



SUMMARY REPORT

Agenda Date: 11/2/2021

To: Sonoma County Board of Supervisors

Department or Agency Name(s): General Services and Transportation & Public Works

Staff Name and Phone Number: Caroline Judy, 707-565-8058 / Johannes Hoevertsz, 707-565-3585

Vote Requirement: Majority

Supervisorial District(s): Fourth

Title:

Amendment of License Agreement for the Windsor Chamber of Commerce, 9001 Windsor Road, Windsor

Recommended Action:

- A) Authorize the General Services Director to execute the second amendment to the license agreement between the County, the Town of Windsor, and the Windsor Chamber of Commerce & Visitors Center, for the Chamber's use of office space at the Windsor Depot, located at 9001, Windsor Road, Windsor, to renew the agreement and extend the term through August 2022 provide certain extension options,; and to revise the monthly rent.
- B) Authorize the General Services Director to execute future amendments and associated documents required for administration of the agreement, in consultation with County Counsel, which are consistent with the essential terms of the original agreement and do not extend the term of the agreement.
- C) Make findings as required by Section 26227 of the Government Code that the agreement, as amended, is necessary to meet the social needs of the population of the County and that the County does not need the subject premises during the extended term of the agreement.

Executive Summary:

This matter involves a license agreement with the Windsor Chamber of Commerce & Visitors Center, for use of County-owned office space in the Windsor Depot located at 9001 Windsor Road, in Windsor. In addition to Chamber services, the Chamber provides transit information and related services to visitors and residents of Sonoma County at the office location. The amendment would, among other things, extend the term of the license through August 2022 and provide for options to extend through August 2027.

Discussion:

Background for License Agreement with the Windsor Chamber of Commerce. In September 2004, the County, the Town of Windsor (Town), and the Sonoma-Marin Area Rail Transit District (SMART) entered into a 20-year cooperative use agreement (Cooperative Agreement) for the development, maintenance and use of a commuter park & ride lot and transit passenger building, known as the Windsor Intermodal Transportation Facility (the Project), on land owned by SMART, located at the intersection of Windsor River Road and Windsor Road in Windsor, CA. In accordance with the Cooperative Agreement, the County and the Town of Windsor jointly own the Project land, property improvements, and the Project facilities, except for the SMART-owned right-of-way.

As permitted under the Cooperative Agreement, in August 2007, the County and the Town of Windsor

executed a license agreement with the Windsor Chamber of Commerce & Visitors Center (Chamber), to provide the Chamber with 1,639 sq. ft. of office space, located within the Windsor Depot transit building, at 9001 Windsor Road, Windsor (Depot Premises).

Consistent with the Cooperative Agreement, the Chamber uses the office space to provide general transit information and sale of County Transit and other applicable transit passes to citizens and visitors to Sonoma County. In addition to providing the services noted, the Chamber pays monthly rent, subject to 4% annual increases. Rent proceeds are collected by Sonoma County Transit and are used to support the maintenance and upkeep of the Windsor Intermodal Facility.

The license expired on August 15, 2021, and the Chamber is holding over month-to-month, pending approval of the proposed amendment. Staff has negotiated an extension of the Chamber agreement, with the following terms:

Term: Extended through August 15, 2022. The amendment provides five, 1-year extensions for a total term extension through August 15, 2027.

Rent: \$1,125 per month, with 4% annual increases.

Additional

Use: In addition to being required to provide general transit information and selling Sonoma County Transit and other applicable transit passes to the general public, the Chamber will be allowed to sell products (i.e., clothing, mugs, magnets, etc.) to promote local Sonoma County tourism, businesses and hospitality.

Public interest. Government Code Section 26227 allows the board of supervisors to contract with and make real property available to other public agencies and nonprofits to operate those programs which the board of supervisors determines will service public purposes. The Chamber license agreement will continue to serve the social needs of the population of the County, as the Chamber provides pertinent transit information and sells transit and other applicable passes to the general public, and the Depot Premises provides office space for the Chamber to conduct its operations for the benefit of the general public. The County has no foreseeable need to use the Depot Premises for its own purposes.

Prior Board Actions:

09/15/12 Authorized the General Services Director to execute first amendment

06/11/07 Declared intent to enter into original license agreement

FISCAL SUMMARY

Expenditures	FY 21-22 Adopted	FY22-23 Projected	FY 23-24 Projected
Budgeted Expenses	13,507	14,057	14,609
Additional Appropriation Requested			
Total Expenditures	13,507	14,057	14,609
Funding Sources			
General Fund/WA GF	13,507	14,057	14,609

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State/Federal			
Fees/Other			
Use of Fund Balance			
Contingencies			
Total Sources	13,507	14,507	14,609

Narrative Explanation of Fiscal Impacts:

The recommended action authorizes the Director of General Services to execute an amendment to the license agreement between the County and the Town of Windsor, with the Windsor Chamber of Commerce & Visitors Center for the Chamber’s use of office space, located within the Windsor Depot, at 9001, Windsor Road, Windsor to extend the term through August 2026; provide five, 1-year options, for a total term through August 2031; and to redefine the rent (\$1,125 per month; \$13,507 per year), with 4% annual increases. The funding described above was included in the Transportation & Public Works Fiscal Year 2021-22 Adopted Budget. The rent proceeds received from the Chamber will be used by TPW to support the maintenance and upkeep of the Windsor Intermodal facility.

Staffing Impacts:				
Position Title (Payroll Classification)	Monthly Salary Range (A-I Step)		Additions (Number)	Deletions (Number)

Narrative Explanation of Staffing Impacts (If Required):

None.

Attachments:

Attach 1 - Copy of proposed amendment

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

None.