

**MILWAUKIE CITY COUNCIL WORK SESSION  
NOVEMBER 15, 2005**

**Mayor Bernard** called the work session to order at 5:30 p.m. in the City Hall Conference Room.

Council Present: Councilors Barnes, Collette, Loomis, and Stone.

Staff Present: City Manager Mike Swanson; Community Development/Public Works Director Kenny Asher; Paul Shirey, Engineering Director; and Intern Alex Campbell.

**Community Development Block Grant Project Selection**

**Mr. Asher** provided background on the Community Development Block Grant (CDBG) program that was in Milwaukie's case administered by Clackamas County. It was the County's role to develop a competitive process to consider the various funding requests and distribute the funds. CDBG funds were available to cities, non-profits, and other organizations that had a social service commission. The County updates the CDBG program every three years. In the last cycle, Milwaukie received \$400,000 for two projects – the right-of-way improvements in Ardenwald and sewer connection assistance for the area south of Johnson Creek Boulevard. The objective of the CDBG program was to revitalize distressed neighborhoods, to expand community services and facilities, to expand and conserve the housing stock that housed low- and moderate-income people, expand employment opportunities, and eliminate conditions detrimental to the community health and welfare. The cutoff in Clackamas County was 46% of the households being at 80% median family income or less. He pointed out those areas in Milwaukie that qualified for the program that included a portion of the downtown, Ardenwald, and Lewelling. The City as a whole was close to 46%, so the argument could be made for projects that would serve the greater community. The Island Station Neighborhood was at 48%, so it was close to qualifying. Staff would argue for a project in that area if approved.

**Councilor Barnes** asked what the percent meant in terms of actual income.

**Mr. Asher** said one number was used that was adjusted according to family size. For a family of four, it would be \$54,000, and an individual was \$38,000. At least 46% of the households in those neighborhoods made that amount or less. Most of the CDBG projects were infrastructure improvements such as sidewalk repair, ADA compliance, and sewer hookups. He distributed a current list of projects.

He distributed the updated project list. Staff did not identify any projects larger than \$300,000, which would be a large grant out of this program. The project list was broken into two categories "reach" and "traditional" projects. The reach projects were the intersection of 22<sup>nd</sup> Avenue and McLoughlin Boulevard that could be an important part of the transit center relocation. The Library annex

acquisition, if it were programmed in such a way that there was a clear community service benefit, might be eligible. For the Texaco site, there could be predevelopment money for a market study, environmental work, or design studied that would defray those costs from a private developer and give the City and Metro a better idea of what was ultimately desirable on that site. He discussed the feasibility of affordable housing on that site. Mr. Asher was not sure any of these reach projects would get on the County list, but it might, with Council direction, to advance one of them. The traditional projects on the list had high probabilities of being competitive. They were all neighborhood projects including streets, sewer, sidewalks, and park improvements. The City would have to submit its formal list by December 2, and the County process would run through April.

**Councilor Barnes** thought one of the ways to leverage might be to connect the Library annex with literacy and English language learning projects. She discussed Title 1 funding availability.

**Mayor Bernard** was concerned a reach project might take funding from traditional projects like Logus Road and Ardenwald Phase II. If there were a non-traditional project, he would select the Library annex.

**Mr. Asher** said there were two considerations – the aggregate dollar request and the number of projects. Milwaukie would likely only get funding for a couple of projects regardless of the dollar amount. He suggested one large project and several little ones. He commented on the availability of unexpended funds from other agencies.

**Mayor Bernard** said his priority would be Logus Road and Ardenwald Phase II.

**Councilor Loomis** thought Ardenwald Phase II should be the first priority. The only reach project he would be interested in was the Library.

**Mr. Asher** thought based on Council comments that Milwaukie should advance as many as possible and cut from the bottom up in the traditional projects. Staff would get a sense whether or not the Library annex had a chance and the amount of money available for traditional projects.

**Councilor Stone** was concerned about the projects at the bottom of the traditional list regarding failed septic systems as they were in the potential annexation areas. She agreed with comments about the Library annexation reach project.

**Mr. Asher** said at this point it was a matter of submitting the project list, and Council would probably be asked to assist during the public input process.

