



City of Palo Alto

(ID # 5228)

Policy and Services Committee Staff Report

Report Type: Agenda Items

Meeting Date: 11/13/2014

Summary Title: Review of City Owned Surplus Properties Disposition and Lease Procedures

Title: Referrals from Council Related to City Real Property Matters: (a) Review and Accept Inventory of Donated City Owned Properties; (b) Review and Recommend Revisions to Policy and Procedure 1-48 (Sale/Transfer of Surplus City Owned Real Property), Including Development of Procedures for Addressing Unsolicited Offers to Lease or Purchase City Land; and (c) Review and Recommend Revisions to Policy and Procedure 1-11 (Leased Use of City Land/Facilities)

From: City Manager

Lead Department: Administrative Services

RECOMMENDATION:

Staff recommends that the Policy and Service Committee:

1. Review and accept the attached Inventory of Donated City-Owned Properties, which will be posted on the City's website as directed by Council;
2. Review and Consider Potential Revision to Policy and Procedures 1-48/ASD (Procedure for Sale/Transfer of Surplus City –Owned Real Property);
3. Consider recommending an amendment to Policy and Procedure 1-48 to specifically address unsolicited offers to lease or purchase City owned properties;
4. Review policy and Procedure 1-11/ASD (Leased Use of City Land/Facilities) and consider whether amendments are needed.

EXECUTIVE SUMMARY

The Palo Alto Municipal Code and Palo Alto's administrative Policies and Procedures manual contain sections regarding the sale of City owned surplus property and leasing procedures. The procedures will be discussed and reviewed in order to assure that they provide the appropriate guidelines to dispose of surplus property or execute leases of City property.

BACKGROUND

On September 8 and 15, 2014, the Council reviewed and discussed the Santa Clara County Civil Grand Jury Report "Reduced Transparency and Inhibited Public Input and Scrutiny on Important

Land Use Issues.” On the 15th, the Council approved the City’s response to that report. In addition, the Council referred certain matters relating to real property to the Policy and Services Committee for further review and recommendations, including receipt of an inventory of donated lands and a review of Policy & Procedures 1-11 and 1-48.

DISCUSSION

Land Inventories

Inventory of Lands Donated to City

Using on-site or easily accessible records, Staff has developed a list of real properties that have been donated to the City (Attachment A). This list is reasonably complete to our knowledge, but there remains a possibility that it omits some properties that may have come into City ownership over time through donation. To establish a comprehensive and definitive list, Staff would need to purchase and review title reports and recorded deeds on each and every City-owned property to establish its ownership history and the manner of initial conveyance to the City. Staff estimates this effort would cost \$500 and \$750 per property report (for more than 100 plus properties), plus extensive staff time for research and analysis.

Inventory of Purchased and Donated City Owned Real Property

It is staff’s goal to include the information on donated properties within a public database that will include the majority of City owned real property, both donated and purchased. (Certain security-sensitive information will not be included, as discussed below.)

Many cities post and maintain an inventory of city owned properties on their websites. The Real Estate Division of ASD has been working on developing a database of City owned real property for public use that will be posted and maintained on the City’s website. The property database will show the current real estate assets that are held by the City in addition to other pertinent information. The majority of the City owned properties are open and available for public use, including parks, libraries, museums, community centers, parking areas and publicly-accessible administrative offices. These lands will appear on the posted inventory.

There are other City lands and facilities that support and serve the public but are not generally open for public use. These include lands containing utility infrastructure and equipment, fire stations and police stations. In some cases – such as facilities housing gas, electric and water infrastructure – disclosing details regarding location and use of facilities may expose the City and its residents to security risks. The Real Estate Division is working with the Utilities Department to determine which properties can or should be included in the proposed database.

The draft proposed database to be posted on City’s website may include information regarding Assessor’s Parcel Number, address, size, use, zoning, tenants, and links to parcel maps as shown

on the draft table (illustration only) below. The property database will need to be updated periodically to ensure the accuracy of the disclosed information.

