

ORDINANCE NO. _____

**AN ORDINANCE AMENDING SECTIONS OF MENDOCINO COUNTY CODE CHAPTER 2.32
– PURCHASING AGENT RELATING TO THE POWERS AND DUTIES DELEGATED TO THE
PURCHASING AGENT AND OTHER OFFICIALS, INCLUDING AN INCREASE IN THE
CONTRACT SIGNATURE AUTHORITY OF THE PURCHASING AGENT FROM FIFTY
THOUSAND DOLLARS (\$50,000) TO SEVENTY-FIVE THOUSAND DOLLARS (\$75,000)**

The Board of Supervisors of the County of Mendocino, State of California, ordains as follows:

Section 1. Section 2.32.030 of the Mendocino County Code is hereby amended to read as follows:

Sec. 2.32.030 Specific Duties.

The Purchasing Agent shall:

- (A) Purchase for the County of Mendocino and its offices all materials, supplies, furnishings, equipment, livestock and other personal property of whatever kind and nature, and no purchasing of personal property by any person other than the Purchasing Agent (or such other official pursuant to delegation by the Board of Supervisors) shall be binding upon the County or constitute a lawful charge against any County funds.
- (B) Rent for the County and its offices, furnishings, equipment, and livestock, excepting, however, road equipment, which the Road Commissioner is authorized by law to rent.
- (C) Negotiate and execute in the name of the County all equipment service contracts and lease purchase agreements of personal property.
- (D) Negotiate and execute in the name of the County as lessee, subject to the provisions of Government Code Section 25350.51, all rentals of real property, which the County may require.
- (E) May by direct sale or otherwise sell, lease or dispose of any personal property belonging to the County not required for public use. The proceeds shall be paid into the County treasury for the use of the County. Where the property is exchanged or traded in, she/he shall secure its value on behalf of the County.
- (G) Engage independent contractors to perform sundry services for the County and offices thereof with or without the furnishing of material when the aggregate cost does not exceed Seventy-Five Thousand Dollars (\$75,000).
- (H) Procure, when so authorized by resolution of the Board of Supervisors, construction materials pursuant to Government Code Section 25508 for the construction of facilities to be utilized by a regional opportunity program. Government Code Section 25508.8(b) exempts the County from

requirements of Public Contract Code with respect to the construction of a facility if the majority of labor utilized for the construction of the facility described herein is provided by the regional opportunity program or volunteer labor, the facility is to be constructed for use by the regional opportunity program, and the land on which the facility is to be constructed is currently used by a county jail.

- (H) When specifically authorized by law, sell or dispose of personal property of any special district and pay the proceeds thereof into the treasury of the district; or if an exchange or trade is made, return the proceeds to the special district.
- (I) Pursuant to Government Code Section 25526.6, have the authority to grant or otherwise convey an easement, license or permit for use of any real property of the County to the state, or to any county, city, district, or public agency or corporation, or to any public utility corporation, upon a finding that the conveyance is in the public interest and that the interest in land conveyed will not substantially conflict or interfere with the use of the property by the County.
- (J) Perform such other services as the Board of Supervisors may from time to time by resolution require.

Section 2. Section 2.32.110 of the Mendocino County Code is hereby amended to read as follows:

Sec. 2.32.110 - Alternative Procedure for Leasing County Realty.

- (A) Pursuant to Government Code Section 25537, a procedure alternative to that required by Government Code Sections 25526 through 25535 for the leasing of any real property belonging to the County is hereby adopted.
- (B) The Board of Supervisors shall accept the highest proposal for the proposed lease submitted in response to a call for bids posted in at least three (3) public places for not less than fifteen (15) days and published for not less than two (2) weeks in a newspaper of general circulation, if such newspaper is published in the County, or reject all bids.
- (C) Leases or licenses of a duration not exceeding ten (10) years and having an estimated monthly rental of not exceeding Five Thousand Dollars (\$5,000) may be excluded from the bidding procedure specified in subsection (A) of this Section, except that notice shall be given pursuant to Section 6061, posted in the office of the Clerk of the Board of Supervisors, and if the lease or license involves residential property, notice shall be given to the housing sponsors, as defined by Sections 50074 and 50074.5 of the Health and Safety Code. The notice shall describe the property proposed to be leased or licensed, the terms of the lease or license, the location where offers to lease or license the property will be accepted, the location where leases or licenses will be executed, and any County officer authorized to execute the lease or license. If a lease or license is excluded from the bidding procedure, the actual

monthly rental in the executed lease or license shall not exceed Five Thousand Dollars (\$5,000), the term of the executed lease license shall not exceed ten (10) years and the lease or license is not renewable.

- (D) The Purchasing Agent or Purchasing Agent's designee may execute leases pursuant to paragraph (C) above and upon approval by the Board of Supervisors pursuant to paragraph (B) above. Pursuant to Government Code section 25537, this authority shall expire on October 1, 2030. The Purchasing Agent shall provide a notice to the Supervisor for the district in which the property proposed to be licensed is located at least five (5) working days prior to execution of the license. The notice shall describe the property proposed to be licensed, the terms and conditions of the license, and the name of the proposed licensee. If the Supervisor has not responded in writing objecting to the proposed license within five (5) working days after the notice has been provided, the proposed license shall be deemed approved by the Supervisor. If the Supervisor objects in writing to the proposed license within five (5) working days of receipt of the notice, the license shall be submitted for approval by the Board of Supervisors at a regular meeting.
- (E) Notice pursuant to this Section shall also be mailed or delivered at least fifteen (15) days prior to accepting offers to lease pursuant to this Section to any person who has filed a written request for notice with either the Clerk of the Board or with any other person designated by the Board to receive these requests. The County shall charge a fee, which is reasonably related to the costs of providing this service. The County requires each request to be annually renewed. The notice shall describe the property proposed to be leased or licensed, the terms of the lease or license, the location where offers to lease or license the property will be accepted, the location where leases or licenses will be executed, and any County Officer authorized to execute the lease or license.
- (E) This Section shall be subject to Government Code Section 25537 as amended from time to time or any successor statute as amended from time to time.

PASSED AND ADOPTED by the Board of Supervisors of the County of Mendocino, State of California, on this _____ day of _____, 2025, by the following roll call vote:

AYES:
NOES:
ABSENT:

WHEREUPON, the Chair declared the Ordinance passed and adopted and **SO ORDERED**.

ATTEST: DARCIE ANTLE
Clerk of the Board

Deputy

APPROVED AS TO FORM:
CHARLOTTE E. SCOTT,
County Counsel

JOHN HASCHAK, Chair
Mendocino County Board of Supervisors

I hereby certify that according to the provisions of Government Code section 25103, delivery of this document has been made.

BY: DARCIE ANTLE
Clerk of the Board

Deputy