



COUNTY OF SAN DIEGO

AGENDA ITEM

BOARD OF SUPERVISORS

NORA VARGAS
First District

JOEL ANDERSON
Second District

TERRA LAWSON-REMER
Third District

MONICA MONTGOMERY STEPPE
Fourth District

JIM DESMOND
Fifth District

DATE: July 16, 2024

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TO: Board of Supervisors

SUBJECT

GENERAL SERVICES – APPROVAL OF LEASE AMENDMENTS FOR THE DISTRICT ATTORNEY’S OFFICE AND NOTICES OF EXEMPTION (DISTRICTS: 1 & 2)

OVERVIEW

The San Diego County District Attorney’s Office (DAO) is responsible for prosecuting felony crimes committed in San Diego County and misdemeanor offenses that occur outside the City of San Diego. In addition, the District Attorney’s Office provides comprehensive victim services and participates in many crime prevention programs throughout San Diego County, as well as collaborative courts that hold offenders accountable but divert them to programs and treatment that stop the cycle of recidivism.

In support of their efforts, the DAO has two leased facilities that require amendments to continue operations. The first is a lease for their South Bay Office located at 333 H Street in Chula Vista. This lease expired on June 30, 2024, and there are no options to extend the term. The second is a lease for a warehouse located at 1288-1294 Fayette Street in El Cajon. This lease expired on March 31, 2024, and there are no options to extend the term. Both leases are on holdover, which has allowed the County to continue occupancy on a month-to-month basis while amendments were negotiated.

Staff from the Department of General Services have negotiated a third amendment to the lease agreement for the District Attorney’s South Bay Office and a first amendment to the lease agreement for their warehouse at 1288-1294 Fayette Street. Today’s request is for Board of Supervisors approval of the lease amendments and find them exempt from the California Environmental Quality Act.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find the proposed lease amendment for 333 H Street, Chula Vista, is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15301.
2. Approve and authorize the Director, Department of General Services, to execute the proposed lease amendment for the premises located at 333 H Street, Chula Vista.

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3. Find the proposed lease amendment for 1288-1294 Fayette Street, El Cajon, is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines section 15301.
4. Approve and authorize the Director, Department of General Services, to execute the proposed lease amendment for the premises located 1288-1294 Fayette Street, El Cajon.

EQUITY IMPACT STATEMENT

The mission of the District Attorney’s Office (DAO) is to pursue equal and fair justice for all and to build safe neighborhoods, in partnership with the communities it serves. The DAO fulfills its mission by ethically prosecuting those who commit crimes, protecting victims, and preventing future harm. Today’s action will allow the DAO to continue to provide prosecution, prevention, and protection services within the South County region.

SUSTAINABILITY IMPACT STATEMENT

Implementing effective sustainability objectives is crucial to ensuring safe and healthy communities and contributing to the overall success of the region. The approval of the lease is appropriate as it supports the County’s Strategic Initiative of Sustainability to ensure the capability to respond to immediate needs for individuals, families, and the region.

FISCAL IMPACT

333 H Street, Chula Vista (District 1)

Funds for this request are included in the Fiscal Year (FY) 2024-25 Operational Plan for the District Attorney’s Office (DAO). If approved, this request will result in estimated costs and revenue of \$984,179 in FY 2024-25 based on an amendment commencement date of July 1, 2024, with a 3% annual rent adjustment to go into effect July 1, 2025. Funds for the remaining contract term will be included in future years’ operational plans for the DAO. The funding source is existing General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years.

1288-1294 Fayette Street, El Cajon (District 2)

Funds for this request are included in the FY 2024-25 Operational Plan for the District Attorney’s Office. If approved, this request will result in estimated costs and revenue of \$90,148 in FY 2024-25, with a 3% annual rent adjustment to go into effect April 1, 2025. Funds for the remaining contract term will be included in future years’ operational plans for the District Attorney’s Office. The funding source is existing General Purpose Revenue. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ADVISORY BOARD STATEMENT

N/A

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BACKGROUND

333 H Street, Chula Vista (District 1)

On January 30, 2007 (15), the San Diego County Board of Supervisors (Board) approved a new lease agreement for approximately 24,853 square feet of office space located at 333 H Street in Chula Vista, for the District Attorney’s South Bay Office. The new location provided a larger space to handle an increased caseload and meet projected staffing requirements. The South Bay Office is located directly north of the South County Superior Court.