#### **Discussion of Future Direction of Texaco/City Parking Lot Site**

**Mr. Swanson** discussed a developer's concepts on the joint Texaco/City Hall block and the adjacent block to the south. He understood the developer had met with a number of people and wanted to present his concept at a work session. Mr. Swanson asked if the City Council wished to do that. His concern was that if the City began the process that it would be difficult to say no to anyone else who

might wish to come before the Council. Metro closed on the Texaco property within the last month, and the City had an agreement with Metro to jointly market the site as one block. The concept was to get some activity going at North Main Village and then go out and seek requests for proposals (RFP) from qualified developers for the next block. He still thought that was a good plan. The surplus real property ordinance required that the City seek competitive bids. He discussed the transit-oriented development (TOD) and urban centers money from Metro and noted that that agency favored a competitive selection process. He believed that process would be similar to the one used with North Main. He expected this project to have more private funding and less public subsidy.

He asked if the Council wanted Mr. Link to make a presentation. He suggested taking a breather as North Main Village started and then beginning to look into development of the Texaco/City property.

**Mayor Bernard** said there was an opportunity that needed to be considered. He was not suggesting that Mr. Link come to the Council. He did want to discuss the proposal, however, it included clearing up over a \$1 million of environmental pollution in one block. The proposal also included a partnership with another property owner that would offer huge redevelopment opportunities. He met with Mr. Link and would like to speak with Mr. Swanson about the ordinance. Timing was important because of the investment potential.

**Councilor Stone** believed Mr. Link had contacted all the Council members. She understood the work session was just for information and not an actual proposal. It was just to share a design concept. She asked Mr. Swanson if the Texaco site that was jointly owned by Metro and the City would be developed as one block.

**Mr. Swanson** said that was correct.

**Councilor Stone** understood that was one block, and Mr. Link's proposal incorporated two blocks of the downtown. It made her think about the clean up area and the effort and the money it would cost and Mr. Asher's list that included the Texaco site. The City might want to consider that being a priority if there was another project after North Main. She would not have a problem with Mr. Link's coming and sharing his design. She had seen it and thought it was a very good design. It certainly would not commit the City to anything. She would not be opposed to someone else who had a design to share information with Council.

**Mr. Swanson** thought there would be a lot of interest if the North Main sales effort proved to be successful. He suspected if the door were opened that the Council would not be able to close it. Even if no decisions were made, it would be difficult to deny the rest. In the competitive bid process it would be very powerful for a proposer to say he could do two blocks. His concern was that the City might get into a situation where there were a lot of people presenting a lot of pretty pictures. What the City needed to do was to develop a set of criteria and some kind of orderly process that lead to a good decision. There were two proposers for North Main, and Mr. Swanson anticipated a lot more interest in this second project. He recommended going through a controlled and reasonable process.

**Councilor Stone** understood Mr. Swanson's hesitation that he did not want to just open the door to people, but she thought it would be a good thing to have people knocking at the City's door. North Main would not be done for a year.

**Mr. Swanson** explained the City would want to have a process underway before North Main was completed. The previous process was extensive with advisory groups, and the proposers were asked to prepare some fairly substantial packages. That process eventually led to a success.

**Councilor Barnes** understood from Mr. Swanson's comments that the City had a process in place to ensure qualified proposers were ready to make presentations. She felt the Council should follow the City Code and not go off on a tangent.

**Mr. Swanson** suggested taking a breather of fairly short duration. He was hoping to begin the second when North Main was completed. He did not want a long period of time between the completion of one and the beginning of what came second. It was about keeping up the momentum.

**Councilor Stone** was sensitive to that. North Main would be done in a year, and she thought Council should see proposals sooner than later. She did not want to send this developer or others the message that Milwaukie was not open for business. When someone said they had some information to share, she felt the Council should fit them in. The process should be followed in terms of bids and going out for proposals, but she did not have a problem with someone just coming in to share information.

**Councilor Barnes** had not met with Mr. Link.

**Councilor Loomis** had gotten the information through someone else.

**Mayor Bernard** added 70% of the property was owned by this person and the City. He was not suggesting that Mr. Link come in. He would like a process ready to go so that any developer could submit a proposal within the next few months. The cost of cement and steel was not going down.

**Mr. Asher** added he knew of other developers who were interested in the property. If the Council had one developer come in, he was not sure how to respond to the others. The City had a partner in Metro who might also know about some developers and would probably care about the sanctity of the process.

