

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY  
AND RECORD OF ACTION**

June 28, 2022

**FROM**

**TERRY W. THOMPSON, Director, Real Estate Services Department  
THOMAS W. SONE, Public Defender**

**SUBJECT**

Amendment to Lease Agreement with Vanderbilt Property, LLC for Office Space for the Public Defender in San Bernardino

**RECOMMENDATION(S)**

Approve **Amendment No. 1** to Lease **Agreement No. 19-698** with Vanderbilt Property, LLC to reflect a change of property ownership from Vicky L. Thomas, Trustee of the Vicky L. Thomas Trust dated February 7, 2007, to Vanderbilt Property, LLC and update standard lease agreement language for approximately 17,504 square feet of office space located at 412 West Hospitality Lane for the Public Defender in San Bernardino at no cost.  
(Presenter: Terry W. Thompson, Director, 387-5000)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Operate in a Fiscally-Responsible and Business-Like Manner.  
Provide for the Safety, Health and Social Service Needs of County Residents.**

**FINANCIAL IMPACT**

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost) as there is no cost to San Bernardino County (County) associated with this amendment to reflect a change of property ownership and update standard lease agreement language.

**BACKGROUND INFORMATION**

The recommended action will amend an existing lease to reflect a change of property ownership from Vicky L. Thomas, Trustee of the Vicky L. Thomas Trust dated February 7, 2007 (Thomas) to Vanderbilt Property, LLC (Vanderbilt) and update standard lease agreement language.

On October 22, 2019 (Item No. 34), the Board of Supervisors (Board) approved Lease Agreement, No. 19-698, with Thomas for a five-year term with one two-year extension option, for approximately 17,504 square feet of office space located at 412 West Hospitality Lane in San Bernardino. The original term of the lease was projected to be for the period of November 12, 2019 through November 11, 2024.

The Real Estate Services Department (RESD) was notified on April 11, 2022, that Vanderbilt had acquired ownership of the property from Thomas. Amendment No. 1 to Lease Agreement No. 19-698 reflects a change in property ownership from Thomas to Vanderbilt and updates standard lease agreement language. To facilitate the administration of the lease, the

**Amendment to Lease Agreement with Vanderbilt Property, LLC for  
Office Space for the Public Defender in San Bernardino  
June 28, 2022**

amendment also permits the RESD Director to execute future amendments to the lease that solely reflect a successor landlord following a sale of the property and assignment of the lease. All other terms and conditions of the lease remain unchanged.

Staff has reviewed the recommended action pursuant to the California Environmental Quality Act (CEQA) and has determined that it does not constitute a project. Accordingly, no further action is required under CEQA.

**Summary of Lease Terms**

Lessor:	Vanderbilt Property LLC (Jon Alberon, Managing Member)
Location:	412 West Hospitality Lane, San Bernardino
Size:	17,504 square feet
Term:	Existing term expires on November 11, 2024
Options:	One two-year option to extend the term
Annual Increases:	Approximately 2%
Improvement Costs:	None
Custodial:	Provided by Lessor
Maintenance:	Provided by Lessor
Utilities:	Provided by Lessor
Insurance:	The Certificate of Liability Insurance, as required by the lease, is on file with RESD
Right to Terminate:	County has the right to terminate with 90-days' notice at any time after November 11, 2021
Parking:	Sufficient for County needs

**PROCUREMENT**

On October 22, 2019 (Item No. 34), the Board approved Lease Agreement No. 19-698 for a five-year term with one two-year extension option, for 17,504 square feet of office space located at 412 West Hospitality Lane in San Bernardino, which was procured according to County Policy 12-02 – Leasing Privately Owned Real Property for County Use (Policy). The procurement process required by the Policy does not apply to amendments of existing leases, provided the amendment does not exceed the maximum term (including options) of the lease.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Agnes Cheng, Deputy County Counsel, and Dawn Martin, Deputy County Counsel, 387-5455) on June 3, 2022; Public Defender (Diana Lovelace, Chief of Administration, 382-7651) on May 5, 2022; Purchasing (Bruce Cole,

**Amendment to Lease Agreement with Vanderbilt Property, LLC for  
Office Space for the Public Defender in San Bernardino  
June 28, 2022**

Supervising Buyer, 387-2148) on May 27, 2022; Finance (Kathleen Gonzalez, Administrative Analyst, 387-5412, and Carl Lofton, Administrative Analyst, 387-5404) on June 8, 2022; and County Finance and Administration (Diana Atkeson, Deputy Executive Officer, 387-4376) on June 9, 2022.

(PN: 677-8321)

**Amendment to Lease Agreement with Vanderbilt Property, LLC for  
Office Space for the Public Defender in San Bernardino  
June 28, 2022**

Record of Action of the Board of Supervisors  
San Bernardino County

**APPROVED (CONSENT CALENDAR)**

Moved: Janice Rutherford Seconded: Col. Paul Cook (Ret.)  
Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Joe Baca, Jr.  
Absent: Curt Hagman

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: June 28, 2022



cc: RESD- Thompson w/agree  
Contractor- C/O RESD w/agree  
File- w/agree  
LA 07/15/2022