



County Executive Office

Memorandum

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CLERK OF THE BOARD
ORANGE COUNTY
BOARD OF SUPERVISORS

June 21, 2006

To: Bill Campbell, Chairman
From: Thomas G. Mauk, County Executive Officer *TGM*
Subject: Exception to the Rule 21

S106E

The County Executive Office is requesting a supplemental for the June 27, 2006 Board Hearing Meeting

Subject: Data Center Rent Refunds.
District: All

Reason for supplemental: Necessity to comply with contract requirements.

Concur:

Bill Campbell

Bill Campbell, Chairman
Orange County Board of Supervisors

cc: Rob Richardson
Assistant to the County Executive Officer

**SUPPLEMENTAL AGENDA ITEM
AGENDA STAFF REPORT**

SLOVE



ASR Control

MEETING DATE: 06/27/06
LEGAL ENTITY TAKING ACTION: Board of Supervisors
BOARD OF SUPERVISORS DISTRICT(S): All Districts
SUBMITTING AGENCY/DEPARTMENT: County Executive Office
DEPARTMENT CONTACT PERSON(S): M. E. Fuelleman 834-6804

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SUBJECT: Data Center Rent Refunds.

CEO CONCUR
TGM

COUNTY COUNSEL REVIEW

CLERK OF THE BOARD
Discussion

Budgeted: N/A **Current Year Cost:** N/A **Annual Cost:** N/A
Staffing Impact: N/A **# of Positions:** **Sole Source:** N/A
Current Fiscal Year Revenue: N/A
Funding Source: N/A

Prior Board Action: L.A. County Data Center Lease 7/26/05

RECOMMENDED ACTION(S)

1. Authorize CEO/IT to issue refunds for portions of pre-paid Data Center rent to ACS State and Local Solutions.
2. Direct the Auditor-Controller to make such refunds upon authorization of the CEO or designee.

SUMMARY:

In 2000 the County entered into an agreement with Lockheed Martin, now ACS State and Local Solutions, for the lease of certain portions of the Data Center. Lease payments are made annually by ACS but the County may, at its option, use some or all of the ACS leased space for its own purposes. CEO/IT requests authority for the Auditor-Controller to refund portions of the pre-paid rent to ACS, based on the terms and conditions of Agreement N10000003198 with ACS, as requested by CEO/IT.

BACKGROUND INFORMATION:

On November 1, 2000 the County entered into an Agreement (N10000003198) with Lockheed Martin, now ACS State and Local Solutions, for the lease of excess floor space at the County's Data Center. The entire annual lease amount is due and payable by ACS to the County on July 1 of each contract year. The Agreement specifies that the County may at its discretion assume occupancy of some or all of the leased space. The Agreement states that the prorated value of that space will be credited to ACS on a monthly basis as the County continues its occupancy.

In August 2005 the Board of Supervisors approved a three-year lease of Data Center floor space between the County of Orange and the County of Los Angeles. In that contract Los Angeles agreed to lease approximately 1,700 square feet of Data Center space with an option to lease an additional 600 square feet. The area represented in the lease with Los Angeles County was relinquished by ACS at that time but their rent was paid to the County in July 2005.

Pursuant to Board of Supervisors Resolution 75-413 and Government Code Section 26906, the Auditor-Controller may only refund monies inadvertently deposited into the County Treasury. The requested rent refunds to ACS are planned to occur monthly and their value may change over time as the County develops longer-term plans for the Data Center.

CEO/IT requests authority to issue monthly refunds to ACS for prepaid rent for Data Center space which is being used by the County and for the Board to provide direction to the Auditor-Controller to make such refunds upon authorization of the CEO or designee.

FINANCIAL IMPACT:

N/A

STAFFING IMPACT:

N/A

REVIEWING AGENCIES:

Auditor-Controller

EXHIBIT(S):

N/A

ATTACHMENT(S):

N/A