#	APN	ADDRESS	DESCRIPTION	TYPE	LAND SIZE	BUILDING SIZE	ZONING	ACQUIRED BY	LEASED	Parcel Map	COMMENTS
26	120-03-084	520 Cowper and Webster/ b/n University and Hamilton	Parking Lot "J"	Parking Structure	1.38 ac	209,118 sf	PC3499	Purchase	No		new last partition of APN - former 034
27	120-06-039	1130 Middlefield	Residential Lot	Residential Lot	0.13 ac	N/A	R-1	Purchase	No		
28	120-06-076	1142 Middlefield	Residential Lot	Residential Lot	0.13 ac	N/A	R-1	Purchase	No		
29	120-14-016	251 Waverly Street	Johnson Park	Park	2.06 ac	N/A	PF	Purchase	No		
30	120-14-088	351 Lytton	Parking Lot "K"	Parking Lot	0.48 ac	N/A	PF	Purchase	No		
31	120-14-095	Bryant and Lytton	Portion of Parking Lot "K"	Parking Lot	0.08 ac	N/A	PF	Purchase	No		
32	120-15-073	Cowper and Hamilton	Parking Lot "H"	Parking Lot	0.07 ac	N/A	PF	Purchase	No		

Sale of City Land

Policy and Procedure (P&P) 1-48/ASD (Procedure for Sale/Transfer of Surplus City –Owned Real Property)

The City has a Policy and Procedure addressing the sale of surplus city-owned real property (P&P 1-48/ASD), (Attachment B). The P&P specifies two methods by which potentially-surplus properties are identified: (a) periodic inventory review by the City's Real Property Manager (RPM) , and (b) notification from City departments to the Real Property Manager that a property is no longer of use. The P&P establishes procedures for considering such properties. The Real Property Manager notifies all City departments that the property may be available for other department use, and notifies public agencies that it may be available for sale. The property(ies) question is brought to Council for a determination whether to retain the property or dispose of it using "an open and competitive bid process," including an independent appraisal and formal Bid Proposal Package. Council approves the Bid Proposal Package and later, after bids are received and evaluated, either rejects all bids or accepts a bid that best serves the public interest.

Unsolicited offers to lease or purchase City owned properties

The majority of City owned land and properties are in use as public parks, open space, public facilities, parking lots and structures, and sites that are used by Utilities Department.

Presently, there is not a specific, written policy regarding the process for considering and resolving unsolicited, outside offers to lease or purchase City owned properties. While it is not common for the City to receive such offers, it does occur from time to time. When inquiries or proposals concerning the lease or purchase of City owned property are received by staff, it is staff's practice to refer them to the Real Estate Division for review. Any inquiries about dedicated parkland, open space or utility sites are rejected immediately.

Other proposals, if credible and warranting further evaluation and discussion, are forwarded to the City Manager, City Attorney and ultimately Council for further review. If such a review suggested that it may be in the public's interest to designate a property as surplus and consider it for sale, the property would be processed through the steps in P&P 1-48, including an independent appraisal, notifying other public agencies and initiating an "open and competitive bid process" to consider the property for sale.

The Committee may wish to recommend that the Council amend P&P 1-48 to acknowledge the potential for an unsolicited offer and clarify procedures that staff should use to address and resolve such offers.

Lease of City Land

The City Charter and Municipal Code

The Palo Alto Charter provides that the Council may lease or sub-lease lands owned or leased by the City, for terms up to a maximum of fifty years. (Charter, Article VII, Sec. 7.) By ordinance, the Council has delegated to the City Manager authority to rent or lease City real property for any amount for up to three years. (Municipal Code section 2.30.210(h).) The Manager may rent or lease property at Cubberley Community Center for up to five years. (Municipal Code section 2.30.210(h).)

Review policy and Procedure 1-11/ASD (Leased Use of City Land/Facilities)

Policy and Procedure 1-11/ASD (Attachment C) establishes procedures for the lease of City real property and facilities. P&P 1-11 establishes procedures for leasing City property. It specifies that use of City property by profit and/or non-profit entities is appropriate only when such development and operation will further public use or provide a public benefit. The policy calls for consistency with existing City policies, plans, services and/or procedures, and requires open competitive and/or bid processes that will be used to solicit proposals or provide opportunities to others prior to awarding an option or lease. The policy does not apply to short-term interim leases where no significant change in use is proposed.

