COUNTY OF LOS ANGELES
TREASURER AND TAX COLLECTOR

KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET, ROOM 437
POST OFFICE BOX 514917
LOS ANGELES, CALIFORNIA 90051-4917

MARK J. SALADINO
TREASURER AND TAX COLLECTOR

TELEPHONE
(213) 974-2101

TELECOPIER
(213) 626-1812

August 31, 2004

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

Dear Supervisors:

AGREEMENT TO PURCHASE
"TAX DEFAULTED SUBJECT TO POWER TO SELL" PROPERTY
SUPERVISORIAL DISTRICT 4- AGREEMENT 2424
(3 VOTES)

IT IS RECOMMENDED THAT YOUR BOARD:

Approve and instruct the Chairman to sign the Purchase Agreement of "Tax Defaulted Subject to Power to Sell" property being acquired by the Los Angeles Flood Control District, a public agency pursuant to the Revenue and Taxation Code, with revenue to be provided to recover a portion, if not all back property taxes, penalties and costs on the delinquent parcel and any remaining tax balance to be cancelled from the existing tax rolls; and approve publication of the Purchase Agreement of "Tax Defaulted Subject to Power to Sell" property.

PURPOSE OF RECOMMENDED ACTION

The property described in the agreement may be sold in accordance with the provisions of Division 1, Part 6, Chapter 8 of the Revenue and Taxation Code and with the policy adopted by Board action on November 24, 1970. Exhibit "A" attached to each agreement indicates the legal description and selling price of the parcel.

Upon approval, the enclosed agreement and copies are to be signed by the Chairman and returned to the Tax Collector for transmittal to the State Controller for further approval. County Counsel has approved the agreement as to form.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

Approval of this agreement is also in accordance with the Countywide Strategic Plan Goals of Fiscal Responsibility and Collaboration Across Jurisdictional Boundaries. Delinquent property taxes and costs are recovered and limited use parcels are identified for appropriate public purposes.

JUSTIFICATION

The Chapter 8 Agreement sale procedure permits eligible public agencies to acquire "Tax Defaulted Subject to Power to Sell" properties without the necessity of a public auction. The property described in this letter will be acquired by a public agency. The agreement is with the County of Los Angeles Flood Control District. It is the intent of this agency to utilize this property for flood control purposes.

FISCAL IMPACT / FINANCING

Revenue will be provided to the County for apportionment among the affected taxing agencies, which will recover a portion, if not all back property taxes, penalties and costs on the delinquent parcels. Any remaining tax balance will be cancelled from the existing tax roll.

Existing appropriation is available in the current Treasurer and Tax Collector 2004/2005 Budget for publication costs. Publishing in accordance with Section 3798 of the Revenue and Taxation Code is the most cost-effective method of giving adequate notification to parties of interest.

FACTS AND PROVISIONS/ LEGAL REQUIREMENTS

The Chapter 8 Agreement sale procedure permits eligible public agencies to acquire "Tax Defaulted Subject to Power to Sell" properties pursuant to Section 3791, et seq., of the Revenue and Taxation Code.

A summary of the public agency's purchase is attached. This attachment indicates the affected Supervisorial District and the use for which the property is being acquired. Moreover, we have attached copies of the relevant sections of the Revenue and Taxation Code pertaining to the Chapter 8 Agreement sale for your information. County Counsel has approved the agreement as to form. Attached to the agreement are the Assessor's parcel map showing the dimensions and general location of the affected parcel.

Efforts will be made to contact the owners and parties of interest to inform them of their tax liabilities and the provisions for the redemption of the property pursuant to Section 3799 of the Revenue and Taxation Code.

Section 3798 of the Revenue and Taxation Code mandates notice of agreements to be published once a week for three (3) successive weeks in a newspaper of general circulation published in the County.

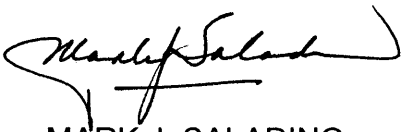
IMPACT ON CURRENT SERVICES (OR PROJECTS)

Not applicable.

CONCLUSION

Upon approval of the attached agreement forms, the Department will need all original documents returned for submission to the State Controller.

