



## Legislation Details (With Text)

**File #:** 17-0600      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 5/22/2017      **In control:** Board of Supervisors

**On agenda:** 8/21/2018      **Final action:** 8/21/2018

**Title:** Community Development Services, Department of Transportation, recommending the Board:  
 1) Receive and file a biannual report on real property acquisitions executed by the Director of Transportation, under the authority of Ordinance 5056, for acquisitions totaling \$47,668.87 during the reporting period of November 21, 2017 through May 31, 2018; and  
 2) Pursuant to Board Policy A-3 "Ordinances - New or Amended," conceptually approve of a change to Ordinance 5056 directive of providing biannual reports to provide one annual report. (Est. Time: 15 Min.)

**FUNDING:** These real property acquisitions were made using various funding sources as detailed in the Department of Transportation's Capital Improvement Program.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Acquisition Tracker 11-21-17 to 5-31-18, 2. B - Ordinance 5056, 3. C - CRS, 4. D - Proposed new ordinance, 5. E - Ordinance 5056 Redlined

Date	Ver.	Action By	Action	Result
8/21/2018	1	Board of Supervisors	Approved	Pass

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**DEPARTMENT RECOMMENDATION**

Community Development Services, Department of Transportation (Transportation), recommending the Board:

1) Receive and file a biannual report on real property acquisitions executed by the Director of Transportation, under the authority of Ordinance 5056, for acquisitions totaling \$47,668.87 during the reporting period of November 21, 2017 through May 31, 2018; and  
 2) Pursuant to Board Policy A-3 "Ordinances - New or Amended," conceptually approve of a change to Ordinance 5056 directive of providing biannual reports to provide one annual report.

A redlined version of Ordinance 5056 is included as Attachment E, for information only.

**DISCUSSION / BACKGROUND**

On April 5, 2016 (Item 23), the Board approved Ordinance 5037 which delegated to the Community Development Agency Director the authority to acquire any interest in or easement upon real property for the purposes of a public structure, road, trail, or improvement as previously approved by the Board or as part of the approved Capital Improvement Program, with the delegated authority limited to real property acquisitions of \$25,000 or less in value. This Ordinance became effective on May 5, 2016.

On August 15, 2017 (Item 13), the Board approved Ordinance 5056 which reflected the CDA reorganization to CDS. This Ordinance became effective on September 14, 2017.

Section 1B, Item 5, of both Ordinance 5037 and 5056 required a biannual report to the Board on real property acquisitions executed under the authority of each Ordinance. In compliance with this Section, four biannual reports have been provided to the Board, one on January 24, 2017 (Item 23), one on August 8, 2017 (Item 18), and one on January 23, 2018 (Item 19). This represents the fourth biannual report of real property acquisitions pursuant to this Section directive. For this biannual reporting period of November 21, 2017 through May 31, 2018, only real property acquisitions for approved capital improvement projects have been executed.

During this reporting period, the Transportation Right of Way Unit had six individual acquisitions for a total cost of \$47,668.87, ranging from \$218.87 to \$20,900.00 per acquisition. Please refer to Attachment A for the current biannual report which provides an itemization of the acquisition costs, the purpose of the acquisition, how it was funded, and the associated capital project.

Since the implementation of these ordinances, Transportation has completed acquisitions from 54 parcels for an average of 13.5 acquisitions per six month reporting period. Based on this moderate volume and in the interest of savings of staff time and budget, Transportation is proposing changing from biannual to annual reports. Annual reports (which will include a greater number of acquisitions) will provide the Board with a broader view of Transportation's acquisitions in connection with, and consistent with, its annual review and adoption of the Capital Improvement Program. Annual reports will better and more accurately reflect long-term projects whose acquisitions require more significant time, and in turn, those acquisitions may be notated on different reports under the biannual reporting system. If the Board approves the change to annual report filing, Transportation will return with the updated Ordinance for their approval.

## **ALTERNATIVES**

The Board could choose to not make any changes to the existing Ordinance 5056 and staff would still provide the Board with a report biannually.

## **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel

## **CAO RECOMMENDATION**

It is recommended that the Board approve this item.

## **FINANCIAL IMPACT**

There is no Net County Cost associated with this agenda item. If once a year reporting is approved, there will be some savings of staff and Board time due to processing and hearing only one report per year instead of two.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

On behalf of the Board, file the biannual report of real property acquisitions for November 21, 2017 through May 31, 2018.

**STRATEGIC PLAN COMPONENT**

Infrastructure, Public Safety

**CONTACT**

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Community Development Services, Department of Transportation