



**COUNTY OF LOS ANGELES
TREASURER AND TAX COLLECTOR**
KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET, ROOM 437
LOS ANGELES, CA 90012



MARK J. SALADINO
TREASURER AND TAX COLLECTOR

May 14, 2013

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

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

26 May 14, 2013

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Dear Supervisors:

**AGREEMENT TO PURCHASE
"TAX DEFAULTED SUBJECT TO POWER TO SELL" PROPERTY
SUPERVISORIAL DISTRICT 4 - AGREEMENT 2698**

SUBJECT

The City of Long Beach is seeking to buy one (1) tax defaulted property through the Chapter 8 Agreement sale process. The Chapter 8 Agreement sale is designed to allow eligible government agencies and non profit organizations the opportunity to buy tax defaulted property for a qualifying public purpose or benefit. The City of Long Beach intends to utilize the property for open space.

IT IS RECOMMENDED THAT THE BOARD:

Approve and instruct the Chairman to sign the Purchase Agreement Number 2698 of "Tax Defaulted Subject to Power to Sell" property being acquired by the City of Long Beach (public agency) pursuant to the Revenue and Taxation Code, with revenue to be provided to recover a portion, if not all, of 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/JUSTIFICATION 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 the Agreement, indicates the legal description and

selling price of the parcel. The agency originally requested two (2) parcels. Parcel 7208-006-045 was excluded from the sale as an Assessor's referral. Therefore, it is unavailable for purchase.

Upon approval, the attached agreement is 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.

The Chapter 8 Agreement sale procedure permits public agencies to acquire "Tax Defaulted Subject to Power to Sell" property without the necessity of a public auction. The property described in this letter will be acquired by one (1) public agency. The agreement is with the City of Long Beach, which intends to utilize the property for open space.

Implementation of Strategic Plan Goals

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

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, of back property taxes, penalties, and costs on the delinquent parcel. Any remaining tax balance will be cancelled from the existing tax rolls.

Existing appropriation is available in the Treasurer and Tax Collector's 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" property, pursuant to Section 3791, et seq., of the Revenue and Taxation Code.

Attachment "A" is a summary of the public agency's purchase. This attachment indicates the affected Supervisorial District and the public use for which the property is being acquired. County Counsel has approved the agreement as to form. Attached to the agreement is the Assessor's parcel map, showing the dimension 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) consecutive weeks in a newspaper of general circulation published in the

The Honorable Board of Supervisors

5/14/2013

Page 3

County.

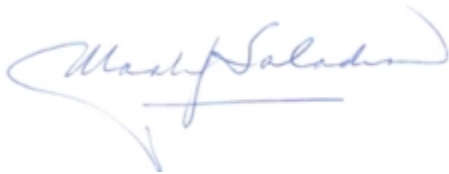
IMPACT ON CURRENT SERVICES (OR PROJECTS)

No impact.

CONCLUSION

Upon approval of the attached agreement forms, the Department of Treasurer and Tax Collector will need all original documents returned for submission to the State Controller, as the State Controller's Office has the final approval of this and all Chapter 8 Agreements.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Mark J. Saladino", with a horizontal line underneath the name.

MARK J. SALADINO

Treasurer and Tax Collector

MJS:KWG:af

Enclosures

c: Assessor
Chief Executive Officer
Auditor-Controller
County Counsel
Executive Officer, Board of Supervisors

SUMMARY OF PUBLIC AGENCY'S PURCHASE
FOURTH SUPERVISORIAL DISTRICT

AGREEMENT NUMBER 2698

AGENCY

City of Long Beach
Public Agency

Selling price of this parcel
shall be \$4,672.00*

Public Agency intends to utilize
the property for open space.

