

MINUTES OF THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



**3.28**  
(MT 18586)

On motion of Supervisor Spiegel, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the recommendation from Riverside County Information Technology: Introduction of Ordinance No. 965, An Ordinance of the County of Riverside Establishing Procedures and Limited Delegation of Authority to the Chief Information Officer for Leases of Real Property and Licenses of Information Technology Hardware and Services, and Donation and Distribution Agreements Pursuant to the Digital Equity Program, all districts, is continued to Tuesday, March 29, 2022, at 9:30 a.m. or as soon as possible thereafter.

Roll Call:

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt  
Nays: None  
Absent: None

I hereby certify that the foregoing is a full true, and correct copy of an order made and entered on March 22, 2022, of Supervisors Minutes.

WITNESS my hand and the seal of the Board of Supervisors  
Dated: March 22, 2022  
Kecia R. Harper, Clerk of the Board of Supervisors, in  
and for the County of Riverside, State of California.

(seal)

By: *Yvonne Rasso* Deputy

AGENDA NO.  
**3.28**

xc: RCIT, COB

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



**ITEM: 3.28**  
(ID # 18586)

**MEETING DATE:**  
Tuesday, March 22, 2022

**FROM :** RIVERSIDE COUNTY INFORMATION TECHNOLOGY:

**SUBJECT:** RIVERSIDE COUNTY INFORMATION TECHNOLOGY: Introduction of Ordinance No. 965, An Ordinance of the County of Riverside Establishing Procedures and Limited Delegation of Authority to the Chief Information Officer for Leases of Real Property and Licenses of Information Technology Hardware and Services, and Donation and Distribution Agreements Pursuant to the Digital Equity Program; All Districts. [\$0]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Find that the introduction and adoption of Ordinance No. 965 is exempt from California Environmental Quality Act pursuant to CEQA Guidelines Section 15061 (b)(3);
2. Introduce, Read Title, and Waive Further Reading of Ordinance No. 965, establishing Procedures and Limited Delegation of Authority to the Chief Information Officer for Leases of Real Property and Licenses of Information Technology Hardware and Services, and Donation and Distribution Agreements Pursuant to the Digital Equity Program;
3. Direct the Clerk of the Board to and publish Ordinance No. 965 with fifteen days of adoption pursuant to Government Code Section 25124;
4. Direct the Clerk of the Board to file the Notice of Exemption with the County Clerk within five days of Board approval; and
5. Adopt on successive weeks Ordinance No. 965, an Ordinance of the County of Riverside Establishing Procedures and Limited Delegation of Authority to the Chief Information Officer for Leases of Real Property and Licenses of Information Technology Hardware and Services, and Donation and Distribution Agreements Pursuant to the Digital Equity Program.

**ACTION:**

*Jim Smith*

Jim Smith, Chief Information Officer

3/8/2022

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**MINUTES OF THE BOARD OF SUPERVISORS**

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

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

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS:</b> N/A			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year:</b>	21/22

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

Riverside County Information Technology (RCIT) requests the Board of Supervisors approval to introduce, read title, and waive further reading of, and adopt on successive weeks Ordinance No. 965: An Ordinance of the County of Riverside Establishing Procedures and Limited Delegation of Authority to the Chief Information Officer (CIO) or their designee for Leases of Real Property and Licenses of Information Technology Hardware and Services, and Donation and Distribution Agreements Pursuant to the Digital Equity Program (DEP). The Department worked with County Counsel to prepare the Ordinance and all provisions are in accordance with local and State law.

RCIT desires to create a clear and concise ordinance which increases the efficiency of the lease of real property and license agreements for information technology hardware and services that result in revenue generating agreements. RCIT would like to strengthen the Department's ability to manage the use of County maintained servers and County provided services by delegating the authority to execute the agreements to the CIO or their designee up to \$50,000 per month.

RCIT maintains county owned facilities across Riverside County, such as Riverside County Collaboration Center (RC3), and provides a variety of communications and information technology related services to non-county entities including server rack space rental, data storage, equipment housing, and voice/telephone services.