Policy and Procedure 1-11/ASD provides a detailed guideline and process to execute options to lease or lease City owned properties. The RFP process in the Public Notification section calls for announcement in the local newspaper of general circulation. The City can advertise its available real estate inventory through direct marketing techniques such as request for proposals (RFPs), advertising, exposure through real estate commercial websites such as Costar and LoopNet,

and multiple listing services. In addition, listings can be posted on the City's website for a certain time period to gain maximum marketing exposure.

Survey of Other Jurisdictions

A review of the policies and procedures covering surplus disposition and leasing of real assets owned by government and public agencies reveals many similarities and consistencies (Attachment D). Properties owned by public agencies that are not utilized and needed in daily operations are given consideration to be used for park, recreational, educational, and affordable or public housing. They are offered to other public agencies and if there are no takers, they are placed for sale in the market place to the highest bidders. In regards to leasing City owned properties or renting space from other landlords, the authority given to City Managers without council authorization ranges from one to three years. Long term lease agreements (more than three years) are typically approved by majority vote of the elected officials.

TIMELINE

Staff will continue to work on the property database table and report the results back to the Policy & Services Committee in the early part of 2015.

RESOURCE IMPACT

Depending on the direction given, there will be a cost to acquire title reports for the City owned properties. The staff time to develop the database and conduct additional research has been budgeted.

POLICY IMPLICATIONS

Review of the existing City's Policy and Procedures regarding the surplus property and leasing process is consistent with policies and programs in the Comprehensive Plan promoting value enhancement of City's assets for the purpose of public benefits.

ENVIRONMENTAL REVIEW

A review of the existing City Policies and Procedures regarding surplus real property and leasing does not constitute a project for purposes of the California Environmental Quality Act (CEQA).

Attachments:

- Attachment A - Gifted City Properties Table (DOCX)
- Attachment B - Procedure for Sale/Transfer of Surplus City Owned Real Property (PDF)
- Attachment C - Leased Use of City Land/Facilities (PDF)
- Exhibit D - Property Use Policies Government Agencies (DOCX)

Attachment A
Inventory of Donated City Lands

NO #	ASSESSOR PARCEL NUMBER	ADDRESS	DESCRIPTION	TYPE	LAND SIZE	BUILDING SIZE	COMP PLAN	ZONING	ACQUIRED BY	LEASED	PARCEL MAP LINK	COMMENTS
1	003-28-044	851 Center Drive, at Channing Avenue	Eleanor Pardee Park	Park	9.6 ac +/-	N/A		PF	Gift	No		
2	003-46-001	1120 Hopkins (777 Embarcadero Road/1276 Harriett Ave./1305 Middlefield/1451 Middlefield)	Rinconada Park/Lucie Stern Community Center/Children's Library/Theatre, Zoo, Boy Scouts/1305 Middlefield	City Facility	18.45 ac	1,907 sf + 2,433 sf decking 3,360 sf Children's library; 710 Melville 17,748 sf; LS Wing 13,865 sf; Children's Museum 11,922 sf		PF	Gift	Community Services, Children's Library, Boy Scouts		
3	003-46-006	799 Embarcadero Road Palo Alto, CA 94303	Fire Station #3	City Facility	0.085 acres	3,506 sf +216 sf storage bldg. = 3,722 sf		PF	Gift	PAFD, Sprint		
4	003-47-020	1213 Newell Rd./1313 Newell	Cultural/Art Center/Main Library	City Facility	5.17 acres	26,582 sf library; CC - 29,994 sf		PF	Gift	Community Services, Library		
5	120-16-099	351 Homer	Rhona Williams Property	Lease-Long Term	0.60 ac	5,596 sf		PF	Gift	Museum of American Heritage		
6	120-17-088	915 Scott Ave.	Scott Mini-park	Park	0.26 ac per GIS (0.04 ac per PA web site)	1,257,652 sf		PF	Gift	No		sf from GIS unrealistic - lot beside the Post Office
7	124-07-032	474 Embarcadero	Lawn Bowling Green Club Park	Park	1.62 ac (0.12 ac per GIS, (-)Seale addition)	1,950 sf		PF	Gift	PALBC, Inc.		
8	124-07-040	1431 Waverley St.	Gamble Garden Center	Lease-Long Term	2.38 ac	7,662 sf		PF	Gift	Elizabeth F. Gamble Garden non-profit Horticultural Foundation		
9	182-46-006	Foothill Park	Foothills Park- Reservation Parcel (1996)	Park/Foothills	7.70 ac	N/A	Gift	PF	Gift	No		Deed restriction Conservation use
10	182-27-003	Foothills Park	Foothills Park at Moody Rd. and Central Dr.	Park/Foothills	28 ac +/-	N/A		PF	Gift	No		

