

ORDINANCE NO. 9642 (N.S.)

AN ORDINANCE AMENDING SECTION
73.11 OF THE SAN DIEGO COUNTY
ADMINISTRATIVE CODE RELATING TO THE
PROCEDURE FOR LEASING OR SUBLEASING
COUNTY-OWNED OR LEASED REAL PROPERTY

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The Board of Supervisors finds and determines that the County's procedures for leasing or subleasing real property owned or leased by the County should be amended to make these procedures consistent with recent amendments to Government Code section 25537.

Section 2. Section 73.11 of the San Diego County Administrative Code is hereby amended to read as follows:

SEC. 73.11. PROCEDURE FOR LEASING OR SUBLEASING COUNTY-OWNED OR LEASED REAL PROPERTY.

- (a) Bidding Procedure. Except for leases of a duration not exceeding ten (10) years, and having an estimated monthly rental of not exceeding ten thousand dollars (\$10,000), all leases to which this section applies shall be awarded to the person submitting the highest proposal in response to a call for bids which shall briefly describe or identify the property proposed to be leased, briefly specify the terms upon which it shall be leased and fix a time and place at which the Board shall receive written bids for such leasing. The call for bids shall be posted in at least three public places in the County of San Diego for not less than 15 days prior to the time fixed for receipt of bids and shall be published once each week for not less than two weeks prior to such time in a newspaper of general circulation published in the County of San Diego. The call for bids may refer to documents on file in the office of the Clerk of the Board for the exact description of the property to be leased and for the full detail of the terms and conditions of the proposed lease. At the discretion of the Board, the call for bids may include a statement of minimum rental, may offer to pay a commission to a licensed real estate broker who is instrumental in obtaining any proposal, and may authorize oral bidding at the time and place fixed for the receipt of written bids under the procedure specified in Section 25531 or in Section 25537 of the Government Code. The Board must either accept the highest proposal submitted in accordance with these procedures or may reject all bids.
- (b) Leases Excluded from Bidding Procedure. The Director of General Services may, without any advertised call for bids, negotiate and execute any lease or subleases of a duration not exceeding ten (10) years and having an estimated

monthly rental not exceeding ten thousand dollars (\$10,000); provided, however, that if a lease is so excluded from the bidding procedure, the actual monthly rental in the executed lease shall not exceed ten thousand dollars (\$10,000), the term of the executed lease shall not exceed ten (10) years, and the lease shall not be renewed. Notice of any such proposed lease shall be given as required by Government Code Sections 25537 (b) and (c).

The authorization granted to the Director, of the Department of General Services or his designee by subsection (b) of this ordinance shall be effective for five years from the effective date of this ordinance.

Section 3. This ordinance shall take effect and be in force in thirty days after its passage, and before the expiration of fifteen days after its passage, a summary hereof shall be published once with the names of the members of this Board voting for and against it in a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED, AND ADOPTED this 4th day of May, 2004.