

RESOLUTION NO. _____

County of Sonoma
Santa Rosa, CA 95403

Dated: _____

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, DECLARING INTENT TO ENTER INTO A SECOND AMENDMENT TO LEASE FOR APPROXIMATELY 3,029 SQ. FT. OF WAREHOUSE SPACE, LOCATED AT 3343 INDUSTRIAL DRIVE, UNIT 3, SANTA ROSA, CALIFORNIA.

WHEREAS, the County of Sonoma, a political subdivision of the State of California ("County") and Albert Bianchi and Linda Chambers Bianchi, as Trustees of the Bianchi Family Trust – 1991, u/t/a dated June 28, 1991 ("Landlord"), entered into that certain Lease dated May 1, 2002 ("Lease"), for premises located at 3343 Industrial Drive, Unit 3, Santa Rosa, California, consisting of approximately three thousand twenty-nine (3,029) square feet of warehouse space ("Premises"); and

WHEREAS, on October 30, 2002, County exercised its first option to extend the term of the Lease for one (1) additional year; and

WHEREAS, on December 8, 2003, County exercised its second option to extend the term of the Lease for one (1) additional year; and

WHEREAS, on April 5, 2005, County and Landlord entered into that certain First Amendment to Lease, to further extend the initial term, and provide for three (3) additional extension options; and

WHEREAS, on October 4, 2005, County exercised its first of three (3) additional options to extend the term of the Lease for one (1) year; and

WHEREAS, on October 12, 2006, County exercised its second of three (3) additional options to extend the term of the Lease for one (1) year; and

WHEREAS, as on July 18, 2007, County exercised its third of three (3) additional options to extend the term of the Lease for one (1) year; and

WHEREAS, the term of the Lease expired on April 30, 2009 and there are no options remaining to extend the term of the Lease; and

WHEREAS, Landlord and Tenant desire to modify and amend the Lease in order to (i) extend the term; (ii) provide for additional extension options; (iii) specify rental payments; and (iv) modify certain other provisions thereof; and

WHEREAS, Landlord and Tenant have reached tentative agreement as to the terms and conditions for such an amendment and have reflected same in a Second Amendment to Lease ("Second Amendment"); and

WHEREAS, Government Code Section 25350 requires this Board to publish a notice of its intention to amend the Lease for the Premises for three (3) successive weeks before consummation of the Second Amendment.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Sonoma does hereby find, determine, declare, and order as follows:

1. Verification of Recitals. All of the foregoing recitals are true and correct.

2. Intention to Enter into the Second Amendment. The Board of Supervisors hereby expresses its intention to authorize the execution of the Second Amendment whereby: (i) the term of the Lease will be extended until April 30, 2010; (ii) the rent will remain the same at the current monthly rental amount of Two Thousand Three Hundred Thirty-Two and 33/100 Dollars (\$2,332.33) per month, subject to increase as set forth in the Second Amendment; (iii) Landlord will provide three (3) options to extend the term of the Lease for one (1) year each in accordance with the terms of the Second Amendment; and (iv) other terms and conditions of the Lease will be modified as more particularly set forth in the Second Amendment.

3. Publication of Notice. This Board hereby directs the Clerk of the Board to publish a Notice of Intention to amend the Lease for the Premises in accordance with Government Code Section 25350 and 6063.

WHEREFORE, this Resolution is passed, approved and adopted this 23rd day of June, 2009 by the following vote:

SUPERVISORS:

Brown	Kerns	Zane	Carrillo	Kelley
Ayes	Noes	Abstain	Absent	

SO ORDERED.