

MINUTE ITEM
26

3/23/82
W 21741
A. Scott
Hadly

APPROVAL OF PROPOSED AGREEMENTS BETWEEN
THE CITY OF SACRAMENTO,
HOUSING AND REDEVELOPMENT AGENCY OF SACRAMENTO
AND THE STATE LANDS COMMISSION

Calendar Item 26 attached was pulled from the agenda prior
to the meeting.

Attachment: Calendar Item 26.

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For the past several years, staff of the State Lands Commission, together with staff of the City of Sacramento (City) and the Housing and Redevelopment Agency (Agency) of Sacramento, have been working on plans for the development of an area along the Sacramento River commonly known as River Lines Warehouse adjacent to and immediately downstream of the Tower Bridge in the City of Sacramento. Staff of the Commission and the City and Agency have developed a set of criteria and the general outline of a Request for Proposals for development of this area. It is the hope of the Commission staff, and that of the City and Agency, that this area can be developed into a highly lucrative commercial development. In order to control the ultimate development of this area, it was necessary to combine the various ownerships of the State and the City into a cohesive unit which could then be submitted to the general public in the form of a Request for Proposal.

In order to join these various ownerships into a cohesive unit, it is necessary that the City, Agency and the State Lands Commission enter into a series of agreements. The most important of these agreements is a proposed Title Settlement Agreement between the State Lands Commission, the City and the Agency. This agreement will clear title and fix a permanent boundary between the State Lands Commission's sovereign jurisdiction and the City's upland. Agreement has been reached with the City and Agency to establish a boundary line which will allow the State Lands Commission exclusive jurisdiction over the commercially developable areas along this portion of the Sacramento River and clear title to the upland support areas to the City and Agency.

The State will receive clear title to approximately 11,402 square feet landward of the toe of the retaining wall. The line basically follows the toe of the concrete wall except at the Riverlines Warehouse and "O" Street pier it will be five feet landward of the improvements. Approval of this settlement will establish a boundary from Tower Bridge to "Q" Street.

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The uplands landward of the boundary line include the current city streets and an adjoining vacant land parcel which will be developed as part of the overall complex to include an off-street parking facility, which is necessary for any development in the area.

The exact location of the boundary between State sovereign interest in the Sacramento River and the City and Agency's upland is uncertain. This area of the Sacramento River has been artificially affected by works of man. Some of these works may even have pre-dated California Statehood.

Approval of the Boundary Line will result in acceptable title for lending purposes and create developable parcel. Staff has investigated the value of the land and interests in land being acquired and determined that they are equal to or greater than the land and interests in land being cleared of State interest.

In order to facilitate the orderly development of the area an agreement between the City, Agency and the State Lands Commission is necessary. Such an agreement has been prepared by State Lands Commission's staff in conjunction with staff of the City and Agency.

The proposed agreement sets forth the intent of all parties with respect to the preparation, solicitation, evaluation and ultimate selection of a development and developer for the area.

The agreement will establish a committee for preliminary review of all submitted proposals which will be comprised of representatives from the State Lands Commission, the City and Agency. Such a committee will review all submitted proposals for compliance with established criteria for development of this area.

All qualifying proposals will then be submitted to both the City and the Agency for review and approval. Upon completion of this review and approval, a list of those approved developments will be submitted to the State Lands Commission for ultimate selection of the development by the Commission.

These two agreements will begin the actual selection process by authorizing the staff of the Commission to prepare a Request for Proposal and appropriate advertisement of its availability.

Staff has not prepared an environmental document for this area at this time. After the Commission has selected a

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development and developer and before issuance of leases and permits for the development a complete environmental treatment of the project will be conducted in accordance with the State EIR Guidelines and CEQA.

AB 884: N/A.

