



**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: September 29, 2020

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 checked="" type="checkbox"/>	N/A <input type="checkbox"/>
CONTACT PERSON: Maria Benavides-Lopez PHONE: 205-1124		

SUBJECT: Temporary Construction Easement for a portion of Assessor's Parcel No 087-460-007 and 087-460-008

REQUEST(S):

That the Board of Supervisors:

1. Approve granting a Temporary Construction Easement to Sitka Enterprises, LLC, a California Limited Liability Company, Encinas Norte, LLC a California Limited Liability Company, and MGM of Visalia, LLC a California Limited Liability Company a 9,926 square foot portion of Assessor's Parcel Nos (APN's) 087-460-007 and 087-460-008.
2. Authorize the Chair to sign the Temporary Construction Easement.
3. Direct the General Services Agency Assistant Director, or their designee, to record the Temporary Construction Easement.

SUMMARY:

On March 24, 2020, the Board adopted Resolution No. 2020-125 approving the sale of a 2.26 acre portion of real property located at 800 W. Akers St., and 5300 W. Tulare Ave., Visalia, further identified as Assessor's Parcel No. 087-460-007 and 087-460-008, and commonly known as the North Parking Lot of the Tulare Akers Professional Center (TAPC) and a Reciprocal Easement Agreement (REA) to Paloma Development, Inc., a California Corporation (Paloma). The Grant Deed and REA were recorded on April 29, 2020 and June 8, 2020 respectively. Per the Purchase and Sale Agreement, Tulare County Agreement No. 29609, the property sold is to be developed as a mixed-use commercial property subject to conformance with all local, state, and federal permitted uses. An aerial of the real property is attached as Exhibit 1.

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After Board approval of the sale of the property, Paloma changed the assignment of the property to Sitka Enterprises, LLC, a California limited liability company, Encinas Norte, LLC, a California limited liability company, and MGM of Visalia, LLC, a California limited liability company (Sitka, et al.), pursuant to Section 10.9 Assignment of the Purchase and Sales Agreement, Tulare County Agreement No. 29609.

Sitka, et al., is in the construction process of the development and has advised the County that the City of Visalia is holding their Building Permit until the County grants a Temporary Construction Easement (TCE) for areas of County's property being used to hold construction materials and equipment. Approval of the TCE will temporarily reduce available parking areas at TAPC by 36 spaces within the TCE areas and an additional 8 parking spaces hindered by the location of the northern TCE area. A site plan of the area's impacted are attached as Exhibit 2. However, due to the COVID-19 pandemic County and tenant parking needs have been greatly reduced.

As this development would benefit County occupants and tenants at TAPC, along with employees of other area businesses, staff recommends the Board approve granting the TCE to Sitka, et al. for use of the County's property in order to complete construction of their development. Upon completion of construction Sitka, et al. will execute and record a quitclaim deed for all area's included in this TCE. The scheduled completion date of construction is scheduled to end in the first quarter of the 2021 calendar year.

FISCAL IMPACT/FINANCING:

There is no Net County Cost to the General Fund.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's Strategic Business Plan includes the Organizational Performance Initiative. Approval of this Temporary Construction Easement would contribute to that initiative by supporting local development that benefits the occupants at the Tulare Akers Professional Center.

ADMINISTRATIVE SIGN-OFF:



Brooke Sisk
Assistant General Services Agency Director

cc: County Administrative Office

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087-460-007 and 087-460-008

DATE: September 29, 2020

Attachment(s)

A – Exhibit 1 – Vicinity Map

B – Exhibit 2 – Site Plan

C – Temporary Construction Easement

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

IN THE MATTER OF TEMPORARY)
CONSTRUCTION EASMENT) Resolution No. _____
FOR A PORTION OF ASSESSOR'S) Agreement No. _____
PARCEL NO 084-460-007 AND 087-460-008)

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. Approved granting a Temporary Construction Easement to Sitka Enterprises, LLC, a California Limited Liability Company, Encinas Norte, LLC a California Limited Liability Company, and MGM of Visalia, LLC a California Limited Liability Company a 9,926 square foot portion of Assessor's Parcel Nos (APN's) 087-460-007 and 087-460-008.
2. Authorized the Chair to sign the Temporary Construction Easement.
3. Directed the General Services Agency Assistant Director, or their designee, to record the Temporary Construction Easement.

Exhibit 1

Vicinity Map

800 S. Akers St., Visalia, CA