Attachment B

POLICY AND PROCEDURES 1-48/ASD
Effective: October 2006

PROCEDURE FOR SALE/TRANSFER OF SURPLUS CITY-OWNED REAL PROPERTY

POLICY STATEMENT

It is the policy of the City of Palo Alto that the disposal of City real property be accomplished through a public bid process. The process involves notification of City departments and public agencies prior to the City Council declaring any property to be surplus. To assure the highest return for sale of its assets, the process involves an appraisal of fair market value and an open and competitive bid process. The City Council may reject any or all bids and accept that bid which will, in its opinion, best serve the public interest.

PROCEDURE

A. The Real Property Manager shall identify potential surplus City real property by:

- 1) Conducting periodic reviews of the Real Property Inventory; and/or
- 2) Notification from City departments which no longer have use for a particular property.

B. Upon identifying a potential surplus real property, the Real Property Manager shall:

1. Notify City departments that the property may be available for their use, subject to Council approval as outlined below.
2. In accordance with Government Code Section 54222, notify public agencies of the property's availability for sale.

C. The Real Property Manager shall forward information about the property together with the responses from other departments and the public agencies referred to in #B2 above to the Council with a staff recommendation to:

1. Formally declare the real property surplus and instruct the Real Estate Division to dispose of the property using open bid procedures; or
2. Transfer control of the property to one or more other City departments; or
3. Negotiate an agreement with one of the public agencies referred to in #B2 above.

POLICY AND PROCEDURES 1-48/ASD

Effective: October 2006

D. Should the decision be to declare the property surplus and sell it by bid:

1. The Real Estate Division shall appraise (or have appraised) the property to determine a minimum bid.
2. The Real Estate Division shall prepare a "Bid Proposal Package" to be placed on the Council Consent Calendar for approval.
3. Upon approval by the Council, the Real Estate Division shall:
 - a. Place an ad in the Real Estate Section of the local newspapers.
 - b. Send flyers advising of the offering to all interested parties and persons on the Real Estate Division "Surplus Property Mailing List."
 - c. Send the Proposal Package to persons expressing further interest in the offering.
4. The bid opening shall be scheduled by the Real Property Manager and the Manager, Purchasing and Contract Administration. At the bid opening the Purchasing Division shall:
 - b. Open Sealed Bids
 - c. Accept oral bidding beginning at 5% above the highest written bid.
5. The Real Estate Division shall forward the results of the bidding to the Council with staff recommendation regarding an award of deed.
6. The City Council may reject any or all bids and accept that bid which will, in its opinion, best serve the public interest.

Note: Questions and/or clarifications of this policy should be directed to the Administrative Services Department.

LEASED USE OF CITY LAND/FACILITIES

POLICY STATEMENT

The purpose of this policy is to ensure that decisions regarding use of City real property are made in the best interests of the citizens and taxpayers of Palo Alto.

The development and operation of facilities by others (profit and/or non-profit entities) on City-owned property is appropriate only when such development and operation will further public use or provide a public benefit. Such facilities and operations must be consistent with existing City policies, plans, services and/or procedures. Open competitive and/or bid processes will be used to solicit proposals or provide opportunities to others prior to awarding an Option to Lease. This policy shall not apply to short-term interim leases where no significant change in use is proposed

PROCEDURE

A. Criteria for Permitting Leased Use of City Property by Others

The proposed leased use must be compatible with, incidental to, and/or supportive of, the primary public use of the City-owned property, e.g. a snack stand in a district park, or the pro shop and coffee shop at the Golf Course.

