

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Central Services	(2) MEETING DATE 9/27/2016	(3) CONTACT/PHONE Shauna Dragomir, County Real Property Manager (805) 781-5206	
(4) SUBJECT Request to approve Second Amendment to Lease between the County of San Luis Obispo and Woods Humane Society, Inc. at 875 Oklahoma Avenue in San Luis Obispo. All Districts.			
(5) RECOMMENDED ACTION It is recommended that the Board: 1. Approve the Second Amendment to Lease with Woods Humane Society, Inc. 2. Authorize the Chairperson to sign the Second Amendment to Lease.			
(6) FUNDING SOURCE(S) N/A	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ___) <input type="checkbox"/> Board Business (Time Est. ___)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date: <u>12/11/2001, 6/4/2013</u>	
(17) ADMINISTRATIVE OFFICE REVIEW <i>Nikki J. Schmidt</i>			
(18) SUPERVISOR DISTRICT(S) All Districts			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Central Services / Shauna Dragomir, County Real Property Manager
(805) 781-5206

DATE: 9/27/2016

SUBJECT: Request to approve Second Amendment to Lease between the County of San Luis Obispo and Woods Humane Society, Inc. at 875 Oklahoma Avenue in San Luis Obispo. All Districts.

RECOMMENDATION

It is recommended that the Board:

1. Approve the Second Amendment to Lease with Woods Humane Society, Inc.
2. Authorize the Chairperson to sign the Second Amendment to Lease with Woods Humane Society, Inc.

DISCUSSION

The County of San Luis Obispo ("County") owns approximately 33.47 acres of real property located on or near 875 Oklahoma Avenue, south of Highway 1, in the County of San Luis Obispo also known as APN 073-331-033.

On December 11, 2001, the Board approved a ground Lease ("Original Lease") with Woods Humane Society, Inc. ("Woods") for a portion of the County-owned real property consisting of approximately 4.31 acres ("Leased Premises") to allow Woods to finance, construct, maintain and operate a 23,729 square foot non-profit animal service and humane shelter facility ("Shelter Facility").

On December 11, 2001, the County Animal Services Division and Woods entered into a Memorandum of Understanding ("MOU") to memorialize their agreement for the coordination of adoption and licensing of homeless domestic dogs and cats at the Shelter Facility presented to Woods by the County Animal Services Division.

On June 4, 2013, the Board approved a First Amendment to Lease between the parties which amended certain obligations and responsibilities of the Original Lease, incorporated terms from the MOU, and terminated the MOU.

The County and Woods intend to enter into a Second Amendment to Lease to further amend the Original Lease and to: 1) extend the term of the Lease for up to an additional 30 years through December 10, 2061; 2) allow for Wood's construction of a remodel and expansion to the existing Shelter Facility; 3) reconfigure and amend the size of the Leased Premises from approximately 4.31 acres to 2.5 acres; 4) provide for the relocation of Woods' dog walking path; and 5) establish a weed abatement program on the Leased Premises by Woods. Woods may continue to use the existing dog walking path located on a portion of the 1.81 acres for Woods' dog walking purposes, until such time as County commences construction activities on the 1.81 acres. At such time as Woods is no longer permitted to continuing using the existing dog walking path, the County and Woods shall mutually agree on an alternative location not on the 1.81 acres, for Woods' dog walking purposes. The Second Amendment to Lease also updates standard County terms regarding drug free workplace and smoking policies, and storm water control.

Woods is a privately funded non-profit public benefit corporation that provides animal services and humane shelter facilities to homeless dogs and cats. Woods' services include placing dogs and cats up for adoption, providing spaying and neutering, microchip implanting, dog obedience training classes and other educational opportunities to the community.

Woods currently operates and maintains a 23,729 square foot Shelter Facility. Approval of the Second Amendment to Lease would allow for Woods to finance, construct, operate and maintain an additional 889 square foot feline housing unit and 886 square foot administrative office expansion space, along with a 3,007 square foot remodel of an unfinished kennel in the existing 23,729 square foot Shelter Facility.

Adjacent to Woods' Shelter Facility, the County Animal Services Division currently operates a County animal services facility which was built in 1972 ("County Shelter Facility"). The County Shelter Facility has become rundown and suffers from inefficient design, outdated and inadequate holding areas and is austere and unwelcoming to the public. The County hired an outside consultant to prepare a Site Suitability Analysis for a future New County Shelter Facility, and the Site Suitability Analysis determined and recommended that a preferred site be selected for a new County Shelter Facility to be constructed upon. The selected, preferred area includes approximately 1.81 acres of land encompassed in the approximately 4.31 acres of land which Woods currently leases. Approval of the Second Amendment to Lease will reduce the area of Woods' Leased Premises by approximately 1.81 acres, to allow the County to retain the approximately 1.81 acre area for a potential new County Shelter Facility.

OTHER AGENCY INVOLVEMENT/IMPACT

The Real Property Services Division of the County Central Services Department prepared the Second Amendment to Lease, and negotiated its terms and conditions with Woods on behalf of the County Animal Services Division. The County Health Agency Director and Animal Services Division Manager reviewed and approved the terms of the Second Amendment to Lease. County Counsel reviewed and approved the Second Amendment to Lease as to form and legal effect. Woods has reviewed the Second Amendment to Lease and agrees to its terms and conditions.

FINANCIAL CONSIDERATIONS

The County and Woods actively work together to shelter and provide services to homeless animals and confront animal overpopulation throughout the county. In lieu of cash rent to the County, Woods provides specific services to the public on behalf of the County. No County funds will be expended as a result of Wood's construction of the remodel and expansion to their existing Shelter Facility. To the extent that the Board approves funding for construction of the new County Shelter Facility, the County would include, as part of that future project, the construction of a new, like-kind dog walking path for Wood's non-exclusive use. The cost to construct this new dog walking path would be included as part of the County's future project.

RESULTS

Approval of the attached Second Amendment to Lease will amend and update certain language of the Original Lease and will provide for the ongoing services and collaboration between the County and Woods. This action will contribute to the community-wide goals of providing a safe, healthy and livable community.

ATTACHMENTS

1. Location Map
2. Second Amendment to Lease