



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: September 20, 2016

Subject: Termination of Lease - 1352 Fitzuren Road, Antioch

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to terminate a lease dated February 1, 2016, between the County and Ron Scheile for real property located at 1352 Fitzuren Road, Antioch. AUTHORIZE County Counsel to pursue legal action to regain possession of the property.

FISCAL IMPACT:

Flood Control Drainage Area 55, Fund 7579 will no longer receive rent under the lease in the amount of \$700 per month.

BACKGROUND:

The County and Ron Scheile (Tenant) entered into a lease in June 2010, under which Tenant leased from the County approximately 25,000 square feet of land to operate a vehicle storage business. In February 2016, the County and the Tenant entered into the current lease.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **09/20/2016** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Federal D. Glover, District V Supervisor

ABSENT: Mary N. Piepho, District III Supervisor
Karen Mitchoff, District IV Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: September 20, 2016

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Chris Heck, Deputy

Contact: Julin Perez-Berntsen, (925)
313-2010

cc:

BACKGROUND: (CONT'D)

In August 2016, the County was contacted by a Code Enforcement Officer from the City of Antioch. The officer indicated that the City had received one or more complaints about people living in recreational vehicles that are parked on the property. The lease does not allow the property to be used for this purpose. In addition, the lease does not allow the Tenant to assign or sublease the property. On August 18, 2016, the County received a notice of violations from the City.

Under the terms of the lease, the County may terminate the lease by giving a 30-day notice to the Tenant. Staff recommends terminating the lease. In addition, staff recommends that County Counsel be given authority to pursue legal action in the event that the Tenant, and anyone else claiming an interest in the property, fails to surrender possession of the property by the end of the 30-day period.

CONSEQUENCE OF NEGATIVE ACTION:

Failure to terminate the lease and regain possession of the property could result in continued use of recreational vehicles as residences.