<u>SUPERVISORIAL DISTRICT</u>	<u>LOCATION</u>	<u>PARCEL NUMBER</u>	<u>MINIMUM BID</u>
4th	CITY OF LONG BEACH	7202-028-044	\$ 4,672.00

AGREEMENT NUMBER 2698

CITY OF LONG BEACH

FOURTH SUPERVISORIAL DISTRICT



CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

333 WEST OCEAN BOULEVARD • LONG BEACH, CA 90802 • (562) 570-6383 • FAX (562) 570-6012

August 15, 2011

VIA COURIER AND FAX 213.680.3648

Donna J. Doss
Assistant Treasurer and Tax Collector
County of Los Angeles
225 North Hill Street, Room 130
P.O. Box 512102
Los Angeles, California 90051-0102

RE: Acquisition of Tax Defaulted Properties Through a Chapter 8 Agreement

Dear Ms. Doss:

In accordance with your memo dated July 15, 2011, the City of Long Beach objects to the 20011A Public Tax Auction sale of the following tax defaulted properties and is interested in acquiring the following properties through a Chapter 8 Agreement:

<u>Parcel No.</u>	<u>Site Address</u>	<u>Purpose for Acquisition</u>
7208-006-045	2507 Atlantic Avenue	Redevelop into open space
7202-028-044	Vacant Lot	Develop as open space

As required, enclosed is the mission statement from the City of Long Beach's Department of Parks, Recreation and Marine, as they will be managing each parcel's development and two (2) checks in the amount of \$100 each, representing the preliminary research fee per parcel.

If it is determined that the City is eligible to acquire this property, please provide the Chapter 8 Agreement package to the attention of Mary Frances Torres, Development Project Manager, at the address listed below. Ms. Torres can be contacted at (562) 570-6846 if you any questions or require further information. Thank you.

Sincerely,

Handwritten signature of Victor S. Grgas in black ink.

Victor S. Grgas, Manager
Asset Management Bureau

VSG:MFT:mft

Application to Purchase Tax-Defaulted Property from County

This application is to be completed by eligible purchasing entities to commence purchase of tax-defaulted property by agreement sale from the county under applicable provisions of the California Revenue and Taxation Code. Please complete the following sections and supply supporting documentation accordingly. Completion of this application does not guarantee purchase approval.

A. Purchaser Information

- 1. Name of Organization: CITY OF LONG BEACH
- 2. Corporate Structure – check the appropriate box below and provide corresponding information:
 - Nonprofit – provide Articles of Incorporation
 - Public Agency – provide mission statement (If redevelopment agency, also provide agency survey map)

B. Purchasing Information

Determine which category the parcel falls under and then check the appropriate box as it relates to the purchasing entity's corporate structure and the intended use of the parcel:

Category A: Parcel is currently scheduled for a Chapter 7 tax sale

- No Purchase – State / county / taxing agency registering objection to preserve lien only
- Purchase by State / county / tax agency / revenue district / redevelopment agency / special district to preserve its lien
- Purchase by State / county / tax agency / revenue district / redevelopment agency / special district for public purpose
- Purchase by nonprofit for low-income housing or to preserve open space

Category B: Parcel is *not* currently scheduled for a Chapter 7 tax sale

- Purchase by State / county / taxing agency / revenue district / redevelopment agency / special district for public purpose
- Purchase by nonprofit to use parcel(s) for low-income housing or to preserve open space


C. Property Detail

Provide the following information. If more space is needed for any of the criteria, consolidate the information into a separate "Exhibit" document and attach accordingly:

- 1. County where the parcel(s) is located: LOS ANGELES
- 2. List each parcel by Assessor's Parcel Number: 7202-028-044
- 3. State the purpose and intended use for each parcel: Develop parcel as open space.

D. Acknowledgement Detail

Provide the signature of the purchasing entity's authorized officer


Assistant City Manager
 Authorized Signature Title Date 2.7.12

Dr. Robert Garcia, 1st District
Dr. Suja Lowenthal, Vice Mayor, 2nd District
Gary DeLong, 3rd District
Patrick O'Donnell, 4th District



Gerrie Schipske, R.N.P./J.D., 5th District
Dee Andrews, 6th District
James Johnson, 7th District
Rae Gabelich, 8th District
Steven Neal, 9th District

