

ATTACHMENT E

RESOLUTION OF THE BOARD OF SUPERVISORS OF ORANGE COUNTY, CALIFORNIA

March 10, 2020

WHEREAS, Government Code section 25350.51 provides that a county board of supervisors may authorize by resolution a county official to lease real property for use by the county or to obtain the use of real property for the county by license for a term not to exceed five years and for a rental not to exceed ten thousand dollars (\$10,000) per month; and

WHEREAS, Section 25350.51 also provides that a county board of supervisors may authorize by resolution a county official to amend said real property leases or licenses for improvements or alterations, or both, with a total cost not to exceed ten thousand dollars (\$10,000), provided that the amendment does not extend the term of the lease or license beyond the maximum term authorized pursuant to Government Code section 25350.51, and that no more than two amendments, not to exceed ten thousand dollars (\$10,000) each, are made within a 12-month period; and

WHEREAS, Section 25350.51 also provides that a notice of intention to consummate said lease or license must be posted in a public place for five working days prior to consummation of the lease or license, describing the property proposed to be leased or licensed, the terms of the lease or license, and any county officer authorized to execute the lease or license.

NOW, THEREFORE, BE IT RESOLVED that:

1. The Board hereby delegates to the Chief Real Estate Officer, County Executive Office, or designee, the authority to:
 - a. Negotiate and execute acquisition leases and licenses of real property for use by the County of Orange or Orange County Flood Control District (“Acquisition Lease or License”) for a term not to exceed the maximum set forth in Government Code section 25350.51, including indemnification when necessary.

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Said Acquisition Lease or License shall not exceed a total cost of ten thousand dollars (\$10,000) per month for all rental charges and associated occupancy costs.

- b. Determine the fair market rent or license fee for said Acquisition Lease or License.
 - c. Make monetary amendments, upon approval by County Counsel, to said Acquisition Lease or License for improvements and/or alterations to the leased or licensed premises provided that:
 - i. No more than two amendments are made within a 12-month period; and
 - ii. Each amendment does not exceed ten thousand dollars (\$10,000); and
 - iii. The amendment(s) does not extend the term of the Acquisition Lease or License beyond the maximum term authorized pursuant to Government Code section 25350.51.
 - d. Make non-monetary amendments, upon approval by County Counsel, to said Acquisition Lease or License provided that:
 - i. The amendment does not expand County's or District's initial liability;
 - ii. The amendment does not extend the term of said Acquisition Lease or License beyond the maximum term authorized pursuant to Government Code section 25350.51.
 - e. Execute all other related documents necessary to finalize said Acquisition Lease or License.
2. Notice of intention to consummate said Acquisition Lease or License shall be posted in a public place for five working days prior to consummation of the Acquisition Lease or License. The notice shall describe the property proposed to be leased or licensed, the terms of the Acquisition Lease or License, and any county officer authorized to execute the Acquisition Lease or License.


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3. The Manager, CEO/Risk Management is authorized to modify or waive requirements for insurance in the Acquisition Lease or License if the Manager, CEO/Risk Management deems such insurance, or any portion thereof, unnecessary to adequately protect the County's or District's interest with respect to the proposed use of and activities on and about said property.
4. The Chief Real Estate Officer, or designee, shall submit to the Board an annual report of the leases and/or licenses executed pursuant to this Resolution.
5. The Chief Real Estate Officer, or designee, executing said Acquisition Lease or License, shall provide a notice to the supervisory district office in which the property proposed to be leased or licensed is located at least five (5) working days prior to execution of the Acquisition Lease or License. The notice shall describe the name of the County agency or department that will occupy or use the property, the property proposed to be leased or licensed, the terms of the lease or license, and the use for which the property is being acquired. If the supervisory district office does not respond in writing objecting to the proposed lease or license within five (5) working days after the notice has been provided, the proposed lease or license shall be deemed approved by the supervisory district office. If the supervisory district office objects to the proposed lease or license in writing within five (5) working days, the lease or license may be amended in coordination with such supervisory district or may be submitted for approval by the Board of Supervisors at a regular meeting.

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The foregoing was passed and adopted by the following vote of the Orange County Board of Supervisors Acting as the Board of Supervisors and the Orange County Flood Control District, on March 10, 2020, to wit:

AYES: Supervisors: LISA A. BARTLETT, ANDREW DO, DONALD P. WAGNER
DOUG CHAFFEE, MICHELLE STEEL
NOES: Supervisor(s):
EXCUSED: Supervisor(s):
ABSTAINED: Supervisor(s):




CHAIRWOMAN

STATE OF CALIFORNIA)
)
COUNTY OF ORANGE)

I, ROBIN STIELER, Clerk of the Board of Orange County, California, hereby certify that a copy of this document has been delivered to the Chair of the Board and that the above and foregoing Resolution was duly and regularly adopted by the Orange County Board of Supervisors, Acting as the Board of Supervisors and Orange County Flood Control District.


IN WITNESS WHEREOF, I have hereto set my hand and seal.





ROBIN STIELER
Clerk of the Board
County of Orange, State of California

Resolution No: 20-016
Agenda Date: 03/10/2020
Item No: 14

 I certify that the foregoing is a true and correct copy of the Resolution adopted by the Board of Supervisors, Acting as the Board of Supervisors and Orange County Flood Control District, Orange County, State of California

Robin Stieler, Clerk of the Board of Supervisors
By: _____
Deputy