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SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

FROM: Economic Development Agency

SUBMITTAL DATE:

April 22, 2010

SUBJECT: Fourth Amendment to Lease – OASIS Project, Riverside

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the attached Fourth Amendment to Lease and authorize the Chairman of the Board to execute the same on behalf of the County; and
2. Authorize the Auditor-Controller to adjust the FY 09/2010 budgets for the Economic Development Agency and OASIS as set out on Schedules A and B.

BACKGROUND: (Commences on Page 2)

Michael Dearman

Robert Field

Michael Dearman
OASIS Project Director

Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current F.Y. Total Cost:	\$140,054	In Current Year Budget:	No
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	Yes
	Annual Net County Cost:	\$ 0	For Fiscal Year:	09/10

SOURCE OF FUNDS: OASIS Internal Service Fund	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input checked="" type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

Reviewed by
Christopher Hans

BY: *Jennifer L. Sargent*
Jennifer L. Sargent

County Executive Office Signature

Policy Policy

Consent Consent

Dep't Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.: 3.22 of 6/27/06; 3.21 of 11/28/06; 3.18 of 1/30/07; 3.31 of 7/15/08; 3.28 of 10/21/08

District: 1

Agenda Number:

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

3.31

FISCAL PROCEDURES APPROVED
ROBERT E. BYRD, AUDITOR-CONTROLLER
BY: *Samuel Wong* DATE: *4/19/10*
BY: *SAMUEL WONG* DATE: *4-1-10*
FORM APPROVED COUNTY COUNSEL
BY: *Synthia M. Gunzel* DATE: *4-1-10*
SYNTHIA M. GUNZEL
Departmental Concurrence

BACKGROUND:

OASIS will be installing new equipment in the computer room which requires structural reinforcement on the second floor, this Fourth Amendment to Lease represents costs for these improvements. In addition, a Fire Suppression system will be installed to insure equipment is protected in the event of a fire.

Lessor: Mission Grove Office Park 1, L.P.
9201 Wilshire Blvd., Suite 103
Beverly Hills, California 90210

Premises Location: 7898 Mission Grove Parkway, Suite 200
Riverside, California 92508

Utilities: County pay electricity and telephone, Lessor provides all others.

Maintenance: Provided by Lessor

Custodial: Provided by Lessor

Improvements: Not-to-exceed \$134,940.00

The attached Fourth Amendment to Lease has been reviewed and approved by County Counsel as to legal form.

FINANCIAL DATA:

All associated costs for this Fourth Amendment to Lease will be fully funded through the OASIS budget. OASIS has sufficient funds in its current fiscal year budget to cover a portion of the costs associated with this project. A budget adjustment for OASIS is included in this Form 11 to cover the remaining related costs for this fiscal year. OASIS and the Economic Development Agency (EDA) will require a budget adjustment to their respective FY 2009/10 budgets to cover related transactional costs. While Economic Development Agency will front the costs for this Fourth Amendment to Lease with the property owners, OASIS will reimburse EDA for all associated costs.

Schedule A

Increase Appropriations:

45420-1109200000-526700	Buildings Rent/Lease	\$43,850
45420-1109300000-526700	Buildings Rent/Lease	\$21,200

Use of Unrestricted Net Assets:

45420-1109200000-380100	Unrestricted Net Assets	\$43,850
45420-1109300000-380100	Unrestricted Net Assets	\$21,200

Schedule B

Increase Appropriations:

10000-7200400000-526700 – Rent-Lease Buildings	\$134,940
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Increase Estimated Revenue

10000-7200400000-777330 – Leasing Services	(\$134,940)
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Exhibit A

OASIS Lease Cost Analysis for FY 2009/10 7898 Mission Grove Parkway, Suite 200, Riverside, California

Current Square Feet Occupied:

Office: 23,153 SQFT

Cost per Square Foot:

Lease Cost per Month (December 1, 2009 - June 30, 2010) N/A
Total Estimated Lease Cost for FY 2009/10 N/A

Estimated Utility Costs:

Utility Cost per Square Foot \$ -

Estimated Utility Costs (December 1, 2009 - June 30, 2010) N/A

Total Estimated Utility Cost for FY 2009/10 N/A

Tenant Improvements: \$ 134,940

RCIT: N/A

EDA Lease Management Fee (Based @ 3.79%) \$ 5,114

Total Estimated Lease Cost FY 2009/10: \$ 140,054

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**FOURTH AMENDMENT TO LEASE
7898 Mission Grove Parkway, Suite 200
Riverside, California**

This **FOURTH AMENDMENT TO LEASE** ("Fourth Amendment") is made as of _____, 2010 by and between the **COUNTY OF RIVERSIDE**, a political subdivision of the State of California ("County"), and **MISSION GROVE OFFICE PARK 1, L.P.**, ("Lessor").

