



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 11/10/2020

Agenda Placement: 10D

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors

FROM: Steven Lederer - Director of Public Works
Public Works

REPORT BY: Phillip Miller, Dep Dir PW-Flood Control & Water Resources - 707-259-8620

SUBJECT: Declaring Real Property in Berryessa Estates as Surplus

RECOMMENDATION

Director of Public Works requests adoption of a resolution declaring the following County owned vacant Lake Berryessa Estates parcels as surplus to the County's needs,

1. APN 016-191-004-000 (0.49 Acres);
2. APN 016-192-004-000 (0.43 acres);
3. APN 016-201-001-000 (0.36 acres);
4. APN 016-213-009-000 (0.35 acres); and
5. APN 016-213-010-000 (0.38 acres).

EXECUTIVE SUMMARY

In 2013, the Lake Berryessa Resort Improvement District, upon failure to pay assessments by the property owners, foreclosed on five delinquent vacant properties as required by their bond documents. In 2016, the lots were quitclaimed to the County. Interest has been expressed by some private parties in purchasing some of the lots. To allow their sale, the County must surplus the lots and then follow the procedures set forth in Government Code sections 54220, et seq.

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact? Yes

Is it currently budgeted? No

What is the revenue source?	Revenue from the sale of the five lots.
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	If sold, the County will receive the purchase pricing and future property tax revenue, and will not have to pay the Lake Berryessa Resort Improvement District's bond assessments.
Is the general fund affected?	Yes
Future fiscal impact:	None.
Consequences if not approved:	The County will not receive the revenue from the sales or property taxes and will continue to pay the annual assessments to LBRID.
County Strategic Plan pillar addressed:	Healthy, Safe, and Welcoming Place to Live, Work, and Visit
Additional Information:	

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

In 2007, the Lake Berryessa Resort Improvement District (LBRID) formed Assessment District 2006-01 and sold bonds to finance water and wastewater improvements. Over the years, a number of vacant lots became delinquent and triggered requirements in the bond documents. In 2013, LBRID foreclosed on five vacant lots and took possession of them. In 2015, the County cancelled the delinquent property taxes and paid the outstanding assessments, miscellaneous taxes and attorney fees in accordance with California Revenue and Tax Code section 4986.3. In 2016, LBRID quitclaimed the five lots to the County.

Recently, inquiries have been received from parties interested in purchasing some of the lots. Before offering the lots for sale, the County must surplus the properties and then follow the procedures set forth in Government Code sections 54220, et seq. The County must first make the property available to various housing sponsors, local public entities and park departments before disposing of the land. The housing sponsors and groups have 60 days to notify the County of an interest in the property . If a party provides notice of interest to the County, the parties then enter into a good faith negotiations phase for a minimum period of 90 days. If the County does not receive a notice of interest within 60 days, the County would then notify state Housing and Community Development of the process that it undertook to comply with the government code and then after 30 days the County can sell the property. Today's action is the first step in that process.

SUPPORTING DOCUMENTS

A . Surplus Resolution

CEO Recommendation: Approve

Reviewed By: Susan Kuss