

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
BOARD ACTION SUMMARY

DEPT: Chief Executive Office

BOARD AGENDA #: \*B-10

AGENDA DATE: August 30, 2016

**SUBJECT:**

Approval to Negotiate and Execute a Month-to-Month Lease Agreement with Impact Modular, For the Use of a Modular Building Located at 812 12th Street, Modesto, California, for the Homeless Engagement Team, Effective September 1, 2016

**BOARD ACTION AS FOLLOWS:**

No. 2016-457

On motion of Supervisor Withrow, Seconded by Supervisor O'Brien  
and approved by the following vote.

Ayes: Supervisors: O'Brien, Chiesa, Withrow, DeMartini, and Chairman Monteith

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1)  Approved as recommended

2)  Denied

3)  Approved as amended

4)  Other:

MOTION:

ATTEST:

  
ELIZABETH A. KING, Clerk of the Board of Supervisors

File No.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
AGENDA ITEM**

DEPT: Chief Executive Office

BOARD AGENDA #: \*B-10

Urgent  Routine

AGENDA DATE: August 30, 2016

CEO CONCURRENCE:



4/5 Vote Required: Yes  No

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**SUBJECT:**

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**STAFF RECOMMENDATIONS:**

1. Approval to negotiate and execute a lease agreement with Impact Modular, for the use of a modular building located at 812 12<sup>th</sup> Street, Modesto, CA, for the Homeless Engagement Team, effective September 1, 2016 on a month-to-month basis and not to exceed six months.
2. Authorize the Purchasing Agent or his designee to sign the lease agreement on behalf of Stanislaus County.

**DISCUSSION:**

The Board of Supervisors launched the Focus on Prevention countywide initiative with the aim to improve the quality of life for all Stanislaus residents and families through coordinated prevention efforts that work across multiple sectors. These sectors include arts, entertainment and sports; business; education; faith; government; healthcare; media; non-profits; neighborhoods; and philanthropy. The Focus on Prevention has emerged into a shared community vision and foundation for ongoing transformation and culture change that will lead to tangible improvements in the lives of Stanislaus County residents. To begin this journey, the Stewardship Council identified preventing and reducing homelessness as the initial area of focus, and convened a Homelessness Action Council (HAC) to develop results, indicators, and strategies to guide this effort.

The Focus on Prevention Homelessness Action Council has been meeting since May 2015 to address the issues and needs of the homeless in our community. A key recommendation is the development of a homelessness services one-stop access center. County Leadership staff has initiated discussions with the City of Modesto and Salvation Army to co-locate a temporary, pilot center on City of Modesto property adjacent to the Salvation Army's shelter on the corner of D Street and 9th Street. The preliminary conversations have identified a modular building, currently located adjacent to the Jail in downtown Modesto, as a potential facility to house the one-stop access center. The building was previously occupied by Behavioral Health and Recovery Services, and is ideally structured for a potential access center.

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The City of Modesto is developing a recommendation for the City Council to fund the cost of purchasing the modular building. However, the process to secure the funding is anticipated to conclude in November 2016. The County negotiated with Impact Modular, the owner of the modular building, to keep the building at its current location cost-free for the months of July and August, as the County and City of Modesto determined if the building will fit the needs of this project. Given that the City of Modesto may not be able to secure the funds until November 2016, the CEO's Office is requesting authority to expend Focus on Prevention Funding to pay for a month-to-month lease starting in September and for no more than six months or until the City of Modesto can purchase the building in November or December 2016. During the time the City is securing funding for the purchase, the newly formed Engagement Team will begin using the space to meet and coordinate weekly outreach and engagement activities. The Engagement team is a collaborative of multiple programs and community partners that have agreed to coordinate homelessness outreach and engagement efforts. Additionally, Impact Modular agreed to apply payments made through this agreement to the price of the modular at the point of purchase.

The six month period of County support for the modular building lease will provide funding until the City of Modesto can assume the building, and allow the outreach team to begin to coordinate weekly activities starting in September. During this time, City and County Staff will work closely with the Homeless Action Council and Stewardship Council to fully develop the concept and plan for a one-stop Homeless Access Center which may include a request for funding for costs related to operations or site development. This plan will be brought back to the Board of Supervisors for consideration in October of 2016.

**POLICY ISSUE:**

The Board of Supervisors' authorization is requested to allow the Purchasing Agent to enter a month-to-month lease, not to exceed six months, with Impact Modular.

