

# ORDINANCE NO. 93-032

ADOPTED BY THE SACRAMENTO CITY COUNCIL

JUN 0 1 1993

ON DATE OF \_\_\_\_\_

## AN ORDINANCE AMENDING TITLE 12 OF THE SACRAMENTO CITY CODE RELATING TO CITY PROPERTY

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

### SECTION 1.

Title 12, Chapter 12.02, Section 12.02.073 of the Sacramento City Code is amended to read as follows:

#### § 12.02.073. Leasing without bids--negotiation of terms.

If the council deems it is for the best interests of the city, it may, upon giving notice of intention by resolution, authorize the negotiation of a lease including terms and conditions and thereafter lease real property without bidding when one or more of the following conditions exist:

- A. The bid process as prescribed in this article has failed to produce a highest responsible bidder.
- B. The city proposes to lease the property to any other governmental agency.
- C. The city proposes a ground lease for a term in excess of twenty years where the lessee, as a condition of the lease, is required to construct facilities on the leased premises having a value in excess of one hundred thousand dollars, and these facilities will become the property of the city upon termination of the lease.
- D. The council has established by resolution a proposed rental rate for specified city owned or leased real estate, has authorized an employee or agent of the city to solicit prospective leases or subleases, and the prospective lessee or sublessee has tendered an offer to lease or sublease the premises at the rental fixed by the council.

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E. The city proposes to lease the property to a non-profit tax-exempt community civic organization with a membership comprised predominately of persons residing in the city, and

1. The term of the lease shall not exceed four years.
2. The resolution approving the lease shall contain the following:
  - a. The reason for leasing such real estate.
  - b. The description of the real estate to be leased.
  - c. The value of such real estate as appraised by the real property supervisor.
  - d. The document number of a copy of the lease filed in the office of the city

clerk.

F. The council in the notice of intention finds and determines that special circumstances make the use of the bid procedure inappropriate.

## **SECTION 2.**

Title 12, Chapter 12.02, Section 12.02.076 of the Sacramento City Code is amended to read as follows:

### **§ 12.02.076 Short term leases of real property acquired for future city public works projects.**

Real property acquired by the city for future public works projects may be leased without competitive bidding if each of the following conditions exist:

- A. The prospective lessee was the occupant or tenant of the property at the time of its acquisition by the city, and
- B. The tenancy will be on a month-to-month basis and will not exceed twenty-four months.

The director of public works is hereby authorized to negotiate and execute on behalf of the city all lease agreements entered in to pursuant to this action.

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**SECTION 3.**

Title 12 of the Sacramento City Code is amended to add Chapter 12.08, to read as follows:

**Chapter 12.08. Authority of City Manager**

**§ 12.08.180. Income or expenditure less than \$50,000.**

Subject to the availability of funds, and subject to the procedures, if applicable, specified in this title, the city manager shall have the authority to execute any agreement for the purchase, lease or sublease of real property, or disposition by sale or otherwise, lease, or sublease of real property owned by the city, or to enter into any other agreement regarding real property, or to enter into any other agreement covered by this title, where the amount of the expenditure or income is less than fifty thousand dollars. Any such agreement executed by the city manager shall be binding on the city.

**§ 12.08.181 Income or expenditure \$50,000 or more.**

Unless otherwise specified in this title, all agreements specified in Section 12.08.180 involving income or expenditure of fifty thousand dollars or more, shall be approved by the city council, for signature by the city manager. The signature by the city manager shall constitute certification that there remains unexpended and unapplied balances of the appropriations or funds applicable thereto sufficient to pay the estimated expense of executing the agreement.


DATE PASSED FOR PUBLICATION: June 14, 1993

DATE ENACTED: June 1, 1993

DATE EFFECTIVE: July 1, 1993

  
MAYOR

ATTEST:

  
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CITY CLERK

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