

TOWN OF APPLE VALLEY TOWN COUNCIL STAFF REPORT

To: Honorable Mayor and Town Council Date: September 22, 2015

From: Lori Lamson Item No: 10
Assistant Town Manager

Subject: BUDGET AMENDMENT FOR THE PURCHASE OF PROPERTY AVAILABLE FROM TAX LIEN SALES BY THE COUNTY OF SAN BERNARDINO FOR THE PURPOSE OF CONSTRUCTING NEW AFFORDABLE HOUSING PROJECTS AND A STORM WATER RETENTION BASIN

T.M. Approval: _____ Budgeted Item: Yes No N/A

RECOMMENDED ACTION:

That the Town Council adopt Budget Amendment No. BA 16-03 allowing the Town Manager to purchase said property using Neighborhood Stabilization Program (NSP) funds and Storm Water Drainage Impact Fees, made available through tax lien sales by the County of San Bernardino.

SUMMARY:

On February 24, 2015, the Town Council adopted Resolution No. 2015-08 authorizing and directing the Town Manager to purchase the property pursuant to the provisions of Division 1, Part 6, Chapter 8 of the Revenue and Taxation Code and related provisions of law. The intended use of these properties, made available from Tax Lien Sales by the County of San Bernardino, is to construct future affordable housing projects and storm water retention areas within the Apple Valley Dry Lake. These properties include the following:

1. APN 3087-361-04 – 13239 Osage Road, vacant 5 acres located at the northerly extension of Osage Road, between Navajo Road to the west, Ojai Road to the south, Pawnee Road to the east and Ottawa Road to the north
2. APN 0441-103-09 – 15795 Sago Dell Road, vacant 0.52 acre lot located at the end of a cul-de-sac with access from Sago Road
3. APN 0440-085-06 – vacant 19.54 acre lot located on the north side of Oteo Road, east of Brewster Park, within the Apple Valley Dry Lake

Property Nos. 1 and 2 would qualify as future projects; consistent with the Town's approved Consolidated Plan using NSP funds. The Consolidated Plan is a comprehensive five-year strategy (2012-2016) that addresses the use of Federal grant/entitlement funds, such as NSP funds, set aside for specific housing activities. These NSP monies are funds received through the sale of single-family residential homes rehabilitated and sold to qualified buyers originally purchased with NSP dollars. These funds are required to be reprogrammed back into new affordable housing projects.

Property No. 3 is a 19.5 acre lot within the Apple Valley Dry Lake, which will be used for retention of storm water, and will be a step toward achieving the ultimate storm water retention plan as identified in the County Master Plan of Drainage.

The Tax Lien sale by the County of San Bernardino was on Saturday, May 17, 2014. This auction is conducted by the Tax Collector for tax-defaulted properties in accordance with Chapter 7 (Section 3691-3731.1) of the Revenue and Taxation Code. These properties were removed from the public auction and were offered to the Town of Apple Valley upon direction of the Town Council at the May 13, 2014 meeting. The defaulted taxes on these properties were not paid by the County's deadline.

FISCAL IMPACT:

Approval of the proposed budget amendment (BA 16-03) will increase expenditure line item (2131-4210-7403) by \$71,200.00 in the Neighborhood Stabilization Program (NSP) funding. The revenue for this funding is provided by program income resulting from other NSP project investments. The second line item to be increased with this budget amendment (BA 16-03) is (4760-5210-9444) by \$40,900.00 for storm water retention facilities. Funds for storm water retention projects originate from development impact fees collected from new development constructed within the Town of Apple Valley. There is no impact to the Town's General Fund.

ATTACHMENTS:

1. Budget Amendment No. 16-03
2. February 24, 2015 Town Council Staff Report



TOWN OF APPLE VALLEY

BUDGET AMENDMENT REQUEST

16-03

Requesting Department	Prepared By	Date Prepared
Community Development	Lori Lamson	August 27, 2015

REVENUES AND OTHER FINANCING SOURCES

Account Description	Fund	Dept	Account No.	Amendment Amount
REVENUE TOTAL				-

EXPENDITURES AND OTHER FINANCING USES

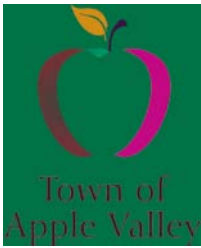
Account Description	Fund	Dept	Account No.	Amendment Amount
Land Acquisition 0440-085-06	4760	5210	9444-0000	40,900
APN 3087-361-04	2131	4210	7403-0001	62,000
APN 0441-103-06	2131	4210	7403-0002	9,200
EXPENDITURE TOTAL				112,100