**FISCAL IMPACT:**

The County's lease commitment for this modular building is \$1,296 per month, or \$7,776 for the maximum six month period. Sufficient appropriations and estimated revenues are available within the 2016-2017 Adopted Proposed Budget for CEO - Focus on Prevention to support this lease, with no resulting additional impact to the County General Fund.

<b>Cost of recommended action:</b>	\$	7,776
<b>Source(s) of Funding:</b>		
CEO - Focus on Prevention	7,776	
<b>Funding Total:</b>	\$	7,776
<b>Net Cost to County General Fund</b>	\$	-

<b>Fiscal Year:</b>	2016-2017
<b>Budget Adjustment/Appropriations needed:</b>	<b>No</b>

**Fund Balance as of**

Approval to Negotiate and Execute a Month-to-Month Lease Agreement with Impact Modular, For the Use of a Modular Building Located at 812 12th Street, Modesto, California, for the Homeless Engagement Team, Effective September 1, 2016

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**BOARD OF SUPERVISORS' PRIORITY:**

This recommended action supports the Board of Supervisors' priorities of A Healthy Community and Effective Partnerships by providing a modular building to support the Homeless Engagement Team and potential for a Homeless Access Center supported by the City of Modesto, the Homeless Stewardship Action Council, the Community and the County.

**STAFFING IMPACT:**

Existing staff in the Chief Executive Office, Community Services Agency and Behavioral Health and Recovery Resources will collaborate with community partners to support the Homeless Engagement Team and planning for a Homeless Access Center.

**CONTACT PERSON:**

Ruben Imperial, Community Development and Empowerment Manager  
(209) 525-6333

**ATTACHMENT(S):**

None

**FIRST AMENDMENT TO EQUIPMENT LEASE**

This Amendment No.1 to the Equipment Lease Agreement ("Amendment No. 1") by and between the County of Stanislaus ("County") and Impact Modular, Leasing Incorporated, a Nevada corporation ("Lessor") is made and entered into on \_\_\_\_\_, 2016.

WHEREAS, the County and Consultant entered into an Equipment Lease Agreement for a licensed Commercial Modular, dated May 3, 2013, ("the Agreement"); and

WHEREAS, Paragraph 13 of the Agreement provides for the Agreement to be amended, modified, changed, added or subtracted from by mutual consent of both parties; and

WHEREAS, the parties wish to amend the terms of payment to allow the County the option to purchase the modular; and.

NOW THEREFORE, the parties hereby agree to amend the Agreement as follows:

1. Paragraph 2 - Payments is amended to add the following:


"2.6. Option to Purchase: Effective six (6) months from the date of this Amendment, the County has the option to purchase the Equipment for \$98,000.00 less six (6) months of lease payments. Upon completion of the Option to Purchase, the Lease shall be terminated."

2. All other terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this First Amendment effective as of the \_\_\_\_\_ day of \_\_\_\_\_, 2016.


**COUNTY OF STANISLAUS**  
Chief Executive Office

**LESSOR**  
Impact Modular Leasing, Incorporated

By:   
Patricia Hill Thomas, Chief Operations Officer  
Assistant Executive Officer

By 2/16/17

APPROVED AS TO FORM:  
John P. Doering, County Counsel

By:   
Thomas E. Boze, Assistant County Counsel

**FIRST AMENDMENT TO EQUIPMENT LEASE**

This Amendment No.1 to the Equipment Lease Agreement ("Amendment No. 1") by and between the County of Stanislaus ("County") and Impact Modular, Leasing Incorporated, a Nevada corporation ("Lessor") is made and entered into on 9/9, 2016.

WHEREAS, the County and Consultant entered into an Equipment Lease Agreement for a licensed Commercial Modular, dated May 3, 2013, ("the Agreement"); and

WHEREAS, Paragraph 13 of the Agreement provides for the Agreement to be amended, modified, changed, added or subtracted from by mutual consent of both parties; and

WHEREAS, the parties wish to amend the terms of payment to allow the County the option to purchase the modular; and.

NOW THEREFORE, the parties hereby agree to amend the Agreement as follows:

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2. All other terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this First Amendment effective as of the 9<sup>th</sup> day of September, 2016.

**COUNTY OF STANISLAUS**  
Chief Executive Office

By: *Patricia Hill Thomas*  
Patricia Hill Thomas, Chief Operations Officer  
Assistant Executive Officer

**LESSOR**  
Impact Modular Leasing, Incorporated

By: *Robert Cronin*

APPROVED AS TO FORM:  
John P. Doering, County Counsel

By: \_\_\_\_\_  
Thomas E. Boze, Assistant County Counsel