In the event of park dedicated land, the proposed use shall be consistent with the provisions set forth in the Charter of the City of Palo Alto, Article VIII, and the Palo Alto Municipal Code (PAMC), Sections 22.04 and 22.08 et. seq., which require that uses of park dedicated land be park, playground, recreation or conservation related uses.

B. Option to Lease

In all cases where there are significant approval requirements (significant tenant construction and/or rehabilitation), financing requirements (fundraising drives, obtaining financing from lending institutions, etc.), or other tenant pre-operation conditions, the Council shall award an Option to Lease setting forth all pre-construction/operation conditions as conditions to the tenant's obtaining the lease. The option term shall be for a reasonable period of time consistent with the nature of the conditions of the option.

Prior to awarding an Option to Lease for a specific use, consideration shall be given to particular information. (Specific application and the relative importance of each of the following considerations will vary from site to site and by specific uses proposed.) Applications for leased use shall provide the following information:

1. The extent to which the proposed leased use satisfies a public need (e.g., by a significant number of Palo Alto residents and taxpayers) for the proposed services and/or uses.

2. Consistency of the proposed use with existing City goals and objectives (set forth in the Comprehensive Plan, Zoning Ordinance, Municipal Code, and general municipal services objectives).
3. Consistency of the proposed use with existing plans for the property or facility (e.g., an approved Master Plan).
4. The impact of the proposed use (compatible services and uses, traffic impacts, noise impacts, energy conservation, etc.) upon:
 - a. the immediate neighborhood;
 - b. the community generally; and
 - c. the environment (The proposed tenant shall, during the Option period, satisfy the City's environmental review process.)
5. The degree of public access, including City shared use of the facility or co-sponsorship of programs and/or services, i.e. the numbers of people, especially Palo Alto residents and taxpayers, that will be served by the proposed use and/or service. (It is the general intent of the City to maximize public access to its facilities and services, especially if park land is involved.)
6. The fees that will be charged to Palo Alto citizens. (It is the intent of the City to provide public access to its facilities at prices and/or fees that are fair and reasonable to the public. In the case of parklands, any fees and charges should be minimum and consistent with the fees and charges of comparable City-provided services.)
7. The monetary consideration to be provided to the City.
8. The history and assessment of the proposed group's ability to carry out the construction, if any, and operation of the facility and services as proposed.
9. A five-year pro-forma financial analysis of the proposed use, setting forth the project revenues and expenses for this period of time.

C. Public Notification

1. Prior to awarding an Option to Lease (or Lease if there are no pre-construction or pre-operation conditions), the City shall provide a reasonable and appropriate opportunity to other groups or entities to respond to possible use of City facilities. Such reasonable and appropriate opportunities shall take one of the following forms:
 - a. A Notice of Intent to Award an Option to Lease (or Lease if there are no pre-construction or pre-operation conditions) generally outlining the conditions of the Option and Lease, shall be published twice in a local newspaper of general circulation. The Notice shall provide at least 30 days notice to the public prior to a public hearing for Council action to award the Option to Lease. In addition, copies of the notice shall be mailed to property owners and tenants within 300 feet of the subject property in accordance with Section 18.77.080(d) of the Palo Alto Municipal Code (PAMC).
 - b. A Request for Proposals will be sent to groups or entities likely to have an interest in submitting a proposal, subsequent to a public hearing and Notice of Intent to Request Proposals being published in the appropriate media. At a minimum, the Notice of Request for Proposals shall be announced in a local newspaper of general circulation and copies of the notice mailed to property owners and tenants within 300 feet of the subject property in accordance with PAMC Section 18.77.080(d). The Notice shall provide at least 30 days notice to the public prior to the public hearing.
2. The City's Real Estate Division shall be responsible for the public notification by mail and newspaper in accordance with either C(1)(a) or (b) above.

