



Legislation Details (With Board Report)

File #: A 23-028 **Name:** Approve execution of Lease Agreement - Zoe Lofgren 18th District Congresswomen

Type: BoS Agreement **Status:** Passed

File created: 1/23/2023 **In control:** Board of Supervisors

On agenda: 2/7/2023 **Final action:** 2/7/2023

Title: Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute a Lease Agreement, effective on or about February 1, 2023 and expire on January 2, 2025, with Zoe Lofgren, 18th District Congresswoman, a Member of the United States House of Representatives for the 118th Congress for approximately 2,390 square feet of general office space located at 142 West Alisal Street, East Wing, Salinas, California for \$2,880 per month.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A – Proposed Lease Agreement for the 118th Congress, 3. Attachment B - United States House of Representatives Lease Attachment, 4. Attachment C – Location Map_1.20.23, 5. Completed Board Order No. 29, 6. REVISED Completed Board Order Item No. 29

Date	Ver.	Action By	Action	Result
2/7/2023	1	Board of Supervisors		

Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute a Lease Agreement, effective on or about February 1, 2023 and expire on January 2, 2025, with Zoe Lofgren, 18th District Congresswoman, a Member of the United States House of Representatives for the 118th Congress for approximately 2,390 square feet of general office space located at 142 West Alisal Street, East Wing, Salinas, California for \$2,880 per month.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute a Lease Agreement, effective on or about February 1, 2023 and expire on January 2, 2025, with Zoe Lofgren, 18th District Congresswoman, a Member of the United States House of Representatives for the 118th Congress for approximately 2,390 square feet of general office space located at 142 West Alisal Street, East Wing, Salinas, California for \$2,880 per month;
- b. Approve and authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute the United States House of Representatives District Office Lease Attachment for the 118th Congress under similar terms, conditions, and format as Attachment B;
- c. Authorize the Contracts/Purchasing Officer of Contracts/Purchasing Supervisor to execute future amendments and congressional lease attachments under similar terms, condition, and format for the 118th Congress, if deemed by the Contracts/Purchasing Officer to be in the best interest of the County, subject to review and approval as to form by the Office of the County Counsel-Risk Management and as to fiscal provisions by the Auditor-Controller’s Office; and
- d. 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.

SUMMARY/DISCUSSION:

Congresswoman Zoe Lofgren serves the needs of the constituents of the 18th Congressional District of the

United States House of Representatives (18th Congressional District) including portions of Monterey, San Benito, Santa Clara, and Santa Cruz Counties.

Approval of the 118th Congress Lease Agreement (Lease Agreement) will provide Congresswoman Lofgren with the exclusive use of approximately 2,390 square feet of administrative office space, at 142 West Alisal Street, East Wing, Salinas, California (the premises), to effectively serve the constituents of the 18th Congressional District of the United States House of Representatives. Congresswoman Lofgren's presence within the Monterey County owned facility at 142 West Alisal Street, Salinas, will serve a valuable public purpose which will benefit the constituency of the County of Monterey.

The Lease Agreement term will commence on or about February 1, 2023, or as mutually agreeable by and between the Parties and expire on January 2, 2025. The Lease Agreement provides for a month-to-month occupancy after the expiration date, and either party may terminate the lease upon thirty (30) days written notification. Due to limitations in the amount U.S. House of Representative Members may pay for rent and utilities, the 18th Congressional District is proposing to pay \$2,880 per month rent. Staff finds that the monthly rent is sufficient enough to cover maintenance, utilities, janitorial and other pertinent operational services for the leased premises. 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 states, "...LESSEE will continue renting the Premises from LESSOR conditioned upon LESSEE's reelection to Congress."

The proposed Lease Agreement provides for tenant improvements to be funded by the LESSEE, as indicated in Exhibit A.1 - TENANT IMPROVEMENTS - LESSEE COSTS, to the Lease Agreement, and tenant improvements to be funded by the County, as indicated in Exhibit A.2 - TENANT IMPROVEMENTS - LESSOR'S COST, to the Lease Agreement. Anticipated County tenant improvements may include surplus office furniture in-kind donation. The 18th Congressional Office will be responsible for engaging their own consultants for space and furniture lay-out and will fund and coordinate any other required tenant improvements which may include directional signage, new furniture purchases, moving of existing furniture, data and electrical connections for workstations, and additional security measures such as controlled access card reader systems and panic buttons. Any tenant improvements as requested by the 18th Congressional District will require review and approval by the County prior to the commencement of any tenant improvements.

Congresswoman Lofgren's presence within the Monterey County owned building, located at 142 West Alisal Street, Salinas, will serve the constituents of the 20th Congressional District which includes Monterey County. The proposed Lease Agreement will not substantially conflict or interfere with the use of the building by the County. 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. Therefore, it is recommended that the Board find that the proposed Lease Agreement is in the public interest and that the Lease Agreement will not substantially conflict or interfere with the use of the property by the County (Government Code Section 25526.6).

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel-Risk Management has reviewed and approved the proposed Lease Agreement as to form and as to insurance and indemnity provisions. The Auditor-Controller's Office has reviewed and approved the proposed Lease Agreement as to fiscal provisions. Congresswoman Zoe Lofgren who represents the 18th Congressional District supports staff's recommendation.

FINANCING:

The Board Report and proposed Lease Agreement were developed by the PWF Department staff and funded

as part of the FY2022-23 PWF adopted Budget, General Fund 001, Facilities Appropriation Unit PFP054. The anticipated monthly rent of \$2,880 received from the 18th Congressional District will be deposited as revenue in General Fund, Fund 001, Facilities Appropriation Unit PFP054.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This action supports the Board of Supervisors strategic initiative for Administration that promotes efficient and effective government operations by bringing the 18th Congressional District Office into the Monterey County Government Center downtown Salinas campus located at 142 West Alisal Street, East Wing, Salinas, California for improved constituent access.

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

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Reviewed by: Lindsay Lerable, Chief of Facilities

Approved by: Randell Ishii, MS, PE, TE, PTOE, Director of Public Works, Facilities, and Parks

The following attachments are on file with the Clerk of the Board:

Attachment A - Proposed Lease Agreement for the 118th Congress

Attachment B - United States House of Representatives District Office Lease Attachment

Attachment C - Location Map