1. **Recitals.**

a. County and Mission Grove Office Park 1, L.P., entered into that certain lease dated June 27, 2006, (the "Original Lease") pursuant to which County leased a portion of that certain building located at 7898 Mission Grove Parkway, Suite 200, Riverside, California (the "Building"), as more particularly shown on Exhibit "A", attached hereto and made a part hereof.

b. The Original Lease has been amended by:

i. That certain First Amendment to Lease dated January 30, 2006 by and between Mission Grove Office Park 1, L.P. and County (the "First Amendment").

ii. That certain Second Amendment to Lease dated July 15, 2008 by and between Mission Grove Office Park 1, L.P. and County (the "Second Amendment").

iii. That certain Third Amendment to Lease dated October 21, 2008 by and between Mission Grove Office Park 1, L.P. and County (the "Third Amendment").

c. The Original Lease, as heretofore, currently, or hereafter amended, shall hereafter be referred to as the "Lease".

NOW THEREFORE, for good and valuable consideration the receipt and adequacy of which is hereby acknowledged, the parties agree as follows:

2. **Capitalized Terms: Fourth Amendment to Prevail.** Unless defined herein or the context requires otherwise, all capitalized terms herein shall have the meaning **DEFINED IN THE Lease**, as heretofore amended. The provisions of this fourth Amendment shall prevail over any inconsistency or conflicting provisions of the Lease, as heretofore amended, and shall supplement the remaining provisions thereof. The Lease remains in full force and effect except to the extent amended by this Fourth Amendment.

3. **Improvements by Lessor.**

a. Lessor at its sole cost and expense shall complete the improvements to the premises as specified in Exhibit "I" attached hereto and by this reference made a part of the Lease. Improvements shall not exceed the sum of One Hundred Thirty Four Thousand Nine Hundred Forty Dollars (\$134,940) which includes a Ten Thousand Dollars (\$10,000)

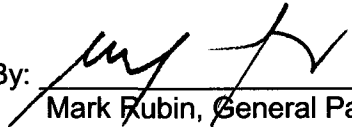
1 contingency for any additional work requested by the County. Lessor shall provide County
2 with an itemized statement of the cost of improvements within thirty (30) days after completion
3 and acceptance of the improvements. Upon receipt of the itemized statement, County shall
4 pay said \$134,940.00 or the reduced adjustment amount to Lessor by a County warrant as
5 soon as said warrant can be processed and issued to Lessor.

6 4. Except as modified or supplemented by this Fourth Amendment to Lease, all
7 provisions of this Lease shall remain in full force and effect.

8 5. This Fourth Amendment to Lease shall not be binding or consummated until its
9 approval by the Board of Supervisors of Riverside County.

10 Dated: _____

11 **MISSION GROVE OFFICE PARK 1, L.P.**

12 By: 
13 Mark Rubin, General Partner

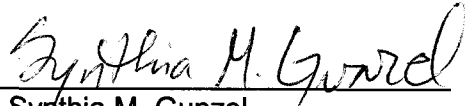
14 **COUNTY OF RIVERSIDE**

15 By: _____
16 Marion Ashley, Chairman
17 Board of Supervisors

18 **ATTEST:**
19 Kecia Harper-Ihem
20 Clerk of the Board

21 By: _____
22 Deputy

23 **APPROVED AS TO FORM:**
24 Pamela J. Walls
25 County Counsel

By: 
Synthia M. Gunzel
Deputy County Counsel

TW:jw
01/20/10
RV335
13.141

**OASIS TENANT IMPROVEMENTS
7898 MISSION GROVE PARKWAY, SUITE 200
RIVERSIDE, CALIFORNIA**

SCOPE OF WORK

Fire Suppression System

Furnish tools, materials, design, permits and labor to install a new FM200 gas system in one room

Change existing sprinklers in the room to a higher temperature

Work to be performed after hours.

Subtotal \$24,542.40

(15) motorized dampers

(1) new roof exhaust fan and 91) new gravity intake hood

(4) new exhaust and make-up air grilles

All necessary ductwork

All necessary low voltage wiring, conduit, control panel, relays, and transformers

All sales tax, labor, start-up and commissioning

Premium time

Subtotal \$24,120.00

Provide power and controls for 15 dampers in server room.

Subtotal \$ 4,740.00

Roof in (2) 24" exhaust vents to existing GAF roof.

Subtotal \$ 990.00

In computer room, remove tile and install new 2'x2' Symphony M tile.

Subtotal \$ 7,317.60

EXHIBIT I

Floor Load Modification

Reinforcing of (1) steel joist girder.
Reinforcing of (3) steel joints.
Reinforcement of the metal deck directly supporting the new IBM unit.
Necessary ventilation and welding fire protection.
Necessary provision for evening and weekend work.
Necessary provision for protection of furnishings and flooring in floor below.

Subtotal \$18,000.00

(1) new 5-ton Liebert Mini-Mate 2 Model #MMD60E7AHELO split-system.
Modify existing ductwork for increased tonnage.
Demo and remove the existing 3-ton system.
All new DX piping and insulation
Connect to existing condensate drain
Connect to new water lines for the humidifier
All necessary electrical upgrades, wiring and conduit.
Crane and rigging.
All sales tax, labor, start-up and commissioning.

Subtotal \$33,240.00

Install (2) 60 amp ceiling mount receptacles and cord caps with related circuiting for new DS8000 machines in server room

Subtotal \$ 6,390.00

General Contractor Supervision Subtotal \$ 4,600.00

Total \$122,940.00