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 90051-4917

MARK J. SALADINO
TREASURER AND TAX COLLECTOR

Telephone
(213) 974-0871

Telecopier
(213) 680-3648

October 20, 2009

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

2009 OCT -5 AM 11: 32
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES
FILED

Dear Supervisors:

AGREEMENT TO PURCHASE
"TAX DEFAULTED SUBJECT TO POWER TO SELL" PROPERTY
SUPERVISORIAL DISTRICT 4 - AGREEMENT 2643
(3 VOTES)

SUBJECT

The City of Long Beach is seeking to buy one 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 properties for a qualifying public purpose or benefit. The agency intends to construct one single family residence and re-sell to low or moderate income buyer.

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 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 as indicated on Attachment "A". Exhibit "A", attached to the Agreement, indicates the legal description and selling price of the parcel.

Upon approval, the attached agreement and copy 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.

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 one public agency. The agreement is with the City of Long Beach, which intends to construct one single family residence and re-sell to low or moderate income buyers.

Implementation of Strategic Plan Goals

Approval of this 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 limited-use parcels are identified for appropriate public 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, of 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 2009-2010 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.

Attachment "B" 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. Moreover, we have included 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 is 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.

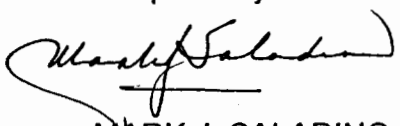
IMPACT ON CURRENT SERVICES (OR PROJECTS)

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 these and all Chapter 8 Agreements.

Respectfully submitted,



MARK J. SALADINO
Treasurer and Tax Collector

MJS:DJD:af

Attachments (14)

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

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. OSTLY
TAX COLLECTOR

W. T. KIDWELL
CHIEF DEPUTY

November 17, 1970

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,

ORIGINAL SIGNED

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

173
On motion of Supervisor Dorn, unanimously carried, the foregoing was adopted.

Attachment B

SUMMARY OF PUBLIC AGENCY'S PURCHASE

FOURTH SUPERVISORIAL DISTRICT

AGREEMENT NUMBER 2643

AGENCY

City of Long Beach
Public Agency

Selling price of this parcel
shall be $20,517.00

Agency intends to construct
one (1) single family residence
for re-sell to low or moderate
income buyers.

SUPERVISORIAL DISTRICT	LOCATION	PARCEL NUMBER	MINIMUM BID
4th	CITY OF LONG BEACH	7208-014-010	$20,517.00

AGREEMENT NUMBER 2643

CITY OF LONG BEACH

FOURTH SUPERVISORIAL DISTRICT

CITY OF LONG BEACH

DEPARTMENT OF COMMUNITY DEVELOPMENT

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802

December 19, 2008

VIA COURIER AND FAX 213.680.3648

Donna J. Doss
Assistant Treasurer and Tax Collector
County of Los Angeles
225 N. Hill St., Room 130
Los Angeles, CA 90051-0102

DISTRICT	LOCATION	AGREEMENT
4	City of Long Beach	2643
4	City of Long Beach	2644

Re: 2009A Tax Sale

Dear Ms. Doss:

In accordance with your memo dated November 14, 2008, the City of Long Beach objects to the sale of the following tax defaulted properties and is interested in acquiring the following properties for public purpose through a Chapter 8 Agreement:

DISTRICT	Parcel No.	Site Address	Purpose for Acquisition
4	7115-007-002 R	1056 E. 67th Street	Rehab & re-sell to low/mod income buyers
	7127-004-010 R	5640 Olive Avenue	Rehab & re-sell to low/mod income buyers
	7137-023-003 R	3972 Rose Avenue	Rehab & re-sell to low/mod income buyers
	7202-010-002 R	2283 Oregon	Rehab & re-sell to low/mod income buyers
	7208-014-010	2331 Locust Avenue	Rehab & re-sell to low/mod income buyers
	7232-022-001 R	2475 Vuelta Grande	Rehab & re-sell to low/mod income buyers
	7314-025-005 R	2730 Hayes Avenue	Rehab & re-sell to low/mod income buyers
	7207-020-032	No Situs Address	Develop as Open Space
	7207-020-036	No Situs Address	Develop as Open Space
	7260-022-021	1327 Junipero	Develop as Open Space
	7241-002-040	4350 E. 7th Street	Develop as Open Space

CITY OF LONG BEACH

Enclosed as required information are mission statements for the City of Long Beach's Department of Community Development and Department of Parks, Recreation and Marine, as these departments will manage each parcel's development. Also enclosed are eleven (11) checks in the amount of $100 each, representing the preliminary research fee for each parcel listed above.