**Mr. Swanson** said it would probably cost a developer about five figures to put together a proposal that made sense. If someone thought they wanted to invest \$20,000 in preparing a proposal and thought they might not be treated equally, then the City might not see the range of choices it might like. The more independent and hands off, the greater the number of proposals submitted. Metro had been contacted by several developers and had seen Mr. Link's proposal. People have been impressed with his proposal, but that was not the issue. The issue was that each proposer would have to get beyond the drawings and develop estimates in order to participate. They would be less inclined to do so if they felt their chances were compromised.

**Mr. Asher** said this was different in that the City was about to offer the property, and it was about ready to go into a public bidding process.

**Councilor Stone** asked when staff would be ready to start the process.

**Mr. Swanson** suggested early spring 2006. North Main was a very difficult project because of the multitude of financing sources and should not be taken as the example. He did not think there would be that much state money in the next project. The next one would be working with actual data from North Main, so it would be a two-year process. The second project would likely be more code inspired with review process. He believed all proposers should start at the same time, and he felt there would be a lot of interest. This project would have some of the best river views in the region, and that alone would draw some interest. He did not believe anyone doubted that Milwaukie was open for business. He recommended conducting business in a reasonable, rational manner. A competitive process was the best way to go.

#### Discuss of Future Transit Center Work Session

**Mr. Swanson** said at the Council hearing two weeks ago there was discussion of scheduling a work session about transit, but he felt the Council needed to define what it wanted to discuss. Otherwise the discussion would not be focused.

**Mayor Bernard** requested an update from Metro and TriMet on the next steps in the process.

**Councilor Stone** brought it up at the teambuilding session that the Council never really deliberated about the transit center siting and changing the locally preferred option (LPA). In terms of all the Council members being in Eugene last week for a conference on ethical leadership, Dr. Bill Grace gave a really great presentation about values-based decision making and really looking at tough issues. He was really focusing on city leaders and state leaders and politicians. It was still a very contentious issue in the City. There were still a lot of problems with it. She thought the City needed to be looking at alternatives should this not happen. She thought those discussions might be helpful if some of the values-based decision making model was used in doing that. There was a lot of conflict going on. One of the things Dr. Bill Grace said was that anytime there was conflict, people did not make their best decisions.

**Mayor Bernard** felt the Council had deliberated for months. There were many City Council meetings and work sessions. He did not want to start the whole process over again. He thought the City had done all the things that Dr. Grace addressed and felt confident the City Council had followed all the process he suggested.

**Councilor Stone** did not agree. She and Councilors Loomis and Collette went through the workshop, and a couple of them brought up that issue. Some of the results that people came up with in terms of what to do about the latest dilemma with the Kellogg site were interesting. It was an issue that caused a lot of tension

between the Council and in the community. The City Council needed to have the courage to talk about it.

**Councilor Loomis** felt the decision was made. He got a lot out of the session too. He had fun with it, and it was interesting to have people in the break-out group looking at the issue without an emotional tie. They looked at the problem itself; however, there was only five minutes. Some people thought it was a moral thing, and that was the end of it. It would be a lot of fun once the Council got through this for Dr. Grace to have a work session or retreat to find out what the outcome would be. He thought it was a great way to problem solve. He disagreed with Mayor Bernard. The special meeting format was good, and Council would have been a lot more productive if it had used that sooner. A lot of the issues would not be there if that had happened. There was work to do. He could see looking at a Plan B down the road. He discussed the Communication Agreement.

**Councilor Stone** added it was an issue no one wanted to touch. There was not a vocal minority out there despite what some people might think. There was a lot of discord in the community, and it would really be great if everybody could talk about it. Maybe by talking about it, everyone could agree on something.

**Councilor Collette** agreed with Councilor Loomis. Dr. Grace's decision making process was very interesting although she got a little lost in the actual details and would welcome an update on how to do it. She did not want to revisit the decision the Council made and felt the community needed to look forward. Look at the environmental work and engage the community in the rest of the process. She recommended not just an update as Mayor Bernard suggested but also clarification of responsibilities in moving forward, getting people involved, and resolving conflicts. She felt the Council would send an entirely wrong message to the region if it gave any appearance that it might turn back on that decision. People were committing huge amounts of money based on the City's decision. Every time the Council waffles, all those investments of time, energy, and taxpayer money look in jeopardy. She did not want to be sending that message over and over again. She wanted Milwaukie to look like it stood by its decisions and was willing to work with the region for the best possible outcome.

