



COUNTY OF SONOMA

575 ADMINISTRATION
DRIVE, ROOM 102A
SANTA ROSA, CA 95403

SUMMARY REPORT

Agenda Date: 5/21/2024

To: Sonoma County Board of Supervisors

Department or Agency Name(s): Public Infrastructure

Staff Name and Phone Number: Johannes J. Hoevertsz, 707-565-2550

Vote Requirement: Majority

Supervisory District(s): All

Title:

Second Reading and Adoption of an Ordinance Amending Article XVII of Chapter 2, Section 2-172 of the County Code.

Recommended Action:

Adoption of an Ordinance amending County of Sonoma Article XVII of Chapter 2, Section 2-172 "Excluded Leases or Licenses" which will re-authorize delegation of authority to Directors of Public Infrastructure, Regional Parks, and the Airport Manager to execute leases and licenses, as landlord or licensor, for County owned facilities valued at less than \$10,000/month and for a term up to ten (10) years, including renewals. This ordinance shall be effective for a period not to exceed five (5) years. (Second Reading)

Executive Summary:

California Government Code Section 25537 authorizes Counties to adopt alternative procedures for leasing and licensing of County-owned real property. Included in the authority is an exception to the normally required bidding procedure for leases and licenses below term and monthly rent limits. While adhering to bidding requirements has significant benefits when applied to larger and high value properties, the administrative costs associated with applying this policy to low value properties can exceed the value of the lease or license. Adoption by your Board of the proposed Ordinance would extend the existing delegated authority to the Directors of Public Infrastructure, Regional Parks, and the Airport Manager to execute leases and licenses for County-owned property. The proposed Ordinance was introduced on May 14, 2024, on the regular agenda, and is before your Board today for adoption. If adopted, the Ordinance will become effective on June 20, 2024.

Discussion:

Pursuant to Government Code Section 25537, the County previously adopted Section XVII of Chapter 2, Section 2-172 "Excluded Leases or Licenses" of the County Code to delegate to the Directors of General Services, Sonoma County Regional Parks, and Transportation and Public Works, as well as the Airport Manager, the authority to execute leases and licenses for County-owned property, below specified rent and term limit thresholds in accordance with Section 25537. That delegated authority will expire on December 12, 2024. Pursuant to the proposed amendment to Article XVII of Chapter 2, Section 2-172, the new delegation will be in effect for 5 years after adoption of this Ordinance.

Government Code Section 25537 continues to allow any county Board of Supervisors to delegate to county officer(s) the authority to execute leases and licenses for a period of up to ten (10) years and having a monthly rent not exceeding an amount approved by local ordinance or \$10,000 per month if there is no ordinance. The Sonoma Public Infrastructure Department, with the support of the Regional Parks Department, the Airport Manager and County Counsel recommend that the Board adopt an ordinance amending Section 2-172 of the County Code to extend the delegated authority to enter into certain leases and licenses of County-owned property and to amend titles of the County officers who retain this authority .

The proposed amendment of Section 2-172 would extend for five (5) years the existing delegated authority to the Director for all County properties and the Directors of Public Infrastructure and Regional Parks and the Airport Manager for properties they manage, to enter into agreements for leases and licenses, having a monthly rent not exceeding \$10,000 per month, and for a term up to ten (10) years, including renewals. Leases and licenses that exceed the delegated authority described above will continue to be subject to approval by the Board of Supervisors and applicable public bidding procedures. A list of current contracts in place under this authority is attached.

The recommended action is to adopt the currently proposed ordinance amending Article XVII of Chapter 2, Section 2-172 "Excluded Leases or Licenses", attached as Attachment 1 to further extend the authorization through June 20, 2029.

Strategic Plan:

N/A

Racial Equity:

Was this item identified as an opportunity to apply the Racial Equity Toolkit?

No

Prior Board Actions:

05/14/24 – First Reading of an Ordinance amending Article XVII of Chapter 2, Section 2-172 of the County Code, to extend for a period not to exceed 5 years, re-authorizing delegation of authority to certain Department Heads to execute leases and licenses of County-owned property valued at less than \$10,000/month and for a term up to 10 years, including renewals.

11/12/19 – Board action to pass and adopt the Ordinance introduced on 11/5/19, at regular session, on regular roll call on a 5-0 vote, in form of Ordinance 6293, which became effective December 12, 2019.

11/5/19 – Pursuant to Summary Report Item #4, the Board adopted a resolution introducing, reading the title of, and waiving further reading of an Ordinance 6293 of the County of Sonoma amending Article XVII of Chapter 2, Section 2-172 "Excluded Leases or Licenses" which will re-authorize delegation last provided under Ordinance 6087 for similar purposes.

10/28/14 – Board action to pass and adopt the Resolution heard on 10/21/14, at regular session, on regular roll call on a 5-0 vote, in form of Ordinance 6087, which became effective November 27, 2014.

10/21/14 – Introduction of Resolution urging Board to adopt a Resolution of The Board of Supervisors of The County of Sonoma, State of California, reading the title, and waiving further reading of, and introduce for adoption, an ordinance of the County of Sonoma amending Article XVII of Chapter 2 of the County Code to re-

authorize and expand delegation of authority for Department Heads to execute certain leases and licenses valued at less than \$10,000/month and for a term of less than 10 years.

11/14/90 – Board Resolution 90-2125 delegating to Director of General Services authority to lease certain real property for use by the County.

FISCAL SUMMARY

Expenditures	FY 23-24 Adopted	FY 24-25 Projected	FY 25-26 Projected
Budgeted Expenses			
Additional Appropriation Requested			
Total Expenditures			
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other			
Use of Fund Balance			
Contingencies			
Total Sources			

Narrative Explanation of Fiscal Impacts:

There is no direct fiscal impact associated with this Board Item.

Narrative Explanation of Staffing Impacts (If Required):

None

Attachments:

- 1 – Ordinance
- 2 – List of Contracts

Related Items “On File” with the Clerk of the Board:

None