



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 June 22, 2016

Please see directions for completing this document on the next page.

DATE: June 14, 2016

FROM: James Lewis Property & Facilities 541-385-1414

TITLE OF AGENDA ITEM:

Consideration of Board Signature of Document 2016-429, an addendum to a Lease between Deschutes County as Lessor and Munchkin Manor Childcare and Preschool, as Lessee.

PUBLIC HEARING ON THIS DATE? No

BACKGROUND AND POLICY IMPLICATIONS:

Munchkin Manor has been operating a childcare (daycare) and pre-school within a County owned facility (1130 NW Harriman) for the past 10 years. A new lease became effective on April 1st of this year – the current lease continues to provide the existing space at no cost to the operator as it provides a necessary service to County employees and State employees who are located in County leased office space. A provision of the current and past leases allows Saving Grace (a nonprofit organization) to operate Mary's Place (Mary's Place provides supervised visitation and safe exchanges to families where domestic violence, stalking, sexual assault or child abuse in the context of domestic violence has occurred) during hours that the daycare/preschool are not open. The attached addendum replaces existing language in the lease to better clarify the operator as Saving Grace, the services provided through Mary's Place, and the specific hours of operation. The operation of Mary's Place in this County owned facility is via a separate MOU with Deschutes County that has been in place since 2006.

FISCAL IMPLICATIONS:

There is no charge for this lease or use by Saving Grace (Mary's Place) based on the service and benefit provided to the County and State employees.

RECOMMENDATION & ACTION REQUESTED:

Staff recommends signature of Document 2016-429.

ATTENDANCE: James Lewis

DISTRIBUTION OF DOCUMENTS:

One original to James Lewis for the lessee.

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: 06/14/2016

Department: Property & Facilities

Contractor/Supplier/Consultant Name: Munchkin Manor Childcare and Preschool

Contractor Contact: Suzanne McGuire **Phone #:** 541-610-9672

Type of Document: Lease

Goods and/or Services: N/A

Background & History: Munchkin Manor has been operating a childcare (daycare) and pre-school within a County owned facility (1130 NW Harriman) for the past 10 years. A new lease became effective on April 1st of this year – the current lease continues to provide the existing space at no cost to the operator as it provides a necessary service to County employees and State employees who are located in County leased office space. A provision of the current and past leases allows Saving Grace (a nonprofit organization) to operate Mary's Place (Mary's Place provides supervised visitation and safe exchanges to families where domestic violence, stalking, sexual assault or child abuse in the context of domestic violence has occurred) during hours that the daycare/preschool are not open. The attached addendum replaces existing language in the lease to better clarify the operator as Saving Grace, the services provided through Mary's Place, and the specific hours of operation. The operation of Mary's Place in this County owned facility is via a separate MOU with Deschutes County that has been in place since 2006.

Agreement Starting Date: 07/1/2016

Ending Date: 6/30/2021

Annual Value or Total Payment: No Charge

XX Insurance Certificate Received (check box)

Insurance Expiration Date: 2/20/2017

Check all that apply:

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

Funding Source: (Included in current budget? Yes No

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

6/14/2016

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

Special conditions attached to this grant:

Deadlines for reporting to the grantor:

If a new FTE will be hired with grant funds, confirm that Personnel has been notified that it is a grant-funded position so that this will be noted in the offer letter: Yes No

Contact information for the person responsible for grant compliance: Name:
Phone #:

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

Department Director Approval:  6/14/16
Signature Date

Distribution of Document:
One original to James Lewis for the Lessee

Official Review:

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

Legal Review _____ Date _____

Document Number **2016-429**

REVIEWED

LEGAL COUNSEL

FIRST ADDENDUM TO LEASE

Parties:

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

LESSEE: MUNCHKIN MANOR CHILDCARE AND PRESCHOOL;

WHEREAS, Lessor and Lessee entered into a Lease (DC 2016-144) with an effective date of April 1, 2016, covering space described as Approximately 2,800, square feet of office space, more or less, and approximately 630 square feet of fenced, adjacent outdoor playground area located at 1130 N.W. Harriman, Bend, Oregon 97701, Deschutes County, while also entitled to use of common areas, such as conference rooms, break rooms, and restrooms (the "Premises"); and

WHEREAS, the parties now desire to make changes to the Lease regarding the use of the Premises by the nonprofit organization Saving Grace to operate Mary's Place;

NOW, THEREFORE, the parties agree that, effective July 1, 2016, the Lease is hereby amended to read as follows:

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

4. Use of Premises. Lessee shall use the Premises principally for operation of a childcare center and preschool, together with administrative offices, storage, and other lawful purposes related to the conduct of its childcare center and preschool business, according and subject to the Monthly Tuition Rate Schedule attached as Exhibit A and the Family Handbook attached as Exhibit B. Lessee, its principals or agents shall not use the Premises to operate a business other than that specified in this Lease and shall not use the Premises address as the business or mailing address for any other business than that specified in this Lease without obtaining the Lessor's written consent in advance. In addition, when the premises is not being used for childcare and preschool, Lessee shall allow the nonprofit organization ~~Mary's Place to use the premises for supervised visits and monitored exchanges for parents going through divorce or separation when issues of child custody are involved~~ Saving Grace to use the premises to operate Mary's Place. Mary's Place provides supervised visitation and safe exchanges to families where domestic violence, stalking, sexual assault or child abuse in the context of domestic violence has occurred. Mary's Place operates after 6:00 pm Monday, Thursday and Friday evenings, Saturday from 9:00 am to 6:00 pm, and Sunday from noon to 8:00 pm.

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

SIGNATURES ON FOLLOWING PAGE

LESSOR:

DATED this ____ day of _____, 2016

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

ALAN UNGER, CHAIR

ATTEST:

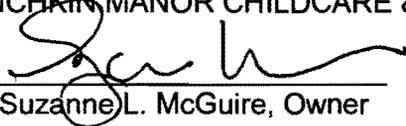
TAMMY BANEY, VICE CHAIR

Recording Secretary

ANTHONY DEBONE, COMMISSIONER

LESSEE:

MUNCHKIN MANOR CHILDCARE & PRESCHOOL

BY: 

Suzanne L. McGuire, Owner

DATED this 15TH day of JUNE, 2016