**Councilor Loomis** asked Councilor Stone for clarification of her comments and if she wanted to reopen discussions.

Councilor Stone replied in light of the new information that came forward about this contract and deed of sale, it kind of opened things back up. She really had to wonder if the City Council was on the right road. She appreciated the comment about spending millions of dollars of taxpayer money. She did not want to do that unnecessarily. She did not want to see taxpayer dollars go for an environmental study when the site was going to fail. It was all projection. She did not want to do that unnecessarily. She did not want to see taxpayer dollars go for an environmental study when the site was going to fail. There was no money yet, and the City Council needed to make the best decision for the community. She remembered when the whole issue of light rail came up the

neighborhood leaders were very adamant about making sure Milwaukie's interests were protected. She was sensitive to working with the regional partners but she thought they also wanted the City Council to make the best decision for the community.

**Mayor Bernard** said the City was far from that site being a transit center. It was more than 15 years away. An environmental study would have to be done for a baseball field, so why not spend the money to at least find out what could be done there eventually whether it was a ballfield, transit center, or park. After that the region would have to decide whether to accept the LPA. There had to be traffic analyses and federal government acceptance to proceed. There may be insoluble environmental and transportation issues. No one even knows what Ms. Swanson wants to do.

**Councilor Stone** asked if anyone had an update on that because she had heard a document was sent to Ms. Swanson.

**Mayor Bernard** had read that in the newspaper.

**Mr. Swanson** said there was no document in the City's possession.

**Councilor Collette** saw a faxed copy that indicated Ms. Swanson wanted to work with the City on a transit center at that site.

**Councilor Stone** said Mayor Bernard just said that would be years before that happened. Ms. Swanson would be about 100 years old by that time.

**Councilor Collette** said it was not likely that it would be 15 years before they started looking at it as a transit center site. TriMet committed to looking at it as soon as possible.

**Councilor Stone** understood then that Ms. Swanson was willing to work with the City.

**Councilor Collette** replied that Ms. Swanson wanted to work with the City and was enthusiastic about figuring out how to put transit center on that site – according to the letter.

**Councilor Stone** asked if Ms. Swanson had signed the letter.

**Councilor Collette** replied that she had.

**Councilor Stone** asked if the letter was from the City or was it a private letter from Carolyn Tomei.

**Councilor Collette** said apparently as she was not a party to it Ms. Swanson asked Ms. Tomei to help her with some language, and Ms. Tomei sent her a draft via fax. Ms. Swanson had her son-in-law who is an attorney with the Department of the Interior look at the language. He rewrote some of it, and she signed it and sent it back to Ms. Tomei. Councilor Collette said it was referenced in the newspaper but was not a City document.

**Councilor Stone** said how it would hold up if it was not a City document.

**Mayor Bernard** said the City had not spoken with her yet.

**Mr. Swanson** said he would be talking with her, but he had not done so at this point. He avoided receiving a copy of the correspondence because until last Tuesday he was not supposed to be involved. As of last Tuesday he was supposed to be involved, so he would be talking with Ms. Swanson as she assented to a meeting. He assumed there was still some interest, but he would not know until he actually spoke with her.

**Councilor Stone** asked Mr. Swanson if he had set a meeting date.

**Mr. Swanson** hoped it would be yet this week.

**Councilor Stone** said this issue was not over. She agreed with Councilor Loomis that Dr. Grace should do a session with the Milwaukie City Council.

**Councilor Loomis** noted that both Councilors Stone and Collette believed it was a good session, and it would help the Council come to a good decision.

**Councilor Stone** added that Dr. Grace lived in Washington State, so he was local.

**Mayor Bernard** understood the work session would be scheduled at a later date.

#### Heckmann Suit

**Mr. Swanson** reported that of the Heckmann case. The City Council authorized the City Attorney to make an offer in the amount of \$14,568 which was the amount paid on the veteran's loan. At one point, Ms. Heckmann appeared to accept the offer, and then appeared not to. The Federal District Court was being very careful as Ms. Heckmann was representing herself. He and Mr. Corrigan would participate in a mediation session to determine the outcome.

#### Clearwater Project

**Mr. Swanson** said the judge has taken it under advisement as to whether the matter was subject to referendum.

**Mayor Bernard** announced the City Council would meet in executive session pursuant to ORS 192.660(1)(e) to discuss real property.