The department is also responsible for the County of Riverside's Digital Equity Program (DEP). The program was approved by the Board of Supervisors on January 17, 2017 (agenda item 3.43) and is intended to designate, receive, distribute, or dispose of surplus electronic assets from County departments, districts, and agencies.

This Delegation of Authority to the CIO or their designee will enable the department to accept donations of surplus electronic assets from County departments, district, agencies and other governmental or quasi-governmental organizations. This will enable the department to assist with the acceptance of a donation or memorandums of understanding (MOU) related to the acceptance and distribution or disposal of surplus electronic assets owned by the County or donated to the County provided that the donation or agreement is valued at less than \$20,000.

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

The Delegate is also authorized to enter into agreement to accept monetary revenue as a result of donations of technology-related surplus for recycling made in the name of the County of Riverside for the DEP, provided that the agreement or revenue is valued at less than \$20,000 per occurrence.

Pursuant to CEQA, Riverside County Ordinance No. 965 project was reviewed and determined to be categorically exempt under State CEQA Guidelines Section 15061(b)(3), General Rule or "Common Sense" Exemption. The Project, as proposed, is limited to authorizing limited delegations of authority for contracts related to information technology. The Ordinance will not alter the overall function of RCIT's business operations. With certainty, there is no possibility that the activity in question may have a significant effect on the environment because it merely delegates the authority to execute agreements in specific situations. No direct or indirect impacts would occur. A Notice of Exemption will be filed with the County Clerk within five days of Board approval.

**Impact on Residents and Businesses**

The creation of the ordinance is necessary to provide efficient services to third parties that generate revenue to the department and help offset costs that would normally be passed along to the County Departments.

**Attachments:**

- A. Ordinance No. 965
- B. Notice of Exemption for Ordinance No. 965

  
Venus Brambila, Deputy Director - Administration 3/16/2022



1           Section 3.     DEFINITIONS. The following words and phrases, whenever used in this  
2 ordinance, shall be construed as defined in this section. Any words and phrases not specifically  
3 defined herein shall have the meaning as they are defined in Riverside County Ordinance No. 803.

4           a. County Property. Any real property or any interest therein, buildings,  
5 facilities and server rack space, belonging to, leased by or licensed by the  
6 County of Riverside.

7           b. Digital Equity Program. The Digital Equity Program was created by  
8 item 3.43 approved by the Board of Supervisor on January 17, 2017 (ID  
9 # 3276). The Program is intended to designate, receive, distribute, or  
10 dispose of surplus electronic assets from County departments, districts,  
11 and agencies.

12           c. Delegate. The Chief Information Officer or a county officer working as  
13 an Assistant Chief Information Officer, Deputy Director, or Manager who  
14 has been directed to act on behalf of the Chief Information Officer by the  
15 Chief Information Officer.

16           d. Lease. An agreement, including any leases or subleases, in which a  
17 property owner or person with authority to lease such property agrees to  
18 give a person or entity the exclusive right to use, occupy and control the  
19 real property for a specific term and for consideration.

20           e. License. An agreement, including a license, right of entry and use  
21 permit, whereby the owner of real property grants, or a person with the  
22 authority to grant, a revocable, non-exclusive right to a person or entity  
23 to use the real property for a specific purpose. It is personal to that person  
24 or entity, does not transfer an interest in real property.

25           f. Public Party. The State of California, a county, city, district, public  
26 agency or corporation, or public entity corporation.

1 g. Responsible Party. Any person or entity, public or private, willing and  
2 capable of performing the requisite terms and conditions provided in the  
3 Call for Bids for a lease or license of County property.

4 Section 4. ALTERNATIVE BIDDING PROCEDURE FOR LEASING AND  
5 LICENSING OF COUNTY PROPERTY. The Board has the authority to set rates for specific  
6 services provided by the county pursuant to California Government Code Section 54985. The Board  
7 annually approves the rates for the leasing and licensing of communication and information  
8 technology that includes data storage, equipment housing and voice and telephone services. The  
9 Board authorizes the delegate to negotiate and execute leasing and licensing agreements that are  
10 consistent with the approved rates.

