



# County of Fresno

Hall of Records, Rm. 301  
2281 Tulare Street  
Fresno, California  
93721-2198

## Legislation Details (With Text)

**File #:** 21-0249 **Name:** Retroactive Kingsburg Branch Library Lease Agreement

**In control:** Library

**On agenda:** 4/27/2021 **Final action:** 4/27/2021

**Enactment date:** **Enactment #:** Agreement No. 21-145

**Title:** Approve and authorize the Chairman to execute a retroactive Lease Agreement with Apotek Moderna LLC, for approximately 5,000 square feet of office space and 800 square feet of storage space located at 1399 Draper St, Kingsburg, CA 93631, for use by the Library, effective January 1, 2021, not to exceed five consecutive years, which includes a three-year base and two automatic one-year extensions, total not to exceed \$270,768; and, authorize the Director of the Internal Services Department/Chief Information Officer, or designee, upon review by County Counsel as to legal form and Auditor-Controller/Treasurer-Tax Collector as to accounting form, to execute an Estoppel Certificate and/or Subordination and Attornment Agreement required by the Lessor, and any other such necessary agreements, certificates, notices, instruments, or documents

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**Attachments:** 1. Agenda Item, 2. Agreement A-21-145 with Apotek Moderna LLC

Date	Ver.	Action By	Action	Result
4/27/2021	1	Board of Supervisors	Consent Agenda be approved	Pass

**DATE:** April 27, 2021

**TO:** Board of Supervisors

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

**SUBJECT:** Retroactive Kingsburg Branch Library Lease Agreement

### RECOMMENDED ACTION(S):

- 1. Approve and authorize the Chairman to execute a retroactive Lease Agreement with Apotek Moderna LLC, for approximately 5,000 square feet of office space and 800 square feet of storage space located at 1399 Draper St, Kingsburg, CA 93631, for use by the Library, effective January 1, 2021, not to exceed five consecutive years, which includes a three-year base and two automatic one-year extensions, total not to exceed \$270,768; and,**
- 2. Authorize the Director of the Internal Services Department/Chief Information Officer, or designee, upon review by County Counsel as to legal form and Auditor-Controller/Treasurer-Tax Collector as to accounting form, to execute an Estoppel Certificate and/or Subordination and Attornment Agreement required by the Lessor, and any other such necessary agreements, certificates, notices, instruments, or documents.**

There is no Net County Cost associated with the recommended actions. Approval of the recommended actions will permit the Kingsburg Branch Library to remain at its current location at 1399 Draper Street in Kingsburg. Approval will authorize the Director of Internal Services Department/Chief Information Officer, or designee, to

execute any documents required by the lessor during the term of the recommended lease, including, but not limited to, an estoppel certificate or subordination and attornment agreement. This item pertains to a location in District 4.

ALTERNATIVE ACTION(S):

Your Board may direct the Library to pursue other facility options; however, this would result in foregoing a location that best serves the residents of Kingsburg and fulfills the needs of the Library.

RETROACTIVE AGREEMENT:

The recommended lease agreement is retroactive to January 1, 2021 as a result of extended negotiations to tenant improvement plans. Unpaid rent due for timeframe January 1, 2021 through April 30, 2021 total \$17,000 pending approval of this item.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended actions. The rent is \$4,250 per month for 5,800 square feet (5,000 square feet of office space and 800 square feet of basement storage space). The first year's rate is \$0.85 per square foot of office space and will increase by approximately 3% each additional year during the term of the lease. The maximum rent for the potential five-year term is \$270,768. Sufficient appropriations and estimated revenues are included in the Library's Org 7511 FY 2020-21 Adopted Budget and will be included in future budget requests.

DISCUSSION:

The Library has leased the building at 1399 Draper Street for the Kingsburg Branch since 1999. The branch hosts programs for children, teens, and adults, including a Summer Reading Program, the Big Read (a National Endowment for the Arts program that broadens the public's understanding of the world, communities, and selves through books), and California Reads activities.

The Kingsburg Branch occupies 5,800 square feet of space at the site, 5,000 square feet for library use and 800 square feet for basement storage space. The recommended actions renew the lease term for an additional three years and provides an option for two additional automatic one-year renewals, for a total term not to exceed five years. The optional renewal periods may be terminated by either party by giving at least a 180-day written notice.

Approval of the recommended lease agreement will permit the Kingsburg Branch to remain at its current location and includes provisions for improvements to the premises at the lessor's sole cost, including remodeling of restrooms and the area outside the restrooms.

REFERENCE MATERIAL:

BAI #31, November 12, 2013

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - Lease Agreement with Apotek Moderna LLC

CAO ANALYST:

Sonia M. De La Rosa