

Number: **BP 043**

Authority: Board of Directors

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Initiating Dept./Div.: Engineering/Planning & Development



BOARD POLICY

BUFFER PROPERTY MANAGEMENT

PURPOSE

To provide guidance for management of the District's buffer properties for prospective and existing tenants. This policy is for buffer properties that are located between the treatment plant and the surrounding properties not owned by the District. Leasing criteria and prioritization will be utilized for any unneeded buffer property that is proposed for lease to others.

POLICY

It is the District's policy to obtain and manage buffer property around the treatment plant to avoid incompatible land uses with the District and surrounding properties, and minimize disturbances such as noise and odor, to the community. In applying this policy, the District shall review all District-owned property, every five years at a minimum, to determine the need and use thereof, including if the inventory is best served as a source of lease revenue.

the District will maintain a priority for its own use to operate and maintain the sanitary sewer system and wastewater treatment and disposal facilities. the District will then prioritize prospective projects interested in leasing a buffer property that enhances the District's vision, mission, and purpose over those projects that do not relate to wastewater. The Board of Directors can modify this policy on a case-by-case basis.

LEASING CRITERIA

For leasing the unneeded real property, the District will comply with Health and Safety Code §6514.1. The following factors will be taken into consideration when evaluating new lease proposals for buffer properties.

1. Land use must be compatible with the District's and surrounding property owner's land use. (All leases shall include clauses allowing the District to request termination, if the Board declares property is needed for public use.)
2. Adherence to all applicable laws, rules, regulations, and permits.

3. Market lease rates or a comparable public benefit shall be charged to provide additional revenue to the District and its ratepayers.
4. Other Public Agencies, then non-profits needs shall be given priority for temporary uses over private entities.
5. Public and surrounding property owner's acceptability and aesthetics.
6. Avoid potential for adverse environmental impacts, such as hazardous material spills or traffic congestion.
7. Financial stability to pay rent timely and address needed environmental cleanup, infrastructure, or necessary improvements.
8. Housekeeping performance of existing tenants.
9. Lease terms shall be up to 10 years and all terms of Health and Safety Code §6514.1 shall be met.
10. References and background checks.

[Original retained by the Secretary of the District]