

April 25, 2017

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2017-198

ORDINANCE NO. C.S. 1192

**AN ORDINANCE AUTHORIZING PUBLIC WORKS DIRECTOR TO PURCHASE
REAL PROPERTY**

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS, STATE OF CALIFORNIA ORDAINS AS FOLLOWS:

Section 1. Section 13.08.070 of the Stanislaus County Code is hereby added to read as follows:

"13.08.070 Purchase of real property—\$5,000 or less.

"Pursuant to the authority granted by California Government Code section 25350.60, the Public Works Director is authorized to perform all acts necessary to approve and accept for the County the acquisition of any interest in real property where the purchase price for such interest does not exceed \$5,000, in accordance with the following specified procedures:

"A. Establishment of Purchase Price. The purchase price, if any, must be based on a summary of just compensation and may be adjusted only with the written concurrence of Public Works Director. The summary of just compensation shall be prepared in accordance with generally recognized real estate appraisal principles. The preparation of the summary of just compensation and the negotiations shall be performed in accordance with Government Code sections 7260 et seq.

"B. Environmental Clearance. The purchase may not be consummated prior to compliance with the applicable environmental statutes and regulations.

"C. Assurance of Funding. Prior to committing the County to acquisition of the property, funding must be identified as assured by the Public Works Director.

"D. Form of Instrument. All instruments conveying ownership of a property interest must be in a form acceptable to Public Works and County Counsel.

"E. Condemnation. Notwithstanding any other provision of this chapter, the Public Works Director's authority shall be exercised in conjunction with the County Counsel for any acquisition of an interest in real property where a resolution of necessity has been previously adopted by the Board of Supervisors of the County of Stanislaus for the County of Stanislaus, or in its ex officio capacity for any other public entity.

"F. Acceptance of Gifts. The Public Works Director is authorized to accept gifts consisting solely of real property interests. All requirements for the compliance with

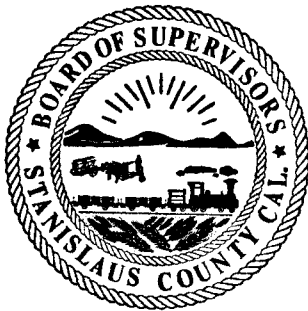
the environmental statutes and regulations shall be completed prior to acceptance of any real property interests.

"G. Expiration of Authority. The authority granted to the Public Works Director pursuant to this Section shall be effective for five years from the effective date of this ordinance, after which time it shall be deemed expired and of no further effect."

Section 2. This ordinance shall take effect thirty (30) days from and after the date of its passage and before the expiration of fifteen (15) days after its passage it shall be published once, with the names of the members voting for and against the same, in the Modesto Bee, a newspaper published in the County of Stanislaus, State of California.

Upon motion of Supervisor Withrow, seconded by Supervisor Monteith, the foregoing ordinance was passed and adopted at a regular meeting of the Board of Supervisors of the County of Stanislaus, State of California, this 25th, day of April, 2017, by the following called vote:


AYES: Supervisors: Olsen, Withrow, Monteith, DeMartini, and
Chairman Chiesa
NOES: Supervisors: None
ABSENT: Supervisors: None



Vito Chiesa, Chairman of the Board of Supervisors of the County of Stanislaus, State of California

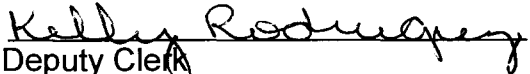
APPROVED AS TO FORM:

JOHN P. DOERING
County Counsel

By: 
Amanda DeHart
Deputy County Counsel

ATTEST:

Elizabeth King
Clerk of the Board of Supervisors
Of the County of Stanislaus, State of California

By: 
Deputy Clerk

**DECLARATION OF PUBLICATION
(C.C.P. S2015.5)**

STANISLAUS COUNTY
ORDINANCE NO. C.S. 1192
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PUBLIC WORKS DIRECTOR TO
PURCHASE REAL PROPERTY

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STATE OF CALIFORNIA**

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Stanislaus for the County of Stanislaus,
or in its ex officio capacity for any other
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seconded by Supervisor Monteith, the
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adopted at a regular meeting of the
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Stanislaus, State of California, this 25th,
day of April, 2017, by the following called
vote: AYES: Supervisors: Olsen,
Withrow, Monteith, DeMartini, and
Chairman Chiesa. NOES: None. AB-
SENT: None. /s/ Vito Chiesa, Chairman
of the Board of Supervisors of the County
of Stanislaus, State of California. AT-
TEST: Elizabeth King, Clerk of the Board
of Supervisors of the County of
Stanislaus, State of California. By: Pam
Villarreal, Assistant Clerk. APPROVED
AS TO FORM: John Doering, COUNTY
COUNSEL. BY: Amanda DeHart, De-
puty County Counsel.

Pub Dates May 2, 2017

I am a citizen of the United States and a resident
Of the County aforesaid; I am over the age of
Eighteen years, and not a party to or interested
In the above entitle matter. I am a printer and
Principal clerk of the publisher
of THE MODESTO BEE, printed in the City
of MODESTO, County of STANISLAUS,
State of California, daily, for which said
newspaper has been adjudged a newspaper of
general circulation by the Superior Court of the
County of STANISLAUS, State of California,
Under the date of February 25, 1951, Action
No. 46453; that the notice of which the annexed is
a printed copy, has been published in each issue
there of on the following dates, to wit:

May 02, 2017

I certify (or declare) under penalty of perjury
That the foregoing is true and correct and that
This declaration was executed at

MODESTO, California on

May 2nd, 2017

(By Electronic Facsimile Signature)

