

ORDINANCE NO. _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING CHAPTER 2 OF THE SONOMA COUNTY CODE TO REVISE THE PROCEDURES FOR SELLING, LEASING AND LICENSING REAL PROPERTY

The Board of Supervisors of the County of Sonoma, State of California, ordains as follows:

SECTION I. Article XVII, Section 172 of Chapter 2 of the Sonoma County is hereby amended to read as follows:

Sec. 2-172. - Excluded leases or licenses.

(a) Authority. The Board of Supervisors authorizes (1) for all county property, the ~~G~~eneral ~~S~~ervices ~~D~~irector; (2) for ~~c~~County property managed by the ~~R~~egional ~~P~~parks ~~D~~epartment, the ~~R~~egional ~~P~~parks ~~D~~irector; (3) for county property managed by the Sonoma County Airport, the ~~A~~irport ~~M~~anager; and (4) for county property managed by the ~~D~~epartment of ~~T~~ransportation and ~~P~~ublic ~~W~~orks ~~and transportation~~, including Sonoma County Airport property, the ~~D~~irector of ~~T~~ransportation and ~~P~~ublic ~~W~~orks ~~and transportation~~ (hereinafter collectively referred to as "~~D~~irectors" or singularly as "~~D~~irector"), to negotiate and execute, on behalf of the county, in a form approved by ~~C~~ounty ~~C~~ounsel, leases or licenses where the actual monthly rental of the executed lease or license shall not exceed ten thousand dollars (\$10,000.00) and the term of the executed lease or license, including any renewal term(s), shall not exceed a cumulative total of ten (10) years. During the term of such lease or license, each Director shall have authority, as to those leases or licenses he or she is authorized to execute hereunder, to enforce the provisions of those leases or licenses on behalf of the county, including, without limitation, the right to terminate, authorize tenant improvements, and withhold deposit funds, provided that the ~~D~~irector determines, upon consultation with ~~C~~ounty ~~C~~ounsel, that such remedies are in the best interest of the ~~C~~ounty and are otherwise consistent with the provisions of the lease or license.

(b) Nothing in this Section 2-172 shall be construed to authorize a ~~D~~irector to make county real property available at less than market rate to any person or entity without a determination by the board of supervisors pursuant to applicable law, including but not limited to a determination that the program to be supported by such consideration is necessary to meet the social needs of the population of the county and that the county property is not and, during the time of possession, will not be needed for county purposes, in accordance with Government Code section 26227.

(c) Notice. Notice for excluded leases or licenses shall be provided in accordance with Government Code § 25537.

(d) In accordance with Government Code section 25537, the authority granted by this article to each ~~D~~irector shall expire on ~~November 27, 2019~~ December 12, 2024. Upon the expiration of this article, each ~~D~~irector shall submit to the board a summary report of the property interests leased or licensed under this authority.

SECTION II. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION III. This ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage and shall be published as follows: either (1) once in its entirety before the expiration of fifteen (15) days after its passage, or (2) a summary shall be published once at least five (5) days before proposed date of passage and a summary published once within fifteen (15) days after the date of passage. All publications shall include the names of the Supervisors voting for or against the same, in *The Press Democrat*, a newspaper of general circulation published in the County of Sonoma, State of California, and the Clerk of the Board shall post in the office of the Clerk, a certified copy of the full text of this ordinance along with the names of those Directors voting for or against the Ordinance.

In regular session of the Board of Supervisors of the County of Sonoma introduced on the 5th day of November, 2019, and finally passed and adopted this 12th day of November, 2019, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

Rabbitt: _____ Zane: _____ Gorin: _____ Gore: _____ Hopkins: _____

AYES _____ NOES _____ ABSTAIN _____ ABSENT _____

WHEREUPON, the Chair declared the above and foregoing ordinance duly adopted and

SO ORDERED.