

RESOLUTION NO. 2020-33-CC

**CITY OF SOUTH GATE
LOS ANGELES COUNTY, CALIFORNIA**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH GATE,
CALIFORNIA, DISCLAIMING ANY INTEREST IN PURCHASING TAX
DEFAULTED PROPERTY (APN 6233-032-002), AND AGREEING TO THE
PURCHASE PRICE TO BE PAID BY THE LOS ANGELES COUNTY
FLOOD CONTROL DISTRICT TO THE BOARD OF
SUPERVISORS OF LOS ANGELES COUNTY**

WHEREAS, the California Revenue and Taxation Code (“R&TC”) , Chapter 8 of Part 6 of Division 1 (“Chapter 8”), beginning with Section 3791, allows public agencies, taxing agencies and nonprofit organizations to enter into Chapter 8 agreements to purchase tax-defaulted property;

WHEREAS, pursuant to R&TC Section 3775, whenever the county or the state is the purchaser, the price shall be agreed upon between the County Board of Supervisors and the State Controller and the governing body of any city in which such property may be located, and such price shall be paid to the County Tax Collector for distribution;

WHEREAS, since Fiscal Year 2015 there exists certain property that has annually defaulted in the payment of property taxes, penalties and administrative fees consisting of a 40,092 square foot vacant lot, Assessor Parcel No. 6233-032-002, intersecting the Los Angeles River, in the Los Angeles Flood Control Channel (“Parcel”), which Parcel cannot be meaningfully developed for residential or commercial purposes and is subject to a Parcel-wide easement held in favor of the District, as more fully depicted in the aerial photo and parcel map attached hereto as Exhibit “A;”

WHEREAS, the Board of Supervisors of Los Angeles County (“County”) has agreed to sell and the Los Angeles County Flood Control District (“District”) has agreed to purchase the Parcel, subject to the “Power to Sell” held by the Los Angeles County Treasurer and Tax Collector (“TTC”);

WHEREAS, the District has requested that the City of South Gate (“City”) approve the Parcel’s selling price of Four Thousand Three Hundred Seven Dollars (\$4,307), the District is willing to pay the County, which amount represents tax-defaulted taxes, penalties and other administrative fees;

WHEREAS, given the nature and location of the Parcel, and the easement overlay held by the District, the City has no interest in acquiring the Parcel, and does not object to the sales price offered by the District; and

WHEREAS, the District also requests that the Mayor of the City be authorized to execute a Chapter 8 Agreement, Sale Number 2388, agreeing to the selling price as stated above, in a form substantially similar to the Chapter 8 "Agreement to Purchase Los Angeles County Tax-Defaulted Property," attached hereto as Exhibit "B."

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH GATE DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council does hereby disclaim any interest in purchasing the Parcel, APN 6233-032-002, and agrees to the purchase price offered by the District of Four Thousand, Three Hundred Seven Dollars (\$4,307).

SECTION 2. The Mayor is hereby authorized to execute the Chapter 8 "Agreement to Purchase Los Angeles County Tax Defaulted Property, Sale Number 2388", solely for purposes of agreeing to the selling price of the Parcel between the County and the District, in a form acceptable to the City Attorney.

SECTION 3. The City Clerk shall certify to the adoption of this Resolution which shall be effective upon its adoption.

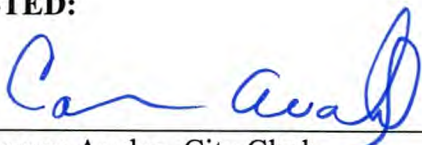
PASSED, APPROVED and ADOPTED this 8th day of **September, 2020**.

CITY OF SOUTH GATE:

By: 


Maria Davila, Mayor

ATTESTED:

By: 

Carmen Avalos, City Clerk
(SEAL)

APPROVED AS TO FORM:

By: 

Raul F. Salinas, City Attorney



Los Angeles County Public Works



Legend

- Parcel
- Channels Maintained by LACF
- Channels Maintained by City
- Channels Maintained by Army
- Channels Maintained by Caltra
- Channels Maintenance Unknown
- Parcels
- H1 Habitat Quiet Zone
- LA County Boundary
- LACAMS_Dime_LocalRoads (
- LACAMS_Dime_MajRoads(L1
- LARIAC4_Date_Flown
- 4 Inch
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3
- 1 Foot NF
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

1: 2,257

0.07 Miles 0 0.07 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere
© Latitude Geographics Group Ltd.

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Exhibit "A"