Patrick H. West, City Manager
Larry G. Herrera, City Clerk

Bob Foster, Mayor

Robert E. Shannon, City Attorney

**AN EXCERPT FROM THE MINUTES OF
THE LONG BEACH CITY COUNCIL MEETING
HELD TUESDAY, JANUARY 17, 2012**

CONSENT CALENDAR: (5:39 PM)


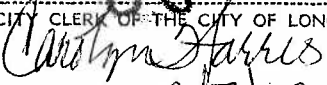
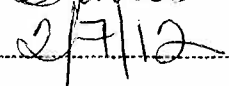
10. (12-0032) Recommendation to adopt resolution authorizing the acquisition of tax-defaulted property, Assessor Parcel Number 7202-028-044, in the City of Long Beach from the County of Los Angeles; and authorize City Manager to execute a Chapter 8 Agreement and any and all documents necessary for the acquisition of the tax-defaulted property. (District 7)

Suggested Action: Approve recommendation and adopt Resolution No. RES-12-0008.

Motion: Approve Consent Calendar Items 4 - 10.
Moved by Garcia, seconded by Schipske.

Vote: Approve Consent Calendar Items 4 - 10. (Carried 6-0)
Yes: Garcia, O'Donnell, Schipske, Andrews, Gabelich, and Neal.
Absent: Lowenthal, DeLong, Johnson.

CERTIFIED AS A TRUE AND CORRECT COPY


CITY CLERK OF THE CITY OF LONG BEACH
BY 
DATE: 

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

RESOLUTION NO. RES-12-0008

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH TO EXECUTE A CHAPTER 8
AGREEMENT WITH THE COUNTY OF LOS ANGELES TO
ACQUIRE TAX-DEFAULTED PROPERTY (19TH STREET
AND LOS ANGELES RIVER)

WHEREAS, the City has been notified by the County of Los Angeles that certain property described in Exhibit "A" hereto (the "Property") was deemed "Subject to Power to Sell" for default of property taxes and is scheduled to be sold at public auction; and

WHEREAS, Division 1, Part 6, Chapter 8 of the Revenue and Taxation Code permits the City to acquire such Property, prior to a public auction, for an amount equal to the defaulted property taxes; and

WHEREAS, the City has considered acquiring the Property pursuant to a "Chapter 8 Agreement" with the County of Los Angeles and reviewed and evaluated the proposed acquisition in relation to open space objectives; the staff report prepared on this matter; and all of the information and evidence presented at the meeting; and

WHEREAS, the City has determined that the acquisition of the Property is in the best interest of the City of Long Beach and its residents;

NOW, THEREFORE, the City Council of the City of Long Beach resolves as follows:

Section 1. The City finds and determines, based upon substantial evidence provided in the record before it, that the acquisition of the Property will support the City's efforts to acquire open space.

Section 2. Pursuant to provisions of the Revenue and Taxation Code, the City shall enter a Chapter 8 Agreement with the County of Los Angeles, in order to

OFFICE OF THE CITY ATTORNEY
ROBERT E. SHANNON, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1 complete the acquisition of the Property for the open space purposes.

2 Section 3. The City Manager is hereby designated to take all action
3 necessary to acquire the Property.

4 Section 4. This resolution shall take effect immediately upon its adoption
5 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

6 I hereby certify that the foregoing resolution was adopted by the City
7 Council of the City of Long Beach at its meeting of January 17, 2012 by the
8 following vote:

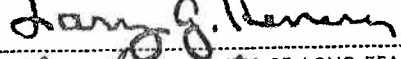
9 Ayes: Councilmembers: Garcia, O'Donnell, Schipske,
10 Andrews, Gabelich, Neal.

11
12
13 Noes: Councilmembers: None.

14
15 Absent: Councilmembers: Lowenthal, DeLong, Johnson.

