



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 3/20/2018

Agenda Placement: 10A

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors

FROM: Steven Lederer - Director of Public Works
Public Works

REPORT BY: Liz Habkirk, Deputy Dir. of PW-Gen Services - 259-8321

SUBJECT: Adoption of a Resolution delegating Authority to the County Executive Office for the approval of certain real estate transactions

RECOMMENDATION

Director of Public Works requests adoption of a resolution delegating authority to execute space license agreements and lease agreements to the County Executive Officer consistent with the authorization permitted in Government Code Section 26227.

EXECUTIVE SUMMARY

The County regularly enters into space licenses and lease agreements with other public agencies, private entities including non-profits and individuals that operate programs that serve a public purpose and often benefit the County's own operations and program delivery. Government Code Section 26227 authorizes the County to make real property available to these entities and allows the Board of Supervisors to delegate this authority to staff. Adoption of this resolution will allow County staff to more efficiently manage the space license and lease agreement process by delegating this approval authority to the County Executive Officer.

PROCEDURAL REQUIREMENTS

1. Staff Reports
2. Public Comment
3. Motion, second, discussion and vote on the item.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

The County regularly enters into space licenses and lease agreements with other public agencies, private entities including non-profits and individuals that operate programs that serve a public purpose and often benefit the County's own operations and program delivery. In 2017, Public Works staff brought thirty-nine (39) space license and lease agreement items to the Board of Supervisors. This represents significant staff time for the Public Works Department, County Executive Office and County Counsel. Additionally, the requirement to bring these items to the Board of Supervisors meetings limits the flexibility in initiating these space licenses and agreements and can delay the availability of community programs to the public.

Government Code Section 26227 authorizes the County to make real property available to these agencies and allows the Board of Supervisors to delegate this authority to staff. Today's action would utilize this authorization and delegate this authority to the County Executive Officer. Agreements would continue to be recommended for approval by the Public Works Department, reviewed and approved by Risk Management and approved to form by County Counsel, as they are currently. However, the delegation to the County Executive Officer would allow staff to more efficiently manage the space license and lease agreement process.

For space licenses or leases with private entities not meeting the requirements of Government Code Section 26277 or where the use of the property does not represent a public purpose, staff would continue to bring those agreements to the Board of Supervisors for consideration and authorization.

SUPPORTING DOCUMENTS

A . Resolution

CEO Recommendation: Approve

Reviewed By: Bret Prebula