6233

32
SHEET

P. A.
1900-32
6233-37

TRA
6090
3319

REVISED
1999082004003002-27
2009022510002002-26

SEARCH NO

OFFICE OF THE ASSESSOR
COUNTY OF LOS ANGELES
COPYRIGHT © 2002

2009



MAPPING AND GIS
SERVICES
SCALE 1" = 80'

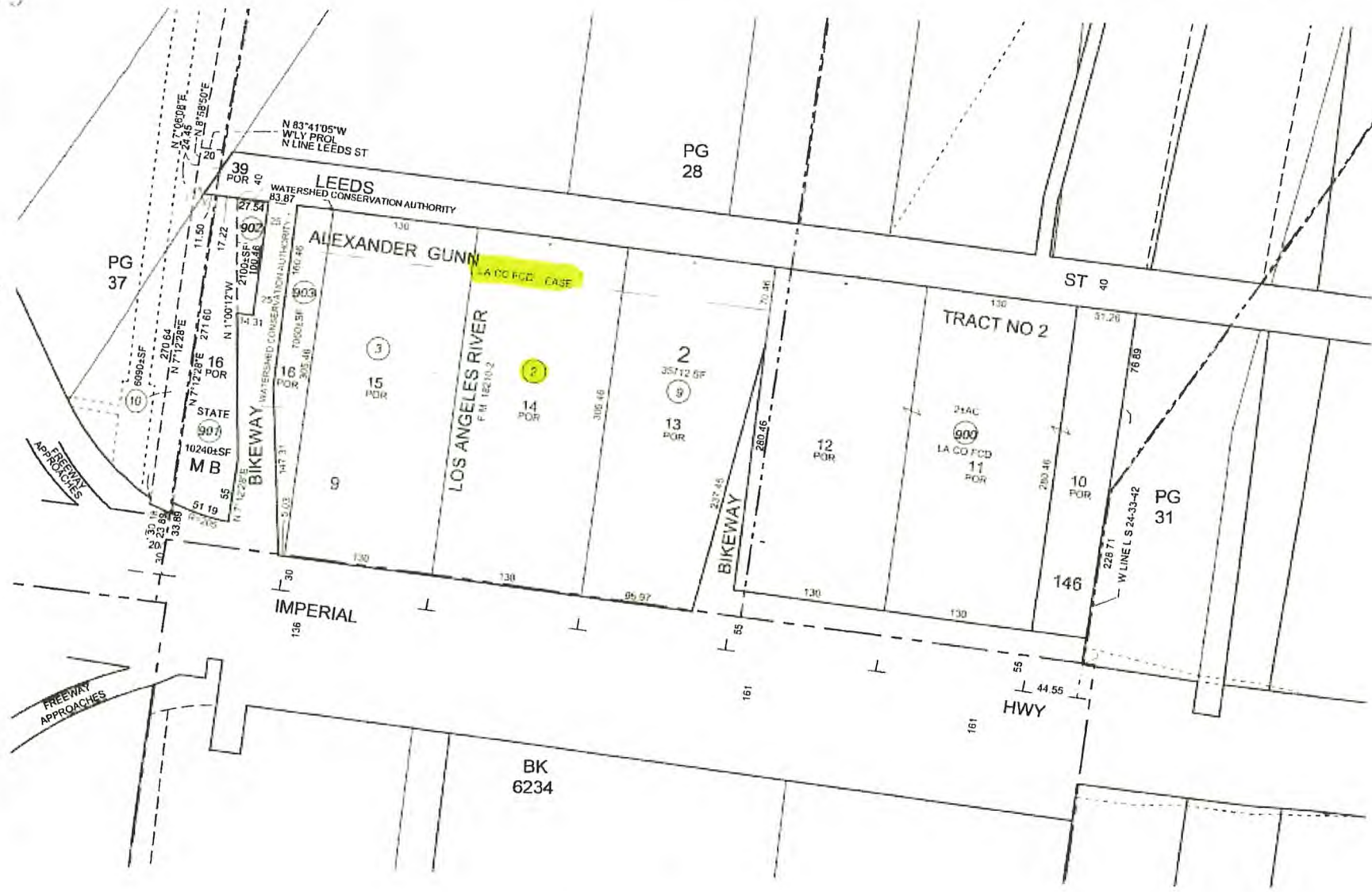


Exhibit "A"

BK
6234

Exhibit "B"

AGREEMENT TO PURCHASE LOS ANGELES COUNTY TAX-DEFAULTED PROPERTY (Public/Taxing Agency)

This Agreement is made this _____ day of _____, 20____, by and between the Board of Supervisors of Los Angeles County, State of California, and the Los Angeles County Flood Control District (Purchaser), pursuant to the provisions of Division 1, Part 6, Chapter 8, of the Revenue and Taxation Code.