Respectfully submitted,



MARK J. SALADINO
Treasurer and Tax Collector

MJS:DJD:MD:js
Bdltr.agreement.8/31/04

Attachments

c: Assessor
Chief Administrative Officer
County Counsel
Auditor-Controller
Internal Services Department

ATTACHMENT "A"

COUNTY OF LOS ANGELES
OFFICE OF THE TREASURER AND TAX COLLECTOR
HALL OF ADMINISTRATION
225 NORTH HILL STREET
LOS ANGELES, CALIFORNIA 90012

HAROLD J. GATLY
TAX COLLECTOR

November 17, 1970

W. T. KIRWEL
CHIEF DEPUTY

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

173 NOV 24 1970

LARRY J. MONTANA
EXECUTIVE OFFICER

Board of Supervisors
383 Hall of Administration
Los Angeles, California 90012

Gentlemen:

TAX AGREEMENT SALES

RECOMMENDATION:
That the Tax Collector be directed to review all requests for agreement sales pursuant to Chapter 8 of the Revenue and Taxation Code and recommend to the Board whether such requests should be approved in whole, in part, or denied.

That the Tax Collector is further instructed to review and recommend the price to be paid for such sales which price, in the absence of special circumstances, shall not be less than the amount necessary to redeem the property pursuant to Part 7 of Division 1 of the Revenue and Taxation Code.

EXPLANATION:
This office has recently completed a review of the policies currently in use with regard to the acquisi-

tion of tax deeded lands by taxing agencies under the authority of Chapter 8 of the Revenue and Taxation Code. This study showed that while present practices are in technical conformity with various statutory requirements, the $1 per parcel price has remained constant since October 19, 1943.

It is the opinion of this office that the continuation of this nominal price is no longer in the best interest of the County and the other involved taxing agencies. The sale for a minimal fee of properties charged with sizable tax deficiencies results in substantial revenue losses to the County and other agencies.

The nominal fee can also result in requests for acquisition without adequate attention given to actual need by the requesting agency. The result is the removal of additional property from the tax base. If resold later as surplus, the proceeds accrue only to the acquiring agency.

Very truly yours,

HAROLD J. OSTLY
TREASURER & TAX COLLECTOR

HJO:cm

cc: 1 Clerk of the Board
5 One for each Supervisor
1 Chief Administrative Officer
1 County Counsel
6 Communications

Attachment "B"

SUMMARY OF PUBLIC AGENCY'S PURCHASE

SECOND SUPERVISORIAL DISTRICT

AGREEMENT NUMBER 2424

AGENCY

County of Los Angeles Flood Control District
Public Agency

Selling price of this parcel
shall be $ 6,110.00

Public Agency
intends to utilize
this property
for flood control
purposes.

SUPERVISORIAL DISTRICT	LOCATION	PARCEL NUMBER(S)	MINIMUM BID
4th	LONG BEACH	7242-013-006	$ 6,110.00

AGREEMENT NUMBER 2424

LOS ANGELES COUNTY FLOOD CONTROL DISTRICT

FOURTH SUPERVISORIAL DISTRICT

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"Enriching Lives"

JAMES A. NOYES, Director

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
www.ladpw.org

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

January 29, 2004

IN REPLY PLEASE REFER TO FILE: MP-6
M0420006

TO: Sharon Perkins
Operations Chief
Secured Property Tax Division
Treasurer and Tax Collector

FROM: Greg Kelley, Assistant Deputy Director Greg Kelley
Mapping & Property Management Division

2004A TAX SALE
AUTHORIZATION TO PURCHASE VIA CHAPTER 8

We received your list of properties that are tax defaulted and deemed Subject to Power to Sell dated November 21, 2003. By this memorandum, I authorize the purchase of the parcels listed below pursuant to Los Angeles County Code Section 2.18.025 that states, the Director or his designee is authorized to acquire property used by the Department of Public Works and the Los Angeles County Flood Control District.

~~8656-001-072~~	8648-010-012	8644-019-036	~~8174-004-004~~
7242-013-006	4453-019-046	4453-019-045	4221-024-006

Acquiring these adjoining parcels will enhance the District's interest which will result in better operational control of its facilities.