EXHIBITS: A. Legal Description of Boundary Line.
B. Site Map.
C. Parcel Map of Boundary and Settlement
Parcels.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THIS COMPROMISE BOUNDARY SETTLEMENT IS IN LIEU OF LITIGATION AND, THEREFORE, CEQA DOES NOT APPLY.
2. DETERMINE THAT AN ENVIRONMENTAL DOCUMENT HAS NOT BEEN PREPARED FOR THE AGREEMENT BETWEEN CITY OF SACRAMENTO, HOUSING AND REDEVELOPMENT AGENCY AND THE COMMISSION BECAUSE SUCH ACTIVITY IS NOT A PROJECT AS DEFINED IN P.R.C. 21065, 14 CAL. ADM. CODE 15037 AND 15060.
3. FIND THAT THE PROPOSED TITLE SETTLEMENT AGREEMENT IS IN THE BEST INTEREST OF THE STATE.
4. FIND THAT THE LAND AND INTERESTS IN LANDS TO BE RECEIVED BY THE STATE ARE OF GREATER OR EQUAL VALUE WHEN COMPARED TO THE LANDS OR INTERESTS IN LANDS BEING CLEARED.
5. FIND AND DECLARE THAT THE LANDS BEING CLEARED HAVE BEEN IMPROVED, FILLED, AND RECLAIMED AND ARE NO LONGER AVAILABLE OR USEFUL OR SUSCEPTIBLE OF BEING USED FOR NAVIGATION AND FISHING AND ARE NO LONGER IN FACT TIDELANDS OR SUBMERGED LANDS AND THEREFORE ARE FREED FROM THE PUBLIC TRUST FOR NAVIGATION AND FISHING.
6. AUTHORIZE THE EXECUTION AND RECORDATION ON BEHALF OF THE COMMISSION OF A TITLE SETTLEMENT AGREEMENT BETWEEN THE CITY OF SACRAMENTO, HOUSING AND REDEVELOPMENT AGENCY OF SACRAMENTO AND THE STATE IN SUBSTANTIALLY THE FORM OF THE AGREEMENT ON FILE IN THE OFFICE OF THE COMMISSION.
7. AUTHORIZE THE EXECUTION OF AN AGREEMENT, SUBSTANTIALLY IN THE FORM OF THE AGREEMENT ON FILE IN THE OFFICE OF THE COMMISSION, WHICH WILL ACTIVATE THE PROCESS FOR SELECTION OF A DEVELOPER FOR AN AREA ALONG THE SACRAMENTO RIVER, THE LIMITS OF WHICH ARE SHOWN ON EXHIBIT "C".

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8. AUTHORIZE STAFF OF THE COMMISSION TO PREPARE A REQUEST FOR PROPOSALS FOR THE AREA ALONG THE SACRAMENTO RIVER, THE LIMITS OF WHICH ARE SHOWN ON EXHIBIT "C", THE COST OF THE PREPARATION OF SUCH PROPOSALS TO BE CHARGED EQUALLY TO ALL PARTIES REQUESTING COPIES.
9. AUTHORIZE STAFF OF THE COMMISSION TO ADVERTISE THE REQUEST FOR PROPOSALS IN VARIOUS MEDIA SOURCES SUITABLE FOR SUCH ADVERTISEMENTS.
10. AUTHORIZE STAFF TO TAKE ANY OTHER ACTION NECESSARY TO CARRY OUT THE PURPOSES SET FORTH IN THIS ITEM.

EXHIBIT "A"

BEGINNING at a point on the southerly line of Capitol Mall 100 feet wide from which point the intersection of the centerlines of Capitol Mall and Front Street, 20 feet wide, being point 406A, as said intersection is shown on that California Division of Highways Monument Map 3-Sac-5-PM 21.8/23.8, sheet 12 of 13, on file in the office of the City of Sacramento Department of Public Works, File No. 325A/1392, bears N 82° 07' 59" E, 111.94 feet, and California Division of Highways monument stamped CDH 24-392 as shown on said map bears S 02° 50' 28" E, 375.06 feet; thence from said point of beginning S 08° 10' 37" W, 236.35 feet; thence S 18° 26' 46" W, 229.78 feet; thence N 71° 25' 41" W, 30.09 feet to the westerly toe of an existing concrete retaining wall; thence along the toe of said wall, S 15° 14' 32" W, 38.63 feet; thence S 19° 15' 10" W, 142.01 feet; thence S 20° 40' 48" W, 138.08 feet; thence S 19° 47' 39" W, 43.58 feet; thence leaving said toe of wall S 75° 49' 38" E, 7.45 feet; thence S 19° 47' 28" W, 129.35 feet; thence N 70° 33' 25" W, 7.42 feet to the westerly toe of said retaining wall; thence S 19° 47' 39" W, 29.79 feet; thence S 19° 51' 22" W, 103.02 feet; thence S 19° 30' 46" W, 150.76 feet; thence S 19° 42' 03" W, 93.11 feet; thence S 19° 46' 55" W, 66.07 feet; thence S 23° 07' 33" W, 70.00 feet; thence S 25° 47' 39" W, 62.10 feet; thence S 25° 57' 30" W, 67.85 feet; thence S 26° 40' 38" W, 13.54 feet to a point on the northerly line of Q Street produced westerly and the end of the herein described line from which the intersection of the centerline of Front and Q Streets, marked by CDH Mon 402A as shown on California Division of Highways Monument Map 3-SAC-5 P.M. 21.8/23.8 sheet 11 of 13 on file in the office of the Sacramento Department of Public Works File No. 3254/1392, bears S 54° 22' 06" E 135.31 feet and California Division of Highways monument stamped CDH 24-380, as shown on said map, bears N 84° 55' 17" E, 83.81 feet.