The real property situated within said county, hereinafter set forth and described in Exhibit A attached hereto and made a part hereof, is tax-defaulted and is Subject to the Tax Collector's Power to Sale by said county for the nonpayment of taxes, pursuant to provision of law.

It is mutually agreed as follows:

1. That as provided by Section 3800 of the Revenue and Taxation Code, the cost of giving notice of this agreement shall be paid by the PURCHASER.
2. That the PURCHASER agrees to pay the total purchase price listed for each real property described in Exhibit A within 14 days after the date this agreement becomes effective. Upon payment of said sum to the tax collector, the Tax Collector shall execute and deliver a deed conveying title to said property to PURCHASER.
3. That the PURCHASER agrees that the real property be used for the public use specified on Exhibit A of this agreement.
4. That if said PURCHASER is a taxing agency, as defined in Revenue and Taxation Code section 121, it will not share in the distribution of the payment required by this Agreement.

APPROVED AS TO FORM:

MARY C. WICKHAM
County Counsel

By _____
Deputy County Counsel

If all or any portion of any individual parcel listed in Exhibit A is redeemed prior to the effective date of this agreement, this agreement shall be null and void only as it pertains to that individual parcel.

§§3791, 3791.3, 3793 R&T Code
Revised 11.15

The undersigned hereby agree to the terms and conditions of this agreement and are authorized to sign for said agencies.

ATTEST: Jahma Valdez
Los Angeles County
Flood Control District
(Seal)



By [Signature]
Title

Pursuant to the provisions of Section 3775 of the Revenue and Taxation Code the governing body of the City of South Gate of Los Angeles County hereby agrees to the selling price as provided in this agreement.

ATTEST: _____
(Seal)

City of South Gate
By _____
Mayor

ATTEST: BOARD OF SUPERVISORS, COUNTY OF LOS ANGELES

By _____
Executive Officer-Clerk of
the Board of Supervisors

By _____
Chair of the Board of Supervisors

By _____
Deputy

(Seal)

This agreement was submitted to me before execution by the Board of Supervisors and I have compared the same with the records of Los Angeles County relating to the real property described therein.

Los Angeles County Tax Collector

Pursuant to the provisions of Sections 3775 and 3795 of the Revenue and Taxation Code, the State Controller agrees to the selling price hereinbefore set forth and approves the foregoing agreement this _____ day of _____, _____.

BETTY T. YEE
CALIFORNIA STATE CONTROLLER

By: _____
Jaclyn McQueen, Manager
Government Compensation & Property Tax Standards Section

EXHIBIT A

REAL PROPERTY DESCRIPTION AND PURCHASE PRICE

ITEM	DESCRIPTION
Supervisory District	1
Location	CITY OF SOUTH GATE
Address	VACANT LOT (NO ADDRESS ASSIGNED)
Assessor's Identification Number	6233-032-002
Legal Description	ALEXANDER GUNN TRACT # 2 N 305.46 FT EX OF FLOOD CONTROL EASEMENT OF LOT 14 BLK 2
Size/Area	40,092 SQ. FT.
Agreement Number	2838
First Year of Default	2015
Purchase Price	\$4,307
Purpose of Acquisition	FLOOD CONTROL PURPOSES

Note: The estimated purchase price is based on the amount due as of August 1, 2020, the anticipated completion date, and includes the projected costs of the Chapter 8 Agreement Sale, which consists of notification, publication, postage, title report, recording, and State and transfer taxes, if applicable.



MARK PESTRELLA, Director

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS**

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone (828) 458-5100
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO
P O BOX 1450
ALHAMBRA, CALIFORNIA 91802-1450

IN REPLY PLEASE
REFER TO FILE

March 19, 2019

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

43 March 19, 2019

CELIA ZAVALA
EXECUTIVE OFFICER

**ENVIRONMENTAL CORE SERVICE AREA
INTRODUCTION AND ADOPTION OF AN ORDINANCE TO AMEND
TITLE 2, ADMINISTRATION, OF THE LOS ANGELES COUNTY CODE
TO DELEGATE AUTHORITY TO THE DIRECTOR OF PUBLIC WORKS
TO PURCHASE REAL PROPERTY
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

SUBJECT

Public Works is seeking Board approval of an ordinance to amend Section 2.18.025 of the Los Angeles County Code to extend the expiration date of the delegated authority to the Director of Public Works to purchase real property interests on behalf of the County of Los Angeles where the purchase price is \$75,000 or less for an additional 5 years through and including July 31, 2024.

