



Board Agenda Item 37

DATE: March 24, 2020

TO: Board of Supervisors

SUBMITTED BY: Robert W. Bash, Director of Internal Services/Chief Information Officer

SUBJECT: Adoption of Ordinance to Amend Section 4.04.025 of the Ordinance Code of Fresno County to authorize the County Administrative Officer or the Director of ISD/Chief Information Officer to execute leases and licenses of real property with private entities or governmental agencies which the County may require, in accordance with Government Code section 25350.51

RECOMMENDED ACTION(S):

Conduct second hearing and adopt an amendment to Section 4.04.025 of Chapter 4.04 of the Ordinance Code of Fresno County (the “Ordinance Amendment”). The proposed Ordinance Amendment would rename Section 4.04.025, and authorize the County Administrative Officer or Director of Internal Services/Chief Information Officer to approve and execute leases and licenses of real property with private entities or governmental agencies which the County may require, in accordance with Government Code section 25350.51.

On March 10, 2020, your Board conducted the first hearing to amend County Ordinance Section 4.04.0252, to authorize the County Administrative Officer (CAO) or the Director of Internal Services/Chief Information Officer (ISD Director) to negotiate and execute in the name of the County, as lessee, all leases and licenses of real property with private entities or governmental agencies which the County may require, subject to the provisions prescribed in Government Code Section 25350.51. This is a change from prior County policy, which required any agreements with governmental agencies to be approved by the Board. Pursuant to the requirements of Government Code section 25350.51, these leases and licenses shall be of a duration not exceeding five years, and have an estimated monthly rental not exceeding seven thousand, five hundred dollars (\$7,500). This item is countywide.

ALTERNATIVE ACTION(S):

If the recommended actions are not approved by your Board, all leases and licenses of real property owned by governmental agencies will continue to come to your Board for approval and execution, and the ISD Director will not be authorized by ordinance to approve and execute these leases and licenses.

FISCAL IMPACT:

There is no fiscal impact as a result of the recommended action.

DISCUSSION:

County Ordinance Code Section 4.04.025 currently authorizes the CAO to execute all leases and licenses which the County may require, subject to the provisions of Government Code section 25350.51.

The recommended Ordinance Amendment amends Section 4.04.025 to additionally authorize the ISD Director to approve and execute leases or licenses of real property which the County may require. The Board of Supervisors previously authorized the ISD Director to execute these leases and licenses on August 9, 2011, by Agenda Item 34.

This Ordinance Amendment also authorizes the CAO/ISD Director to approve and execute leases or licenses of real property with private entities or governmental agencies, with the County as lessee. This is a change from prior County policy, which required any agreements with governmental agencies to be approved by the Board. The recommended amendment will expedite leasing and licensing of locations for conducting elections, and entering into leases and licenses with local, State, and Federal Agencies.

All leases or licenses entered into pursuant to Section 4.04.025 must be of a duration not exceeding five years, and have an estimated monthly rental not exceeding seven thousand, five hundred dollars (\$7,500). The County must post notice of intention to consummate the lease or license at the Hall of Records, Plaza Building and the site of the lease for five working days, as required by Government Code Section 25350.51, prior to approving and executing a lease or license pursuant to Section 4.04.025.

The recommended Ordinance Amendment will also rename County Ordinance Code Section 4.04.025 "Lease and license of any real property for use by county," to better reflect the content of the section.

REFERENCE MATERIAL:

BAI #15, March 10, 2020

ATTACHMENTS INCLUDED AND/OR ON FILE:

Ordinance

CAO ANALYST:

Yussel Zalapa