

Outline of Ordinance No. 2017-069 (Patron: Councilman Agelasto)

- **Sale of City-owned real estate.**
 - Prohibits the introduction of an ordinance for the sale of City-owned real estate pursuant to an unsolicited offer until Council has adopted a resolution declaring such real estate to be surplus.
 - Prohibits the adoption of an ordinance for the sale of City-owned real estate pursuant to an unsolicited offer until such real estate is first subjected to formal competitive solicitation through an Invitation for Bids or Request for Proposals.
 - “The Council shall not act upon an unsolicited offer . . . until the Chief Administrative Officer first has proceeded in accordance with either section 8-61 or sections 8-62 and 8-63.” (City Code §8-58(c), as amended by Ord. No. 2017-069.) (Section 8-61 = IFB. Sections 8-62 and 8-63 = RFP.)
- **Request for Proposals Process/Evaluation Factors.**
 - Requires a draft RFP be submitted to the Land Use Committee prior to issuance and for such evaluation factors deemed appropriate by the Committee to be included in the RFP.

Outline of Ordinance No. 2017-170 (Patrons: Councilman Addison and Councilman Agelasto)

- **List of City-owned Real Estate.**
 - Requires the CAO publish a list of all parcels of City-owned real estate on the City's website by June 1, 2018 (and each year thereafter) and for the list to include the following information:
 - Parcels currently used by the City and a description of such use.
 - Vacant parcels, as reflected in the City Assessor's records.
 - Parcels for which the City has solicited offers, bids, or proposals pursuant to the applicable provisions of this article.
 - Parcels operated and declared by the School Board to be surplus real estate pursuant to Code of Virginia, § 22.1-129.
 - Parcels declared by the City to be surplus real estate pursuant to section 8-60.
 - Parcels located within an enterprise zone established pursuant to state law, an Arts and Cultural District, a Commercial Area Revitalization Effort Area, an Extra Commercial Area Revitalization Effort Area, a redevelopment or conservation area, or a rehabilitation district.
- **Real Estate Strategies Plan.**
 - Requires the CAO submit a real estate strategies plan to Council by Oct. 1, 2018 (and every two years thereafter) and to update Council regarding such plan by Oct. 1, 2019 (and every two years thereafter).

LUHT Committee--September 19, 2017

Prepared by Economic and Community Development

- The plan will contain recommendations for the sale and disposition of those parcels of City-owned real estate no longer needed for municipal or public purposes.
- The plan must identify parcels the CAO proposes to use to facilitate development of affordable housing and to facilitate development within areas located within an enterprise zone established pursuant to state law, an Arts and Cultural District, a Commercial Area Revitalization Effort Area, an Extra Commercial Area Revitalization Effort Area, a redevelopment or conservation area, or a rehabilitation district.
- Upon Council's adoption of the plan, the CAO will be authorized to solicit bids, offers, and proposals for parcels of City-owned real estate in the plan (as set forth in the plan).
- **Submission of Unsolicited Offers—Policies and Procedures.**
 - Requires the CAO adopt policies and procedures related to the submission of unsolicited offers for City-owned real estate and to publish such policies and procedures on the City's website.

Outline of Resolution No. 2017-R035 (Patron: Councilman Agelasto)

- **List of City-owned real estate.**
 - Requests the CAO cause each City department to create an inventory list of the City-owned real estate controlled by such department and for the CAO to provide such list to Council and the Mayor no later than December 31, 2017. The list should consist of the following information for each parcel:
 - The parcel identification number.
 - The property name.
 - The property address.
 - The property class description.
 - The total area both acreage and square footage.
 - The current assessed property value.
 - The Council district in which the parcel is located.
 - The year in which the City acquired the parcel.
 - The year in which any structure on the parcel was last renovated.
 - The current use of the parcel.
 - Any planned future use of the parcel.
 - The number of employee hours required to maintain and operate the parcel annually.
 - The cost in dollars required to maintain and operate the parcel annually.
 - The resources or funding necessary to accomplish particular purposes and a description of those purposes.

LUHT Committee--September 19, 2017

Prepared by Economic and Community Development

Comparison of current City Code, Ord. No. 2017-069, and Ord. No. 2017-170 as they relate to

UNSOLICITED OFFERS FOR CITY OWNED REAL ESTATE.

Current City Code (As of 09-19-2017)	Ord. No. 2017-069 (Agelasto)	Ord. No. 2017-170 (Addison and Agelasto)
<ul style="list-style-type: none">No reference to policies and procedures for the submission of unsolicited offers to purchase City-owned real estate.	<ul style="list-style-type: none">No reference to policies and procedures for the submission of unsolicited offers to purchase City-owned real estate.	<ul style="list-style-type: none">CAO required to adopt policies and procedures for the submission of unsolicited offers to purchase City-owned real estate and to publish on the City's website. <p>--For example, the policies and procedures could require an offeror submit (at the time of offer) a deposit and certain documentation such as plans for future development and an independent appraisal. Policies and procedures could also create a tiered structure (e.g., requiring higher level plans and documentation for parcels of a certain size or assessed value and less stringent documentation for smaller, less valuable parcels).</p>
<ul style="list-style-type: none">The CAO must require the offeror provide a deposit either at time of offer or upon introduction of an ordinance for the sale	<ul style="list-style-type: none">The CAO must require the offeror provide a deposit upon introduction of an ordinance for the sale of real estate.	<ul style="list-style-type: none">The CAO must require the offeror provide a deposit either at time of offer or upon introduction of an ordinance for the sale of real estate. (Note—