D. Tenant Improvements

1. Construction of tenant improvements shall take place only after Council approval (as well as Planning Commission and Architectural Review Board approval when otherwise required by City procedures) of plans for such tenant proposed construction is obtained. In the event of park dedicated lands, Council approval shall be obtained by ordinance subject to referendum (PAMC Sections 22.08.005 and 22.08.006).
2. Generally, improvements to the real property shall become the property of the City upon termination of the Lease. Tenant-provided fixtures shall remain the property of the tenant.

E. Terms of the Lease

1. Tenant shall be required to provide the City with adequate compensation for the rights granted by the City to the Tenant. Determination of appropriate consideration shall begin with the estimated fair market rental value of the lease premises for the use proposed. Consideration shall, however, be given to non-monetary benefits to be provided by the tenant. These proposed non-monetary public benefits must be clearly articulated and must provide an actual benefit to a significant portion of the citizens and taxpayers of Palo Alto.
2. The lease term shall be the minimum period of the time required to:
 - a. amortize tenant's investment in any permitted and approved tenant construction; and
 - b. be consistent with the nature of the proposed tenant operation.

NOTE: Questions and/or clarification of this policy should be directed to the Administrative Services Department

Exhibit D

Federal:

Federal Real Estate properties that are no longer needed by the federal government may be made available for public uses to state and local governments, regional agencies, or non-profit organizations. Public uses for properties are those that are accessible to and can be shared by all members of a community, and include community centers, schools and colleges, parks, municipal buildings and many more.

GSA's Office of property Disposal notifies state and local agencies of the availability of any surplus federal real property that may be eligible to acquire under certain laws. These laws allow property to be transferred to public agencies and institutions at a discount up to 100 percent of the fair market value for:

- [Public health or educational uses](#)
- [Public Parks and Public Recreational Areas](#)
- [Historic monuments](#)
- [Homeless assistance](#)
- [Correctional institutions](#)
- [Port facilities](#)
- [Highways](#)
- [Wildlife Conservation](#)
- [Self-help housing](#)
- [Law Enforcement and Emergency Management Response \(PDC\)](#)
- [Negotiated Sales to Public Agencies](#)
-

Federal agencies must obtain prior approval from the GSA regional office having jurisdiction for the proposed leasing action, before initiating a leasing action involving 2,500 or more square feet of such special purpose space. GSA's approval must be based upon a finding that there is no vacant Government-owned or leased space available that will meet the agency's requirements. Various Federal Departments are authorized to enter into leases for up to 5 yrs.

<http://www.gsa.gov/portal/content/102015>

http://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=GOV&division=2.&title=5.&part=1.&chapter=5.&article=6.

State of California:

The Legislature has set forth its belief that there is an identifiable deficiency in the amount of land available for recreational purposes and that surplus land, prior to disposition, should be made available for park and recreation purposes or for open-space purposes.

(a) A written offer to sell or lease for the purpose of developing low- and moderate-income housing shall be sent to any local public entity, as defined in Section 50079 of the Health and Safety Code, within whose jurisdiction the surplus land is located. Housing sponsors, as defined by Section 50074 of the Health and Safety Code, shall be sent, upon written request, a written offer to sell or lease surplus land for the purpose of developing low- and moderate-income housing. All notices shall be sent by first-class mail and shall include the location and a description of the property. With respect to any offer to purchase or lease pursuant to this subdivision, priority shall be given to development of the land to provide affordable housing for lower income elderly or disabled persons or households, and other lower income households.

http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV§ionNum=11011.2
http://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=GOV&division=2.&title=5.&part=1.&chapter=5.&article=8.

For Council's information, below are some other jurisdictional treatments of city owned land and facilities:

Oakland:

The City Manager or his designee can authorize lease, license or rent for up to one (1) year on city owned or other properties. Where the rental rate is more than 25% below the appraised market value of the property, City Council approval will be needed. No lease of real property shall be per term in excess of 66 yrs. In the disposition process regarding surplus properties, first, City's Planning Commission will verify zoning. If properties are not needed for city functions and use, then they will be offered to other public agencies. If no interest is shown, properties can be declared as surplus by the City Council and offered for sale through a public auction or a negotiated sale process. The City Manager is authorized to dispose or acquire any property interest that does not exceed \$25,000.

