



Ordinance Fact Sheet

TO: CITY COUNCIL

DATE: November 8, 2004

FROM: CITY ATTORNEY

SUBJECT: AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 4.02 OF THE PASADENA MUNICIPAL CODE (SALES OF SURPLUS REAL PROPERTY) TO INCREASE THE DOLLAR THRESHOLD BELOW WHICH SURPLUS REAL PROPERTY IS NOT SUBJECT TO THE REQUIREMENT OF COMPETITIVE SALE FROM \$1,000 TO \$10,000.

TITLE OF PROPOSED ORDINANCE:

AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 4.02 OF THE PASADENA MUNICIPAL CODE (SALES OF SURPLUS REAL PROPERTY) TO INCREASE THE DOLLAR THRESHOLD BELOW WHICH SURPLUS REAL PROPERTY IS NOT SUBJECT TO THE REQUIREMENT OF COMPETITIVE SALE FROM \$1,000 TO \$10,000.

BACKGROUND:

At its regular meeting of August 30, 1999, the City Council directed the City Attorney's Office to prepare this ordinance to increase the reasonable market threshold at which surplus real property becomes subject to the competitive sale requirements of the Pasadena Municipal Code.

Section 4.02.040 of the Code, last revised in 1985, indicates that real property worth less than \$1,000 is not subject to the competitive sale requirements of the Code. As the value of real property has increased since 1985, the existing dollar threshold has become restrictive and is therefore in conflict with the public policy of returning unneeded City property to the private sector and corresponding tax roll. Most City property in this range of value consists of remnant pieces left over from street widenings or other public improvement projects which are sold on a direct sale basis to the owners of adjacent land. As the value

MEETING OF 11/08/2004

AGENDA ITEM NO. 9.A.1.

of the adjacent land has risen, so has the value of the remnants. Accordingly, the current threshold hampers the efficient administration of these assets.

PURPOSE OF ORDINANCE:

The purpose of this proposed ordinance is to increase the threshold at which surplus real property becomes subject to Chapter 4.02 of the Pasadena Municipal Code from \$1,000 to \$10,000. In addition, a reference to "board" is changed to "city council" consistent with the 1993 amendment of the City Charter.

REASON WHY LEGISLATION IS NEEDED:

The Pasadena Municipal Code may only be amended by ordinance.

PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED:

The Department of Planning and Development and the Department of Finance will be primarily affected by this proposed ordinance.

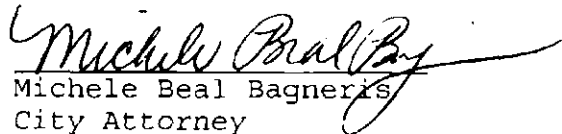
ENVIRONMENTAL IMPACT:

The proposed ordinance is exempt from the California Environmental Quality Act (CEQA) under the General Rule that CEQA applies only to activities which may have a significant effect on the environment (Section 15061(b)(3)).

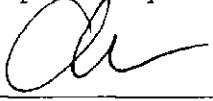
FISCAL and SERVICE IMPLICATIONS:

Adoption of this ordinance will have no significant direct financial impact. The proposed revision to the Code will enable staff to administer the disposition of remnant City owned land in a more efficient manner.

Respectfully submitted,

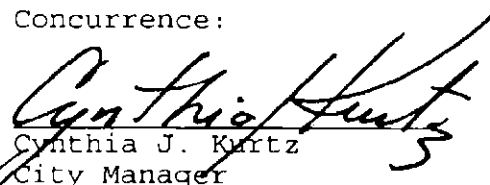

Michele Beal Bagneris
City Attorney

Prepared by:


Nicholas George Rodriguez
Assistant City Attorney

10/25/04

Concurrence:


Cynthia J. Kurtz
City Manager

Introduced by

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 4.02 OF THE PASADENA MUNICIPAL CODE (SALES OF SURPLUS REAL PROPERTY) TO INCREASE THE DOLLAR THRESHOLD BELOW WHICH SURPLUS REAL PROPERTY IS NOT SUBJECT TO THE REQUIREMENT OF COMPETITIVE SALE FROM \$1,000 TO \$10,000.

The People of the City of Pasadena ordain as follows:

SECTION 1. Paragraph A of Section 4.02.040 of the Pasadena Municipal Code is hereby amended to read as follows:

"4.02.040 Sales not subject to this chapter.

The following conveyances shall not be subject to the provisions of this chapter:

A. Sale of real property or an interest therein having a reasonable market value of ~~\$1,000~~ \$10,000 or less, as determined by the city manager and approved by the said ~~board~~ city council;"

SECTION 2. The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published in full text.

SECTION 3. This ordinance shall take effect upon publication.

Signed and approved this _____ day of _____, 2004.

Bill Bogaard
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the
City of Pasadena at its meeting regular held the ____ day of _____, 2004 by the
following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Date Published:

JANE L. RODRIGUEZ, CMC
CITY CLERK

APPROVED AS TO FORM:

 10/28/04

Nicholas George Rodriguez
Assistant City Attorney

Introduced by

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AN ORDINANCE OF THE CITY OF PASADENA AMENDING CHAPTER 4.02 OF THE PASADENA MUNICIPAL CODE (SALES OF SURPLUS REAL PROPERTY) TO INCREASE THE DOLLAR THRESHOLD BELOW WHICH SURPLUS REAL PROPERTY IS NOT SUBJECT TO THE REQUIREMENT OF COMPETITIVE SALE FROM \$1,000 TO \$10,000.

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"4.02.040 Sales not subject to this chapter.

The following conveyances shall not be subject to the provisions of this chapter:

A. Sale of real property or an interest therein having a reasonable market value of \$10,000 or less, as determined by the city manager and approved by the said city council;"

SECTION 2. The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published in full text.

SECTION 3. This ordinance shall take effect upon publication.

Signed and approved this _____ day of _____, 2004.

Bill Bogaard
Mayor of the City of Pasadena

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