

*Office of General Counsel*  
401 Golden Shore  
Long Beach, CA 90802-4210  
[www.calstate.edu](http://www.calstate.edu)

*Elisabeth Walter*  
University Counsel  
(562) 951-4500  
Fax (562) 951-4956  
[ewalter@calstate.edu](mailto:ewalter@calstate.edu)

July 1, 2020

Susan Gorin  
County of Sonoma Board of Supervisors  
575 Administration Drive, Rm. 100A  
Santa Rosa, CA 95403

County of Sonoma, General Services Department  
Attn: Real Estate Manager  
2300 County Center Drive, Suite A200  
Santa Rosa, CA 95403

RE: Final Notice of Expiration of Emergency Facility Use Agreement and Response to County's Letter dated June 30, 2020 Requesting Extension of the Agreement

Dear Chair Gorin,

Thank you for your letter expressing the County's appreciation of our partnership as we collectively battle this global pandemic. We have been honored to assist the County and look forward to continuing our working alliance. Unfortunately, as previously explained, Sonoma State declines to extend the Emergency Facility Use Agreement dated April 6, 2020. Therefore, in accordance with Paragraph 9 of the Agreement, unless the County accepts our offer of a limited extension, the Agreement shall expire on July 5, 2020.

The County expressly acknowledged in the Agreement, Section 1.f., that it's right to remain on campus is subject to, and must yield to, CSU's central higher education mission:

It is expressly understood by the parties that CSU's central mission is higher education, and that its primary obligation is to as such, priority shall be given to serving its students, faculty and staff, and to all operations that support its primary mission. The parties, therefore, understand and agree that, at such time that as the University, in its sole and unlimited discretion, deems it necessary to serve its primary mission of higher education, the University may terminate this Agreement at any time, and that in the event of such termination, time may be of the essence to remove some or all of Licensee's property and end some or all of Licensee's uses from any and all SSU facilities.

**CSU CAMPUSES**

Bakersfield  
Channel Islands  
Chico  
Dominguez Hills  
East Bay

Fresno  
Fullerton  
Humboldt  
Long Beach  
Los Angeles  
Maritime

Monterey Bay  
Northridge  
Pomona  
Sacramento  
San Bernardino  
San Diego

San Francisco  
San José  
San Luis Obispo  
San Marcos  
Sonoma  
Stanislaus

As such, while we have been pleased to assist the County, we cannot continue to do so to the detriment of our overarching commitment to our university community and mission. It is for this reason that Sonoma State declines to extend the Agreement.

Please consider this letter further written notice to the County, per Agreement, Section 9.c., that we are terminating permission for the County's use of and presence on campus as of July 5, 2020. Our letters dated May 21, 2020 and June 25, 2020, Joyce Lopes' email of May 22, 2020 and our statements at the in-person meeting held on June 12, 2020, have been consistent and clear. In addition, our operations team has sought, on numerous occasions, to engage your operations personnel regarding demobilization of the County from our housing Facilities to no avail. Sonoma State must prepare for the start of its fall semester. In particular, priority must be given to the restoration of Sauvignon and Verdote Village, as they will be lodging incoming students. As you know the Agreement requires that the County not only vacate, but also to return the Facilities in accordance with Section 5.a. of the Agreement no later than July 5, 2020.

Nevertheless, Sonoma State is willing to renew its offer to extend from July 5, 2020 to August 4, 2020 specific Alternative Care Site Facilities set forth in Attachment B and B-1, namely:

- a. Campus Recreation Center
- b. Rec Center Lawn
- c. Seawolf Plaza
- d. Ropes Course
- e. Weyden and Brewsters seating area, Lounge in Student Center
- f. Cooperage
- g. Barrel Room

This extension will be granted only for the limited purpose of allowing the County to operate an Alternate Care Site (ACS), as defined by the CDC<sup>1</sup>, in Facilities a-g as set out above. While the ACS space a-g has not been used to date, it was built out solely for this purpose.

Should the County choose to accept our offer to allow it to operate an ACS in Facilities a-g noted above until no later than August 4, 2020, this correspondence shall also constitute written notice to the County, per Agreement, Section 9.c., that Sonoma State declines any further extensions of the Agreement, (including a-g above) beyond August 4, 2020. If the County accepts this limited extension as to areas a-g, the County's obligation to vacate by August 4, 2020, and return the University campus in accordance with Section 5.a. of the Agreement no later than August 4, 2020 still stands.

In summary, the County's request to extend the Emergency Facility Use Agreement is denied. If the County intends to accept the limited offer of an extension set forth above, please provide the University notice no later than close of business, July 6, 2020.

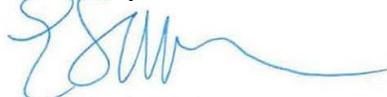
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<sup>1</sup> <https://www.cdc.gov/coronavirus/2019-ncov/hcp/alternative-care-sites.html>

While we are sympathetic to the challenge of securing alternative resources to meet the County's obligations, particularly for those most vulnerable, the current pandemic is placing an immense strain on all public resources and the CSU is not immune from these challenges. However, the CSU cannot take on the burden of the County at the risk of displacing its own community. To do so would be to fail a population that relies on the CSU to help it find opportunity through education so that they, in turn, can become a community of informed, secure, productive individuals who will support the stability of the next generation, including those most vulnerable.

Again, the CSU is proud to have helped the County care for our broader community, but now we must insist that the County allow Sonoma State to refocus its resources toward its core mission as a University providing higher education.

Sincerely,



Elisabeth Walter

University Counsel, Sonoma State University

cc: The Honorable Mike McGuire, California State Senate  
The Honorable Bill Dodd, California State Senate  
The Honorable Marc Levine, California State Assembly  
The Honorable Jim Wood, California State Assembly  
The Honorable Cecilia Aguiar-Curry, California State Assembly  
Members, Sonoma County Board of Supervisors  
Barbie Robinson, Director of Health Services, Sonoma County  
Paul Yoder, Shaw Yoder Antwih Schmelzer & Lange, Inc.  
Karen Lange, Shaw Yoder Antwih Schmelzer & Lange, Inc.  
Brad Wells, Associate Vice Chancellor  
G. Andrew Jones, Executive Vice Chancellor and General Counsel  
Nichole Munoz-Murillo, Assistant Vice Chancellor, Advocacy & State Relations  
Joyce Lopes, Vice President of Administration & Finance, Sonoma State University  
Jenifer Barnett, Managing Director, Contracts & Procurement, Sonoma State University