<http://clerkwebsvr1.oaklandnet.com/attachments/15495.pdf>

<http://clerkwebsvr1.oaklandnet.com/attachments/13954.pdf>

San Jose:

Real estate staff conducts an internal review to explore if a property can be used by the city's various departments. If no city use is identified, notification to other public agencies is issued to use the property for: public housing, open space, and educational use. If no interest is shown, the property may be offered for surplus sales by the City Manager if it has a market value of less than \$500,000 and it is not independently developable. If the property is not declared surplus by action of City Manager, the City Council will make an alternative decision for the use of the property. The City Manager is authorized to enter into and execute for and on behalf of the City of San José, without the prior approval of the city council leases, licenses or other agreements for use of property where the city is a lessee/user or lessor/grantor, where the

rental payments or other fixed consideration do/does not exceed a cumulative total of two hundred fifty thousand dollars \$250,000.

<http://www.sanjoseca.gov/documentcenter/view/15177>

[http://sanjose.amlegal.com/nxt/gateway.dll/California/sanjose_ca/sanjosemunicipalcode?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:sanjose_ca](http://sanjose.amlegal.com/nxt/gateway.dll/California/sanjose_ca/sanjosemunicipalcode?f=templates$fn=default.htm$3.0$vid=amlegal:sanjose_ca)

San Diego:

San Diego has developed a comprehensive policy for City-owned properties. The real estate asset management staff prepare a comprehensive portfolio management plan on an annual basis, with periodic review and an as needed update to the Council. The Mayor reviews real estate assets not used for municipal purposes and determine the appropriate use of the property. The properties not needed for City and Public use may be available for lease or sale. The City will optimize the sale price or rent based on current market value, prevailing economic conditions, market trends, and any special benefits from sale or lease. San Diego's real estate policy allows for exclusive negotiated sales under certain conditions such as a landlocked parcel, sale to a contiguous owner to correct the site deficiency, offers from other government agencies, and qualified nonprofit organizations. The Mayor is authorized to enter into lease contract for a period up to three years. Leases in excess of three (3) years are approved by a majority vote of the Council.

http://docs.sandiego.gov/councilpolicies/cpd_700-10.pdf

Sunnyvale:

The City Council awards all purchases, sales or leases of real property for the city where the purchase or sales price or lease cost exceeds \$75,000. The City Manager awards all purchases, sales or leases of real property for the city where the purchase or sales price or lease cost is \$75,000 or less, or where the lease results in revenue to the city and is for a period less than or equal to fifty-five years. The City Council may enter into a lease of city property for a term in excess of fifty-five years.

<https://sunnyvaleca.legistar.com/LegislationDetail.aspx?ID=1737410&GUID=F4637E44-5AFB-41AB-851C-C61F4C9ACBF5&FullText=1>

Dublin:

If the City Manager determines that a City owned property with the value of more than \$5,000 is not required by any other public use, he or she may dispose the property as surplus and authorize a public sale. If the surplus property has an estimated market value of five thousand (\$5,000) or more, City manager shall dispose the property with Council approval.

<http://www.codepublishing.com/ca/dublin/Dublin02/Dublin0238.html>

<http://www.codepublishing.com/ca/dublin/Dublin02/Dublin0236.html>

Mountain View

City Council Policy A-10 spells out the delegated contracting authority for the Department Heads, the City Manager and the Council. The City Council has sole authority for any lease or sale of real property where the value exceeds \$100,000. The \$100,000 threshold for leases is the cumulative rent for the base term, i.e., if there is a five-year lease where the annual rent is \$20,000 or more, the lease would have to go to the Council for approval in Regular session. There is no term-of-years threshold where a lease exceeding a certain term has to go to the Council; again, it is driven by value. Any lease that is within the Council's authority first goes to the City Council in closed Session for direction on price and terms of rental payment and the authority to negotiate a lease. If Staff is successful in negotiating a lease that is consistent with Council direction on price and terms, the lease is then brought before the Council in regular session for approval, either as a Consent item (non-controversial) or New Business (if potentially controversial).

The City of Mountain View does not have an adopted and published set of processes and procedures. With that said, the City follows the State laws governing the process for selling public lands, including making the property available to local school districts, park authorities and affordable housing providers.