

***.**
***.ord
00/00/00



ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 3.08 LEASES OF COUNTY PROPERTY

THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO ORDAINS AS FOLLOWS:

Section 1. Chapter 3.08 entitled "Leases of County Property" of Title 3 of the El Dorado County Ordinance Code is hereby amended to read as follows:

Chapter 9.08 – Leases of County Property

Sec. 3.08.010. – Purpose.

This chapter is intended to prescribe a procedure alternative to that required by Government Code §§ 25526 through 25535 for the leasing of County property as authorized in Government Code § 25537.

Sec. 3.08.020. – Procedure.

Except as provided in this chapter, if the Board of Supervisors determines to lease real property belonging to the County pursuant to this chapter, a call for bids shall be posted in at least three public places in the County for not less than 15 days, and published for not less than two weeks in a newspaper of general circulation in the County. The Board of Supervisors shall accept the highest proposal for the proposed lease or may, in its discretion, reject all bids. The notice given pursuant to this section shall generally describe the property proposed to be leased, set forth in general terms the minimum lease price and other terms and conditions, shall notify any interested person that further information is available at the office of the assistant to the Board, and shall specify the closing date for acceptance of proposals and the date on which the Board will determine to accept the highest proposal or reject all proposals. All proposals shall be made as sealed bids. The Board shall set a date beyond which proposals will not be accepted and a date for a hearing to determine whether to accept the highest proposal or to reject all proposals.

Sec. 3.08.021. – Property exempted from competitive bidding requirements.

In addition to any other procedures otherwise provided by law, the following lease categories are exempt from the public bidding requirements of this chapter.

- A. Any property or lease interest therein owned by the County, together with any or all improvements thereon, may be leased by the County without compliance with the formal bidding procedures required by Government Code §§ 25526 through 25535; provided that such leases shall not be for a period exceeding five years in duration and shall not exceed an estimated \$1,000.00 monthly rental value. If a lease is entered into by the County pursuant to the authority granted in this section, the actual monthly rental in the executed lease shall not exceed \$1,000.00 per month, the term of the executed lease shall not exceed a period of five years' duration, and the lease shall not be renewable.
- B. Except as provided in C. below, leaseholds for any airport purposes, including, but not limited to, the use or servicing of aircraft, provided that said airport leases awarded without public bidding shall receive an affirmative four-fifths Board of Supervisors vote as authorized by Government Code § 25536 or any successor statute. Airport leases shall not exceed 50 years in duration and are not subject to the non-bid lease restrictions of Subsection A of this section and State law.
- C. Delegating Lease or License Authority for Airport Purposes.
 - 1. Notwithstanding Subsection B, above, the following categories of leases and licenses for airport purposes may be executed without compliance with the formal bidding procedures required by Government Code §§ 25526 through 25535:
 - a. The County of El Dorado Airport Director may execute temporary use agreements, airport ground leases, and County-owned hangar leases for use of the Placerville or Georgetown Airport, subject to approval by County Counsel as to form. The County of El Dorado Airport Director shall comply with the notice requirements established in Government Code § 25537, as it now reads or may thereafter be amended.
 - b. The County of El Dorado Airport Director or his/her designee may execute tiedown agreements for use of the Placerville or Georgetown Airport, subject to approval by County Counsel as to form. The County of El Dorado Airport Director or his/her designee shall comply with the notice requirements established in Government Code § 25537, as it now reads or may thereafter be amended.
 - 2. The authority granted under this Subsection C is limited to a lease or license for airport purposes that does not exceed ten years in duration, it is nonrenewable, and the monthly rental amount does not exceed \$10,000.00.
 - 3. The delegation of authority granted under this Subsection C shall expire five years after the ordinance adopting this subsection is effective.

Section 2. California Environmental Quality Act.

The adoption of this Ordinance is exempt from the California Environmental Quality Act (CEQA) under CEQA Guideline § 15061(b)(3) because it can be seen with certainty that delegating authority to enter into lease or licenses for airport purposes to County officers would not have a significant effect on the environment because the environmental impact of hangars at the Placerville or Georgetown Airports have been adequately studied by the Airport Land Use Compatibility Plan adopted by the Airport Land Use Commission for El Dorado County.

Section 3. This ordinance shall become effective thirty (30) days following adoption hereof.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the _____ day of _____, 2023, by the following vote of said Board:

ATTEST

Ayes:

Kim Dawson

Clerk of the Board of Supervisors

By _____
Deputy Clerk

Noes:

Absent:

Chair, Board of Supervisors

**APPROVED AS TO FORM
DAVID LIVINGSTON
COUNTY COUNSEL**

By: _____

Title: _____