



DATE: December 4, 2018

CATEGORY: Consent

DEPT.: City Manager's Office/
Council Procedures Committee

TITLE: **Resolution Amending Council Policy H-1: Acquisition of Real Property; and Council Policy A-10: Authorization to Execute City Contracts and Agreements and Increase Certain Limited Appropriations**

RECOMMENDATION

Adopt a Resolution Amending Council Policy H-1: Acquisition of Real Property; and Council Policy A-10: Authorization to Execute City Contracts and Agreements and Increase Certain Limited Appropriations, to be read in title only, further reading waived (Attachment 1 to the Council report).

BACKGROUND

The Council Procedures Committee (CPC) is a standing Council committee that meets on an as-needed basis to discuss issues relating to City Council policies and/or procedures. This report addresses a recommendation by the CPC to review existing policies and procedures and explore options to make the acquisition of real property more expeditious.

ANALYSIS

Staff reviewed existing policies for background and context. Staff found that the existing Council Policy H-1: Acquisition of Real Property, adopted on May 11, 1959, had not been previously reviewed or updated (Attachment 2). The policy is solely focused on easements and right-of-way. The City Manager's delegated authority in the policy is limited to \$1,000. The policy and acquisition amounts do not reflect current authorities and procedures. In addition, State law and regulations have been enacted and codified since 1959 that prescribe certain process obligations for any public entity acquiring an interest in real property.

The CPC considered and discussed the staff recommendation to update Council Policy H-1 to align with similar Council Policies, as well as update Council Policy A-10 to

reflect this change in City Manager authority, approving the staff recommendation (Attachment 3 and 4), and adding the amendment reflected in the attached resolution (Attachment 1) to reflect the following three changes: (1) update the policy and increase the City Manager's delegated authority from \$100,000 to \$500,000 for the lease of property to others; (2) change the cumulative value of leased term to the annual rent; and (3) amend the City Manager's authority to 110 percent of the appraised value for an authorized project (Attachments 5, 6, and 7).

The benefits of these policy changes are to reflect current authorities and procedures, and changes in State law that prescribe certain process obligations for any public entity acquiring an interest in real property.

FISCAL IMPACT – There is no significant budgetary impact to this recommendation.

ALTERNATIVE

The City Council can modify or decline to accept the CPC recommendations.

PUBLIC NOTICING – Agenda posting.

Prepared by:

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Approved by:

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KST/2/CAM
609-12-04-18CR

- Attachments:
1. Resolution Amending Council Policy H-1: Acquisition of Real Property; and Council Policy A-10: Authorization to Execute City Contracts and Agreements and Increase Certain Limited Appropriations
 2. [Existing Council Policy H-1: Acquisition of Real Property](#)
 3. [Existing Council Policy A-10: Authorization to Execute City Contracts and Agreements and Increase Certain Limited Appropriations](#)
 4. CPC Report Item – April 17, 2018

5. Track Changes to Policy H-1
6. Track Changes to Policy A-10
7. Track Changes to Policy A-10 Exhibit A