

Meeting Date: 5/26/2015

Report Type: Consent

Report ID: 2015-00448

Title: Update to Real Estate Procedures: Authority to Consent to and Accept for Recordation Certain Documents Conveying Interest or Easement in Real Property and to Determine Just Compensation

Location: Citywide

Recommendation: 1) Pass a Resolution a) authorizing the Director of Public Works or designee to consent to and accept for recordation all deeds or grants conveying any interest in or easement upon real property in the City; and b) repealing Resolution No. 2013-0339; and 2) pass a Resolution a) authorizing the Director of Public Works or designee to determine just compensation for acquisition of real property for City projects; b) determining that just compensation shall be made in accordance with City Code; and c) repealing Resolution No. 2013-0340.

Contact: Ken Hancock, Real Property Agent, (916) 808-5752, Department of Public Works

Presenter: none

Department: Public Works Department

Division: Real Estate/Asset Management

Dept ID: 13001551

Attachments:

1-Description/Analysis

2-Resolution No. 1

3-Resolution No. 2

City Attorney Review

Approved as to Form

Lan Wang

5/20/2015 11:07:21 AM

Approvals/Acknowledgements

Department Director or Designee: Jerry Way - 5/6/2015 4:07:38 PM

Description/Analysis

Issue Detail: On April 27, 2015, the Department of General Services was dissolved and absorbed by various other City departments. The Facilities and Real Property Management Division, which includes the Real Estate Services Section, was moved to the Department of Public Works. This change in organizational structure caused certain authority for documentation related to the Real Estate Services Section, previously delegated to the Director of General Services, to become obsolete. The specific Resolutions that need updating are:

- Resolution No. 2013-0339, which authorized the Director of General Services to consent to and accept for recordation all deeds or grants conveying any interest in or easements upon real property in the City; and
- Resolution No. 2013-0340, which authorized the Director of General Services to determine just compensation for real property to be acquired for City projects.

Policy Considerations: The recommendation to pass a resolution authorizing the Director of Public Works or designee to accept for recordation all deeds or grants conveying any interest in or easement upon real property in the City is in accordance with California Government Code 27281, which provides that the City Council may authorize one or more officers or agents to accept and consent to such deeds or grants. Additionally, passing a resolution authorizing the Director of Public Works or designee to determine just compensation for acquisition of real property for City projects is consistent with City Code Chapter 3.04 and will streamline the business of government. Since the City Council would approve acquisition funding in a separate step, usually as a component of project funding, this process would not significantly diminish City Council control over City projects.

Economic Impacts: None

Environmental Considerations:

California Environmental Quality Act (CEQA): No environmental review is necessary because the recommendations in this report involve general policy and procedure making and are not considered to be a project in accordance with Section 15378(b)(2) of the CEQA Guidelines.

Sustainability: Not applicable

Commission/Committee Action: None

Rationale for Recommendation: With the change in organizational structure implemented on April 27, 2015, the Real Estate Services Section became part of the Department of Public Works. The recommendations in this report are necessary to delegate the authority for certain documentation related to the Real Estate Services Section to the Director of Public Works or designee.

Financial Considerations: There are no financial considerations associated with this report.

Local Business Enterprise (LBE): No goods or services are being purchased as a result of this report.

RESOLUTION NO. 2015-

Adopted by the Sacramento City Council

May 26, 2015

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC WORKS OR DESIGNEE TO CONSENT TO AND ACCEPT FOR RECORDATION ALL DEEDS OR GRANTS CONVEYING ANY INTEREST IN, OR EASEMENT UPON, REAL PROPERTY IN THE CITY OF SACRAMENTO

BACKGROUND

- A. Resolution No. 2013-0339 authorizes the Director of General Services to consent to and accept for recordation all deeds or grants conveying any interest in or easements upon real property in the City of Sacramento. At the time Resolution No. 2013-0339 was adopted, the City's Real Estate Services Section was within the Department of General Services. When the Department of General Services was dissolved in April, 2015, Real Estate Services was placed within the Department of Public Works where it remains today. This Resolution will authorize the Director of Public Works or designee to consent to and accept for recordation all deeds or grants conveying any interest in, or easement upon, real property in the City of Sacramento.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The Director of Public Works or designee is hereby authorized to consent to and accept for recordation all deeds or grants conveying any interest in, or easement upon, real property in the City of Sacramento.
- Section 2. Resolution No. 2013-0339 is hereby repealed.

RESOLUTION NO. 2015-

Adopted by the Sacramento City Council

May 26, 2015

RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC WORKS OR DESIGNEE TO DETERMINE JUST COMPENSATION FOR ACQUISITION OF REAL PROPERTY FOR CITY PROJECTS

BACKGROUND

- A. Resolution No. 2013-0340 authorized the Director of General Services to determine just compensation for acquisition of real property for City projects. At the time Resolution No. 2013-0340 was adopted, the City's Real Estate Services Section was within the Department of General Services. When the Department of General Services was dissolved in April, 2015, the Real Estate Services Section was placed within the Department of Public Works where it remains today. This Resolution will authorize the Director of Public Works or designee to determine just compensation for acquisition of real property for City projects.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The Director of Public Works or designee is authorized to determine just compensation for acquisition of real property for City projects.
- Section 2. The determination of just compensation shall be made in accordance with City Code.
- Section 3. Resolution No. 2013-0340 is hereby repealed.