

**REPORT/RECOMMENDATION TO THE SAN BERNARDINO COUNTYWIDE
OVERSIGHT BOARD AND RECORD OF ACTION**

March 11, 2019

**FROM: ANDREA M. MILLER, City Manager/Executive Director
City of San Bernardino**

**SUBJECT: SALE OF PROPERTY BY THE SUCCESSOR AGENCY TO THE
REDEVELOPMENT AGENCY OF THE CITY OF SAN BERNARDINO TO
INLAND MAPLE PARTNERS, LLC PURSUANT TO THE APPROVED LONG
RANGE PROPERTY MANAGEMENT PLAN**

RECOMMENDATION(S)

Adopt **Resolution No. 2019-25** approving the sale of property more particularly identified as Assessor's Parcel Numbers 0134-141-28 and 0134-141-29 to Inland Maple Partners, LLC. (Presenter: Steven Dukett, Consultant to the City of San Bernardino, (909) 967-8205)

BACKGROUND INFORMATION

The Successor Agency to the Redevelopment Agency of the City of San Bernardino's (Successor Agency) amended Long Range Property Management Plan (LRPMP) was approved by the Department of Finance (DOF) on December 31, 2015. The LRPMP addresses the disposition and use of 230 parcels of land grouped into forty-six (46) separate sites, including the subject property which is located at 478 and 480 N. "D" Street, San Bernardino, California (APNs 0134-141-28 and 0134-141-29) (Property). The Property is more fully described within the LRPMP, an excerpt of which is attached hereto as Attachment B.

On October 18, 2017, the Successor Agency approved an agreement with Keller Williams (KW) to list and sell 15 real property sites, including the subject Property. On November 28, 2018, KW received an offer from Inland Maple Partners, LLC (Purchaser) to purchase the Property for \$54,150 (Purchase Price). On December 3, 2018, KW submitted a Broker's Opinion of Value (BOV) for the Property, indicating its opinion that the market value of the Property is \$54,036. Based on past practice, DOF has acknowledged that BOVs are an acceptable method and basis for confirming that the value of real property being sold is fair and reasonable. In consideration that the Purchase Price exceeds the BOV Market Value by \$114, or 0.002%, it may be concluded that the Purchaser's offer for the Property is fair and reasonable, as more fully described within the BOV, which is attached hereto as Attachment C.

The executed Purchase and Sale Agreement and Joint Escrow Instructions (PSA), between the Successor Agency and Purchaser, with respect to the Property, is attached to the Resolution. Consistent with the California Health and Safety Code (HSC) and the LRPMP, the effectiveness of the PSA is subject to the approval of the San Bernardino Countywide Oversight Board (CWOB) and review by DOF.

Record of Action of the San Bernardino Countywide Oversight Board

Action APPROVED

MOTION:	<u>Second</u>	<u>Move</u>	<u>Aye</u>	<u>Absent</u>	<u>Absent</u>	<u>Aye</u>	
	De Nava	Miller	Saks	Strong	Vasquez	Warren	Wert

BY _____

DATED: March 11, 2019 Item #1



**SALE OF PROPERTY BY THE SUCCESSOR AGENCY TO THE
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TO INLAND MAPLE PARTNERS, LLC PURSUANT TO THE
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MARCH 11, 2019
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Once the Property is sold, the net sale proceeds will be remitted to the County Auditor-Controller for distribution to the affected taxing entities in proportion to their respective shares of the 1% general tax levy as shown in Attachment D.

With the sale of the Property, the Successor Agency will have seven (7) separate sites, which consist of eight (8) parcels, remaining to be sold.

Pursuant to HSC Section 34191.3(a), a DOF approved long range property management plan governs and supersedes all other provisions relating to the disposition and use of the real property assets of the former redevelopment agency. The Successor Agency's LRPMP provides that "once an agreement is reached with respect to the purchase and sale of a property, the agreement will be presented to the Oversight Board for concurrence. The Oversight Board's approval will be evidenced by a resolution that will be submitted to DOF and, per the HSC, is subject to DOF's review." It is recommended that the CWOB adopt the attached Resolution approving the sale of the Property in accordance with the executed PSA between the Successor Agency and Purchaser.

ATTACHMENTS

- Attachment A – Resolution
- Attachment B – LRPMP Excerpt
- Attachment C – Property BOV
- Attachment D – Taxing Entity Share

REVIEW BY OTHERS

This item has been reviewed by Community Development and Housing Agency on February 11, 2019 and San Bernardino Countywide Oversight Board Legal Counsel on February 22, 2019.