The lease for the District Attorney’s South Bay Office expired on June 30, 2024, and there are no options to extend the term. The lease is on holdover which has allowed County to continue occupancy on a month-to-month basis while a lease amendment was negotiated. Staff from the Department of General Services have negotiated a lease amendment that will extend the term five years and provide one five-year option to further extend the term.

Details of the proposed lease amendment are provided below:

LEASE PROVISION	EXISTING LEASE	PROPOSED LEASE AMENDMENT
LESSOR	Gateway Chula Vista 2, LLC	U.S. Bank National Association
PREMISES	24,853 square feet located on the fourth floor	No change
TERM	17 years	22 years total
OPTIONS TO EXTEND	None remaining	One five-year option to extend the term
RENT ADJUSTMENTS	3% Annually	No change
EARLY TERMINATION	None remaining	No early termination
UTILITIES	Lessor pays	No Change
MAINTENANCE	Lessor pays	No Change
CUSTODIAL	Lessor pays	No Change
MONTHLY OCCUPANCY COST	<i>Current Costs</i>	<i>Costs for year 18 of Term</i>
Rent	\$77,679.74 (\$3.13/sq. ft.)	\$82,014.90 (\$3.30/sq. ft.)
Utilities	-	-
Maintenance	-	-
Custodial	-	-
TOTAL OCCUPANCY COST PER MONTH	\$77,679.74 (\$3.13/sq. ft.)	\$82,014.90 (\$3.30/sq. ft.)

1288-1294 Fayette Street, El Cajon (District 2)

On April 1, 2019, County of San Diego (County) entered into a lease agreement for approximately 5,430 square feet of warehouse space located at 1288-1294 Fayette Street, El Cajon, for use by the

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District Attorney’s office. The lease was approved administratively by the Director, Department of General Services. The warehouse is used for storage. The lease expired on March 31, 2024, and has been on holdover which has allowed County to continue occupancy on a month-to-month basis as additional time was needed to negotiate a lease amendment. Staff from the Department of General Services have negotiated a lease amendment that will extend the term five years. Board of Supervisors (Board) approval of the proposed amendment is required since the term extends beyond existing administrative approval authority of five years.

Details of the proposed lease amendment are provided below:

LEASE PROVISION	EXISTING LEASE	PROPOSED LEASE AMENDMENT
LESSOR	1250 Fayette, LLC	No change
PREMISES	5,430 square feet	No change
TERM	Five years	10 years total
OPTIONS TO EXTEND	None	None
RENT ADJUSTMENTS	3% Annually	No change
EARLY TERMINATION	None	No change
UTILITIES	County pays any overage above \$9.56/month.	Lessor pays
MAINTENANCE	Lessor pays	No change
CUSTODIAL	County pays	No change
MONTHLY OCCUPANCY COST		
Rent	\$4,091.65	\$6,787.50 (as of April 1, 2024)
Utilities	-	-
Maintenance	-	-
Custodial	-	-
TOTAL OCCUPANCY COST PER MONTH	\$4,091.65 (\$0.75/sq. ft.)	\$6,787.50 (\$1.25/sq. ft.)

ENVIRONMENTAL STATEMENT

The proposed lease amendment for 333 H Street, Chula Vista, is categorically exempt from environmental review pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines because it involves amending an existing lease for use of an existing building, involving negligible or no expansion of the existing use.

The proposed lease amendment for 1288-1294 Fayette Street, El Cajon, is categorically exempt from environmental review pursuant to Section 15301 of the California Environmental Quality

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Act (CEQA) Guidelines because it involves amending an existing lease for use of an existing building, involving negligible or no expansion of the existing use.

LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

Today’s proposed action to approval lease amendments for the District Attorney’s Office supports the Justice initiative in the County of San Diego’s 2024-2029 Strategic Plan by supporting programs that work to ensure a fair and equitable justice system in the defense and prosecution of crimes.

Respectfully submitted,



EBONY N. SHELTON
Chief Administrative Officer

ATTACHMENT(S)

Attachment A: Notice of Exemption – 333 H Street, Chula Vista

Attachment B: Notice of Exemption – 1288-1294 Fayette Street, El Cajon