11 Section 5. LEASES OR LICENSES OF COUNTY PROPERTY EXCLUDED FROM  
12 BIDDING PROCEDURES. A lease or license of County property not exceeding ten (10) years in  
13 duration nor exceeding an estimated monthly rental rate of fifty thousand dollars (\$50,000) may be  
14 excluded from the bidding procedures found in the Government and Public Contract Codes, except  
15 that notice shall be given pursuant to Government Code section 6061, posted in the office of the  
16 Clerk of the Board. Any such leases or licenses excluded from bidding procedures shall not have an  
17 actual monthly rental that exceeds fifty thousand dollars (\$50,000), the term shall not exceed 10  
18 years and the lease or license is not renewable. Any notice for such leases or licenses shall be given  
19 pursuant to Government Code section 25537(b)-(d). The Board hereby authorizes the Delegate to  
20 execute in the name of the County as lessor in a lease or licensor in a license of County property  
21 without any advertised call for bids provided the lease or license conforms to the limitations  
22 provided in this Section 5 and is done in compliance with all applicable laws.

23 a. For licenses, notice shall be given to the supervisorial district office in  
24 which the property is located, at least five (5) working days prior to execution  
25 of the license, with a description of the property, the terms and conditions of  
26 the license and the name of proposed licensee.



1 1) If no written objection to the proposed license is received within  
2 five working days after the notice has been provided, it shall be  
3 deemed approved by the district office.

4 2) If written objection to the proposed license is received within the  
5 five working days, the license may be submitted for approval by the  
6 Board at a regular meeting.

7 b. The delegation of authority granted in this Section 5 shall expire five years  
8 from the effective date of Ordinance No. 965.

9 Section 6. GRANTING A LICENSE OR USE PERMIT ON COUNTY PROPERTY  
10 TO A PUBLIC PARTY. Notwithstanding any other provision of the law and as authorized by  
11 Government Code Section 25526.6, the Delegate is hereby authorized to grant a license or permit  
12 for use of any County property to a public party in the manner and upon the terms and conditions as  
13 the Delegate determines or prescribes, upon a finding by the Board or the Delegate that the grant is  
14 in the public interest and that the interest in land granted will not substantially conflict or interfere  
15 with the use of the property by the County.

16 Section 7. LEASE OR LICENSE OF REAL PROPERTY FOR USE BY COUNTY.  
17 The Delegate is hereby authorized to negotiate and execute a lease or license for use by the County  
18 for a term not to exceed five (5) years and for a monthly rental amount not to exceed ten thousand  
19 dollars (\$10,000) pursuant to Government Code Section 25350.51 and provided that:

20 a. A notice of intention to consummate such a lease or license shall be  
21 posted in a public place for five working days prior to consummation of  
22 the lease or license containing a description of the property to be leased  
23 or licensed, the terms of the lease or license, and any county officer  
24 authorized to execute the lease or license.

25 b. The rental rate has been determined by the Delegate to represent a fair  
26 and reasonable rate.

27 c. The Delegate may amend a lease or license to provide for property  
28 improvements or alterations, or both, provided the total cost in each

1 amendment does not exceed ten thousand five hundred dollars (\$10,000),  
2 the amendment does not extend the term of the lease or license and no  
3 more than two amendments, not to exceed seven thousand five hundred  
4 dollars (\$7,500) each, are made within a twelve (12) month period.

5 Section 8. CHANGES TO EXISTING LEASES. Matters concerning termination,  
6 extension, amendment or renewal of leases on real property shall be submitted to the Board for  
7 approval by and with the recommendation of the Chief Information Officer, except those leases for  
8 use by the County for a total term not to exceed five years and for a rental amount not to exceed ten  
9 thousand dollars (\$10,000) per month and in accordance with the limitations provided in Section 7.c  
10 of this ordinance. A total term shall mean the sum of the original term plus any prior or proposed  
11 extensions or renewals thereof.

