

Resolution No.

**County of Sonoma
Santa Rosa, CA 95403**

Date: 10/20/2009

Resolution of the Board of Supervisors of the County of Sonoma, State of California, Authorizing the General Services Director, or his Deputy, to execute a Second Amendment to License Agreement with the Community Child Care Council of Sonoma County, Inc. to: 1) extend the term for an additional three years and increase the annual consideration, and 2) to execute future amendments and other documents.

Whereas, County and Community Child Care Council of Sonoma County, Inc., a California non-profit corporation, (“Licensee”), entered into that certain Revocable License Agreement for Use of County Facilities, dated October 1, 2004 (“Original Agreement”) to use a portion of real property located at 2614 Paulin Drive, Santa Rosa, California (“Premises”) for the purpose of operation of a child care facility, the Paulin Creek Child Development Center, for the benefit of children of County employees and the general public; and

Whereas, County and Licensee entered into that certain First Amendment to Revocable License Agreement, dated April 3, 2007 (“First Amendment”), whereby the term of the Original Agreement was extended to September 30, 2009; and

Whereas, County and Licensee desire to further amend the Original Agreement as modified by the First Amendment in order to extend the term and make other modifications; and

Whereas, County and Licensee have reached tentative agreement as to the terms and conditions of a Second Amendment (“Second Amendment;” the Original Agreement as modified by the First Amendment and Second Amendment is hereafter referred to as the “Amended Agreement”); and

Whereas, pursuant to Government Code Section 26227, the proposed Amended Agreement is necessary to meet the social needs of the population of the County of Sonoma, including but not limited to, safety and welfare needs of youth; and

Whereas, the real property that is the subject of the proposed Amended Agreement is not and, during the term of Licensee’s possession, will not be needed for County purposes; and

Whereas, the terms and conditions of the proposed Amended Agreement are in the best interests of the County and the general public; and

Whereas, this Board desires to delegate the authority to execute, renew and modify said Amended Agreement to the Director of the Department of General Services, or his Deputy Director.

Now, Therefore, Be It Resolved, that the Board does hereby find, determine, declare, and order as follows:

1. Verification of Recitals. Each of the foregoing recitals is true and correct.
2. Establishment of Program for Social Needs. This Board finds that, pursuant to Government Code Section 26227, the Amended Agreement is in the public interest and will further the social needs of the population of Sonoma County, including but not limited to, safety and welfare needs of youth and family, because the child care center provides child care for children of County employees and the general public, and its location at the County Administration provides easy access by County employees and the general public. The Board further finds that the interest in land conveyed by said Amended Agreement and renewal will not substantially conflict or interfere with the use of County-owned real property.
3. Property Not Needed For County Purposes. This Board finds that the real property that is the subject of the proposed Amended Agreement is not and, during the term of Licensee's possession, will not be needed for County purposes.
4. Terms and Conditions of Second Amendment. This Board finds that the terms and conditions of the proposed Amended Agreement are in the best interests of the County and the general public.
5. Authorization to Execute Amended Agreement, Future Amendments and Other Documents. The Board hereby authorizes the General Services Director, or his Deputy, to execute the proposed Amended Agreement, any future amendments, and any other documents reasonably required by or necessary to administer the Amended Agreement, provided the General Services Director first determines that such amendments and other documents are in the County's best interest after consultation with the County Counsel.

WHEREFORE, this Resolution is passed, approved and adopted this 20th day of October, 2009 by the following vote:

Supervisors:

Brown:	Kerns:	Zane:	Carrillo:	Kelley:
Ayes:	Noes:	Absent:	Abstain:	

So Ordered.