**Councilor Stone** asked for an update on the South Corridor Policy Committee meeting.

**Mayor Bernard** said the update would be given during the regular session, and **Councilor Collette** indicated she would comment on that during Council reports.

**Mr. Shirey** introduced Civil Engineer George McGregor who would begin with the City approximately February 1.

**Mayor Bernard** adjourned the work session at 6:30 p.m.



Pat DuVal, Recorder

# AGENDA

## MILWAUKIE CITY COUNCIL WORK SESSION NOVEMBER 15, 2005

### MILWAUKIE CITY HALL

Second Floor Conference Room  
10722 SE Main Street

### ***WORK SESSION – 5:30 p.m.***

A light dinner will be served.

### Discussion Items:

	<u>Time</u>	<u>Topic</u>	<u>Presenter</u>
1.	5:30 p.m.	Discussion of Future Direction of Texaco/City Parking Lot Site	Mike Swanson
2.	6:00 p.m.	Discussion of Future Transit Center Work Session	Mike Swanson
3.	6:45 p.m.	Adjourn	

### Public Notice

- The Council may vote in work session on non-legislative issues.
- The time listed for each discussion item is approximate. The actual time at which each item is considered may change due to the length of time devoted to the preceding items.
- Executive Session: The Milwaukie City Council may go into Executive Session pursuant to ORS 192.660. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions as provided by ORS 192.660(3) but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.
- For assistance/service per the Americans with Disabilities Act (ADA) please dial TDD (503) 786-7555.
- The Council requests that all pagers and cell phones be either set on silent mode or turned off during the meeting.



**TO: MAYOR AND CITY COUNCIL**  
**FROM: MIKE SWANSON, CITY MANAGER**  
**DATE: NOVEMBER 6, 2005**  
**RE: QUESTIONS FOR NOVEMBER 15, 2005 WORK SESSION**

The November 15, 2005 work session lists two items.

The first arises from a request on behalf of Mr. Link to meet in a work session to present his design concept to the Council. Before scheduling a session I wanted the Council to discuss the direction it thought disposition of the site should take. The City Code includes a process for the disposition of City-owned real property. That provision would require a competitive process (Milwaukie Municipal Code Chapter 3.15). A copy of that provision is attached to this memo.

The second issue arises from statements made during the November 1, 2005 Council meeting. At that time the need for a Council discussion in a work session setting regarding transit issues was mentioned. I am requesting more clarification from Council members on the issue or issues they would like to include in the discussion. It seems that it would be more profitable to have a purpose or list of issues that can give some direction to any discussion.

Attachment: MMC 3.15

**Milwaukie Municipal Code**[^ Up](#)   [« Previous](#)   [» Next](#)   [\\* Main](#)   [- Collapse](#)   [? Search](#)   [# Print](#)[Title 3 REVENUE AND FINANCE](#)**Chapter 3.15 REAL PROPERTY**

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**3.15.001 Purpose and application.**

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This chapter provides procedures and standards for the acquisition and transfer of real property by the city. This chapter applies to properties owned by the city and does not apply to rights of way and other property dedicated to the public. (Ord. 1897 § 1, 2002)

**3.15.005 Qualification— Classification.**

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Real property owned by the city is classified as follows:

- A. Substandard Undeveloped Property: Lots or parcels without structures which are not of minimum buildable size for the zone in which they are located;
- B. Standard Undeveloped Property: Lots or parcels without structures which are of minimum or greater buildable size for the zone in which they are located;
- C. Developed Property: Lots or parcels of any size with structures;
- D. Special-case Property: Any real property that, notwithstanding subsections A, B and C of this section, were acquired by the city subject to an agreement for the manner in which they would be disposed.

At the time of a proposed sale of real property by the city, the city manager or designee shall determine the classification of the property. (Ord. 1897 § 1, 2002)

**3.15.010 Sale of substandard undeveloped property.**

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A. Whenever real property is proposed for sale by the city or a purchase inquiry is made and the property is classified as substandard undeveloped property, the proposed sale shall be set on the regular council agenda, but no public hearing is required. Notice shall be given of the agenda item no less than ten days before the council meeting to all property owners within three hundred feet of the parcel and to any parties who have inquired about purchase with the city manager's designee within one year prior to the date of the council meeting. After discussion of the agenda item, the council shall decide whether it will offer the property for sale. The council may direct the sale of the property only if it determines that the property is surplus to the city's needs.