LUHT Committee--September 19, 2017

Prepared by Economic and Community Development

Current City Code (As of 09-19-2017)	Ord. No. 2017-069 (Agelasto)	Ord. No. 2017-170 (Addison and Agelasto)
of real estate.		the adopted policies and procedures may establish whether a deposit is due at time of offer or upon introduction of an ordinance.)
<ul style="list-style-type: none">• Upon receiving an unsolicited offer, the CAO must notify the Mayor and Council.	<ul style="list-style-type: none">• Upon receiving an unsolicited offer, the CAO must notify the Mayor and Council.	<ul style="list-style-type: none">• Upon receiving an unsolicited offer, the CAO must notify the Mayor and Council.
<ul style="list-style-type: none">• The Mayor may recommend that Council accept the offer by introducing an ordinance to declare the real estate surplus (if not already so designated by Council) and to direct the sale of the real estate to the offeror.	<ul style="list-style-type: none">• No ordinance for the sale of real estate to the offeror may be introduced until Council has adopted a resolution declaring such real estate to be surplus.	<ul style="list-style-type: none">• The Mayor may recommend that Council accept the offer by introducing an ordinance to declare the real estate surplus (if not already so designated by Council) and to direct the sale of the real estate to the offeror.

LUHT Committee--September 19, 2017

Prepared by Economic and Community Development

Current City Code (As of 09-19-2017)	Ord. No. 2017-069 (Agelasto)	Ord. No. 2017-170 (Addison and Agelasto)
<ul style="list-style-type: none">• Discretion resides with Council. Upon introduction of an ordinance, Council may: --Authorize the sale by adopting the ordinance. --Refuse to authorize the sale by rejecting such ordinance.• Note—Prior to the introduction of an ordinance (e.g., after receiving notice that an unsolicited offer was submitted) or upon rejecting an ordinance, Council may adopt a resolution directing the CAO to issue a solicitation for such real estate.	<ul style="list-style-type: none">• Council shall not act upon an unsolicited offer until the CAO first subjects the real estate to formal competitive solicitation via IFB (City Code § 8-61) or RFP (City Code § 8-62 and § 8-63).	<ul style="list-style-type: none">• Discretion resides with Council. Upon introduction of an ordinance, Council may: --Authorize the sale by adopting the ordinance. --Refuse to authorize the sale by rejecting such ordinance.• Note—Prior to the introduction of an ordinance (e.g., after receiving notice that an unsolicited offer was submitted) or upon rejecting an ordinance, Council may adopt a resolution directing the CAO to issue a solicitation for such real estate.• Note—As described in the outline above, Ord. No. 2017-170 also requires the CAO submit a biennial real estate strategies plan. The plan will list parcels no longer needed for municipal purpose along with disposition methods for such parcels (IFB, RFP, Auction), which should increase parcels sold pursuant to formal solicitation and limit the parcels sold pursuant to unsolicited offers absent formal solicitation (without completely abrogating the flexibility to do so).

LUHT Committee--September 19, 2017

Prepared by Economic and Community Development

Comparison of Ord. No. 2017-170 and Resolution No. 2017-R035 as they relate to

LISTS OF CITY-OWNED REAL ESTATE

<u>Ord. No. 2017-170 (Addison and Agelasto)</u>	<u>Res. No. 2017-R035 (Agelasto)</u>
<ul style="list-style-type: none">• Requires the CAO publish a list of all parcels of City-owned real estate on the City's website by June 1, 2018 (and each year thereafter) and for the list to include the following information:<ul style="list-style-type: none">○ Parcels currently used by the City and a description of such use.○ Vacant parcels, as reflected in the City Assessor's records.○ Parcels for which the City has solicited offers, bids, or proposals pursuant to the applicable provisions of this article.○ Parcels operated and declared by the School Board to be surplus real estate pursuant to Code of Virginia, § 22.1-129.○ Parcels declared by the City to be surplus real estate pursuant to section 8-60.○ Parcels located within an enterprise zone established pursuant to state law, an Arts and Cultural District, a Commercial Area Revitalization Effort Area, an Extra Commercial Area Revitalization Effort Area, a redevelopment or conservation area, or a rehabilitation district.	<ul style="list-style-type: none">• Requests the CAO cause each City department to create an inventory list of the City-owned real estate controlled by such department and for the CAO to provide such list to Council and the Mayor no later than December 31, 2017. The list should consist of the following information for each parcel:<ul style="list-style-type: none">○ The parcel identification number.○ The property name.○ The property address.○ The property class description.○ The total area both acreage and square footage.○ The current assessed property value.○ The Council district in which the parcel is located.○ The year in which the City acquired the parcel.○ The year in which any structure on the parcel was last renovated.○ The current use of the parcel.○ Any planned future use of the parcel.○ The number of employee hours required to maintain and operate the parcel annually.○ The cost in dollars required to maintain and operate the parcel annually.○ The resources or funding necessary to accomplish particular purposes and a description of those purposes.