12 Section 9. GENERAL CONSIDERATIONS FOR ALL LEASES AND LICENSES OF  
13 REAL PROPERTY. Board Policies providing considerations or guidelines for leasing and  
14 licensing of real property by or for the County should be followed in conjunction with the procedures  
15 and limitations prescribed by law and this ordinance. Any real property transaction conducted on  
16 behalf of the County that is deemed a “project” under the California Environmental Quality Act  
17 (CEQA) shall be done in compliance with CEQA. Any documents associated with the real property  
18 transactions shall be approved as to form by County Counsel.

19 Section 10. DIGITAL EQUITY PROGRAM. The Delegate is hereby authorized to  
20 accept donations of surplus electronic assets from County departments, district, agencies and other  
21 governmental or quasi-governmental organizations and to execute acceptance of a donation or  
22 memorandums of understanding related to the acceptance and distribution or disposal of surplus  
23 electronic assets owned by the County or donated to the County provided that the donation or  
24 agreement is valued at less than \$20,000 per occurrence.

25 The Delegate is also authorized to enter into agreement to accept monetary revenue as a  
26 result of donations of technology-related surplus for recycling made in the name of the County of  
27 Riverside for the Digital Equity Program, provided that the agreement or revenue is valued at less  
28 than \$20,000 per occurrence.



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## NOTICE OF EXEMPTION

**To:** Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

**From:** County of Riverside  
4080 Lemon Street  
Riverside, CA 92501

**To:** Office of the County Clerk Recorder

**Project Title:** Ordinance No. 965 Establishing Procedures and Limited Delegation of Authority to the Chief Information Officer for Leases of Real Property, Licenses of Information Technology Hardware and Services, and Donation and Distribution Agreements Pursuant to the Digital Equity Program

**Project Applicant:** Riverside County Information Technology

**Project Location – Specific:**

The unincorporated area and all incorporated cities within Riverside County

**Project Location- City:** \_\_\_\_\_ **Project Location- County:** Riverside

**Description of Nature, Purpose and Beneficiaries of Project:**

Ordinance No. 965 is a new ordinance that establishes limited delegation of authority to the Chief Information Officer for leases of real property, licenses of IT hardware and services, and processing of donated or County owned surplus electronic assets by or for the County of Riverside. The delegation to the Chief Information Officer or Delegate establishes the authority to negotiate and execute these revenue generating agreements on behalf of the County of Riverside.

**Name of Public Agency Approving Project:** County of Riverside

**Name of Person or Agency Carrying Out Project:** Riverside County Information Technology

**Exempt Status: (check one):**

- Ministerial
- Declared Emergency
- Emergency Project
- Categorical Exemption
- Statutory Exemption: State CEQA Guidelines Section 15061(b)(3)

**Reasons why project is exempt:**

The project is exempt from the provisions of the California Environmental Quality Act (CEQA) specifically by the State CEQA Guidelines as identified below. The project will not cause any impacts to scenic resources, historic resources, or unique sensitive environments. Further, no unusual circumstances or potential cumulative impacts would occur that may reasonably create an environmental impact.

Section 15061 (b)(3)- Common Sense Exemption. The adoption of Ordinance No. 965 is exempt from CEQA pursuant to State CEQA Guidelines section 15061 (b)(3), the Common Sense exemption. In accordance with CEQA, the use of the Common Sense Exemption is based on the general rule that CEQA applies only to projects which have the potential for

causing significant effect on the environment. The use of this exemption is appropriate if it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The adoption of Ordinance No. 965 pertains to the delegation of authority to the Chief Information Officer or Delegate and establishes the authority to negotiate and execute revenue generating agreements for leases of real property, licenses of IT hardware and services, and processing of donated or County owned surplus electronic assets on behalf of the County of Riverside. It can be seen with certainty that there is no possibility that the ordinance may have significant effect on the environment. Approval of proposed Riverside County Ordinance No. 965 does not approve any development project. The proposed ordinance would not individually or cumulatively result in the possibility of creating significant effects on the environment and not direct or reasonably foreseeable indirect environmental impact would occur. Therefore, the use of the Common Sense exemption is appropriate for this project.

