



Agenda Item No. \_\_\_\_\_

File Code No. 330.03

# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** February 7, 2012

**TO:** Mayor and Councilmembers

**FROM:** Engineering Division, Public Works

**SUBJECT:** Declare Real Property At 309 West Ortega Street As Excess And Subject To Disposal By Public Auction

### **RECOMMENDATION:**

That Council declare the real property located at 309 West Ortega Street in excess to the City's needs, and authorize disposition of said property according to state and local guidelines. All actions will be subject to review and approval by the City Attorney to dispose of said property by public auction in accordance with Santa Barbara Municipal Code (SBMC) Chapter 4.28 and section 520 of the Santa Barbara City Charter.

### **DISCUSSION:**

The property located at 309 West Ortega Street was acquired as a necessary right of way acquisition for the Ortega Street Bridge Replacement Project (see Attachment 1 and 2). Council approved the acquisition of the bridge project properties on February 23, 2010. The subject property was acquired in full, due to its proximity to the bridge and potential damage to the residence as a consequence of pile driving and other heavy construction activity. The property abuts the west side of Mission Creek where a new creek wall has been installed. The property is zoned R-4 for multiple residential use. The parcel is approximately 4,375 square feet and contains a single-family residence of approximately 1,314 square feet. A 43-square-foot portion of the property is located within Mission Creek, and an approximate 1,292 square-foot area is encumbered by a flood control easement.

It was intended that the acquired property be available for sale upon the completion of the bridge construction and any necessary repairs to the residence. The bridge replacement is complete. Repairs to the residence, as well as fencing and landscape improvements, have also been completed.

Staff will follow all necessary procedures, including noticing to public housing agencies (as required by state law) and the preparation and coordination of the execution of documents by authorized parties, as required. All actions will be subject to the review

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and approval of the City Attorney to dispose of said property by public auction in accordance with SBMC Chapter 4.28 and section 520 of the City Charter.

Pending any interest expressed by state or local agencies, who will be properly noticed of the excess land sale, staff is proposing to offer the property for sale via public auction under SBMC Chapter 4.28. It is intended that the auction will be advertised for a two-week period, with a deadline designated for receipt of sealed bids by interested parties. Bid packages containing general information about the property, including the appraisal, will be made available. Initial bids will be required at a price no lower than that of the appraisal valuation. An appraisal by Stephen Schott and Associates is pending.

Acceptable bids shall require an earnest money deposit of \$5,000 by cashier's check or money order. At bid opening, a designated City official will open the sealed bids and declare the highest bidder eligible to purchase the property. From this point forward, overbidding in increments of \$5,000 shall be allowed until the highest bid is determined. The remaining bidders shall have their respective deposits returned. The highest bidder will then be required to complete any subsequent negotiations with staff in order to execute a Land Purchase Agreement to be approved and accepted by Council.

This process was successfully used in the sale of the City's excess property at 404 Garden Street in 2005.

Proceeds from the sale shall be deposited in a specified City account as appropriate per Federal Highway Administration (FHWA) requirements for use as the City's portion of funding for future bridge replacement projects eligible for funding under the FHWA Highway Bridge Program (HBP). These funds could be available for the City's match for federal funding of several bridge replacement projects anticipated in upcoming years. The success of this effort will be a significant boost to the City's ability to finance its share of HBP grant projects going forward.

This project was funded by the FHWA's HBP at approximately 88.5%, with the City making up the remaining 11.5%.

