



Deschutes County Board of Commissioners
1300 NW Wall St., Suite 200, Bend, OR 97701-1960
(541) 388-6570 - Fax (541) 385-3202 - www.deschutes.org

AGENDA REQUEST & STAFF REPORT

For Board Business Meeting of August 10, 2016

DATE: August 1, 2016

FROM: James Lewis Property Management 541-385-1414

TITLE OF AGENDA ITEM:

Consideration of Board Signature of Document 2016-526, a First Addendum to the lease between Deschutes County and J Bar J Youth Services.

PUBLIC HEARING ON THIS DATE? No

BACKGROUND AND POLICY IMPLICATIONS: This addendum adds Housing Unit 500 and entitles access to the outdoor greenhouse, bringing the total leased space to 6,200 square feet, in Building One at the Deschutes County Juvenile Detention Facility located at 63360 Britta Street, Bend. Tenant will pay operational related costs for the new space of approximately \$16,000, while costs to plumbing, door keying, and structural items will be covered by the county and overseen by Lee Randall of the Facilities Department.

J Bar J Youth Services began a lease of 3,100 square feet in November 2015 at the same site. This additional space will allow the continuation of services to youth aged 12-24 who are on parole or probation with the Oregon Youth Authority (OYA) after being found in jurisdiction of a juvenile court for a criminal offense(s), and who were subsequently committed by a juvenile court judge to the Oregon Youth Authority for either residential or close custody placement. The programs provided by J Bar J complements Deschutes County Community Justice system's abilities to supervise, intervene with and/or hold accountable juvenile offenders, and brings important resources to the community to support positive behavioral and social integration of juvenile offenders.

A separate operational contract between Juvenile Justice and J Bar J is in place to specify the cooperative working arrangements between the two entities. In exchange for the complimentary benefit the Lessee's services provides to the public and to Deschutes County, the rent charged (\$1.05/square foot) is equal to 50% of the market value rate of \$2.10/square foot utilized by Deschutes County during the term of this Lease. The increased total rental rate will be \$7,052 per month (\$84,624 per year), which also includes internal service fees inherent to operating the space. Because the rental rate is below market value, the Lessee will be eligible for property tax exemption as a non-profit corporation. The lease term coincides with the contract for services, beginning November 20, 2015 through June 30, 2017.

FISCAL IMPLICATIONS:

\$7,052 monthly, which is \$84,624 annually.

RECOMMENDATION & ACTION REQUESTED:

Staff recommends that the Board of County Commissioners sign Document 2016-526.

ATTENDANCE: James Lewis

DISTRIBUTION OF DOCUMENTS: One fully signed original document returned to James Lewis for permanent records and copy to tenant.

DESCHUTES COUNTY DOCUMENT SUMMARY

(NOTE: This form is required to be submitted with ALL contracts and other agreements, regardless of whether the document is to be on a Board agenda or can be signed by the County Administrator or Department Director. If the document is to be on a Board agenda, the Agenda Request Form is also required. If this form is not included with the document, the document will be returned to the Department. Please submit documents to the Board Secretary for tracking purposes, and not directly to Legal Counsel, the County Administrator or the Commissioners. In addition to submitting this form with your documents, please submit this form electronically to the Board Secretary.)

Please complete all sections **above** the Official Review line.

Date: August 1, 2016

Department: Property Management

Contractor/Supplier/Consultant Name: J Bar J Youth Services

Contractor Contact: Stephanie Alvstad

Contractor Phone #: 541-389-1409

Type of Document: First Addendum to Lease

Goods and/or Services: N/A

Background & History: This addendum adds Housing Unit 500 and entitles access to the outdoor greenhouse, bringing the total leased space to 6,200 square feet, in Building One at the Deschutes County Juvenile Detention Facility located at 63360 Britta Street, Bend. Tenant will pay operational related costs for the new space of approximately \$16,000, while costs to plumbing, door keying, and structural items will be covered by the county and overseen by Lee Randall of the Facilities Department.

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Agreement Starting Date: September 1, 2016

Ending Date: June 30, 2017

Annual Value or Total Payment: \$7,052 per month, \$84,624 annually

N/A – statutory coverage

X Insurance Certificate Received (check box)

Insurance Expiration Date: July 1, 2017

N/A

Check all that apply:

- ☐ RFP, Solicitation or Bid Process
☐ Informal quotes (<\$150K)
☐ Exempt from RFP, Solicitation or Bid Process (specify – see DCC §2.37)

N/A

Funding Source: (Included in current budget? ☐ Yes ☐ No

If **No**, has budget amendment been submitted? ☐ Yes ☐ No

Is this a Grant Agreement providing revenue to the County? ☐ Yes ☒ No

Departmental Contact and Title: James Lewis **Phone #:** 541-385-1414

Department Director Approval: _____
Signature Date

Distribution of Document: One fully signed original returned to James Lewis for permanent records and copy to tenant.

