

May 14, 2024

Board of Supervisors
Ventura County Watershed Protection District
800 South Victoria Avenue
Ventura, CA 93009

Subject: Adoption of a Notice and Resolution of Intention to Sell Real Property Owned by Ventura County Watershed Protection District Located at 8195 North Ventura Avenue, Ventura, CA 93001 and 8220 Edison Drive, Ventura, CA 93003, Assessor's Parcel Nos. 061-0-230-465 and -455 (Properties) at a Public Sale with Written Bids; Adoption of a Resolution Finding that the Properties are Exempt Surplus Land; Finding that the Disposition of the Properties is Categorically Exempt from the California Environmental Quality Act; Supervisorial District No. 1.

Recommendations:

1. Adopt the notice and resolution of intention to sell real property owned by the Ventura County Watershed Protection District located at 8195 North Ventura Avenue, Ventura, CA 93001 and 8220 Edison Drive, Ventura, CA 93003, Assessor's Parcel Nos. 061-0-230-465 and -455 (Properties) at a public sale with written bids, as depicted on the Vicinity Map (Exhibit 1) and Location Map (Exhibit 2). The proposed sale of the Properties would take place on June 25, 2024 at the Hall of Administration, 800 S. Victoria Avenue, Atlantic Room, Ventura, CA.
2. Approve and authorize the Chair to sign the attached notices to bidder with the terms of sale and return them to the Public Works Agency, Real Estate Services Division for distribution to potential bidders.
3. Adopt the resolution finding that the Properties are exempt surplus land.
4. Find that your Board's approval of the proposed sales of the Properties is categorically exempt from the California Environmental Quality Act (CEQA)



pursuant to CEQA Guidelines sections 15301 and 15312, and that no exceptions set forth in CEQA Guidelines section 15300.2 preclude use of these exemptions.

Fiscal/Mandates Impact:

Final fiscal impacts of the sale of the Properties cannot be determined at this time, as the sales prices depend upon the outcome of the public bidding process. It is expected that the Properties will sell for a combined minimum of \$250,000 and that the costs incurred during the sales process will not exceed \$50,000. Once the sales of the Properties are completed, we will return to your Board with a recommendation regarding necessary accounting transactions. The proceeds from the sales would be deposited with Watershed Protection District.

Discussion:

In 2011 and 2012 the Ventura County Watershed Protection District (District) acquired the subject real properties (Properties) in fee in connection with the Fresno Canyon Diversion project. The Properties were acquired due to the impacts that construction would have had on the then-owners while the project was in progress. The Fresno Canyon Diversion project is complete, and the Properties are free of impacts from the project. The District considers the Properties to be surplus to the uses and purposes of the District.

The following Properties are proposed for sale at a public auction:

- 8195 North Ventura Avenue, Ventura, CA 93001 APN: 061-0-230-465, 0.178 acres (North Ventura Property) reserving an easement and right-of-way for flood control to the District.
- 8220 Edison Drive, Ventura, CA 93001 APN: 061-0-230-455, 0.137 acres (Edison Property), reserving an easement and right-of-way for flood control to the District

Determination of the Properties as Exempt Surplus Land

The District recommends that your Board find that the Properties are surplus to the uses and purposes of the District. The Surplus Land Act (Act) contained in Government Code sections 54220, et seq., requires all local agencies, including the District, to offer surplus land for sale or lease primarily to affordable home developers before selling or leasing the land to any other individual or entity unless it qualifies as exempt surplus land. Government Code Section 54221(f)(1)(B) provides that, when as here, surplus land that



is less than one-half acre in area and is not contiguous to land owned by a state or local agency that is used for open-space or low- and moderate-income housing purposes is exempt surplus land under the Act. Thus, since the Properties are each less than ½ acre in area each, the District's proposed sales of the Properties at a public sale qualify as exempt surplus land dispositions.

Since the Properties are not planned to be used for future District operations, staff recommends that your Board adopt the attached resolution declaring the Properties as exempt surplus land. Also, if approved, a certified copy of the resolution, with your Board's determination that the proposed sales of the Properties are exempt surplus land dispositions must be submitted to the California Department of Housing and Community Development for its review at least thirty (30) days prior to the disposition of the Properties at the public sale.

Sale of the Properties at a Public Sale

Should your Board determine that the Properties are excess to the current needs of the District, and there are no future planned uses for the Properties, staff recommends that your Board sell the Properties as authorized by the Ventura County Watershed Protection Act section 46-11. Public Works/Real Estate Services Division has reviewed the real estate market and estimates a minimum value of \$30,000 for the real property located at 8195 North Ventura Avenue, Ventura, CA 93001 (APN: 061-0-230-465) and \$220,000 for the real property located at 8220 Edison Drive, Ventura, CA 93001 (APN: 061-0-230-455).

