

Attachment D

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Monterey County Board of Supervisors

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066

Board Order

Resolution No.: 19-267

A motion was made by Supervisor Luis A. Alejo, seconded by Supervisor Chris Lopez to:

Adopted Resolution 19-267 to:

- a. Approve and authorize the Contracts/Purchasing Officer to execute a Lease Agreement, effective on or about April 1, 2019, or as mutually agreeable by and between the Parties and expiring on November 30, 2020, with Jimmy Panetta, 20th District Congressman, a Member of the United States House of Representatives, for exclusive use of 2,390 square feet of office space at 142 West Alisal Street, First Floor, East Wing, Salinas, California, identified as Room E-116, permissive use of a 180- square-foot storage room identified as Room E-114, and non-exclusive access to a shared Conference Room, identified as Room E-118, subject to availability located at 142 West Alisal Street, First Floor, East Wing, Salinas, California for \$2,400 per month, in a form substantially similar to the proposed Lease Agreement set forth in Attachment A.
- b. Find that the proposed Lease Agreement is in the public interest and that said Lease Agreement will not substantially conflict or interfere with the use of the property by the county. (ADDED VIA ADDENDUM)

PASSED AND ADOPTED on this 23rd day of July 2019, by the following vote, to wit:

AYES: Supervisors Alejo, Phillips, Lopez, Parker and Adams

NOES: None

ABSENT: None

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting July 23, 2019.

Dated: July 23, 2019
File ID: RES 19-104

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California

Joel G. Pablo, Deputy

*Before the Board of Supervisors in and for the
County of Monterey, State of California*

Resolution No. 19-267

- Resolution of the Monterey County Board of Supervisors to:)
- a. Approve and authorize the Contracts/Purchasing Officer to execute a Lease Agreement, effective on or about April 1, 2019, or as mutually agreeable by and between the Parties and expiring on November 30, 2020, with Jimmy Panetta, 20th District Congressman, a Member of the United States House of Representatives, for *exclusive use* of 2,390 square feet of office space at 142 West Alisal Street, First Floor, East Wing, Salinas, California, identified as Room E-116, *permissive use* of a 180-square-foot storage room identified as Room E-114, and *non-exclusive access* to a shared Conference Room, identified as Room E-118, subject to availability located at 142 West Alisal Street, First Floor, East Wing, Salinas, California for \$2,400 per month, in a form substantially similar to the proposed Lease Agreement set forth in Attachment A.)
 - b. Find that the proposed Lease Agreement is in the public interest and that said Lease Agreement will not substantially conflict or interfere with the use of the property by the county.....)

Having considered all the written and documentary evidence, the administrative record, the staff report, and other evidence presented, the Monterey County Board of Supervisors hereby finds and decides as follows:

RECITALS

WHEREAS, Congressman Jimmy Panetta serves the needs of the constituents of the 20th Congressional District of the United States House of Representatives (District) which includes all of Monterey and San Benito Counties, and parts of Santa Clara and Santa Cruz Counties.

WHEREAS, Approval of this Lease Agreement will provide Congressman Panetta with the exclusive use of 2,390 square feet of administrative office space, on the first floor of the East Wing Building, 142 West Alisal Street, Salinas, California, to effectively serve the constituents of the 20th Congressional District of the United States House of Representatives. In addition, the District will have permission to use a storage closet and be afforded access to use an adjacent County (shared) conference room (670 square feet). The leased space will serve as the flagship (primary) District Office of Congressman Panetta. Congressman Panetta’s presence within the Monterey County Government Center, County-Courthouse Complex, will serve a valuable public purpose which will benefit the constituency of the County of Monterey.

WHEREAS, Due to limitations in the amount U.S. House of Representative Members may pay for rent and utilities, the District is proposing to pay \$2,400 per month rent from the commencement date through the lease term of November 30, 2020, which is the last day of the current congressional term. Congressional leases are limited and can only provide for a term which corresponds to the current Congress Member’s term. Therefore, the proposed Lease Agreement provides that, “...LESSEE will continue renting the Premises from LESSOR conditioned upon LESSEE’s reelection to Congress.”

WHEREAS, Government Code Section 25526.6. provides that the Board may authorize a County officer to convey an interest in real property to a public agency upon a finding that the conveyance of said interest is in the public interest and will not substantially conflict or interfere with the use of the property by the County.

Government Code Section 25526.6 states,

Notwithstanding any other provision of law, the board may grant or otherwise convey, or by ordinance, may authorize such county officer or officers as are deemed appropriate, to grant or otherwise convey an easement, license, or permit for use of any real property of the county to the state, or to any county, city, district, or public agency or corporation, or to any public utility corporation in the manner and upon the terms and conditions as the board or authorized county officer determines or prescribes, upon a finding by the board or authorized county officer that the conveyance is in the public interest and that the interest in land conveyed will not substantially conflict or interfere with the use of the property by the county.

WHEREAS, Congressman Panetta's presence within the first floor of the East Wing Building of the Monterey County Government Center, County-Courthouse Complex, will serve the constituents of the 20th Congressional District which includes all of Monterey County. The Congressman's presence at this location, which will serve as the flagship (primary) District Office, will serve a valuable public purpose which will benefit the constituency of the County of Monterey. The subject Premises are currently vacant, with intermittent use by the County Learning and Development Office for training of County staff. The proposed Lease Agreement will not substantially conflict or interfere with the use of the East Wing Building by the County. Therefore, it is recommended that the Board find that the proposed Lease Agreement is in the public interest and that said Lease Agreement will not substantially conflict or interfere with the use of the property by the county (Government Code Section 25526.6).

DECISION

NOW, THEREFORE, BE IT RESOLVED THAT, the Board of Supervisors does hereby adopt a resolution to:

- a. Approve and authorize the Contracts/Purchasing Officer to execute a Lease Agreement, effective on or about April 1, 2019, or as mutually agreeable by and between the Parties and expiring on November 30, 2020, with Jimmy Panetta, 20th District Congressman, a Member of the United States House of Representatives, for *exclusive use* of 2,390 square feet of office space at 142 West Alisal Street, First Floor, East Wing, Salinas, California, identified as Room E-116, *permissive use* of a 180-square-foot storage room identified as Room E-114, and *non-exclusive access* to a shared Conference Room, identified as Room E-118, subject to availability located at 142 West Alisal Street, First Floor, East Wing, Salinas, California for \$2,400 per month, in a form substantially similar to the proposed Lease Agreement set forth in Attachment A.
- b. Find that the proposed Lease Agreement is in the public interest and that said Lease Agreement will not substantially conflict or interfere with the use of the property by the county.

PASSED AND ADOPTED on this 23rd day of July 2019, by the following vote, to wit:

AYES: Supervisors Alejo, Phillips, Lopez, Parker and Adams

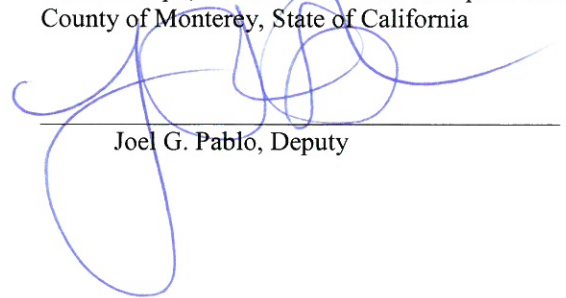
NOES: None

ABSENT: None

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting July 23, 2019.

Dated: July 23, 2019
File ID: RES 19-104

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California



Joel G. Pablo, Deputy