**Lead Agency**

**Contact Person:** \_\_\_\_\_

**Phone Number:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_

For County Clerk's Use Only

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



ITEM: 3.28  
(ID # 18586)

MEETING DATE:  
Tuesday, March 22, 2022

**FROM :** RIVERSIDE COUNTY INFORMATION TECHNOLOGY:

**SUBJECT:** RIVERSIDE COUNTY INFORMATION TECHNOLOGY: Introduction of Ordinance No. 965, An Ordinance of the County of Riverside Establishing Procedures and Limited Delegation of Authority to the Chief Information Officer for Leases of Real Property and Licenses of Information Technology Hardware and Services, and Donation and Distribution Agreements Pursuant to the Digital Equity Program; All Districts. [\$0]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Find that the introduction and adoption of Ordinance No. 965 is exempt from California Environmental Quality Act pursuant to CEQA Guidelines Section 15061 (b)(3);
2. Introduce, Read Title, and Waive Further Reading of Ordinance No. 965, establishing Procedures and Limited Delegation of Authority to the Chief Information Officer for Leases of Real Property and Licenses of Information Technology Hardware and Services, and Donation and Distribution Agreements Pursuant to the Digital Equity Program;
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5. Adopt on successive weeks Ordinance No. 965, an Ordinance of the County of Riverside Establishing Procedures and Limited Delegation of Authority to the Chief Information Officer for Leases of Real Property and Licenses of Information Technology Hardware and Services, and Donation and Distribution Agreements Pursuant to the Digital Equity Program.

**ACTION:**

  
Jim Smith, Chief Information Officer 3/8/2022

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MINUTES OF THE BOARD OF SUPERVISORS

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



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

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>NET COUNTY COST</b>	\$ 0	\$ 0	\$ 0	\$ 0
<b>SOURCE OF FUNDS: N/A</b>			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year:</b>	21/22

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

Riverside County Information Technology (RCIT) requests the Board of Supervisors approval to introduce, read title, and waive further reading of, and adopt on successive weeks Ordinance No. 965: An Ordinance of the County of Riverside Establishing Procedures and Limited Delegation of Authority to the Chief Information Officer (CIO) or their designee for Leases of Real Property and Licenses of Information Technology Hardware and Services, and Donation and Distribution Agreements Pursuant to the Digital Equity Program (DEP). The Department worked with County Counsel to prepare the Ordinance and all provisions are in accordance with local and State law.

RCIT desires to create a clear and concise ordinance which increases the efficiency of the lease of real property and license agreements for information technology hardware and services that result in revenue generating agreements. RCIT would like to strengthen the Department's ability to manage the use of County maintained servers and County provided services by delegating the authority to execute the agreements to the CIO or their designee up to \$50,000 per month.

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The department is also responsible for the County of Riverside's Digital Equity Program (DEP). The program was approved by the Board of Supervisors on January 17, 2017 (agenda item 3.43) and is intended to designate, receive, distribute, or dispose of surplus electronic assets from County departments, districts, and agencies.

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

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Pursuant to CEQA, Riverside County Ordinance No. 965 project was reviewed and determined to be categorically exempt under State CEQA Guidelines Section 15061(b)(3), General Rule or "Common Sense" Exemption. The Project, as proposed, is limited to authorizing limited delegations of authority for contracts related to information technology. The Ordinance will not alter the overall function of RCIT's business operations. With certainty, there is no possibility that the activity in question may have a significant effect on the environment because it merely delegates the authority to execute agreements in specific situations. No direct or indirect impacts would occur. A Notice of Exemption will be filed with the County Clerk within five days of Board approval.

**Impact on Residents and Businesses**

The creation of the ordinance is necessary to provide efficient services to third parties that generate revenue to the department and help offset costs that would normally be passed along to the County Departments.