Pursuant to the District Policy Manual (Policy Manual) section 13 (Real Property), if it is determined that the Properties proposed to be sold are not required for County or other purposes by any department, agency, or special district governed by your Board and are valued at more than two thousand dollars (\$2,000), the sale shall be made at a public sale. The Policy Manual at section 13 also requires that prior to ordering the sale of the Properties, your Board shall adopt a notice and resolution of intention to sell the Properties at a public sale not less than three weeks thereafter with notice of the intended action published and posted.

Staff proposes to sell the Properties "as is" with no representation as to the feasibility of any specific future use by the successful bidders. This provision is included in the attached Bid Forms, and the District would make no warranties as to the condition or legality of any of the improvements located on the Properties. If your Board approves the sale of the Properties at a public sale, Bid packages consisting of (1) Notices to Bidders (exhibits 3 and 4), and (2) Bid Forms (exhibits 5 and 6) would be sent to anyone expressing an interest in bidding on the purchase of the Properties. A ten thousand dollar (\$10,000) non-refundable deposit in the form of a cashier's or certified check would be



required of all bidders. The County would reserve the right to refuse any and all bids. If the minimum bid was not received, the Properties would be re-offered for sale. A finder's fee of \$1,000 would be paid to a licensed real estate broker responsible for the highest successful bid for 8195 North Ventura Avenue and \$7,000 for the highest successful bid for 8220 Edison Drive.

Should your Board adopt the attached notice and resolution to sell the Properties at a public sale, the public sale would take place on June 25, 2024 at 9:30 a.m. at the Hall of Administration, 800 S. Victoria Avenue, Atlantic Room, Ventura, CA. The Policy Manual in section 13 sets forth the process for considering the bids for the Properties which shall be either orally or in writing and at the sole discretion of your Board. Staff recommends that your Board follow the Policy Manual's written bid process for the public sale of the Properties. The process for both is as follows:

Oral Bids:

1. Oral bidding shall commence with the minimum acceptable bid; and
2. Subsequent bid raises shall be made on \$50 increments as to minimum bids less than \$5,000; \$100 increments on minimum bids from \$5,000 to \$15,000; and \$500 increments on minimum bids in excess of \$15,000.

Written Bids:

1. Open all written bids;
2. Determine the highest written bid;
3. Open written bids to oral bidding provided the opening oral bid exceeds 5% of the highest written bid; and
4. Subsequent oral bid raises shall be made on the respective increments as set forth in the process for oral bidding above.

If your Board approves the written bid process for the public sale, then at the public sale on June 25, 2024, staff will open and consider any sealed bids received for North Ventura Property with a minimum bid of \$30,000 and \$220,000 for the Edison Property. After doing so, staff would then call for oral bids for each of the Properties. To be considered for either of the Properties, an oral bid must exceed 5% of the highest valid written bid. Subsequent oral bids would be considered only at minimum increments of \$500.

Following the public sale, staff would return to your Board to approve the final bids with the terms and grant deeds for the sale of the Properties.

Your Board's approval of the proposed sale of the Properties involves maintenance, repair and replacement of existing structures and facilities on the same site as they are



currently located, will have substantially the same purpose and capacity, and involve negligible or no expansion of capacity. Additionally, the proposed sale of the Properties involves the sale of surplus government property that is not located in an area of statewide, regional, or areawide concern identified in CCR section 15206(b)(4). Therefore, staff has determined that the proposed sale is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines sections 15301 and 15312, and no exceptions set forth in CEQA Guidelines section 15300.2 preclude use of these exemptions. Notices of Exemption would be filed after your Board's approval of the sale of the Properties following the public sale.

Strategic Plan:

This item is part of the Fresno Canyon Diversion project which was to reduce repeated flooding in the Casitas Springs community and State Route 33 by constructing a new 1,500 square foot storm drain facility. The facility contributes to the Board of Supervisors (Board's) 2024-2027 strategic priority to provide reliable infrastructure and sustainability through investing in sustainable infrastructure, renewable energy, and preservation of our natural resources.

This item has been reviewed by the County Executive Office, the Auditor-Controller's Office, and County Counsel.

If you have any questions concerning this item, please contact George Andrade, Manager of the Real Estate Services Division at (805) 654-2402, or the undersigned at (805) 654-2084.

Sincerely,



Joan Araujo, Director
Central Services

*Emily Veldkamp, as Joan Araujo
PWA HR Manager*

Attachments:

Resolution – Declaring the Properties as Exempt Surplus Land
Resolution and Notice – Intention to Sell Real Property at Public Sale
Exhibit 1 – Vicinity Map
Exhibit 2 – Location Map



Exhibit 3 – Notice to Bidders (8195 North Ventura Avenue, Ventura, CA)

Exhibit 4 – Notice to Bidders (8220 Edison Drive, Ventura, CA)

Exhibit 5 – Bid Form (8195 North Ventura Avenue, Ventura, CA)

Exhibit 6 – Bid Form (8220 Edison Drive, Ventura, CA)

