

REPORT TO CITY COUNCIL

DATE: AUGUST 22, 2012

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER

BY: MIKE KAMINO, DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT

SUBJECT: RESOLUTION REGARDING A PURCHASE OPTION OF TAX DEFAULTED PROPERTY (A.P.N. 2061-001-007)

Staff is requesting the City Council's direction in purchasing one tax defaulted parcel in the City. A resolution directing staff to execute a Chapter 8 agreement with the County of Los Angeles Treasurer and Tax Collector is attached for adoption.

It was recently brought to staff's attention that delinquent property taxes are owed for one parcel of possible City interest that is offered for public tax sale by the Los Angeles County Tax Collector. This parcel (APN 2061-001-007) is located on the south side of Agoura Road, at the westerly City limits, is undeveloped, and is 70 acres in size. The County's minimum bid price for this parcel is \$119,872. Due to its size and steep topography, this privately owned parcel within the designated open space designation of the Ladyface Mountain Specific Plan could be developed with a maximum density of three residential units. A vicinity map is attached for reference.

The City's benefit in purchasing this open space lot would be to ensure that it is not sold at public auction for potential development. Also, the City would be in position to place a conservation easement on the property to: 1) preclude against future development; 2) protect existing oak habitat; 3) secure easements for the public open space and possible future trail construction; 4) and transfer the property to the Santa Monica Mountain Conservancy to own and maintain. The City could also potentially use the property for Agoura Road widening oak tree mitigation purposes.

The City's purchase of the tax defaulted property would need to be made with either Measure R Funds if qualified, or General Funds. The property will be offered by the County for sale at public auction beginning on October 22, 2012. However, if the City wishes to purchase the parcel through a Chapter 8 Agreement, the request must be submitted to the County by August 27, 2012, with a preliminary research fee of \$100. The property owner, though, can pay the taxes up to the last minute and the City would then be unable to purchase the property. If the property taxes are not paid by the property owner, and upon meeting the qualification requirements of the County and approval of the Chapter 8 Agreement from County and City, the

purchase price to the City will be the amount of the outstanding taxes and penalties, in addition to a \$300 notification fee.

RECOMMENDATION

Staff respectfully recommends the City Council approve Resolution No. 12-1681, directing staff to execute a Chapter 8 agreement with the County of Los Angeles Treasurer and Tax Collector for one parcel (APN 2061-001-007).

Attachments: Resolution No. 12-1681
Vicinity Map

RESOLUTION NO. 12-1681

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, TO EXECUTE A CHAPTER 8 AGREEMENT WITH THE COUNTY OF LOS ANGELES TREASURER AND TAX COLLECTOR TO ACQUIRE ASSESSOR PARCEL NUMBER 2061-001-007

THE CITY COUNCIL OF THE CITY OF AGOURA HILLS DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, the City of Agoura Hills (the “City”) is actively engaged in activities to promote the availability of recreation opportunities, the preservation of open space, and orderly land use development, and,

WHEREAS, the City has been notified by the County of Los Angeles that one parcel located on the south side of Agoura Road, west of Reyes Adobe Road (APN 2061-001-007), at 70 acres, (the “Property”), was deemed “Subject to Power to Sell” for default of property taxes and is scheduled to be sold at public auction on October 22 and 23, 2012, 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 the amount equal to the defaulted property taxes, and,

WHEREAS, on August 22, 2012, the City Council 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 the objectives the staff presented on this matter, and all of the information and evidence presented at the meeting, and,

WHEREAS, the City Council has determined that the acquisition of the Property is in the best interest of the City of Agoura Hills, promoting the availability of recreational opportunities and/or open space preservation, providing opportunity for resource mitigation (such as oak tree replanting) associated with roadway and infrastructure improvement, and may in the future consider other community related purposes.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Agoura Hills that:

SECTION 1. The City Council finds and determines, based upon substantial evidence provided in the record before it that the acquisition of the Property is in line with objectives to promote the availability of recreation opportunities and/or open space, or other community related purposes and consistent with the General Plan and the Ladyface Mountain Specific Plan.

SECTION 2. Pursuant to provisions of the Revenue and Taxation Code, the City shall enter into a Chapter 8 Agreement with the County of Los Angeles, in order to complete the acquisition of the Property for the public purpose of recreational opportunities and/or open space, to provide areas for resource mitigation, and other community related purposes.

PASSED, APPROVED AND ADOPTED this 22nd day of August, 2012, by the following vote to wit:

AYES: (0)
NOES: (0)
ABSTAIN: (0)
ABSENT: (0)

BY:

John M. Edelston, Mayor

ATTEST:

Kimberly M. Rodrigues, City Clerk

APPROVED AS TO FORM:

Candice K. Lee, City Attorney



Agofira Road

Item No. 29
Taxes Owed: \$119,872