16
17
18 
19 City Clerk

20 CERTIFIED AS A TRUE AND CORRECT COPY

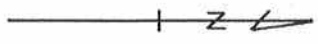
21 
CITY CLERK OF THE CITY OF LONG BEACH

22 BY 

23 DATE: 2/7/12

24
25
26
27
28

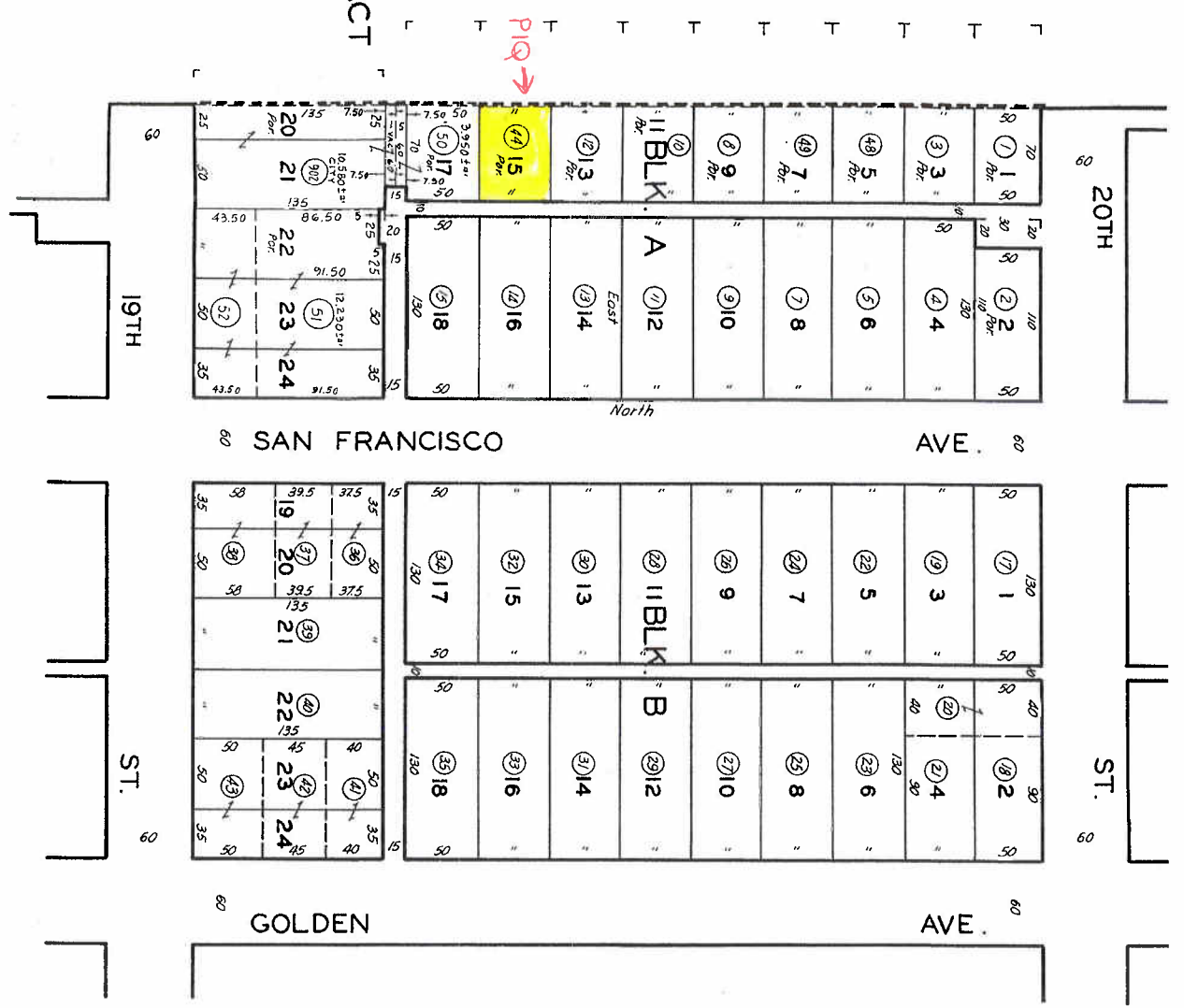
1997



PACIFIC FOUNTAIN TRACT

M. B. 8 - 152

LOS ANGELES RIVER



CODE
5501

FOR PREV. ASSM'T. SEE: 380 - 12 & 13

**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 **CITY OF LONG BEACH** ("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. That 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 Exhibit "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:

JOHN F. KRATTLI
County Counsel

By 
Deputy County Counsel

APPROVED AS TO FORM

1/25, 2012
ROBERT E. SHANNON, City Attorney

By 
HEATHER A. MAHOOD
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

X: ID:Chptr 8 Pubagency form
Revised 6/24/03

AGREEMENT NUMBER 2698

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

ATTEST:

By _____

(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 ~~LA~~ **LONG BEACH** hereby agrees to the selling price as provided in this agreement.