RESOLUTION NO. 2019-25

RESOLUTION OF THE SAN BERNARDINO COUNTYWIDE OVERSIGHT BOARD APPROVING THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF SAN BERNARDINO'S SALE OF REAL PROPERTY

On Monday, March 11, 2019, on motion of San Bernardino Countywide Oversight Board Member Miller, duly seconded by San Bernardino Countywide Oversight Board Member De Nava and carried, the following resolution is adopted by the San Bernardino Countywide Oversight Board, State of California.

WHEREAS, the Successor Agency to the Redevelopment Agency of the City of San Bernardino (Successor Agency) must dispose of assets and properties of the former redevelopment agency as directed by the San Bernardino Countywide Oversight Board pursuant to California Health and Safety Code (HSC) Section 34177(e); and

WHEREAS, the San Bernardino Countywide Oversight Board must direct the Successor Agency to dispose of all assets and properties of the former redevelopment agency pursuant to HSC Section 34181(a); and

WHEREAS, the Successor Agency is not permitted to dispose of any real property assets of the former redevelopment agency, except governmental use assets, until the Department of Finance (DOF) approves the Successor Agency's Long Range Property Management Plan (LRPMP) pursuant to HSC Section 34191.3; and

WHEREAS, on December 28, 2015, the Successor Agency's Oversight Board adopted Resolution No. SBOB/2015-09, approving the Successor Agency's LRPMP; and

WHEREAS, on December 31, 2015, DOF issued a Determination Letter approving the Successor Agency's LRPMP; and

WHEREAS, upon receiving DOF approval of the LRPMP, the LRPMP shall govern and supersede all other provisions relating to the disposition and use of real property assets of the former redevelopment agency pursuant to HSC Section 34191.3; and

WHEREAS, the Successor Agency desires to sell real property to Inland Maple Partners, LLC (Purchaser) located at 478 and 480 N. "D" Street, San Bernardino, California and consisting of approximately 0.26-acres and identified as Assessor's Parcel Numbers 0134-141-28 and 0134-141-29, and further identified in the Successor Agency's approved LRPMP as a "for sale" property (Property); and

WHEREAS, the Successor Agency intends to sell the Property to the Purchaser for a purchase price of \$54,150, which represents an amount above the Broker's Opinion of Value prepared by Keller Williams Realty, Redlands; and

WHEREAS, the sale of the Property by the Successor Agency to Purchaser is intended to be made in accordance with the terms of a Purchase and Sale Agreement and Joint Escrow Instructions (PSA), which was approved by the Successor Agency on February 6, 2019, a copy of which is attached hereto as Exhibit A; and

WHEREAS, subject to the approvals of the Countywide Oversight Board and review by DOF, the Successor Agency intends to distribute the land sale proceeds to the San Bernardino

County Auditor-Controller for distribution to the taxing entities, less the costs of sale attributable to the Successor Agency that are described within the Agreement; and

WHEREAS, the San Bernardino Countywide Oversight Board has determined that the approval of the sale and disposition of the Property and execution of the PSA is consistent with the terms of the approved LRPMP under HSC Section 34191.3(a), and is consistent with the obligation of the Successor Agency to wind down the affairs of the former redevelopment agency in accordance with HSC Section 34177(h).

NOW, THEREFORE, the San Bernardino Countywide Oversight Board hereby resolves, determines and orders as follows:

Section 1. The foregoing recitals are true and correct.

Section 2. The sale by the Successor Agency to the Redevelopment Agency of the City of San Bernardino of real property identified as Assessor's Parcel Numbers 0134-141-28 and 0134-141-29 located at 478 and 480 N. "D" Street, San Bernardino, California, in accordance with that certain executed Purchase and Sale Agreement between the Successor Agency and Inland Maple Partners, LLC, is hereby approved.

Section 3. This resolution shall take effect from and after the date of its passage and adoption.

PASSED AND ADOPTED by the San Bernardino Countywide Oversight Board, State of California, by the following vote:

AYES: OVERSIGHT BOARD MEMBER: Richard De Nava, Ken Miller, Cindy Saks, Lawrence Strong, David Wert

NOES: OVERSIGHT BOARD MEMBER: None

ABSENT: OVERSIGHT BOARD MEMBER: Mario Vasquez, Acquanetta Warren

STATE OF CALIFORNIA)
)
COUNTY OF SAN BERNARDINO) ss.

I, **LAURA H. WELCH**, Secretary to the San Bernardino Countywide Oversight Board, State of California, hereby certify the foregoing to be a full, true and correct copy of the record of the action taken by the Countywide Oversight Board, by vote of the members present, as the same appears in the Official Minutes of said Board at its meeting of March 11, 2019. #1 mb

LAURA H. WELCH
Secretary to the San Bernardino Countywide Oversight Board

By 
Deputy