AT:psr
P6:\AT 2004A TAX SALE

APN	DIST	LOCATION	AGREEMENT #
4221-024-006	2	CITY OF LA	2422
4453-019-045	3	COUNTY OF LA	2423
4453-019-046	3	COUNTY OF LA	2423
7242-013-006	4	LONG BEACH	2424
8644-019-036	5	Glendora	2425
8648-010-012	5	Glendora	2425

COUNTY OF LOS ANGELES
TREASURER AND TAX COLLECTOR

KENNETH HAHN HALL OF ADMINISTRATION
225 NORTH HILL STREET, ROOM 130
P.O. BOX 512102
LOS ANGELES, CALIFORNIA 90051-0102

MARK J. SALADINO
TREASURER AND TAX COLLECTOR

Application to Purchase Tax Defaulted Subject to Power to Sell Property

Name of Organization: LOS ANGELES COUNTY FLOOD CONTROL DISTRICT
(name of the city, county, district, redevelopment agency or state)

Application to Purchase: (check one)

__X__ Objection to a Current Pending Chapter 7 Sale

_____ Application-No Pending Chapter 7 Sale

Public Purpose for Acquiring the Property: Flood purpose for San Gabriel River parcel.

List the Propertie(s) by Assessor's Identification Number:

7242-013-006

Authorized Signature: Greg Alley

Title: Asst Deputy Director

Date: June 14, 2004

Agreement Number: 2424

§§3695, 3695,4, 3695.5 3791, 3891.3 and 3791.4

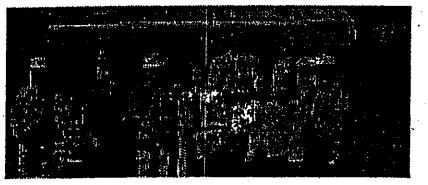
THE MISSION

We provide public works services in a responsive, efficient, and cost effective manner.

AN OVERVIEW

The Department of Public Works was formed on January 1, 1985, from the former County Road Department, a portion of the Department of County Engineer-Facilities, and the County Flood Control District. In 1995, capital projects responsibilities and 156 staff members previously assigned to the Internal Services Department were also incorporated into Public Works.

Divided into 21 divisions, the Department has over 3,800 employees in approximately 450 separate job classifications, including professional, technical, clerical, skilled craft, and



unskilled workers. The Department is responsible for the design, construction, operation, maintenance, and repair of roads, bridges, airports, sewers, water supply, flood control and water conservation facilities; and for the design and construction of capital projects. Additional responsibilities include regulatory and ministerial programs for the County of Los Angeles, Los Angeles County Flood Control District, other special districts, and contract cities that request services. A 24-hour Emergency Operations Center is maintained to respond to problems reported by the public and other agencies as well as major emergencies, such as floods, windstorms, snowstorms, earthquakes, etc., and to monitor various Department facilities.

The Department protects property and promotes public safety for those we serve now and in the future. By striving to increase productivity and efficiency while continuing to emphasize and to provide the highest levels of service, the Department looks forward to successfully meeting the challenges of the future through new technology and high standards.

RESPONSIBILITIES AND FUNCTIONS

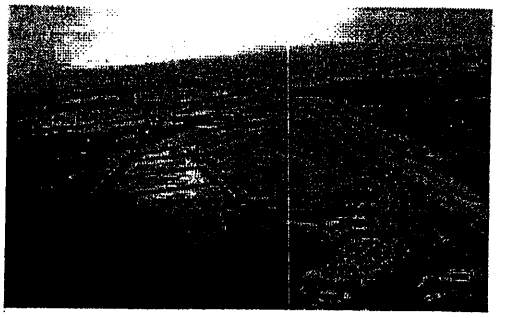
Flood Control

- Operate and maintain 15 major dams, about 450 miles of open channel, almost 2,500 miles of underground storm drains, 70,000 street drains, about 280 sediment entrapment basins and 218 concrete stream bed stabilization structures, 33 pumping plants, as well as numerous support facilities throughout the County.

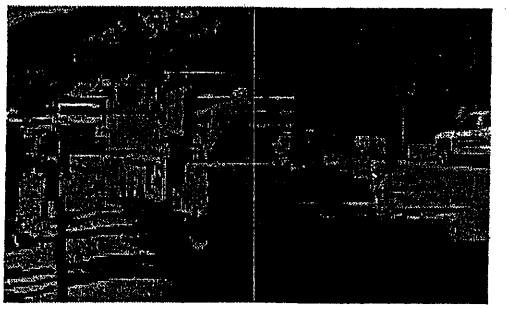
Water Conservation

- Conserve each year in Los Angeles County an average of 220,000 acre-feet of local storm water runoff that would otherwise waste to the ocean. This amount, valued conservatively at over $73 million, consists of direct storm runoff and post-storm releases from the dams. The water flows to 27 groundwater recharge areas, or spreading grounds,consisting of unlined river bottoms and spreading basins and pits. During non-storm periods, the artificial recharge program is supplemented by spreading almost 75,000 acre-feet of untreated imported water and 50,000 acre-feet of reclaimed water.

- Operate and maintain three seawater barriers in Los Angeles County. These barriers inject treated imported water into the freshwater aquifers along coastal areas to prevent the intrusion of salt water inland. The aquifers protected by the barriers supply nearly 20 percent of the water used in Los Angeles County.



Roads



- Maintain over 3,100 miles of major roads and local streets in the unincorporated areas and over 1,700 miles in 22 incorporated cities. This includes over 1,300 signalized intersections, 6,000 miles of striping, 170,000 traffic signs, 5,000 street lights, 78,000 street name signs, as well as pavement markings, painted curbs, and raised traffic markers.

- Provide a full range of road services, including street sweeping, pothole patching, and tree trimming.

ORIGINAL

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 power of sale by the tax collector of 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. 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 Attachment "A" of this agreement.*

4. That if said PURCHASER is a **TAXING AGENCY**, said agency would not share in the distribution of the payment required by this Agreement as defined by § 3791 and § 3720 of the Revenue and Taxation Code.

APPROVED AS TO FORM:

Office of the County Counsel

By_____
Principal Deputy County Counsel

APPROVED AS TO FORM
ROBERT E. SHANNON, City Attorney
By_____
ASSISTANT CITY ATTORNEY

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. This agreement shall also become null and void and the right of redemption restored upon the PURCHASER'S failure to comply with the terms and conditions of this agreement. Time is of the essence.

0§§3791, 3791.3 3793 R&T Code

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

ATTEST:
LOS ANGELES COUNTY
FLOOD CONTROL DISTRICT

By Greg Kelley

(seal)

ATTEST:

Board of Supervisors
Los Angeles County

By_____
Clerk of the Board of Supervisors

By_____
Chairman of the Board of Supervisors

By_____
Deputy
(seal)

Pursuant to the provisions of Section 3775 of the Revenue and Taxation Code the governing body of the city of **LONG BEACH** hereby agrees to the selling price as provided in this agreement.

ATTEST:

APPROVED AS TO FORM
5/26, 2004
ROBERT E. SHANNON, City Attorney
BY M Mees (seal)
ASSISTANT CITY ATTORNEY

City of Long Beach

By_____
City Manager

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 Controller agrees to the selling price hereinbefore set forth and approves the foregoing agreement this ___ day of _____, 20___.

By:_____ , STATE CONTROLLER

SUPERVISORIAL DISTRICT 4
AGREEMENT NUMBER 2424

EXHIBIT "A"

LOCATION	FIRST YEAR DELINQUENCY	DEFAULT NUMBER	PURCHASE PRICE	PURPOSE OF ACQUISITION
CITY OF LONG BEACH	1992	7242-013-006	$6,110.00*	FLOOD CONTROL PURPOSES - SAN GABRIEL RIVER

LEGAL DESCRIPTION

TIDE LANDS IN T5S R12W SURVEY NO 106 FOR DESC SEE ASSESSOR'S MAPS

* The purchase price quoted on this Exhibit "A" is a projection of the purchase price for a schedule of eight (8) months. If the agreement is completed in less time, then the purchase price will be decreased; however if the completion of the agreement is longer than this time, the price will increase accordingly.

ORIGINAL

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 power of sale by the tax collector of 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.

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APPROVED AS TO FORM:

Office of the County Counsel

By _____
Principal Deputy County Counsel

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0§§3791, 3791.3 3793 R&T Code

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

ATTEST:
LOS ANGELES COUNTY
FLOOD CONTROL DISTRICT

By Greg Kelley

(seal)

ATTEST:

Board of Supervisors
Los Angeles County

By_____
Clerk of the Board of Supervisors

By_____
Chairman of the Board of Supervisors

By_____
Deputy
(seal)

Pursuant to the provisions of Section 3775 of the Revenue and Taxation Code the governing body of the city of **LONG BEACH** hereby agrees to the selling price as provided in this agreement.

ATTEST:

APPROVED AS TO FORM
5/26, 2004
ROBERT E. SHANNON, City Attorney
By
ASSISTANT CITY ATTORNEY

City of Long Beach

By
City Manager

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 Controller agrees to the selling price hereinbefore set forth and approves the foregoing agreement this ___ day of _____, 20___.

By:_____ , STATE CONTROLLER

SUPERVISORIAL DISTRICT 4
AGREEMENT NUMBER 2424

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