

ORDINANCE NO. 9641 (N.S.)

AN ORDINANCE AMENDING SECTION 73
OF THE SAN DIEGO COUNTY ADMINISTRATIVE
CODE RELATING TO THE ACQUISITION
OF INTERESTS IN REAL PROPERTY
NOT EXCEEDING \$50,000 IN VALUE

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

Section 1. The Board of Supervisors finds and determines that Government Code section 25350.60 authorizes the Board to adopt an ordinance that allows a county officer to acquire any interest in real property for the County and that this statute was recently amended to delete a \$25,000 limit on the interests in real property that the county official may acquire. The Board further finds that the County could acquire smaller interests in real property more efficiently if the current \$25,000 limit in the County's ordinance were increased to \$50,000.

Section 2. Section 73 of the San Diego County Administrative Code is hereby amended to read as follows:

SEC. 73. ACQUISITION OF REAL PROPERTY BY LEASE OR PURCHASE OR BY
ACCEPTANCE OF A GIFT.

(a) Acquisition of Interests in Real Property With Valuation of \$50,000 or More.

Whenever it is necessary or desirable that real property valued at \$50,000 or more be acquired by lease or purchase or that a gift of such property be accepted by the County for any public purpose, the procedure hereinafter set forth, in Section 73 of this Code, shall be followed, except (1) for the acquisition of rights of way or the acquisition or leasing of rock quarries, gravel pits, or borrow pits for County highway purposes, or (2) for acquisitions for which the Board determines that emergency conditions required more immediate action by the County.

(b) Acquisition of Interests in Real Property With A Valuation of \$50,000 or Less.

Pursuant to the provisions of Government Code Section 25350.60, the Director, Department of General Services, or designee, may approve and accept acquisitions by the County of minor interests in real property, including licenses, which do not exceed \$50,000 in value, and may approve, accept, and execute instruments collateral to such acquisitions which are deemed to be essential to complete such acquisitions, but only in compliance with the following conditions:

- (1) The project in which the real property interest to be acquired is located must have been approved by the Board of Supervisors.
- (2) The value of the real property interest to be acquired must be determined by an appraisal of its fair market value.
- (3) The real property interest to be acquired must be acquired in accordance with the County's Hazardous Materials Assessments Policy and Procedure.

- (4) Where required, the Planning Agency (Director, Department of Planning and Land Use or Planning and Environmental Review Board) shall make a finding of General Plan conformance prior to the acquisition of the property.
- (5) The acquisition must comply with the California Environmental Quality Act (CEQA).

Following completion of the acquisition of each project, the Director, Department of General Services, shall provide the Board of Supervisors with a list of the real property interests acquired under this ordinance for the project.

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 from after 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.