

MINUTE ITEM

This Calendar Item No. 210
was approved as Minute Item
210 by the State Lands
Commission by a vote of 3
to 0 at its 1/23/84
meeting.

CALENDAR ITEM

26

1/23/84
W 21741
Hadly
A. Scott
BLA 245

AUTHORIZATION FOR LITIGATION TO
QUIET TITLE TO CERTAIN LANDS IN
OLD SACRAMENTO

For several years the State Lands Commission staff has been working with the City of Sacramento and the Housing and Redevelopment Agency of Sacramento on a proposed joint development of lands in and adjacent to the Sacramento River in Old Sacramento between "J" Street on the north and "Q" Street on the south (proposed litigation area as depicted on Exhibit "B"). The goal of the City and Redevelopment Agency is to have the waterfront area developed with water oriented commercial and recreational uses that reflect the historical environment. The Redevelopment Agency has completed a preliminary plan (Docks Specific Plan) reflective of that purpose. The agency has submitted the Docks plan to the City and received authorization from the City on November 22, 1983, to proceed with the drafting of a Request for Proposal (RFP). The RFP process envisions the docks being improved by one or more private developers. Developed uplands would be leased by the City for various commercial uses. Developed sovereign lands would be commercially leased by the State to the City which would in turn sublease them for such uses.

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Before any of the development contemplated under the preliminary Docks Plan can take place, uncertainties as to the nature and extent of the State's, Redevelopment Agency, and City's title must be resolved.

Western Title Company which has done an extensive title investigation on the area has agreed to insure title in the State and City following a quiet title action brought by the State against the City and certain potential private claimants. Should the State accept the role as plaintiff in such an action, which at this point would be required by Western Title, the City has agreed to publicize the State's role as one of accommodation to achieve the desired goal of developing the "docks" area. Without a proper explanation of the State's motive and intent, a negative public perception of the State's action could result.

AB 884: N/A.

OTHER PERTINENT INFORMATION:

Pursuant to the Commission's delegation of authority, staff has determined that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) because the activity is not a "project" as defined by CEQA and its implementing guidelines.

Authority: 21080(a) P.R.C., 21065 P.R.C., and 14 Cal. Adm. Code 15378.

EXHIBIT: A. Site Map.
B. Litigation Area.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE OFFICE OF THE ATTORNEY GENERAL AND STAFF COUNSEL:

1. TO INITIATE A QUIET TITLE ACTION AGAINST THE CITY OF SACRAMENTO AND ALL OTHER NECESSARY PARTIES FOR THE PURPOSE OF RESOLVING TITLE UNCERTAINTIES REGARDING LANDS IN OLD SACRAMENTO IN AND ADJACENT TO THE SACRAMENTO RIVER BETWEEN "J" AND "Q" STREETS (PROPOSED LITIGATION AREA DEPICTED ON EXHIBIT "B").
2. FIND THAT THIS ACTIVITY IS EXEMPT FROM THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO 14 CAL. ADM. CODE 15061, BECAUSE THE ACTIVITY IS NOT A PROJECT AS DEFINED BY 21065 P.R.C. AND 14 CAL. ADM. CODE 15378.

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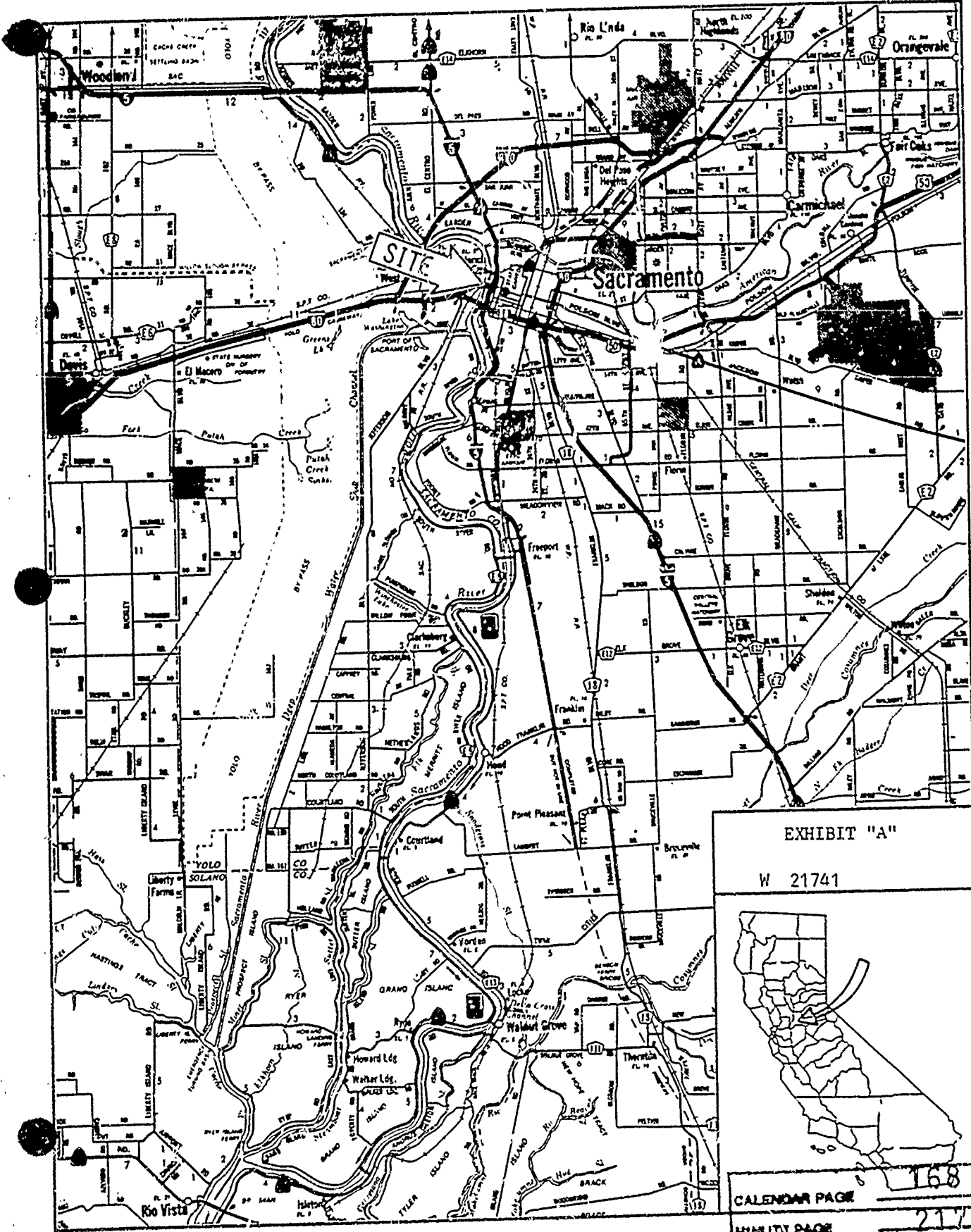


EXHIBIT "A"

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SCALE: 1" = 300'

AREA

LITIGATION

TOE OF WALL

BLDG FOUND.

DOCK

EXHIBIT 'B'

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