

County Of Sonoma Agenda Item Summary Report

Clerk of the Board Use Only
Meeting Date **Held Until**
 / / / /
Agenda Item No: **Agenda Item No:**
 _____ _____

Department: General Services

4/5 Vote Not Required

Contact:
Mike Wagner

Phone:
(707) 565-2463

Board Date:
10/20/2009

Deadline for Board Action:

AGENDA SHORT TITLE: Second Amendment to License Agreement for Community Child Care Council of Sonoma County, Inc. (4C's).

REQUESTED BOARD ACTION: Resolution authorizing the General Services Director, or his Deputy, to execute a Second Amendment to the License Agreement with the Community Child Care Council of Sonoma County, Inc., to extend the license term for an additional three years, increase the annual consideration, and to execute future amendments and other documents.

CURRENT FISCAL YEAR FINANCIAL IMPACT

EXPENDITURES:

ADDITIONAL FUNDS REQUIRING BOARD APPROVAL:

Estimated Cost	\$0	Contingencies	\$0
		(Fund Name:)	
Amount Budgeted	\$0	Unanticipated Revenue	\$0
		(Source:)	
Other Available Appropriations	\$0	Other Transfers	\$0
(Explain Below)		(Source:)	
Additional Requested	\$0	Additional Funds Requested	\$0

Explanation (if required): The license agreement generates \$1,350.00 in consideration per month, or \$16,200 per year. The proposed amendment would provide an annual 4% increase to monthly consideration for the license renewal period. .

Prior Board Action: None.

Alternatives – Results of Non-Approval: If the amendment is not executed: 1) the Community Child Care Council may not continue to operate its child care center at the County Administration Center, which is centrally located for County employees and the general public; and 2) County may lose the revenue stream generated by the license agreement.

Background:

General. In October, 2001, County executed a license agreement (“Agreement”) with Community Child Care Council of Sonoma County, a California non-profit corporation (“4C’s”), to use a portion of real property located at 2614 Paulin Drive, Santa Rosa (“Premises”), for the purpose of operation of a child care facility, the Paulin Creek Child Development Center (“Paulin Creek”), for the benefit of children of County employees and the general public. The Agreement expires on September 30, 2009, and 4C’s wishes to extend the term. There are no immediate plans for County use of the Premises. In the event a County need arises, the Agreement may be terminated (see below).

Sublicense with Sonoma County Legal Services Foundation. The Sonoma County Legal Services Foundation (“S.C.L.S.F.”) partners with the 4C’s, to facilitate parent-child visitations at the Premises. On April 15, 2009, a Memorandum of Understanding agreement (“M.O.U.”) was executed between 4C’s and S.C.L.S.F. to allow S.C.L.S.F. to use the Premises on weekends only, to facilitate supervised visitations between children and their parents. The M.O.U. provides that a Visitation Supervisor be present at all times during these parent-child visitations. The M.O.U., which is subordinate to the License Agreement between the County and 4C’s, expires on June 30, 2010.

Proposed License Amendment. The Real Estate Division has negotiated a second amendment to the Agreement, the proposed terms of which are as follows:

- Term: Extended three (3) years until September 30, 2012.
- Annual Consideration: Increased from \$1,350 per month to \$1,404 for the period of October 1, 2009 through September 30, 2010; subject to 4% annual increases thereafter.
- Termination: County may terminate the Agreement for cause, or for no cause, upon sixty (60) days prior written notice to 4C’s.

Public Interest. Government Code Section 26227 allows the County Board of Supervisors to make available to a public agency, nonprofit corporation, or nonprofit association any real property of the County which is not and, during the time of possession, will not be needed for County purposes in order to carry out programs that are necessary to meet the social needs of the County and the general public. Staff suggests that the operation and location of the Paulin Creek Child Development Center at 2614 Paulin Drive serves public purposes, because it provides child care services to the general public, which meets the social needs of the population of Sonoma County, in the areas of safety and welfare needs of youth, and its centralized location at the County Administration Center is convenient for County employees and the general public. There is no other proposed use for the Premises at this time.

Recommendation. Staff recommends that the Board adopt the attached Resolution, authorizing the General Services Director, or his Deputy, to execute the Second Amendment to License Agreement with the Community Child Care Council of Sonoma County to extend the license term for an additional three years, and increase the annual consideration, and 2) to execute future amendments and other documents.

Attachments: Resolution.

On File With Clerk: Copy of proposed amendment; copy of M.O.U.

CLERK OF THE BOARD USE ONLY

Board Action (If other than “Requested”)	Vote: