



**General Services Agency
Property Management
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One
PETE VANDER POEL
District Two
AMY SHUKLIAN
District Three
EDDIE VALERO
District Four
DENNIS TOWNSEND
District Five

AGENDA DATE: October 8, 2019 - **REVISED**

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>

CONTACT PERSON: Maria Benavides PHONE: 205-1124

SUBJECT: Notice of Intent to Sell the Real Property described as a 2.26 acre portion located at the northeast area of the Tulare-Akers Professional Building parking lot located at 5300 W. Tulare Ave., Visalia, identified as Assessor's Parcel No. 087-460-007

- REQUEST(S):**
That the Board of Supervisors:
1. Adopt a resolution by a 4/5th vote declaring the intent to sell the real property described as a 2.26 acre portion located at the northeast area of the Tulare-Akers Professional Building parking lot located at 5300 W. Tulare Ave., Visalia, identified as Assessor's Parcel No. 087-460-007, pursuant to Government Code §25526.
 2. Authorize the receipt of sealed bids for the purchase of said real property for a cash price of no less than \$1,165,000 by the Clerk of the Board of Supervisors until 5:00 pm on November 18, 2019.
 3. Approve November 19, 2019 as the date and time at which sealed proposals to purchase the subject real property will be opened and considered by the Board.
 4. Authorize the General Services Agency Director, or their designee, to publish the attached Exhibit B Notice of Intent to Sell once a week for three consecutive weeks pursuant to Government Code §25528 and §6063.
 5. Authorize the County Administrative Officer, or their designee, to send the attached Exhibit C "General Plan Referral Letter" to the City of Visalia pursuant to Government Code §65402 regarding the proposed sale of the subject property.
 6. Authorize the County Administrative Officer, or their designee, to send the attached Exhibit D "Notice of Sale" to local and state governmental entities

SUBJECT: Notice of Intent to Sell the Real Property Identified as a 2.26 acre Portion of Assessor's Parcel No. 087-460-007

DATE: October 8, 2019

pursuant to Government Code §54222(c) regarding the proposed sale of the subject property.

SUMMARY:

The County of Tulare owns real property identified as Assessor's Parcel Number (APN) 087-460-007, located at 800 S. Akers Street in Visalia and referred to as Tulare Akers North Parking Lot. The parking lot currently serves the Tulare Akers Professional Center, a 177,330 square foot office building, to the south, but is largely underutilized. In February 2018, the Board requested proposals for the ground lease and development of a 2.26 portion of the APN, more particularly described in the attached Exhibit A, which resulted in a ground lease with developer Paloma Development Co. Inc. in November 2018. This lease was mutually terminated in August 2019.

The Tulare Akers North Parking Lot remains surplus to County need. Therefore, staff recommend the property be sold with deed restrictions limiting the use of the property to the operation of a combination of food, beverage, and commercial retail that conforms to all Local, State, and Federally permitted uses.

Pursuant to Government Code §25526 the Board must declare its intent to sell the property, more particularly described in Exhibit A to this agenda item. Pursuant to Government Code §65402, the County must separately advise the City of Visalia of the County's intent to sell the property and request the City's evaluation of whether the proposed action conforms to the City's General Plan. The City will have 40 calendar days to comment on the proposed sale. Pursuant to Government Code §54222 the County is required to notice other local and state governmental entities of the proposed sale and its availability. This agenda item fulfills these requirements and staff will return to the Board on November 19, 2019 to examine any bids and proceed according to Board direction.

FISCAL IMPACT/FINANCING:

There is no Net County Cost to the General Fund.

The revenue generated from this sale will be deposited into the Future Construction Fund (Fund 522). Fund 522 was established in 2009 to receive revenues from the sale of County properties, and reserves those proceeds to be used for the County's Capital Projects. As of September 2019, Fund 522 had a balance of \$4,284,000.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's Strategic Business Plan includes the Organizational Performance Initiative. The sale of this property would contribute to that initiative by efficiently utilizing surplus property to generate revenue.

SUBJECT: Notice of Intent to Sell the Real Property Identified as a 2.26 acre Portion
of Assessor's Parcel No. 087-460-007

DATE: October 8, 2019

ADMINISTRATIVE SIGN-OFF:



Laura Silva
General Services Manager

cc: County Administrative Office

Attachment(s) Exhibit A – Property Legal Description and Map
Exhibit B – Notice of Intent to Sell Real Property
Exhibit C – General Plan Referral Letter
Exhibit D – Notice of Sale Letter

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF NOTICE OF INTENT)
TO SELL THE REAL PROPERTY) Resolution No. _____
IDENTIFIED AS A 2.26 ACRE PORTION OF) Agreement No. _____
ASSESSOR'S PARCEL NO. 087-460-007)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JASON T. BRITT
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

1. Adopted a resolution by a 4/5th vote declaring the intent to sell the real property described as a 2.26 acre portion of Assessor's Parcel No. 087-460-007, more particularly described in the attached Exhibit A, pursuant to Government Code §25526.
2. Authorized the receipt of sealed bids for the purchase of said real property for a cash price of no less than \$1,165,000 by the Clerk of the Board of Supervisors until 5:00 pm on November 18, 2019.
3. Approved November 19, 2019 as the date and time at which sealed proposals to purchase the subject real property will be opened and considered by the Board.
4. Authorized the General Services Agency Director, or their designee, to publish the attached Exhibit B Notice of Intent to Sell once a week for three consecutive weeks pursuant to Government Code §25528 and §6063.
5. Authorized the County Administrative Officer, or their designee, to send the attached Exhibit C "General Plan Referral Letter" to the City of Visalia pursuant to Government Code §65402 regarding the proposed sale of the subject property.
6. Authorized the County Administrative Officer, or their designee, to send the attached Exhibit D "Notice of Sale" to local and state governmental entities pursuant to Government Code §54222(c) regarding the proposed sale of the subject property.

Exhibit A
Legal Description

That portion of Parcel No. 1 of Parcel Map No. 4404 recorded in Book 45 of Parcel Maps at Page 9 on August 26, 1999 in the office of the Tulare County Recorder more particularly described as follows:

Beginning at the Northeast corner of said Parcel 1 thence South $00^{\circ}12'16''$ East along the East line of said Parcel No. 1 a distance of 287.58 feet to the Southeast corner of said Parcel No. 1;

Thence North $89^{\circ}53'35''$ West along the South line of said Parcel No. 1 a distance of 343.00 feet;

Thence North $00^{\circ}12'16''$ West parallel with the East line of said Parcel No. 1 a distance of 287.58 feet to a point on the North line of said Parcel No. 1;

Thence South $89^{\circ}53'35''$ East along the North line of said Parcel No. 1 to the Northeast corner of said Parcel 1 and point of beginning.

Said described parcel containing 2.26 acres more or less.

The Basis of Bearing of this description is the East line of Parcel No. 1 taken as the South $00^{\circ}12'16''$ East per said Parcel map 4404.

Map

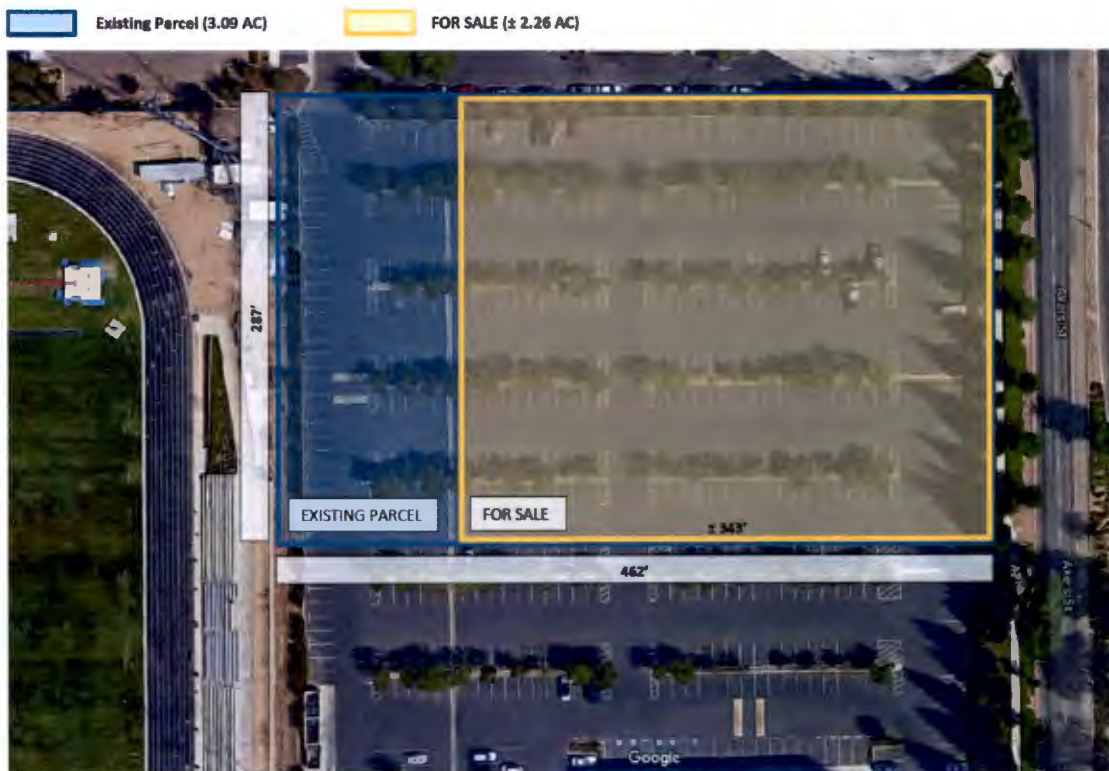


Exhibit B

NOTICE OF INTENT TO SELL REAL PROPERTY

NOVEMBER 18, 2019 AT 5:00 PM IS THE DEADLINE FOR THE RECEIPT OF PROPOSALS TO PURCHASE APPROXIMATELY 2.26 ACRES OF REAL PROPERTY IDENTIFIED AS ASSESSOR'S PARCEL NUMBER 087-460-007, LOCATED ON THE WEST SIDE OF SOUTH AKERS JUST NORTH OF 5300 WEST TULARE AVENUE FOR A MINIMUM PRICE OF \$1,165,000. DEVELOPMENT AND USE OF THE PROPERTY WILL BE RESTRICTED TO A MIX OF FOOD, BEVERAGE AND COMMERCIAL RETAIL USES THAT CONFORM TO ALL LOCAL, STATE, AND FEDERALLY PERMITTED USES.

A COPY OF THE SEALED PROPOSALS, TOGETHER WITH A WRITTEN STATEMENT OF THE PROPONENT'S INTENDED USE AND QUALIFICATIONS TO DEVELOP THE REAL PROPERTY MUST BE FILED WITH THE CLERK OF THE BOARD OF SUPERVISORS AT THE COUNTY ADMINISTRATION BUILDING, 2800 WEST BURREL AVENUE, VISALIA, CA.

SEALED PROPOSALS WILL BE OPENED AT THE BOARD OF SUPERVISORS MEETING ON NOVEMBER 19, 2019 AT 9:00 AM, FOLLOWED BY AN ORAL BIDDING. THE BOARD OF SUPERVISORS WILL EITHER ACCEPT THE PROPOSAL IT DEEMS TO BE IN THE BEST INTEREST OF THE COUNTY OR REJECT ALL PROPOSALS.

FOR QUESTIONS CONTACT JACALYNN WELLS, PROPERTY SPECIALIST III WITH THE COUNTY OF TULARE, AT 559-205-1135.

Exhibit C

General Plan Referral Letter
LETTERHEAD

[Date]

Paul Bernal
City Planner
City of Visalia
315 E. Acequia Ave
Visalia, CA 93291

Re: Proposed Sale of Excess Parking Lot Property

Dear Mr. Bernal:

Notice is hereby given pursuant to California Government Code section 65402(b) that the County of Tulare proposes to sell approximately 2.26 acres of excess parking lot acreage on the north side of the County's Tulare/Akers Professional Center (sometimes known as the "Cigna Building") in Visalia to the highest responsible bidder. The County intends to require the buyer, through deed restrictions, to develop and maintain the property with one or more buildings and associated improvements designed to accommodate a mix of food, beverage, and commercial uses appropriate to the location and consistent with City zoning.

Pursuant to Government Code section 65402(b), the City of Visalia has forty (40) days within which to determine whether the location, purpose, and extent of such proposed disposition is in conformity with the City's adopted General Plan. Under the statute, if the City fails to report within the forty-day time period, then it shall be conclusively deemed a finding that the proposed disposition is in conformity with said adopted General Plan.

Please contact the undersigned if you have questions or need further information on this matter. Thank you.

Sincerely,

[Name]

[Title]

Exhibit D

**Notice of Sale Letter
LETTERHEAD**

[Date]

[Recipient Name]
[Department/Agency]
[Street Address]
[City, State, Zip]

Re: Proposed Sale of Excess Parking Lot Property

Dear [Title/Recipient Name]:

Notice is hereby given pursuant to California Government Code section 54222(c) that the County of Tulare proposes to sell approximately 2.26 acres of excess parking lot acreage located on the north side of the County's Tulare/Akers Professional Center (sometimes known as the "Cigna Building") in Visalia to the highest responsible bidder. The County intends to require the buyer, through deed restrictions, to develop and maintain the property with one or more buildings and associated improvements designed to accommodate a mix of food, beverage, and commercial uses appropriate to the location and consistent with City zoning.

Pursuant to Government Code section 54222(f), the [Department/Agency] has sixty (60) days within which to give the County written notification of its interest in purchasing said real property for construction of school facilities or open space use purposes. If [Department/Agency] has no interest in purchasing said property for those purposes, then it would be greatly appreciated if you would so indicate in the space provided below and return the signed disclaimer slip to the County at your earliest convenience.

Please contact the undersigned if you have questions or need further information on this matter. Thank you.

Sincerely,

[Name]
[Title]

=====

This will confirm that [Department/Agency] has no interest in purchasing approximately 2.26 acres of excess parking lot acreage located on the north side of the County of Tulare's Tulare/Akers Professional Center in Visalia for construction of school facilities or open space purposes. Thank you.

Robert Gröeber
Assistant Superintendent for Administrative Services

Dated: _____, 2019