PURPOSE

To Purchase Tax Lien Property Sales from County of San Bernardino
Council approved February 24, 2015

Department Director	Date	ATM Fin. & Admin./Asst. Fin. Dir.	Date

Town Manager	Date	Entered by	Date



TOWN OF APPLE VALLEY TOWN COUNCIL STAFF REPORT

To: Honorable Mayor and Town Council **Date:** February 24, 2015
From: Lori Lamson, Assistant Town Manager **Item No:** 4
Subject: PURCHASE OF PROPERTY AVAILABLE FROM TAX LIEN SALES BY
THE COUNTY OF SAN BERNARDINO FOR THE PURPOSE OF
CONSTRUCTING NEW AFFORDABLE HOUSING PROJECTS AND A
STORM WATER RETENTION BASIN

T.M. Approval: _____ **Budgeted Item:** Yes No N/A

RECOMMENDED ACTION:

That the Town Council direct the Town Manager to purchase said property using NSP (Neighborhood Stabilization Program) funds and Storm Water Drainage Impact Fees, made available through tax lien sales by the County of San Bernardino.

SUMMARY:

On May 13, 2014, the Town Council directed staff to notify the County of San Bernardino to remove the below mentioned properties from the public auction for defaulted taxes. Also, that it was the intention of the Town of Apple Valley, to purchase these vacant properties made available from Tax Lien Sales by the County of San Bernardino for the purpose of constructing new affordable housing projects. These properties include the following:

4. APN 3087-361-04 – 13239 Osage Road, vacant 5 acres located at the northerly extension of Osage Road, between Navajo Road to the west, Ojai Road to the south, Pawnee Road to the east and Ottawa Road to the north.
5. APN 0441-103-09 – 15795 Sago Dell Road, vacant 0.52 acre lot located at the end of a cul-de-sac with access from Sago Road.
6. APN 0440-085-06 – vacant 19.54 acre lot located on the north side of Oteo Road, east of Brewster Park, within the Apple Valley Dry Lake.

Property Nos. 1 and 2 would qualify as future projects consistent with the Town's approved Consolidated Plan, using NSP funds. The Consolidated Plan is a comprehensive five-year strategy (2012-2016) that addresses the use of federal grant/entitlement funds, such as NSP funds, set aside for specific housing activities. These NSP monies are funds received through the sale of single-family residential

homes rehabilitated and sold to qualified buyers originally purchased with NSP dollars. These funds are required to be reprogrammed back into new affordable housing projects.

Property No. 3 is a 19.5 acre lot within the Apple Valley Dry Lake, which will be used for retention of storm water, and will be a step toward achieving the ultimate storm water retention plan as identified in the County Master Plan of Drainage.

The Tax Lien sale by the County of San Bernardino was on Saturday, May 17, 2014. This auction is conducted by the Tax Collector for tax-defaulted properties in accordance with Chapter 7 (Section 3691-3731.1) of the Revenue and Taxation Code. These properties were removed from the public auction and were offered to the Town of Apple Valley upon direction of the Town Council at the May 13, 2014 meeting. The defaulted taxes on these properties were not paid by the County's deadline.

FISCAL IMPACT:

Funds for these properties will originate from reprogrammed NSP funds and through Storm Drain Development Impact Fees collected from new development. There is no impact to the Town's General Fund.

ATTACHMENTS:

1. Resolution No. 2015-08
2. Exhibit "A"
3. APN 0441-103-09, Assessor Parcel Map
4. APN 0440-085-06, Assessor Parcel Map
5. APN 3087-361-04, Assessor Parcel Map

RESOLUTION NO. 2015-08

RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF APPLE VALLEY AUTHORIZING THE PURCHASE OF REAL PROPERTY PURSUANT TO DIVISION 1, PART 6, CHAPTER 8 OF THE CALIFORNIA REVENUE AND TAXATION CODE

WHEREAS, the Town of Apple Valley is a local municipality (city) incorporated in 1988; and

WHEREAS, the Town of Apple Valley has need for additional real property to be utilized for affordable housing and storm water retention purposes; and

WHEREAS, the Town of Apple Valley intends to utilize the property described in Exhibit "A" for such purposes and desires to purchase such property for such intended uses.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Apple Valley as follows:

Section 1. The Town of Apple Valley authorizes and directs the Town Manager to purchase the property pursuant to the provisions of Division 1, Part 6, Chapter 8 of the Revenue and Taxation Code and related provisions of law.

Section 2. That the Town Manager is authorized to execute any document necessary and take any other reasonably necessary action to consummate the transaction contemplated herein.

Section 3. Effective Date. The Resolution shall become effective immediately upon its adoption.

Section 4. Severability. If any provision of this Resolution, or the application thereof, to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications and, to this end, the provision of the Resolution declared to be severable.

APPROVED and ADOPTED by the Town Council of the Town of Apple Valley,
this 24th day of February, 2015.

Larry Cusack, Mayor

ATTEST:

La Vonda M-Pearson, Town Clerk

Exhibit "A"

0440-085-06-0000 \$ 40,800.00

0441-103-09-0000 \$ 9,100.00

3087-361-04-0000 \$ 61,950.00

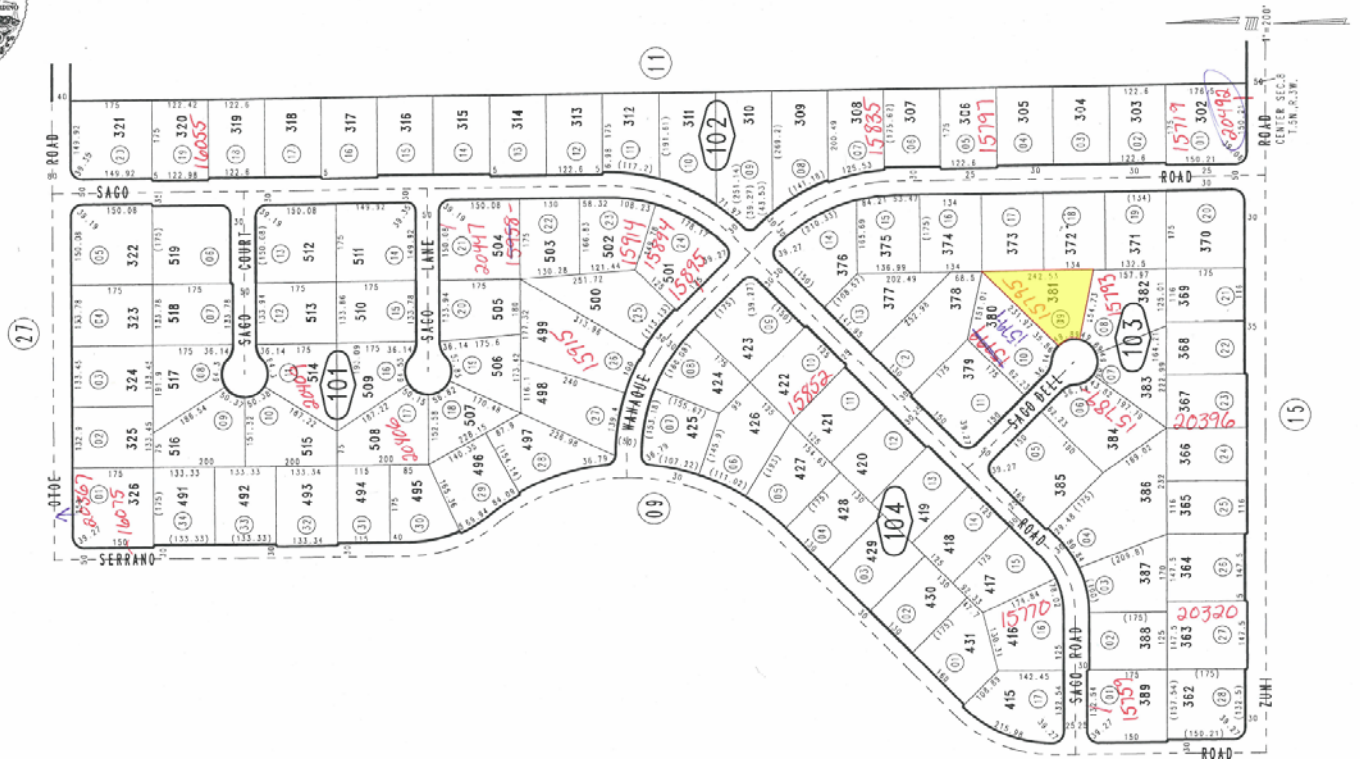
Total \$111,850.00

APN 0441-103-09 Assessor Parcel Map

THIS MAP IS FOR THE PURPOSE OF AD VALOREM TAXATION ONLY.