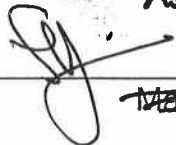
ATTEST:



(seal)


City of ~~LA~~ **LONG BEACH**

Assistant City Manager

By  _____
~~Mayor~~ **CITY MANAGER**

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

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 2698

EXHIBIT "A"

<u>LOCATION</u>	<u>FIRST YEAR DELINQUENCY</u>	<u>DEFAULT NUMBER</u>	<u>PURCHASE PRICE</u>	<u>PURPOSE OF ACQUISITION</u>
CITY OF LONG BEACH	2004	7202-028-044	\$4,672.00*	OPEN SPACE

LEGAL DESCRIPTION

PACIFIC FOUNTAIN TRACT E 70 FT OF LOT 15 BLK A

The purchase price quoted on this Exhibit "A" is a projection of the purchase price for a schedule of twelve (12) months. In addition, all cost related to the sale will be added to this price as follows: Cost of Notification, Cost of Publication, Cost of Postage, STPTS Fees, Title Report Fee and Forfeited State Lands Fee. If the agreement is completed in less than the twelve (12) month projection time, then the purchase price will be decreased; however if the completion of the agreement is longer than the twelve (12) month projection time, the price will increase accordingly.

**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 **CITY OF LONG BEACH** ("Purchaser"), pursuant to the provisions of Division 1, Part 6, Chapter 8, of the Revenue and Taxation Code.

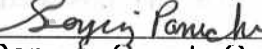
The real property situated within said county, hereinafter set forth and described in Exhibit "A" attached hereto and made a part hereof, is tax-defaulted and is subject to the power of sale by the tax collector of said county for the nonpayment of taxes, pursuant to provision of law.

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. That 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 Exhibit "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:

JOHN F. KRATTLI
County Counsel

By 
Deputy County Counsel

APPROVED AS TO FORM

1/25, 2012
ROBERT E. SHANNON, City Attorney

By 
HEATHER A. MAHOOD
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

X: ID:Chptr 8 Pubagency form
Revised: 6/24/03

AGREEMENT NUMBER 2698

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

ATTEST:

By _____

(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 ~~LA~~ **LONG BEACH** hereby agrees to the selling price as provided in this agreement.

ATTEST:

City of ~~LA~~ **LONG BEACH**

(seal)

By _____
Assistant City Manager
Mayor **CITY MANAGER**

EXECUTED PURSUANT
TO SECTION 301 OF
THE CITY CHARTER.

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 2698

EXHIBIT "A"

<u>LOCATION</u>	<u>FIRST YEAR DELINQUENCY</u>	<u>DEFAULT NUMBER</u>	<u>PURCHASE PRICE</u>	<u>PURPOSE OF ACQUISITION</u>
CITY OF LONG BEACH	2004	7202-028-044	\$4,672.00*	OPEN SPACE

LEGAL DESCRIPTION

PACIFIC FOUNTAIN TRACT E 70 FT OF LOT 15 BLK A

The purchase price quoted on this Exhibit "A" is a projection of the purchase price for a schedule of twelve (12) months. In addition, all cost related to the sale will be added to this price as follows: Cost of Notification, Cost of Publication, Cost of Postage, STPTS Fees, Title Report Fee and Forfeited State Lands Fee. If the agreement is completed in less than the twelve (12) month projection time, then the purchase price will be decreased; however if the completion of the agreement is longer than the twelve (12) month projection time, the price will increase accordingly.