**Attachments:**

- A. Ordinance No. 965
- B. Notice of Exemption for Ordinance No. 965

  
Venus Brambila, Deputy Director - Administration 3/16/2022



1            Section 3.     DEFINITIONS. The following words and phrases, whenever used in this  
2 ordinance, shall be construed as defined in this section. Any words and phrases not specifically  
3 defined herein shall have the meaning as they are defined in Riverside County Ordinance No. 803.

4            a. County Property. Any real property or any interest therein, buildings,  
5 facilities and server rack space, belonging to, leased by or licensed by the  
6 County of Riverside.

7            b. Digital Equity Program. The Digital Equity Program was created by  
8 item 3.43 approved by the Board of Supervisor on January 17, 2017 (ID  
9 # 3276). The Program is intended to designate, receive, distribute, or  
10 dispose of surplus electronic assets from County departments, districts,  
11 and agencies.

12           c. Delegate. The Chief Information Officer or a county officer working as  
13 an Assistant Chief Information Officer, Deputy Director, or Manager who  
14 has been directed to act on behalf of the Chief Information Officer by the  
15 Chief Information Officer.

16           d. Lease. An agreement, including any leases or subleases, in which a  
17 property owner or person with authority to lease such property agrees to  
18 give a person or entity the exclusive right to use, occupy and control the  
19 real property for a specific term and for consideration.

20           e. License. An agreement, including a license, right of entry and use  
21 permit, whereby the owner of real property grants, or a person with the  
22 authority to grant, a revocable, non-exclusive right to a person or entity  
23 to use the real property for a specific purpose. It is personal to that person  
24 or entity, does not transfer an interest in real property.

25           f. Public Party. The State of California, a county, city, district, public  
26 agency or corporation, or public entity corporation.

1 g. Responsible Party. Any person or entity, public or private, willing and  
2 capable of performing the requisite terms and conditions provided in the  
3 Call for Bids for a lease or license of County property.

4 Section 4. ALTERNATIVE BIDDING PROCEDURE FOR LEASING AND  
5 LICENSING OF COUNTY PROPERTY. The Board has the authority to set rates for specific  
6 services provided by the county pursuant to California Government Code Section 54985. The Board  
7 annually approves the rates for the leasing and licensing of communication and information  
8 technology that includes data storage, equipment housing and voice and telephone services. The  
9 Board authorizes the delegate to negotiate and execute leasing and licensing agreements that are  
10 consistent with the approved rates.

11 Section 5. LEASES OR LICENSES OF COUNTY PROPERTY EXCLUDED FROM  
12 BIDDING PROCEDURES. A lease or license of County property not exceeding ten (10) years in  
13 duration nor exceeding an estimated monthly rental rate of fifty thousand dollars (\$50,000) may be  
14 excluded from the bidding procedures found in the Government and Public Contract Codes, except  
15 that notice shall be given pursuant to Government Code section 6061, posted in the office of the  
16 Clerk of the Board. Any such leases or licenses excluded from bidding procedures shall not have an  
17 actual monthly rental that exceeds fifty thousand dollars (\$50,000), the term shall not exceed 10  
18 years and the lease or license is not renewable. Any notice for such leases or licenses shall be given  
19 pursuant to Government Code section 25537(b)-(d). The Board hereby authorizes the Delegate to  
20 execute in the name of the County as lessor in a lease or licensor in a license of County property  
21 without any advertised call for bids provided the lease or license conforms to the limitations  
22 provided in this Section 5 and is done in compliance with all applicable laws.

23 a. For licenses, notice shall be given to the supervisorial district office in  
24 which the property is located, at least five (5) working days prior to execution  
25 of the license, with a description of the property, the terms and conditions of  
26 the license and the name of proposed licensee.

1 1) If no written objection to the proposed license is received within  
2 five working days after the notice has been provided, it shall be  
3 deemed approved by the district office.

4 2) If written objection to the proposed license is received within the  
5 five working days, the license may be submitted for approval by the  
6 Board at a regular meeting.

7 b. The delegation of authority granted in this Section 5 shall expire five years  
8 from the effective date of Ordinance No. 965.

