



AGENDA REPORT

City Council

DATE:	June 7, 2022
TO:	Mayor Butt and Members of the City Council
FROM:	Councilmember Nathaniel Bates
Subject:	Private Landowner Encroachments into the public Right-of-Way
FINANCIAL IMPACT:	The financial impact relative to this item includes staff time associated with this matter.
PREVIOUS COUNCIL ACTION:	April 19, 2022
STATEMENT OF THE ISSUE:	The City Council should receive a legal opinion for the City Attorney's Office regarding the legality of staff awarding and transferring city property without approval from the City Council.
RECOMMENDED ACTION:	RECEIVE a report from the City Attorney regarding the legality of staff awarding and transferring city property without approval from the City Council - Councilmember Nathaniel Bates (510-620-6743). This item was continued from the May 17, 2022, and May 24, 2022, meetings.

DISCUSSION:

At its April 19, 2022, meeting, the City Council considered an ordinance amending RMC Chapter 12.30 ("Video Service Provider, Utility and Special District Encroachments") by incorporating Chapter 12.29 ("Street Opening and Pavement Restoration Regulations"); adding provisions that address private landowner encroachments into the public Right-

of-Way (ROW); easements; and street vacations; retitling Chapter 12.30
“Encroachments and Easements,” and rescinding Chapter 12.29 in its entirety.
The City Council should receive a report from the City Attorney’s Office regarding the
legality of staff awarding and transferring city property without approval from the City
Council.

DOCUMENTS ATTACHED:

NONE