



CITY OF LONG BEACH C-10

DEPARTMENT OF PUBLIC WORKS

333 West Ocean Boulevard 9th Floor • Long Beach, CA 90802 • (562) 570-6383 • Fax (562) 570-6012

January 17, 2012

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt a Resolution authorizing the acquisition of tax-defaulted property, Assessor Parcel Number 7202-028-044, in the City of Long Beach from the County of Los Angeles and authorize the City Manager to execute a Chapter 8 Agreement and any and all documents necessary for the acquisition of the tax-defaulted property. (District 7)

DISCUSSION

In July 2011, the Los Angeles County Treasurer and Tax Collector (County) released a list of properties to be included in the 2011A Public Tax Auction (Auction). These properties have been tax-defaulted for non-payment of property taxes and deemed Subject to Power to Sell by the County. Prior to conducting the Auction, the County grants local governmental agencies an opportunity to request acquisition of these properties, as allowed under the California Revenue and Taxation Code, Division 1, Part 6, Chapter 8, which outlines the provisions for the acquisition of properties by a public agency, if a public need can be determined (Chapter 8 Agreement).

City staff has reviewed and identified one vacant parcel for City acquisition that is located adjacent to the Los Angeles River between 19th and 20th Streets, Assessor Parcel Number 7202-028-044 (Subject Property) (attachment). The City's Department of Parks, Recreation and Marine (Parks) requested the Subject Property for development as open space. The purchase price of the Subject Property from the County is approximately \$4,672 which represents the amount of delinquent property taxes and penalties owed on the Subject Property. In addition, fees of approximately \$1,000 will be charged for administrative and processing costs, for a total cost of \$5,672.

On behalf of the City, the Department of Public Works submitted a written request to the County for a Chapter 8 Agreement to purchase the Subject Property. In order to proceed, the County requires the City Council to adopt a resolution authorizing the acquisition of tax-defaulted property and authorizing the City Manager to enter into an Agreement with the County. Once the City's Agreement is approved by the Los Angeles County Board of Supervisors and the State of California Controller's Office, the County is required to notify the property owners of the pending effective date of the Agreement with the City. In the event the property owners pay the delinquent tax amount prior to the effective date of the Agreement, the owners will retain the Subject Property

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and the City will be unable to proceed with the purchase. However, should the property owners fail to pay the delinquent tax amount by the effective date of the Agreement, the City may proceed with acquisition.

This letter was reviewed by Assistant City Attorney Heather A. Mahood on December 6, 2011 and by Acting Budget and Performance Management Bureau Manager Shari Metcalfe on December 9, 2011.

TIMING CONSIDERATIONS

City Council action is requested on January 17, 2012 in order to facilitate acquisition of the Subject Property.

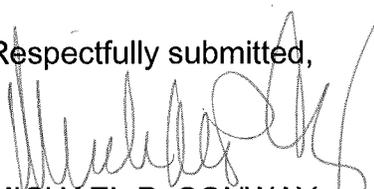
FISCAL IMPACT

The estimated cost to acquire the Subject Property requested by Parks for development as open space is \$5,672. Sufficient funds are currently budgeted in the General Fund (GP) of the Department of Parks, Recreation and Marine (PRM). Future development will be contingent upon available park impact fees and/or grant funding when available. There is no local job impact associated by this recommendation.

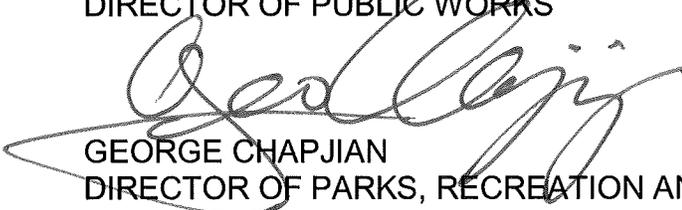
SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



MICHAEL P. CONWAY
DIRECTOR OF PUBLIC WORKS



GEORGE CHAPJIAN
DIRECTOR OF PARKS, RECREATION AND MARINE

MPC: GSC:VSG:mft
01.17.12 TaxDefaultedAgmt2698 v1

Attachments:
Site Map
Resolution

APPROVED:



PATRICK H. WEST
CITY MANAGER

Site Map



OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1 RESOLUTION NO.

2
3 A RESOLUTION OF THE CITY COUNCIL OF THE
4 CITY OF LONG BEACH TO EXECUTE A CHAPTER 8
5 AGREEMENT WITH THE COUNTY OF LOS ANGELES TO
6 ACQUIRE TAX-DEFAULTED PROPERTY (19TH STREET
7 AND LOS ANGELES RIVER)
8

9 WHEREAS, the City has been notified by the County of Los Angeles that
10 certain property described in Exhibit "A" hereto (the "Property") was deemed "Subject to
11 Power to Sell" for default of property taxes and is scheduled to be sold at public auction;
12 and

13 WHEREAS, Division 1, Part 6, Chapter 8 of the Revenue and Taxation
14 Code permits the City to acquire such Property, prior to a public auction, for an amount
15 equal to the defaulted property taxes; and

16 WHEREAS, the City has considered acquiring the Property pursuant to a
17 "Chapter 8 Agreement" with the County of Los Angeles and reviewed and evaluated the
18 proposed acquisition in relation to open space objectives; the staff report prepared on this
19 matter; and all of the information and evidence presented at the meeting; and

20 WHEREAS, the City has determined that the acquisition of the Property is
21 in the best interest of the City of Long Beach and its residents;

22 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
23 follows:

24 Section 1. The City finds and determines, based upon substantial
25 evidence provided in the record before it, that the acquisition of the Property will support
26 the City's efforts to acquire open space.

27 Section 2. Pursuant to provisions of the Revenue and Taxation Code,
28 the City shall enter a Chapter 8 Agreement with the County of Los Angeles, in order to

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1 complete the acquisition of the Property for the open space purposes.

2 Section 3. The City Manager is hereby designated to take all action
3 necessary to acquire the Property.

4 Section 4. This resolution shall take effect immediately upon its adoption
5 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

6 I hereby certify that the foregoing resolution was adopted by the City
7 Council of the City of Long Beach at its meeting of _____, 2011 by the
8 following vote:

9 Ayes: Councilmembers: _____

10 _____

11 _____

12 _____

13 Noes: Councilmembers: _____

14 _____

15 _____

16 Absent: Councilmembers: _____

17 _____

18 _____

19 _____

City Clerk

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EXHIBIT "A"

LEGAL DESCRIPTION

Real property in the City of Long Beach, County of Los Angeles, State of California, described as follows:

THE EAST 70 FEET OF LOT 15 IN BLOCK "A" OF PACIFIC FOUNTAIN TRACT, IN THE CITY OF LONG BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 8, PAGE 152 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 7202-028-044

Exhibit "A"
Subject Property