IT IS RECOMMENDED THAT THE BOARD:

1. Find that the introduction and adoption of the proposed ordinance is not a project under the California Environmental Quality Act for the reasons stated in this Board letter and the record.
2. Approve the introduction of an ordinance to amend Section 2.18.025 of the Los Angeles County Code to extend the expiration of the delegated authority to the Director of Public Works to purchase real property interests on behalf of the County of Los Angeles where the purchase price does not exceed \$75,000 for an additional 5 years through and including July 31, 2024.
3. Introduce, waive reading, and place on the Board of Supervisors' agenda for adoption on March 26, 2019, the ordinance that implements the above recommendation, becoming operative on August 1, 2019.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Approval of the recommended actions will find they are not subject to the California Environmental Quality Act (CEQA) and will extend the Director of Public Works' delegated authority to purchase real property interests on behalf of the County of Los Angeles where the purchase price does not exceed \$75,000 for an additional 5 years through and including July 31, 2024. The Board of Supervisors previous delegated authority to the Director will expire on July 31, 2019, unless renewed.

Implementation of Strategic Plan Goals

The County Strategic Plan directs the provision of Strategy III.3, Pursue Operational Effectiveness, Fiscal Responsibility, and Accountability. This action will continue to enable the County to improve effectiveness and enhance customer service by expediting the acquisitions of right of way and processing payments. This action will reduce the number of instances the Board will have to act regarding minor transactions involving the acquisitions of right of way or other real property interests that are valued at \$75,000 or less for County projects or purposes.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Public Works has an ongoing need to acquire rights of way for County projects.

The delegation of authority to purchase property on behalf of the County is authorized by California Government Code, Section 25350.60, which provides:

- (a) "The board of supervisors of a county may, by ordinance, authorize a county officer it deems appropriate to perform any or all acts necessary to approve and accept for the county the acquisition of any interest in real property.
- (b) The authorization shall specify procedures for the exercise of the authority by the officer so designated and shall establish a dollar limit on any purchase price.
- (c) A county officer's authority granted by ordinance under this section may not be effective for more than five years."

The enclosed Ordinance has been prepared by County Counsel.

ENVIRONMENTAL DOCUMENTATION

The introduction and adoption of the enclosed Ordinance is not subject to CEQA because they are activities that are excluded from the definition of a project by Section 21065 of the Public Resources Code and Section 15378(b) of the State CEQA Guidelines. These proposed actions are administrative activities of government, which will not result in direct or indirect physical changes to the environment.

The Honorable Board of Supervisors
3/19/2019
Page 3

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action allows property acquisitions valued at \$75,000 or less to be expedited, minimizing delays in associated construction projects and other County purchases.

CONCLUSION

Please return one adopted copy of this letter and the adopted copy of the Ordinance document to Public Works, Survey/Mapping & Property Management Division. Retain the duplicate for your files.

Respectfully submitted,



MARK PESTRELLA
Director

MP:JTS:ec

Enclosures

c: Auditor-Controller (Accounting Division-Asset
Management)
Chief Executive Office (Chia-Ann Yen)
County Counsel
Executive Office

RESOLUTION CERTIFICATION PAGE

STATE OF CALIFORNIA)

COUNTY OF LOS ANGELES) SS

CITY OF SOUTH GATE)

I, Carmen Avalos, City Clerk of the City of South Gate, California, hereby certify that the whole number of Members of the City Council of said City is five; that Resolution No. 2020-33-CC was adopted by the City Council at their Regular Meeting held on September 8, 2020, by the following vote:

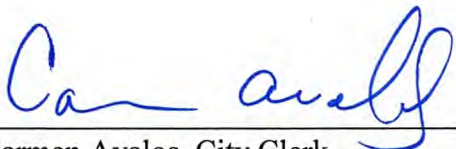
Ayes: Council Members: Davila, Rios, Avalos, Diaz and Hurtado

Noes: Council Members: None

Absent: Council Members: None

Abstain: Council Members: None

Witness my hand and the seal of said City on September 17, 2020.



Carmen Avalos, City Clerk
City of South Gate, California