



COUNTY OF SONOMA

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

SUMMARY REPORT

Agenda Date: 8/13/2024

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

Supervisorial District(s): First

Title:

UC Master Gardener Amendment to License of Garden Area at County's Los Guilicos Campus

Recommended Action:

- A) Authorize the Director of Sonoma County Public Infrastructure to execute the proposed Amendment to the existing License Agreement with The Regents of the University of California, for the UC Master Gardner Program to expand the area of the licensed Premises on Pythian Road at the County's Los Guilicos campus and extend the 5-year License term to a potential 12-year term.
- B) Find that the subject agreement is in the public interest and that the use of the subject Los Guilicos facilities under the agreement will not substantially conflict or interfere with County use.
- C) Direct Public Infrastructure to initiate analysis of requirements/encumbrances including an easement in perpetuity placed on the County for a potential grant provided by the Sonoma County Agricultural Preservation and Open Space District to the UC Master Gardener Program to fund improvements for the licensed premises.

(First District)

Executive Summary:

The Director of Sonoma County Public Infrastructure (SPI) is requesting Board approval of the proposed Amendment to the License agreement with The Regents of the University of California ("UC"). If approved, the Amendment will expand the existing UC Master Gardener's garden area on Pythian Road at the County's Los Guilicos campus from approximately 36,000 square feet to approximately 201,380 square feet. In addition, the Amendment will extend the current 5-year License initial term (scheduled to expire February 29, 2028), to a 7-year initial term expiring February 28, 2030, with a potential automatic extension for an additional five years.

Under the Amendment, no rent will continue to be charged for any of the Premises area, the expanded Premises will be accepted "as is", and the County will not be responsible for any Premises utilities, maintenance, improvements, repairs, or security. The proposed Amendment will enable UC Master Gardener to make use of additional underutilized land at the Los Guilicos campus and provide benefit to the County and public through UC Master Gardener's garden renovation, maintenance, and propagation activities, public educational workshops, plant sales to the public, and Licensee's Master Gardener Program member meetings.

Public Infrastructure staff have been informed by staff from the Sonoma County Agricultural Preservation and Open Space District and the UC Master Gardener Program that the UC Master Gardener is seeking grant funding from the District to fund improvements to UC Master Gardener's licensed premises at the County's Los Guilicos campus. Further analysis will need to be conducted by County staff of all grant requirements/encumbrances that would be imposed on County land at Los Guilicos as part of the District's funding agreement, including an easement placed in perpetuity by the Sonoma County Agricultural Preservation and Open Space District.

Discussion:

On February 28, 2023, the Board approved a 5-year license agreement for approximately 36,000 square feet of vacant former garden area that included an unmaintained greenhouse building located at the southeast portion of the County's Los Guilicos campus, with the land to be used by UC Master Gardener for their hoop houses they were relocating from the North County Detention Facility, as well as garden propagation activities, education and plant sales to the public.

Since 2023, UC Master Gardener has made substantial improvements to the Premises at its sole expense.

In March 2024, representatives of the UC Master Gardener Program contacted Public Infrastructure staff requesting that the License be amended to expand their Premises and extend the term of the Agreement. The proposed Amendment will make use of underutilized/undeveloped land at the Los Guilicos campus and provide benefit to the County and public through UC Master Gardener's garden renovation, maintenance, propagation activities, public educational workshops, plant sales to the public, and Licensee's Master Gardener Program ("MGP") member meetings. The expansion area consists of disturbed, unimproved land at the Los Guilicos campus.

License. The proposed Amendment would contain the following key provisions:

1. Expand the area of the licensed Premises from approximately 36,000 square feet to approximately 201,380 square feet.
2. Extend the existing 5-year License term two additional years to a 7-year term, with a 5-year extension option.
3. Affirmative requirements to map utilities, provide specified upgrades, and meet other conditions should UC improve the Premises with any parking or gate access.
4. UC will continue to accept its Premises "as is", and will be solely responsible, including any cost or expense, for Premises' utilities, maintenance, improvements, repairs, and security.
5. All other terms of the existing License agreement will remain unchanged, including no rent or other license charges, and the right of either party to terminate the Agreement for any reason whatsoever upon one hundred eighty (180) days prior written notice to the other party.

Project Costs and Construction Schedule.

None

Procedural Authority. If in the public interest and if the use will not interfere with County’s use of the subject property, Government Code section 25526.6 allows the County to license, or allow use of County real property by any public agency, on terms and conditions as determined by the County. Here, the Amendment with UC will make available unused land at the Los Guilicos campus that is not needed for County purposes and provide benefit to the County and public through UC Master Gardener’s improvements, garden propagation activities, and educational programs.

Strategic Plan:

This item directly supports the County’s Five-year Strategic Plan and is aligned with the following pillar, goal, and objective.

Pillar: Organizational Excellence

Goal: Goal 1: Strengthen operational effectiveness, fiscal reliability, and accountability

Objective: Objective 1: Align the Board of Supervisor’s strategic priorities, policy, and operational goals with funding and resources.

Racial Equity:

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

No

Prior Board Actions:

02/28/23 – Authorize Public Infrastructure Director to execute License between the County of Sonoma (“Licensor”) and the Regents of the University of California (“Licensee”), to allow UC Regent’s Master Gardener Program use of a 36,000 square foot portion of the County’s Los Guilicos Campus for a term of 5 years for garden renovation, maintenance, and propagation activities, public educational workshops, plant sales to the public, and Master Gardener Program member meetings.

FISCAL SUMMARY

Expenditures	FY 24-25 Adopted	FY 25-26 Projected	FY 26-27 Projected
Budgeted Expenses	\$0	\$0	\$0
Additional Appropriation Requested			
Total Expenditures	\$0	\$0	\$0
Funding Sources			
General Fund/WA GF			
State/Federal			
Fees/Other			

Use of Fund Balance			
Contingencies			
Total Sources	\$0	\$0	\$0

Narrative Explanation of Fiscal Impacts:

There are no direct fiscal impacts from this Board Item. UC Master Gardener will not be charged rent or any license fee and will be solely responsible, including any cost or expense, for Premises' utilities, maintenance, improvements, repairs, and security.

Narrative Explanation of Staffing Impacts (If Required):

None

Attachments:

Amendment between County of Sonoma as Licensor and the UC Master Gardener as Licensee

Related Items "On File" with the Clerk of the Board:

License between County of Sonoma as Licensor and the UC Master Gardener as Licensee