

**EFFECTIVE DATE
OF ORDINANCE**

Month DD, YYYY

ORDINANCE NO. 2860 N.C.S.

Introduced by: Barnacle

Seconded by: Nau

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PETALUMA APPROVING AN
AMENDED AND RESTATED LEASE AGREEMENT WITH SONOMA COUNTY LIBRARY FOR
USE OF THE LIBRARY AT 100 FAIRGROUNDS DRIVE**

WHEREAS, the City of Petaluma owns the premises located at 100 Fairgrounds Drive, including a building with an area of approximately 25,800 square feet; and

WHEREAS, the City of Petaluma and Sonoma County Library entered into a certain Lease Agreement on January 27, 1978 for use of the premises located at 100 Fairgrounds Drive, owned by the City of Petaluma, for Sonoma County Library's public library services use; and

WHEREAS, Sonoma County Library has used the premises for public library services for the duration of the existing lease agreement; and

WHEREAS, the premises require significant repairs and upgrades to continue provide excellent library services for the public, including installation of fire sprinklers, upgrading of restrooms and entryways, installation of seismic bracing for bookshelves, improvement of emergency exits, replacement of HVAC equipment, and upgrading of lighting; and

WHEREAS, City of Petaluma applied for and was awarded \$1,856,449 from the California State Library Building Forward Grant program to offset some of the costs of the aforementioned repairs and upgrades; and

WHEREAS, the Building Forward Grant program requires a facility upgraded with grant funds to maintain the continuous use of such facility for public library purposes for at least ten years beyond the grant term; and

WHEREAS, an amended and restated lease agreement is necessary in order to replace the existing lease agreement with a more modern lease agreement with a term sufficient to meet the requirements of the Building Forward Grant program.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Petaluma, as follows:

Section 1. Findings The City Council hereby finds and determines the foregoing recitals to be true and correct and hereby incorporates them into this ordinance as findings and determinations of the City Council.

Section 2. Exemptions from CEQA Introducing an ordinance to approve an amended and restated lease agreement which will provide space for the public library services at the existing Petaluma library branch is categorically exempt under the California Environmental Quality Act ("CEQA") in accordance with Sections 15301 (Existing Facilities), 15303 (New Construction or Conversion of Small Structures), and 15304 (Minor Alterations to Land)

as the lease space is located at an already improved property used for the purpose of providing public library services.

Section 3. Approval of Lease. In accordance with Section 46 of Article VII of the Petaluma City Charter and other applicable law, the amended and restated lease agreement between the City of Petaluma and Sonoma County Library that is attached to and is hereby made a part of this ordinance as Exhibit A is hereby approved, and the City Manager is hereby authorized and directed to execute on behalf of the City an amended and restated lease agreement with Sonoma County Library that is substantially in accordance with that attached as Exhibit A and is approved as such by the City Attorney.

Section 4. Termination of Existing Lease. Simultaneous with the effective date of the Amended and Restated Lease Agreement, the existing Lease Agreement between the City of Petaluma and Sonoma County Library is terminated and replaced in its entirety with the Amended and Restated Lease Agreement.

Section 5. Severability If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be unconstitutional, unlawful or otherwise invalid by a court of competent jurisdiction or preempted by state legislation, such decision or legislation shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Petaluma hereby declares that it would have passed and adopted this ordinance and each and all provisions thereof irrespective of the fact that any one or more of said provisions be declared unconstitutional, unlawful or otherwise invalid.

Section 6. Posting/Publishing of Notice The City Clerk is hereby directed to publish or post this ordinance or a synopsis for the period and in the manner provided by the City Charter and other applicable law.

INTRODUCED and ordered published and posted this 7th day of August 2023.

ADOPTED this 11th day of September 2023 by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Kevin McDonnell, Mayor

ATTEST:

APPROVED AS TO FORM:

Kami Noriega, Interim City Clerk

Eric Danly, City Attorney