**ATTACHMENT(S):** 1) Aerial map of property location  
2) Assessor's parcel map of 309 West Ortega Street

**PREPARED BY:** John Ewasiuk, Principal Civil Engineer/DT/mj

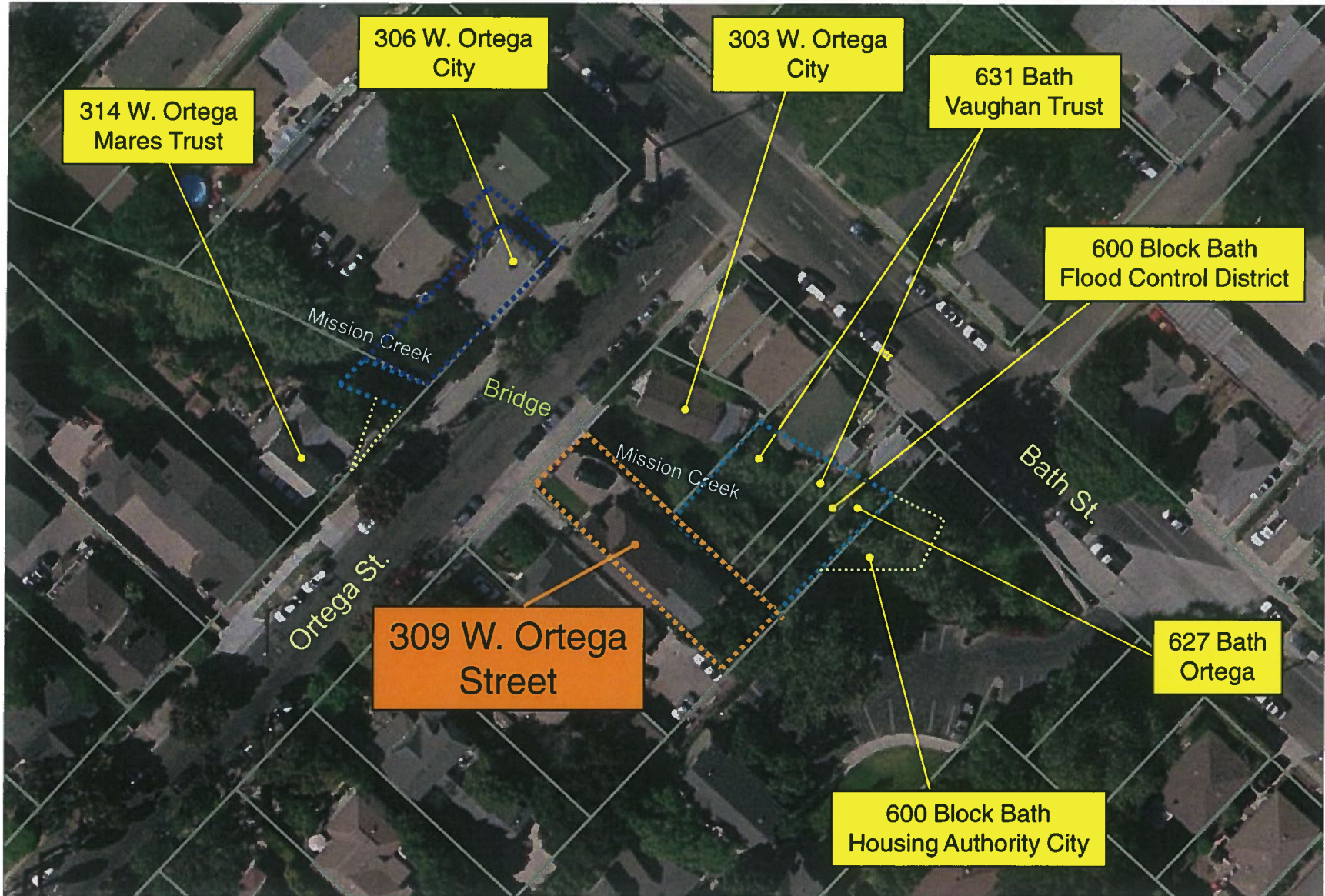
**SUBMITTED BY:** Christine F. Andersen, Public Works Director

