

W. 9. E. 2.

AGENDA COVER MEMORANDUM

TO: Board of County Commissioners
DEPARTMENT: Lane County Sheriff's Office
PRESENTED BY: David Kemp
SUBJECT: **IN THE MATTER OF APPROVING A LEASE AMENDMENT BETWEEN GARFIELD ASSOCIATES AND LANE COUNTY SHERIFF'S OFFICE AND OREGON STATE POLICE FOR A RADIO TOWER SITE IN THE AMOUNT OF \$17,254.68 FOR 7/1/03-6/30/08**

I. MOTION

MOVE THAT THE BOARD OF COUNTY COMMISSIONERS DELEGATE THE AUTHORITY TO THE SHERIFF AND THE COUNTY ADMINISTRATOR TO SIGN A LEASE AGREEMENT BETWEEN GARFIELD ASSOCIATES AND THE LANE COUNTY SHERIFF'S OFFICE AND THE OREGON STATE POLICE, A SUBDIVISION OF THE STATE OF OREGON.

ISSUE/PROBLEM

Should Lane County Board of Commissioners approve the tower site lease amendment between Garfield Associates, Lane County Sheriff's Office and Oregon State Police.

II. DISCUSSION

A. Background

Garfield Associates is the owner of property and has previously entered into a lease agreement with Lane County Sheriff's Office and Oregon State Police related to use of a radio tower. This agreement expires June 30, 2003. There is an option to renew the previous lease for three (3) additional and successive five-year terms.

The previous rent has been increased to \$6,500 base rent per "Second Amendment to Lease". Then rent increases annually by a fixed rate of 3%.

B. Analysis

The Sheriff's Office and Oregon State Police presently utilize the leased premises for the purposes of constructing, operating and maintaining a radio relay site and uses related thereto including other equipment necessary to law enforcement communications.

Both entities share rent payments, with the County's portion at \$17,254.68 for five (5) years. Both entities wish to exercise the option to renew.

C. Alternatives/Options

1. Adopt the order to approve the lease amendment renewal.
2. Do not approve the order.

D. Recommendations

Recommends Board approval of proposed Board Order.

E. Timing

The current lease expires 6/30/03.

III. IMPLEMENTATION/FOLLOW-UP

None anticipated.

IV. ATTACHMENTS

1. Proposed Board Order No. _____.
2. Second Amendment to lease.

SECOND AMENDMENT TO LEASE

BETWEEN: Garfield Associates

AND: Lane County / Lane County Sheriff's Office, a political subdivision of the State of Oregon and the Oregon State Police, a subdivision of the State of Oregon, hereinafter referred to as LCSO/OSP

EFFECTIVE DATE: June _____, 2003

RECITALS

- A. Garfield Associates and LCSO/OSP entered into that certain Lease Agreement dated July 1, 1993, and as modified by First Amendment to Lease dated June 30, 1999, and hereinafter collectively referred to as the "Lease" for the Leased Premises located in a portion of the NE 1/4 SE 1/4, Section 11, Township 20 South, Range 2 West, Willamette Meridian, in Lane County, Oregon, Eugene, Oregon.
- B. The parties wish to amend the Lease according to the following terms and conditions.

AGREEMENT

- 1. Term: The Lease shall be extended for a five (5) year term commencing July 1, 2003, and expiring June 30, 2008.
- 2. Rental: For the period July 1, 2003, through June 30, 2004, Tenant shall pay an annual rent of \$6,500.00. Thereafter, the rent shall be increased annually beginning July 1, 2004, per Section 5.2 of the Lease.
- 4. Confirmation: All other terms and conditions of the Lease that are not herein changed or modified shall remain unchanged. In the event of a conflict between this Amendment and the original Lease, the provisions of this Amendment shall prevail.

Garfield Associates
PO Box 529
Eugene, OR 97440

Oregon State Police

Lane County Administrator

Lane County Sheriff

IN THE BOARD OF COUNTY COMMISSIONERS OF Lane County, OREGON

ORDER NO.)**IN THE MATTER OF APPROVING A LEASE**
)**AMENDMENT BETWEEN GARFIELD**
)**ASSOCIATES AND LANE COUNTY SHERIFF'S**
)**OFFICE AND OREGON STATE POLICE**
)**FOR A RADIO TOWER SITE IN THE AMOUNT**
)**OF \$17,254.68 FOR 7/1/03-6/30/08**

WHEREAS, the Sheriff's Office and Oregon State Police currently use a radio tower on the property belonging to Garfield Associates, and.

WHEREAS, the Sheriff's Office and Oregon State Police still maintain a need for the radio site, and

WHEREAS, the previous lease agreement expires on 6/30/03, and

WHEREAS, that lease agreement provided an option to renew for three additional five-year terms, and

WHEREAS, the new lease pursuant to this amendment will run from July 1, 2003 to June 30, 2008, and

WHEREAS, the amount of the new lease agreement will be up to \$17,254.68 for 7/1/03 to 6/30/08.

IT IS HEREBY ORDERED that the Board of County Commissioners delegate authority to the County Administrator to execute amendment to the lease agreement with Garfield Associates extending the lease through June 30, 2008 and at a total rental charge for Lane County a not to exceed \$17,254.68.

Signed this day of , 2003

Peter Sorenson, Chair
Board of County Commissioners