Ptn. Tract No.4287
M.B.64/68-72

Town of Apple Valley 0441-10
Tax Rate Area
21056



October 2003

Ptn. N.1/2, Sec. 8
T.5N., R.3W.

Assessor's Map
Book 0441 Page 10
San Bernardino County

REVISED
02/08/08 RU
04/12/06 KC
11/28/06 LH
11/29/06 LH
02/21/07 CL
12/19/07 LY

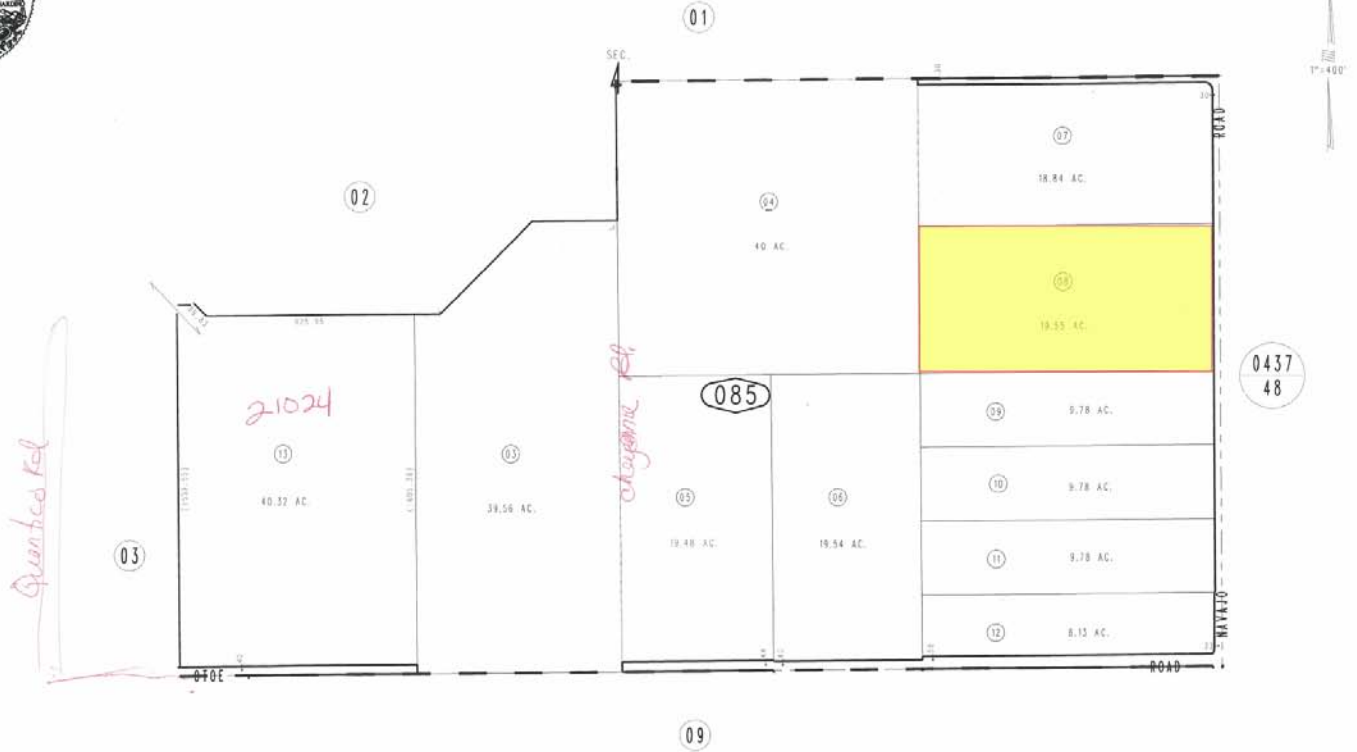
APN 0440-085-06 Assessor Parcel Map

THIS MAP IS FOR THE PURPOSE
OF AD VALOREM TAXATION ONLY.



