

**TO THE HONORABLE BOARD OF COMMISSIONERS OF BERRIEN COUNTY, MICHIGAN:** Your County Administration Committee respectfully recommends the adoption of the following

**RESOLUTION**

**WHEREAS**, the Berrien County Board of Commissioner approved resolutions A1911335 and P1911340 on November 21, 2019 thereby ratifying Grant Number 2020-107 between Berrien County and the MIDC, and authorized a complement change to the Public Defender's Office in conformance with this grant; and

**WHEREAS**, the current Public Defender's Office at 100 Church St, St. Joseph is currently overcrowded which reduces staff efficiency and poses a safety risk, and is, therefore, totally inadequate to accommodate any additional personnel, and additional space is required for approximately ten fulltime personnel in close proximity to the Jail, Trial Court, and Public Defender's Office; and

**WHEREAS**, the building at 100 Church St will remain the primary office of the Public Defender and the only location other than the two Courthouses and Jail where clients and attorneys will meet; and

**WHEREAS**, Grant Number 2020-107 includes adequate funding for the lease, relocation, and equipping of additional office space.

**WHEREAS**, Fiskars Properties, Inc. has proposed to lease and supplemental agreement to provide Berrien County approximately 3,505 sq. ft. of space at \$15.00/sq. ft./year plus natural gas and electricity, along with a Common Area Maintenance (CAM) of \$3.90/sq. ft./year (adjustable annually) for three years; and

**WHEREAS**, for the first 24 months there will be an additional amount of \$1,833.21 per month added to the lease to recover the cost of the required improvements to the property; and

**WHEREAS**, this agreement shall have two options to renew for three years each; and

**WHEREAS**, this Lease may be terminated if the Public Defender's Office ceases to exist or the funding by the State is no longer adequate for the Office.

**WHEREAS**, this Lease and Supplemental Agreement has been reviewed by Corporate Counsel.

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the Berrien County Board of Commissioners approves this three year lease agreement with Fiskars Properties, Inc. beginning on or about January 1, 2020, for approximately 3,505 sq. ft. of space for an annual amount of \$88,243 for the first two years, and approximately \$66,245 per year for year three and thereafter, if renewed, subject to adjustment.

**BE IT FURTHER RESOLVED** that the Chairman, Berrien County Board of Commissioners is authorized to execute said Lease agreement and Supplemental Agreement on behalf of the Board.

**RESPECTFULLY SUBMITTED**  
**BERRIEN COUNTY ADMINISTRATION COMMITTEE**

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Jim Curran, Chair

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Michael J. Majerek, Vice Chair

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Don Meeks

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Chris Heugel

RESOLUTION APPROVED AS TO FORM	
Adopted on <u>12/12/19</u>	Date <u>12/14/19</u>
Comments Attached _____	
Corporate Counsel _____	Date _____