



## Legislation Text

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**File #:** 18-0797, **Version:** 1

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Chief Administrative Office, Facilities Division, recommending the Board authorize the Chief Administrative Officer to sign the attached representation letter with Turton Commercial Real Estate to serve as the sole and exclusive broker to represent the County of El Dorado in negotiations to purchase parcel number 323-400-16-100.

**FUNDING:** N/A

### **DEPARTMENT RECOMMENDATION**

The Chief Administrative Office, Facilities Division, is recommending that the County engage the services of Turton Commercial Real Estate to represent the County in negotiations to purchase parcel number 323-400-16-100.

### **DISCUSSION / BACKGROUND**

On March 20, 2018, the Board authorized the Chief Administrative Officer, or designee, to enter into negotiations with the owner(s), or their designated representative, of APN 323-400-16-100 located on Placerville Drive. The property consists of approximately 48 acres and is zoned as multi-use. The potential acquisition of this property may allow for growth of the County Government Center and allow consolidation of locations that are currently leased.

The owners of this parcel have engaged the services of a real estate broker as their designated representative. Pursuant to our Facilities procedures (Attachment A) the division may retain the services of an outside real estate broker. Based on the complexity of this transaction and the time required to negotiate, the division does not have adequate resources to handle this negotiation internally. Therefore the Division is recommending that the County retain the services of an outside real estate broker.

The County real estate leasing and acquisition process was the subject of a Grand Jury Investigation in 2013-14. The Grand Jury recommended that the CAO and Facilities Investment Team review the procedures and criteria for contracting with a real estate broker and propose an appropriate policy in order to ensure that the selection and decision process is competitive and transparent. The Board or Supervisor's response to this recommendation was that it would not be implemented because it is not warranted. The response said: "For non-public works projects or services for which there are no conflicting state or federal requirements, contracting out is mainly governed by California Government Code, the El Dorado County Charter, and County Ordinance Code and Policies... There is no requirement for a competitive bid process for consulting services under California Government Code or under County ordinance and policy; however, when deemed appropriate the County may opt to solicit proposals for such services. The process for soliciting proposals for services is in Board of Supervisors Policy C-17."

The Division is recommending that the Board engage the commercial real estate brokerage services of Scott Kingston and Turton Commercial Real Estate. Turton Commercial Real Estate has a strong focus on public sector clients and tenant representation. Scott has assisted the County in a number

of lease and site acquisitions over the years; including the District Attorney, Public Defender, Health and Human Services as well as the Sheriff's site selection. Their firm represents clients such as Placer County, City of Sacramento, City of Davis, Government of Mexico and Sacramento Regional Transit District.

## **ALTERNATIVES**

1) The Board could choose to not engage the services of an outside real estate professional. This will delay the negotiations process due to the fact that staff are fully dedicated to existing projects including the Public Safety Facility, Juvenile Hall, Jail Expansion and El Dorado Center.

2) The Board could direct the Facilities Division to go out for a request for qualifications (RFQ) process to create a list of eligible real estate professionals to contract with. The RFQ process could take a few months to complete, which will delay negotiations. The County Purchasing Policy, section 7.6, states that "Except for architectural and engineering services which must be procured pursuant to a fair and competitive selection process, the Board of Supervisors and the Purchasing Agent may contract for services without advertising for bids or seeking proposals". Therefore, there is no requirement to go out for a RFQ for these services.

## **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

N/A

## **CAO RECOMMENDATION / COMMENTS**

It is recommended that the Board approve this item.

## **FINANCIAL IMPACT**

There is no cost for these services to the County. As is typical in commercial real estate, any payments will be paid by the seller.

## **CLERK OF THE BOARD FOLLOW UP ACTIONS**

N/A

## **STRATEGIC PLAN COMPONENT**

Infrastructure

## **CONTACT**

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