If it is determined that the City of Long Beach is eligible to acquire these properties, please provide the Chapter 8 Agreement package and any instructions to my attention at the address listed above. If you have any questions or require further information, please do not hesitate to contact me at (562) 570-6846.

Sincerely,

Mary Francis Torres

Victor S. Grgas
Property Services Bureau Manager

Received AUM 12/19/08

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 County
2. List each parcel by Assessor's Parcel Number: 7208-014-010
3. State the purpose and intended use for *each* parcel: Construction of one single family residence for re-sell to low or moderate income buyers.

D. Acknowledgement Detail

Provide the signature of the purchasing entity's authorized officer

Authorized Signature	Title	Date
	City Manager	5/22/09

AGREEMENT # 2643

RESOLUTION NO RES-09-0044

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 (2331 LOCUST AVENUE)

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 and affordable housing 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 and construct affordable housing.

Section 2. Pursuant to provisions of the Revenue and Taxation Code,

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

the City shall enter a Chapter 8 Agreement with the County of Los Angeles, in order to complete the acquisition of the Property for the open space and affordable housing purposes.

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

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

I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of May 5, 2009 by the following vote:

Ayes: Councilmembers: S. Lowenthal, DeLong, O'Donnell, Schipske, Andrews, Reyes Uranga, Gabelich, Lerch.

Noes: Councilmembers: None.

Absent: Councilmembers: Garcia.

City Clerk

CERTIFIED AS A TRUE AND CORRECT COPY

CITY CLERK OF THE CITY OF LONG BEACH

BY:

DATE: MAY 18 2009

HAM:kdh
04/14/09
#A09-01176

00164412.DOC

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

City Council's Stated Priorities

It is the mission of the City Council to continually improve the quality of life in our neighborhoods by ensuring public safety, supporting programs that encourage the public's health and well being; promoting quality housing developments, thereby improving home ownership opportunities for Long Beach residents; and ensuring that the city grows "Green" by creating appropriate environmental policies.

Essential to our success as a city is to ensure that City policy creation is done in a transparent manner with extensive community involvement.

City Council's Stated Priorities:

- *Adopt an annual budget that is structurally balanced*
- *Improve the City's infrastructure, including streets, sidewalks, curbs, alleys and city facilities*
- *Enhance neighborhood economic development efforts, particularly on the commercial corridors*
- *Promote workforce and business development efforts to create new jobs; ensure Long Beach becomes more business friendly*
- *Improve the transportation system to efficiently and effectively move goods and people through the city without negatively impacting the neighborhoods*