9 Section 6. GRANTING A LICENSE OR USE PERMIT ON COUNTY PROPERTY  
10 TO A PUBLIC PARTY. Notwithstanding any other provision of the law and as authorized by  
11 Government Code Section 25526.6, the Delegate is hereby authorized to grant a license or permit  
12 for use of any County property to a public party in the manner and upon the terms and conditions as  
13 the Delegate determines or prescribes, upon a finding by the Board or the Delegate that the grant is  
14 in the public interest and that the interest in land granted will not substantially conflict or interfere  
15 with the use of the property by the County.

16 Section 7. LEASE OR LICENSE OF REAL PROPERTY FOR USE BY COUNTY.  
17 The Delegate is hereby authorized to negotiate and execute a lease or license for use by the County  
18 for a term not to exceed five (5) years and for a monthly rental amount not to exceed ten thousand  
19 dollars (\$10,000) pursuant to Government Code Section 25350.51 and provided that:

- 20 a. A notice of intention to consummate such a lease or license shall be  
21 posted in a public place for five working days prior to consummation of  
22 the lease or license containing a description of the property to be leased  
23 or licensed, the terms of the lease or license, and any county officer  
24 authorized to execute the lease or license.
- 25 b. The rental rate has been determined by the Delegate to represent a fair  
26 and reasonable rate.
- 27 c. The Delegate may amend a lease or license to provide for property  
28 improvements or alterations, or both, provided the total cost in each

1 amendment does not exceed ten thousand five hundred dollars (\$10,000),  
2 the amendment does not extend the term of the lease or license and no  
3 more than two amendments, not to exceed seven thousand five hundred  
4 dollars (\$7,500) each, are made within a twelve (12) month period.

5 Section 8. CHANGES TO EXISTING LEASES. Matters concerning termination,  
6 extension, amendment or renewal of leases on real property shall be submitted to the Board for  
7 approval by and with the recommendation of the Chief Information Officer, except those leases for  
8 use by the County for a total term not to exceed five years and for a rental amount not to exceed ten  
9 thousand dollars (\$10,000) per month and in accordance with the limitations provided in Section 7.c  
10 of this ordinance. A total term shall mean the sum of the original term plus any prior or proposed  
11 extensions or renewals thereof.

12 Section 9. GENERAL CONSIDERATIONS FOR ALL LEASES AND LICENSES OF  
13 REAL PROPERTY. Board Policies providing considerations or guidelines for leasing and  
14 licensing of real property by or for the County should be followed in conjunction with the procedures  
15 and limitations prescribed by law and this ordinance. Any real property transaction conducted on  
16 behalf of the County that is deemed a "project" under the California Environmental Quality Act  
17 (CEQA) shall be done in compliance with CEQA. Any documents associated with the real property  
18 transactions shall be approved as to form by County Counsel.

19 Section 10. DIGITAL EQUITY PROGRAM. The Delegate is hereby authorized to  
20 accept donations of surplus electronic assets from County departments, district, agencies and other  
21 governmental or quasi-governmental organizations and to execute acceptance of a donation or  
22 memorandums of understanding related to the acceptance and distribution or disposal of surplus  
23 electronic assets owned by the County or donated to the County provided that the donation or  
24 agreement is valued at less than \$20,000 per occurrence.

25 The Delegate is also authorized to enter into agreement to accept monetary revenue as a  
26 result of donations of technology-related surplus for recycling made in the name of the County of  
27 Riverside for the Digital Equity Program, provided that the agreement or revenue is valued at less  
28 than \$20,000 per occurrence.

1 Section 11. LIMITATION ON DELEGATION.

2 a. The authority granted to the Delegate in this ordinance shall be conditioned on  
3 approval of the agreement by the Office of the County Counsel. The delegation is also  
4 conditioned on the approval of Bond Counsel when necessary based on the  
5 requirement and conditions that apply to the location of the real property that is to be  
6 leased or licensed when the property is the subject of a bond financing.

7 b. The delegation of authority granted in this Section 4 and 5 shall expire five years from  
8 the effective date of Ordinance No. 965.