Official Review:

County Signature Required (check one): XXX BOCC ☐ Department Director (if <\$25K)
☐ Administrator (if >\$25K but <\$150K; if >\$150K, BOCC Order No. _____)

Legal Review _____ Date _____

Document Number **2015-526**

REVIEWED

LEGAL COUNSEL

FIRST ADDENDUM TO LEASE

Parties:

LESSOR: DESCHUTES COUNTY, a political subdivision of the State of Oregon

LESSEE: J BAR J YOUTH SERVICES, a non-profit corporation;

WHEREAS, Lessor and Lessee entered into a Lease (DC 2015-698) with an effective date of November 20, 2015, covering "Premises" described as:

Approximately Three Thousand One Hundred (3,100) square feet of space located at Deschutes County Department of Community Justice, Juvenile Division (Department), 63360 Britta Street, Building One in the Juvenile Detention Facility (JDF), as follows:

1. Housing Unit 300 common room, classroom, teacher office, program staff office, laundry room, kitchen room, shower rooms, staff bathroom and all youth cells on both floors.
2. Gym space directly adjoining Housing Unit 300.

Lessee shall be entitled to use of: the outdoor recreation space at eastern end of the JDF; the Department's first floor staff entrance to the JDF and the JDF staff lounge; the first floor ancillary staff entrance and designated gym, subject to use liability waivers required prior to gym use; and, the staff entrance and lounge and the first floor public lobby/waiting area. Lessee may request, but is not specifically entitled to, use of second floor conference rooms. Such use must first be obtained and is subject to Community Justice protocols for such use.

WHEREAS, the parties now desire to make changes to the Lease regarding Premises, Rent and Notices;

NOW, THEREFORE, the parties agree that, effective September, 1, 2016, or at the time Housing Unit 500 has occupancy status available, the Lease is hereby amended to read as follows:

Lessor hereby leases to Lessee and Lessee takes for Lessor the "Premises" described as:

PREMISES: Approximately ~~Three Thousand One Hundred (3,100)~~ Six Thousand Two Hundred (6,200) square feet of space located at Deschutes County Department of Community Justice, Juvenile Division (Department), 63360 Britta Street, Building One in the Juvenile Detention Facility (JDF), as follows:

1. Housing Units 300 and 500, common room, classroom, teacher office, program staff office, laundry room, kitchen room, shower rooms, staff bathroom and all youth cells on both floors.
2. Gym space directly adjoining Housing Unit 300.

Lessee shall be entitled to use of: the outdoor recreation space at eastern end of the JDF and the outdoor greenhouse located at the northern side of the JDF; the Department's first floor staff entrance to the JDF and the JDF staff lounge; the first floor ancillary staff entrance and designated gym, subject to use liability waivers required prior to gym use; and, the staff entrance and lounge and the first floor public lobby/waiting area. Lessee may request, but is not

specifically entitled to, use of second floor conference rooms. Such use must first be obtained and is subject to Community Justice protocols for such use.

RENT: Lessee shall pay to Lessor the sum of ~~Three Thousand Two Hundred Fifty Five Dollars (\$3,255)~~ Seven Thousand Fifty-Two Dollars (\$7,052.00) per month for Rent and Utilities, commencing on ~~November 20th, 2015 or date specified in Paragraph 1 above~~ September 1, 2015 or date when Housing Unit 500 has occupancy status available. Rent shall be payable on the first day of the month in advance, without notice or demand at the office of Deschutes County Property & Facilities Department, PO Box 6005, Bend, Oregon 97708-6005, or at such other place as may be designated in writing by Lessor. If the Term does not coincide with the first day of the month, the Rent shall be pro-rated. The Rent payable by Lessee has been established to reflect the savings below market Rent resulting from the exemption from taxation.

NOTICES:

Lessor: Deschutes County Property Management
Attention: ~~Susan Ross~~ James Lewis
14 NW Kearney Avenue
Bend, Oregon 97701
Phone: ~~541-383-6713~~ 385-1414
Email: James.Lewis@deschutes.org

Mail to:
P.O. Box 6005
Bend, Oregon 97708-6005

Except as otherwise provided in this Addendum, the terms and conditions of the original Lease remain in effect.

LESSOR: DATED this ____ day of _____, 2016

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

ALAN UNGER, CHAIR

ATTEST: _____
TAMMY BANEY, VICE CHAIR

Recording Secretary

ANTHONY DEBONE, COMMISSIONER

LESSEE: DATED this ____ day of _____, 2016

J BAR J YOUTH SERVICES

By: _____
Stephanie Alvstad, Executive Director