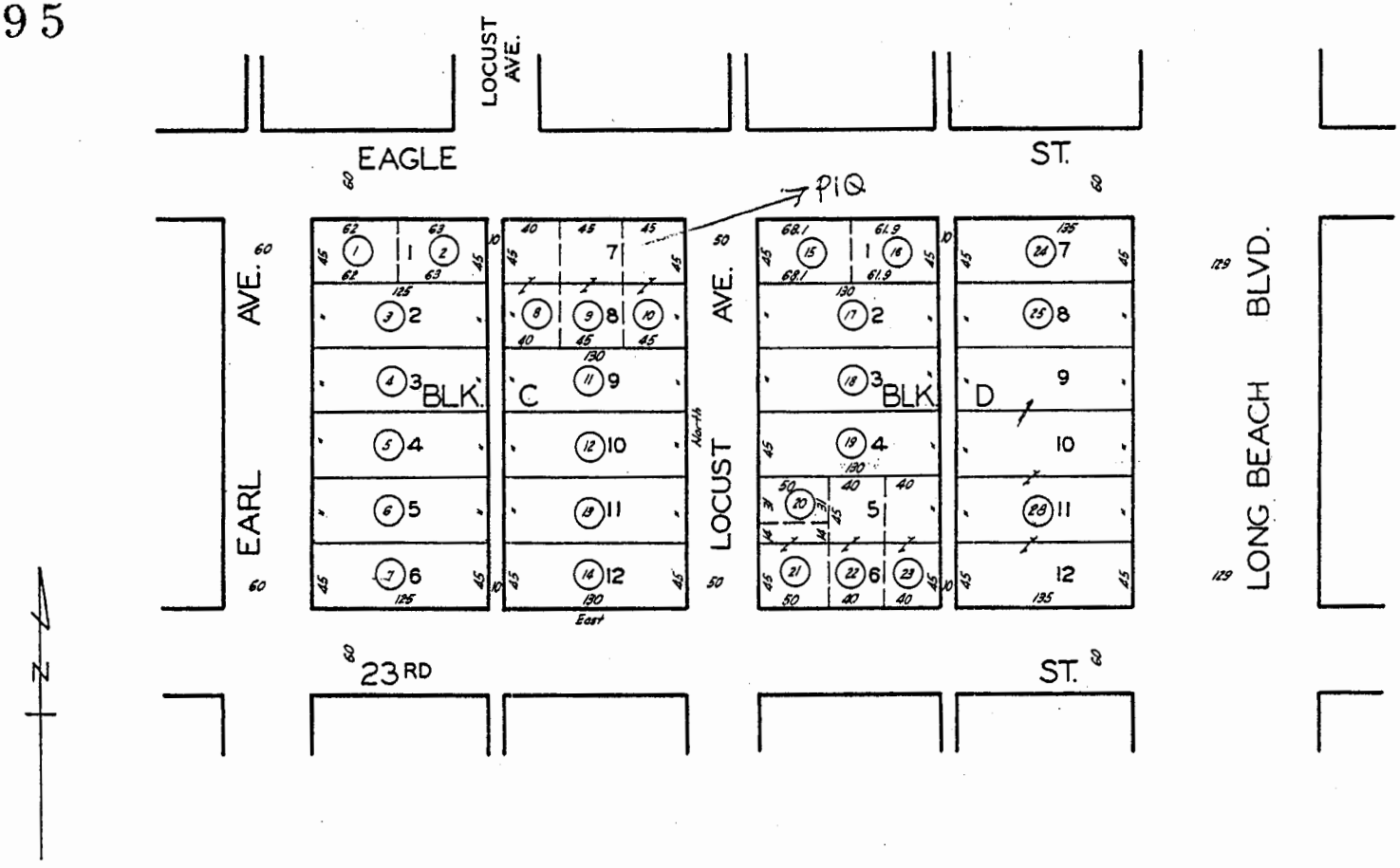
As amended on October 9, 2007

7208	14
SCALE 1" = 80'	

1995

REVISED 660916 940225

REVISED 11-5-59



TRACT NO. 3572

M. B. 39-9

CODE 11934

FOR PREV. ASSM'T. SEE: 157-37

ASSESSOR'S MAP
COUNTY OF LOS ANGELES, CALIF.

AGREEMENT TO PURCHASE
LOS ANGELES COUNTY TAX-DEFAULTED PROPERTY
(Public/Taxing Agency)

This Agreement is made this_____day of_____, 2009, 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:

ROBERT KALUNIAN
Acting County Counsel

By_____
Deputy County Counsel

APPROVED AS TO FORM
5/12, 2009
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

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

ATTEST:
CITY OF LONG BEACH

By_____
City Manager

(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 **N/A** hereby agrees to the selling price as provided in this agreement.

ATTEST:

City of **N/A**

By_____
Mayor

(seal)

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 2643

EXHIBIT "A"

LOCATION	FIRST YEAR DELINQUENCY	DEFAULT NUMBER	PURCHASE PRICE	PURPOSE OF ACQUISITION
CITY OF LONG BEACH	2002	7208-014-010	$20,517.00*	CONSTRUCT ONE (1) SINGLE FAMILY RESIDENCE FOR RE-SELL TO LOW OR MODERATE INCOME BUYERS

LEGAL DESCRIPTION

TRACT # 3572 E 45 FT OF LOTS 7 AND LOT 8 BLK C

* 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.

AGREEMENT TO PURCHASE
LOS ANGELES COUNTY TAX-DEFAULTED PROPERTY
(Public/Taxing Agency)

This Agreement is made this_____day of_____, 2009, 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.

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APPROVED AS TO FORM:

ROBERT KALUNIAN
Acting County Counsel

By_____
Deputy County Counsel

APPROVED AS TO FORM

5/12, 2009

ROBERT E. SHANNON, City Attorney

By_____
HEATHER A. MAHOOD
ASSISTANT CITY ATTORNEY

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0§§3791, 3791.3 3793 R&T Code

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

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

ATTEST:
CITY OF LONG BEACH

By_____
City Manager

(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 **N/A** hereby agrees to the selling price as provided in this agreement.

ATTEST:

City of **N/A**

By_____
Mayor

(seal)

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 2643

EXHIBIT "A"

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