

1 informal bidding procedures set forth in Section 13.28.020 above. If excluded from these bidding
2 procedures, the lease or license shall be let pursuant to this section.

3 B. The county administrative officer, or his/her designee, shall negotiate in the name of the county
4 as lessor or licensor of the excluded lease or license. Notice of the letting of the lease or license
5 shall be provided pursuant to Government Code Section 25537(b) and (d). The term of the
6 executed lease or license shall not exceed five (5) years and shall not be renewable. The actual
7 monthly rental set forth in the executed lease or license shall not exceed five thousand dollars
8 (\$5,000) per month.

9 C. A lease or license of county real property of a duration not exceeding ten (10) years and having
10 an estimated monthly rental not exceeding thirty-five thousand dollars (\$35,000) may be
11 excluded from the formal bidding procedures of Government Code Sections 25526 et seq. and
12 Section 25537(a), as well as the informal bidding procedures set forth in Section 13.28.020
13 above, so long as the County is entering into the lease or license to enable the lessee or
14 licensee to provide a service to, or for the benefit of, the County, the state, or any local public
15 agency. Unless partnering with a governmental agency, there shall be a demonstration that rates
16 the County is charging are market rates, and if the County is leasing, there shall be a
17 demonstration that the market can support the agreed upon lease based upon the area and
18 condition of the building. Notice of the letting of the lease or license shall be provided pursuant to
19 Government Code Section 25537(b). The term of the executed lease or license shall not exceed
20 ten (10) years and shall not be renewable. The actual monthly rental set forth in the executed
21 lease or license shall not exceed thirty-five thousand dollars (\$35,000) per month. A lease or
22 license entered into pursuant to this Section 13.28.030(C) must be approved and executed by
23 the board of supervisors.

24
25 **Section 3.** That Section 13.28.040 of the Ordinance Code of the County of Fresno is hereby amended
26 to read as follows:

27 **13.28.040 - Authority to execute lease and licenses.**
28

1 A. The county administrative officer, or his/her designee is authorized to approve and execute
2 leases and licenses let pursuant to Sections 13.28.020 and 13.28.030(A) and (B) above. Such
3 authority shall expire on December 31, 2023.

4 B. The county administrative officer, or his/her designee, shall provide written notice to the
5 supervisor for the district in which the county real property proposed to be leased or licensed is
6 located, as required by Government Code Section 25537(c)(3), prior to approving and executing
7 a lease or license pursuant to Sections 13.28.030(A) or (B). Such written notice is deemed
8 received upon personal delivery to the supervisor's office or three days after mailing, postage
9 paid, in the U.S. mail. If the supervisor objects in writing to the proposed lease or license within
10 fifteen working days of receipt of the notice, the lease or license shall be submitted for approval
11 by the board of supervisors at a regular meeting.

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13 Section 2: This ordinance shall take effect thirty (30) days after final passage.

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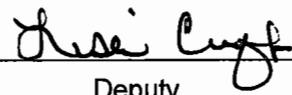
THE FOREGOING was passed and adopted by the following vote of the Board
of Supervisors of the County of Fresno this 8th day of January, 2019, to wit:

AYES: Supervisors Magsig, Mendes, Pacheco, Quintero
NOES: None
ABSENT: None
ABSTAINED: None
VACANT: District 2



Nathan Magsig, Chairman of the Board of
Supervisors of the County of Fresno

ATTEST:
Bernice E. Seidel
Clerk of the Board of Supervisors
County of Fresno, State of California



Deputy