet of office space. The lease is for 10 years and the rent for the first six months will be \$12,915 per month (\$1.05 per square foot), increase to \$13,530 per month (\$1.10 per square foot), and thereafter increase by 2% each January. The rent, utilities and janitorial costs will be shared (50% each) by the District Attorney-Public Administrator (DA) and Fresno Police Department (FPD). The leased premises location is within District 3.

RETROACTIVE AGREEMENT:

The recommended action is retroactive to January 15, 2018. After lengthy negotiations due to a variety of terms, including utility issues and the enclosure of additional parking spaces, the terms were finalized in late 2017. These additional negotiations caused a significant delay in preparing the lease.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. Sufficient appropriations are included in the District Attorney-Public-Administrator's FY 2017-18 budget for Org 2860 and will be included in subsequent budget requests.

DISCUSSION:

The recommended action will execute a new lease for the current MAGEC location. The facility consists of 12,300 square feet of office space and some 58 parking stalls. The term of the lease is 10 years commencing on January 15, 2018, and the first renewal since the initial 10 year term. The rent, utilities, janitorial and other expenses will be shared (50% each) between the DA and FPD. In addition, the lease provides that the DA and FPD shall be jointly and severally liable to the Lessor for all rental and cost obligations, and other damages recoverable by the Lessor. The County Administrative Officer or the Director of Internal Services/CIO or the District Attorney or their designee(s) shall have the power to provide notice to terminate the lease. The longer lease term was used to negotiate a better rate for rent, utilities, janitorial and parking.

The District Attorney's Office is the lead agency for MAGEC to attack the gang problem in Fresno County. The mission of MAGEC is to eradicate criminal activity of street gangs whose members threaten, terrorize and commit a multitude of crimes against the peaceful citizens of their neighborhoods, schools and businesses. Most Federal, State, County and City law enforcement agencies in Fresno County participate in this effort. County departments include: the District Attorney, Sheriff and Adult Probation departments. City agency members include the Fresno Police Department, Clovis Police Department, Kingsburg Police, Selma Police, Orange Cove and Reedley Police Departments. Federal member agencies include: U.S. Attorney, Homeland Security, Alcohol Tobacco Firearms and Explosives, Federal Bureau of Investigation, Internal Revenue Service, Drug Enforcement Administration and Immigration. State member agencies include: California Highway Patrol, Bureau of Narcotic Enforcement, California Department of Corrections and State Parole. Each agency assigns and pays for staff from their respective organization to participate in MAGEC.

OTHER REVIEWING AGENCIES:

The Fresno City Council approved the lease on March 22, 2018.

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Lease Agreement with Foundry Park Investors, LP

CAO ANALYST:

Jeannie Z. Figueroa