END DESCRIPTION

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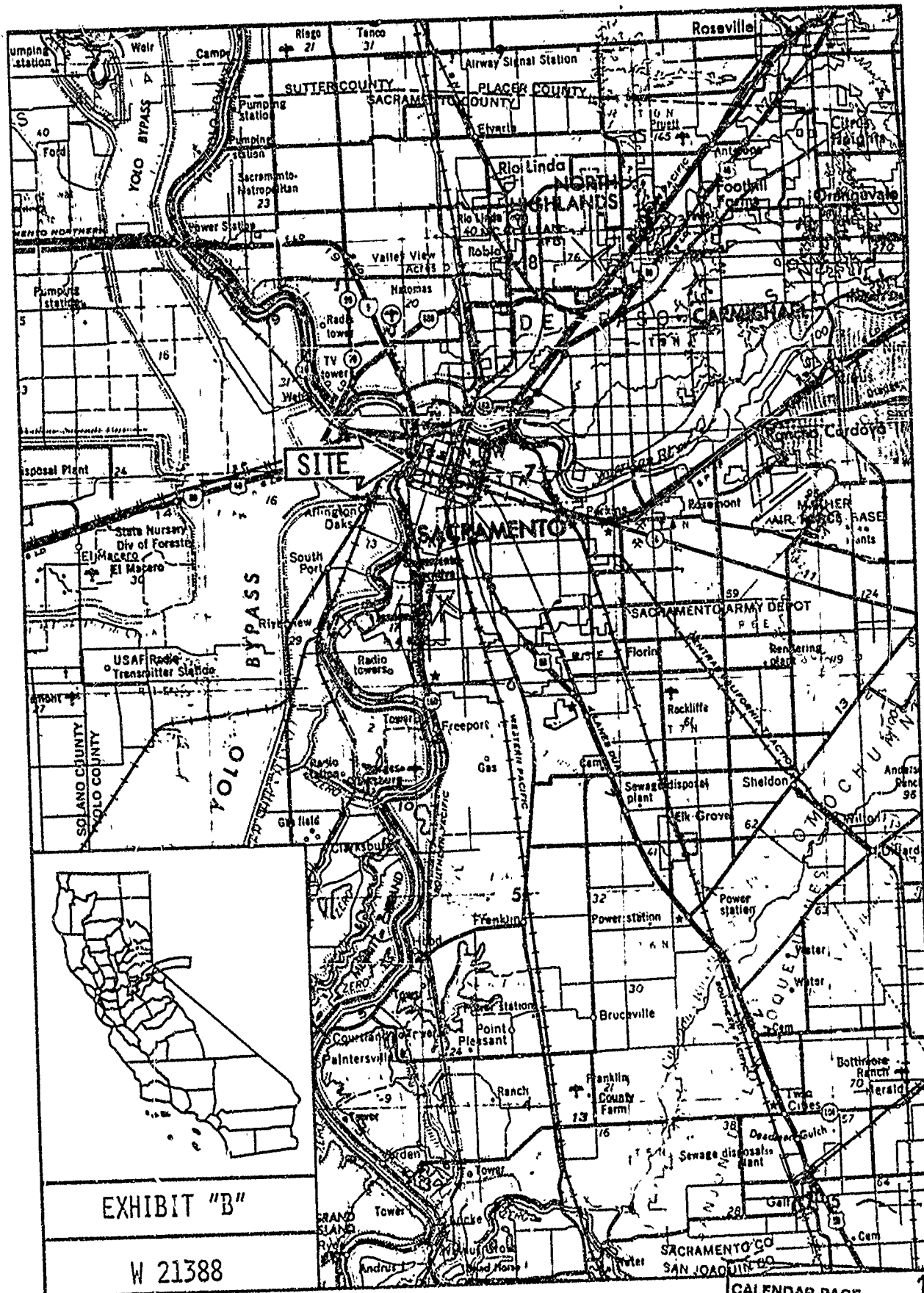


EXHIBIT "B"

