

Delegating Real Estate Authority to Staff

Updating Prior Resolutions

****No Board Action Required****

July 15, 2019



BACKGROUND

1. Board has historically delegated authority for routine real estate transactions to staff
2. Current “Delegation Resolutions” are 08-13251 and 08-13329
 - 08-13329 - for docks and buoys
 - 08-13251 - for routine transactions
3. Recent events caused staff to look for opportunities
 - Increase in number of projects
 - New Shared Services Director and Real Estate Manager
 - Properties inventory completed
 - Shoreline plan
 - Improved GIS

TWO OBJECTIVES

In order to ensure compliance and reduce inefficiency consider:

1. Combine two resolutions and simplify and reduce required approvals by better defining routine transactions
2. Delegate administratively to the General Manager

Simplify and Reduce Required Approvals for Routine Transactions

Current Challenges

- Current resolutions tried to identify each document specifically and didn't include all routine transactions
- Spend substantial time and resources answering signature authority questions

Simplify and Reduce Required Approvals for Routine Transactions

Proposal

- Combine two resolutions into one for simplicity
- Clearly define routine transactions as “non-fee” transactions – not by document type

Delegate Administratively to the General Manager

Current Challenges

- Currently delegate past the General Manager directly to staff
 - Sidesteps chain of command
 - Creates potential for communication gaps (Chelan substation option)
 - Creates potential for inconsistent re-delegation
- Changes must be made by resolution (legislatively)
- Clarification and unanticipated circumstances must be made by resolution
- Interpretation is advisory not determinative
 - Support services (Legal, Real Estate, Audit - can only provide interpretive advice not clarity)

Delegate Administratively to the General Manager

Proposal

- Delegate to the General Manager
- Permit re-delegation by GM
 - Maintains chain of command
 - Clear and consistent communication
 - Consistent re-delegations with clear management lines of accountability
- Changes, clarifications and the ability to address special circumstances can be made administratively by re-delegation memo from General Manager instead of resolution

WHAT THE PROPOSAL DOESN'T CHANGE

Continues to Require Board Approval

- Requires Board approval for surplus and sale of all parcels of real property
 - Maintains statutory and internal review processes
 - Requires presentation, hearing and Board action
- Requires Board approval for purchase of real estate parcels
 - All purchase and sales agreements still contingent on board approval
 - Board still approves all pricing for purchase and sale of real estate parcels

WHAT THE PROPOSAL WOULD CHANGE

Requires Board Consideration

- One Resolution
- Delegate to, not past, the General Manager
- Make clear that routine and administrative transactions are delegated.
 - Requires adding 2 sections:
 - 1) Agency documents (i.e. Variance, Conditional Use Permits, zoning changes, public interest vacations, etc.)
 - 2) Other Routine Transactions provision (i.e. boundary line adjustments, no fee partial land exchanges, title clearing quit claim deeds)

Next Steps

- Finalize and Approve new Resolution
- Develop GM re-delegation memorandum

QUESTIONS?