**APPROVED BY:** City Administrator's Office



# 309 West Ortega Street

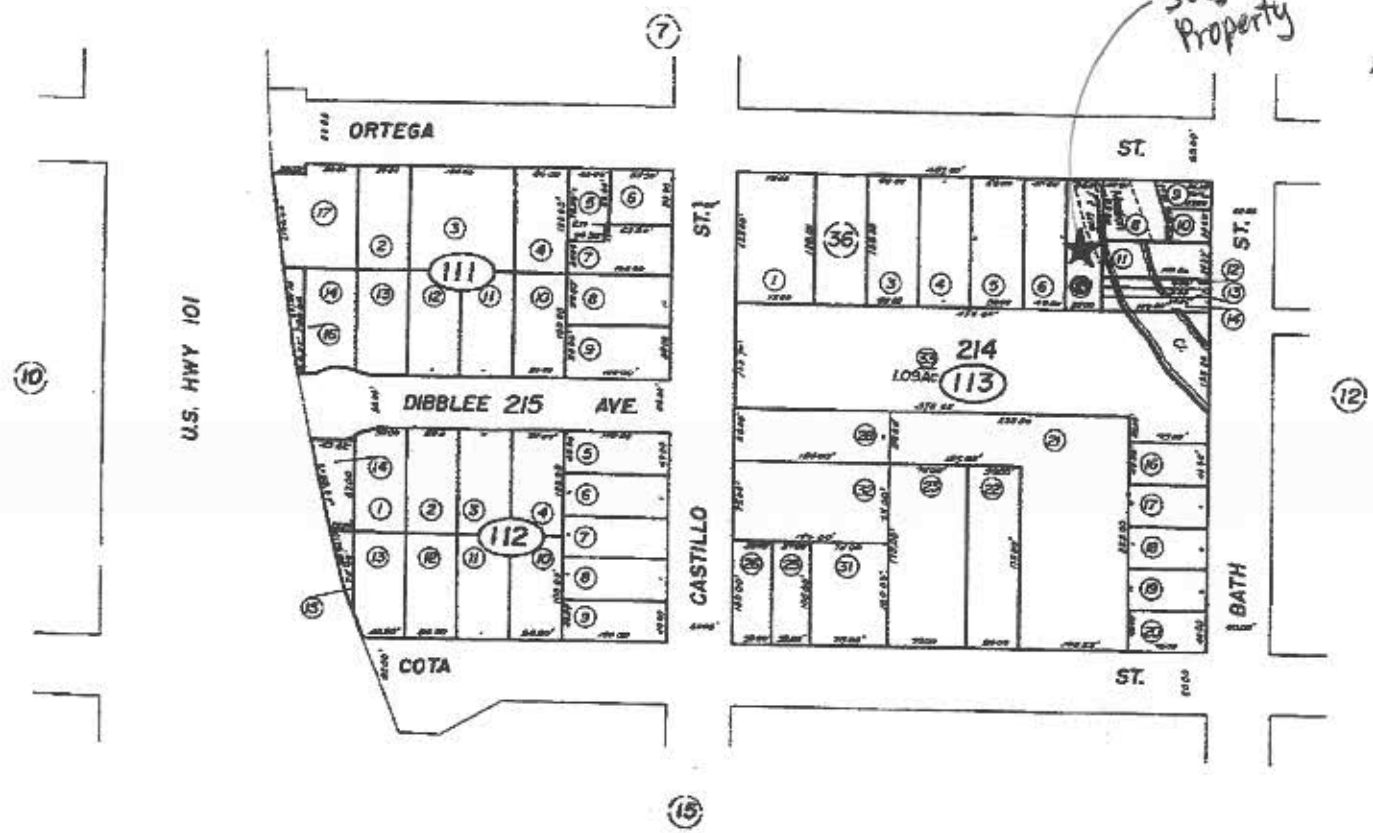
ATTACHMENT 1



POR. PUEBLO LANDS

37-11

309 W. Ortega  
Subject  
Property



Assessor's Map Bk. 37 - Pg. 11  
County of Santa Barbara, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses  
Assessor's Parcel Numbers Shown in Circles

4/4 11/11/11