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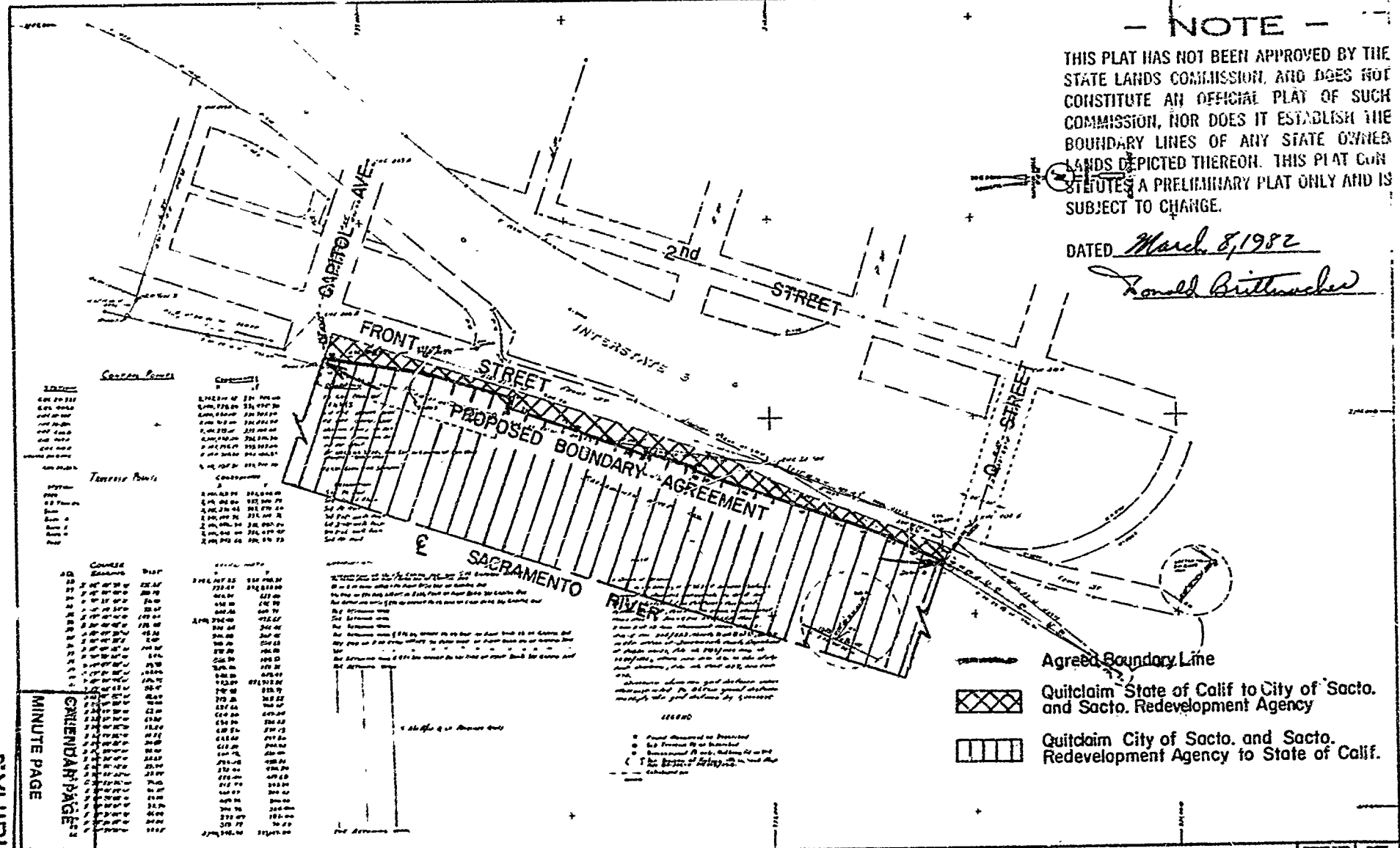
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- NOTE -

THIS PLAT HAS NOT BEEN APPROVED BY THE STATE LANDS COMMISSION, AND DOES NOT CONSTITUTE AN OFFICIAL PLAT OF SUCH COMMISSION, NOR DOES IT ESTABLISH THE BOUNDARY LINES OF ANY STATE OWNED LANDS DEPICTED THEREON. THIS PLAT CONSTITUTES A PRELIMINARY PLAT ONLY AND IS SUBJECT TO CHANGE.

DATED March 8, 1982

Ronald Brittencher



-  Agreed Boundary Line
-  Quitclaim State of Calif to City of Sacto. and Sacto. Redevelopment Agency
-  Quitclaim City of Sacto. and Sacto. Redevelopment Agency to State of Calif.

Corner Points		Courses	
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EXHIBIT "C"
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DATE OF SURVEY	BY	SCALE	CONTRACT NO.	STATE OF CALIFORNIA STATE LANDS COMMISSION STATE LANDS DIVISION	PLAT OF SURVEY AND FIELD NOTE VICINITY OF OLD SACRAMENTO SACRAMENTO CALIFORNIA	NUMBER OF SHEETS PAGE NO.	TOTAL SHEETS 1
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