9 Section 12. SEVERABILITY. If any provision, clause, sentence or paragraph of this  
10 ordinance or the application thereof to a person or circumstances shall be held invalid, such  
11 invalidity shall not affect the other provisions of this ordinance which can be given effect without  
12 the invalid provision or application, and to this end, the provisions of this ordinance are hereby  
13 declared to be severable.

14 Section 13. EFFECTIVE DATE. This Ordinance shall take effect thirty (30) days after its  
15 adoption.

16 BOARD OF SUPERVISORS OF THE COUNTY  
17 OF RIVERSIDE, STATE OF CALIFORNIA

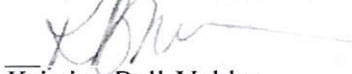
18 By: \_\_\_\_\_  
19 [NAME], Chair

19 ATTEST:  
20 KECIA HARPER  
21 CLERK OF THE BOARD

21 By: \_\_\_\_\_  
22 Deputy

23 (SEAL)  
24

25 APPROVED AS TO FORM:  
26 March 22, 2022

27 By:   
28 Kristine Bell-Valdez  
Supervising Deputy County Counsel



## NOTICE OF EXEMPTION

**To:** Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

**From:** County of Riverside  
4080 Lemon Street  
Riverside, CA 92501

**To:** Office of the County Clerk Recorder

**Project Title:** Ordinance No. 965 Establishing Procedures and Limited Delegation of Authority to the Chief Information Officer for Leases of Real Property, Licenses of Information Technology Hardware and Services, and Donation and Distribution Agreements Pursuant to the Digital Equity Program

**Project Applicant:** Riverside County Information Technology

**Project Location – Specific:**

The unincorporated area and all incorporated cities within Riverside County

**Project Location- City:** \_\_\_\_\_ **Project Location- County:** Riverside

**Description of Nature, Purpose and Beneficiaries of Project:**

Ordinance No. 965 is a new ordinance that establishes limited delegation of authority to the Chief Information Officer for leases of real property, licenses of IT hardware and services, and processing of donated or County owned surplus electronic assets by or for the County of Riverside. The delegation to the Chief Information Officer or Delegate establishes the authority to negotiate and execute these revenue generating agreements on behalf of the County of Riverside.

**Name of Public Agency Approving Project:** County of Riverside

**Name of Person or Agency Carrying Out Project:** Riverside County Information Technology

**Exempt Status: (check one):**

- Ministerial
- Declared Emergency
- Emergency Project
- Categorical Exemption
- Statutory Exemption: State CEQA Guidelines Section 15061(b)(3)

**Reasons why project is exempt:**

The project is exempt from the provisions of the California Environmental Quality Act (CEQA) specifically by the State CEQA Guidelines as identified below. The project will not cause any impacts to scenic resources, historic resources, or unique sensitive environments. Further, no unusual circumstances or potential cumulative impacts would occur that may reasonably create an environmental impact.

Section 15061 (b)(3)- Common Sense Exemption. The adoption of Ordinance No. 965 is exempt from CEQA pursuant to State CEQA Guidelines section 15061 (b)(3), the Common Sense exemption. In accordance with CEQA, the use of the Common Sense Exemption is based on the general rule that CEQA applies only to projects which have the potential for

causing significant effect on the environment. The use of this exemption is appropriate if it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The adoption of Ordinance No. 965 pertains to the delegation of authority to the Chief Information Officer or Delegate and establishes the authority to negotiate and execute revenue generating agreements for leases of real property, licenses of IT hardware and services, and processing of donated or County owned surplus electronic assets on behalf of the County of Riverside. It can be seen with certainty that there is no possibility that the ordinance may have significant effect on the environment. Approval of proposed Riverside County Ordinance No. 965 does not approve any development project. The proposed ordinance would not individually or cumulatively result in the possibility of creating significant effects on the environment and not direct or reasonably foreseeable indirect environmental impact would occur. Therefore, the use of the Common Sense exemption is appropriate for this project.

**Lead Agency**

**Contact Person:** \_\_\_\_\_

**Phone Number:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Date:** \_\_\_\_\_

For County Clerk's Use Only