B. If the council decides to sell the property, it shall direct the city manager or designee to proceed with the sale, publicize as deemed appropriate, determine the existence of interested prospective purchasers and negotiate for the sale of the property.

C. After the details of the sale have been negotiated, the terms and negotiated agreement for the sale of the property shall be submitted to the council for approval at a regularly scheduled council meeting. (Ord. 1897 § 1, 2002)

**3.15.015 Disposal of standard undeveloped property and developed property.**

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A. Whenever real property is proposed for sale by the city or a purchase inquiry is made and the property is classified as standard undeveloped property or developed property, the proposed sale shall be set for a hearing before the council.

B. Notice of the hearing shall be published once in a newspaper of general circulation in the city at least five days prior to the hearing and shall describe the property proposed for sale. Notice shall also be given to

property owners within three hundred feet of the subject property.

C. Public testimony shall be solicited at the hearing to determine if a sale of the property or any portion of it is in the public interest.

D. After the hearing, the council shall decide whether it will offer the property for sale and what the minimum acceptable terms shall be. The council may decide to offer the property for sale only if it determines that the property is surplus to the city's needs.

E. Prior to the sale of real property under this section, an appraisal of the property shall be conducted. The appraisal may be ordered prior to or after the hearing. The appraisal may be made available to the public at the hearing if it has been prepared by that time.

F. If an offer to sell is authorized by the council, a notice soliciting sealed bids shall be published at least once in a newspaper of general circulation in the city at least two weeks prior to the bid deadline date. The notice shall describe the property to be sold, the minimum acceptable terms of sale, the person designated to receive bids, the last date bids will be received, and the date, time and place that bids will be opened.

G. If one or more bids are received at or above the minimum acceptable terms, the highest bid shall be accepted and the city manager or designee shall complete the sale.

H. If no acceptable bids are received: (1) the council may alter or keep the same minimum terms as established under subsection D of this section and direct staff to hold another sale, or (2) the council may alter or keep the same minimum terms established under subsection D of this section and list the property for six months with a local real estate broker on a multiple listing basis. Brokers shall be selected in accordance with the criteria found at Section 3.15.025 of this chapter. A listing may be renewed for an additional one six-month period.

I. After expiration of the period set out in subsection H of this section, the property shall be removed from the market. Any decision to sell a piece of property once it has been removed from the market shall require that the entire procedure set forth in this chapter be repeated. The council may, however, decide whether or not an additional appraisal is necessary. (Ord. 1897 § 1, 2002)

### **3.15.025 Broker selection.**

The selection of a real estate broker shall be in accordance with the following procedures:

(1) The city shall publish notice in a newspaper of general circulation in Milwaukie inviting proposals for the sale of the real property. The notice shall be published at least one week prior to the date on which proposals are due.

(2) The broker's proposal shall be in writing and it shall address the selection criteria set forth in subsection (3) of this section.

(3) The city manager or designee shall consider the following factors in the selection of a broker:

(A) The broker's record in selling the type of real property being offered by the city for sale and the broker's familiarity with Milwaukie-area market values;

(B) The broker's proposed marketing plan and timelines: signs, advertising, direct mail and/or other methods;

(C) The amount of the broker's commission; and

(D) Other factors which were stated in the notice of the invitation to submit a proposal. (Ord. 1897 § 1, 2002)

### **3.15.030 Acquisition of Real Property**

The city manager may approve the acquisition by the city of an interest in real property if that interest is valued at less than \$25,000 or if the property is valued at more than \$25,000 but is donated to the city. All other acquisitions of an interest in real property shall be approved by the city council. An appraisal shall be required

for all property acquired by the city for more than \$ 25,000. Dedications of property for rights-of-way shall not be considered acquisitions of property by the city for purposes of this section. (Ord. 1897 § 1, 2002)

### **3.15.040 Transfer of an Interest Other Than Fee Title**

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The transfer of an interest in real property by the city is not a sale of surplus real property if the city retains title to the property. The city manager may transfer an easement or other interest in real property less than fee title if the value of the interest transferred is less than \$25,000 and the city manager determines that the transfer is not contrary to the public interest. The transfer of any other interest to real property with a value of \$25,000 or more shall follow the procedure for the sale of substandard undeveloped property as provided in Section 3.15.010. (Ord. 1897 § 1, 2002)