Ptn. S.1/2, Fractional Sec. 4, T.5N., R.3W., S.B.M.

Town of Apple Valley 0440-08
Tax Rate Area
21078



OCTOBER 2011 LH

Assessor's Map
Book 0440 Page 08
San Bernardino County

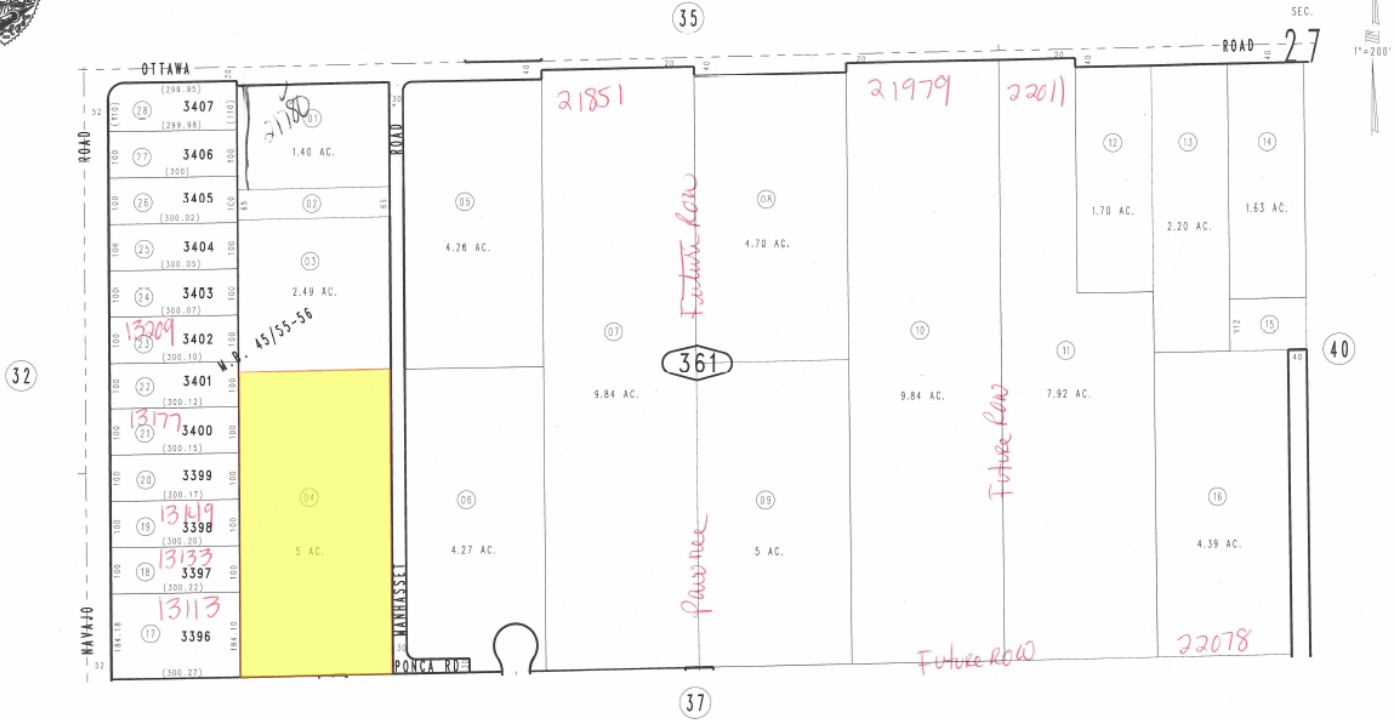
REVISED
01/25/12 KA
06/27/12 LH
10/05/12 LS
03/11/14 GW
03/15/14 GW
05/01/14 KC

APN 3087-361-04 Assessor Parcel Map

THIS MAP IS FOR THE PURPOSE OF AD VALOREM TAXATION ONLY.

N.1/2, S.W.1/4, Sec. 27, T.5N., R.3W., S.B.M.

Town of Apple Valley 3087-36
Tax Rate Area
21077



FEBRUARY 1999

Pln. Apple Valley Ranchos, No. 9, Tract No. 3477, M.B. 45/55-56

Assessor's Map
Book 3087 Page 36
San Bernardino County

REVISED
09/04/07 TY