

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

955



FROM: Economic Development Agency

SUBMITTAL DATE:
December 2, 2010

SUBJECT: Initiation of an Amendment to Riverside County Ordinance No. 598; Initiation of an Amendment to Riverside County Ordinance No. 861

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt an order to initiate an amendment to Riverside County Ordinance No. 598, as further described below;
2. Adopt an order to initiate an amendment to Riverside County Ordinance No. 861, as further described below; and
3. Direct the Economic Development Agency to prepare and process these amendments.

BACKGROUND: (Commences on Page 2)

Lisa Brandl for

Robert Field
Assistant County Executive Officer/EDA
By Lisa Brandl, Managing Director

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2010/11

COMPANION ITEM ON BOARD OF DIRECTORS AGENDA: No

SOURCE OF FUNDS: N/A	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

BY: *Jennifer L. Sargent*
Jennifer L. Sargent

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL
DATE: 12/02/10
BY: MARSHA L. VICTOR
Departmental Concurrence

Dep't Recomm.: Consent Policy
Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.: N/A

District: ALL

Agenda Number:

3.26

BACKGROUND:

Due to changes that have occurred in the recent past, Riverside County Ordinance Numbers 598 (for General County Real Property) and 861 (for County Airport Real Property) need to be amended to reflect those changes. First, the merger of the Department of Facilities Management and the Economic Development Agency resulted in a change of County Officer classifications; whereby making the previously named classifications of County Officers out of date where delegation of authorities had been established. Second, there has been a change in government codes that govern public agencies for real property transactions which prompts the need to amend these ordinances. The above referenced ordinances have previously authorized named County Officers to enter into leases, licenses, and conveyance of easement interests to other public agencies. Lastly, there is a need to establish rules and regulations for use of County Real Property to protect and preserve order and safety.

The amendments to these ordinances will update the delegation of authorities, organize, establish rules and regulations for the use of County real property and establish guidelines for County Real Property transactions. This request for initiation, if approved, would authorize the Economic Development Agency to develop, prepare, and process these ordinance amendments.

The initiation of an amendment to Riverside County Ordinance No. 598; initiation of an amendment to Riverside County Ordinance No. 861 has been reviewed and approved by County Counsel as to legal form.

FINANCIAL DATA:

There is no fiscal impact associated with the initiation of an amendment to County Ordinance Numbers 598 and 861.

Attachments:

- Reference Ordinance No. 598
- Reference Ordinance No. 861

**ORDINANCE NO. 598
(AS AMENDED THROUGH 598.6)
AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE
NO. 598 AUTHORIZING CONVEYANCE OF REAL PROPERTY**

The Board of Supervisors of the County of Riverside Ordains as Follows:

Section 1. AUTHORITY. The authority for this ordinance is contained in Sections 25526.5 and 25526.6 of the Government Code.

Section 2. DELEGATED AUTHORITY.

- (a) The Director of Facilities Management, or in the case of projects sponsored by the Economic Development Agency, the Assistant County Executive Officer/EDA or Managing Director of the Economic Development Agency, are hereby authorized to execute conveyancing documents for the transfer of real property or interest therein owned by the County of Riverside whenever the Board of Supervisors has first determined that such real property or interest therein is no longer necessary for county or other public purposes, its estimated value does not exceed \$25,000, and the manner and the terms and conditions of any such transfer have been approved by the Board of Supervisors; provided, however, that the Director of Facilities Management, or in the case of projects sponsored by the Economic Development Agency, the Assistant County Executive Officer/EDA or Managing Director of the Economic Development Agency, shall post, or cause to be posted, in a public place for 5 working days prior to effecting the transfer, a Notice of Intention that he/she will execute any such documents.

- (b) The Director of Facilities Management, or in the case of projects sponsored by the Economic Development Agency, the Assistant County Executive Officer/EDA or Managing Director of the Economic Development Agency, are hereby authorized to grant or otherwise convey an easement, license of permit for use of any real property belonging to the County of Riverside to the state, or to any county, city, district, or public agency or corporation, or to any public utility corporation, in the manner and upon the terms and conditions as he/she determines or prescribes, upon a finding by him/her that the conveyance is in the public interest and that the interest will not substantially conflict or interfere with the use of such property by the County of Riverside.

Section 3. This ordinance shall take effect 30 days after the date of its adoption.

Adopted: 598 Item 3.5 of 03/15/1983 (Eff: 04/14/1983)

Amended: 598.1 Item 3.6 of 08/13/1985 (Eff: 09/12/1985)

598.2 Item 3.11 of 06/05/1990 (Eff: 07/06/1990)

598.3 Item 3.3 of 09/04/1990 (Eff: 10/04/1990)

598.4 Item 3.1 of 08/16/1994 (Eff: 09/08/1994)

598.5 Item 3.8 of 02/06/2001 (Eff: 03/08/2001)

598.6 Item 3.5 of 04/27/2004 (Eff: 05/27/2004)

**ORDINANCE NO. 861
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AUTHORIZING THE ASSISTANT COUNTY EXECUTIVE
OFFICER / ECONOMIC DEVELOPMENT AGENCY
TO EXECUTE CERTAIN AIRPORT LEASES**

The Board of Supervisors of the County of Riverside Ordains as Follows:

Section 1. Purpose. This ordinance designates the Assistant County Executive Officer / Economic Development Agency or his or her designee as the Airport Property Manager with the authority to execute leases, subleases, easements, rights of entry, use permits and related documents affecting airport property, and to be the custodian of all airport real property documents for safekeeping.

Section 2. Statutory Authority. The delegation of authority granted herein is based on California Government Code §25537.

Section 3. Definitions.

"Designee" shall mean and include the Managing Director of EDA or the Assistant Director of EDA.

"Documents" shall mean and include leases, subleases, licenses, easements, rights of entry, use permits and related items which relate to real property belonging to or leased by the County of Riverside devoted to or held for ultimate use for airport purposes.

"EDA" shall mean the Riverside County Economic Development Agency.

Section 4. Limiting Provisions. Documents which may be executed by the Airport Property Manager are subject to the following limitations.

- The term shall not exceed ten (10) years duration and is not renewable.
- The rental rate shall not exceed ten thousand dollars (\$10,000) per month.
- Notice shall have been given pursuant to Government Code §25537(b) thru (d).
- For licenses, notice shall have been provided to the supervisorial district office in which the property proposed to be licensed is located at least five (5) working days prior to execution of the license in accordance with Government Code §25537(c)(3).
- The Office of the County Counsel shall have prepared the document or approved it as to form.

Section 5. Effective Date. This ordinance shall take effect thirty (30) days after the date of its adoption.

Section 6. Sunset Provision. The delegation of authority granted by this ordinance shall expire five (5) years after its effective date.

Adopted: 861 Item 3.11 of 08/15/2006 (Eff: 09/14/2006)