

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY
AND RECORD OF ACTION**

November 15, 2022

FROM

**TERRY W. THOMPSON, Director, Real Estate Services Department
JASON ANDERSON, District Attorney**

SUBJECT

Acquisition of Improved Property for Office Space in Victorville

RECOMMENDATION(S)

1. Find that the acquisition of improved property at 14440 Civic Drive in the City of Victorville is an exempt project under the California Environmental Quality Act Guidelines Section 15312, Surplus Government Property Sales.
 2. Approve the acquisition of approximately .70 acres of land improved with two buildings totaling approximately 13,900 square feet (Assessor's Parcel Number 0396-171-21) located at 14440 Civic Drive in the City of Victorville, for the purchase price of \$1,450,000 plus escrow and title fees estimated to be \$4,000, plus \$100 for independent consideration, for the District Attorney, in accordance with Government Code section 25350.
 3. Approve the Purchase and Sale Agreement and Joint Escrow Instructions (**County Contract No. 22-1163**) between San Bernardino County and Beverly B. Thompson, as trustee of The RBT/BBT Trust dated February 4, 1996-Survivor's Trust-Trust A, as to an undivided one-half interest; and Sherry A. Thompson and William H. Donnelly, as Co-Trustees of The RBT/BBT Trust dated February 4, 1996-Credit Trust-Trust C, as to an undivided one-half interest, to acquire said property.
 4. Authorize the Director of the Real Estate Services Department to execute escrow instructions and any other documents necessary to complete this transaction, subject to County Counsel review.
 5. Direct the Clerk of the Board of Supervisors to file and post the Notice of Exemption as required under the California Environmental Quality Act.
- (Presenter: Terry W. Thompson, Director, 387-5000)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Improve County Government Operations.

Operate in a Fiscally-Responsible and Business-Like Manner.

Provide for the Safety, Health and Social Service Needs of County Residents.

FINANCIAL IMPACT

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). The cost to acquire this real property in fee is \$1,450,000, plus escrow and title fees estimated to be \$4,000. San Bernardino County (County) will also pay \$100 as independent consideration, directly to the seller, for the County's right to purchase the property and to terminate the Purchase and Sale Agreement (Agreement), prior to the expiration of the

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due diligence period. There are sufficient funds in the 2022-23 Capital Improvement Program (CIP) 10.10.1150 budget for acquisition of the property.

BACKGROUND INFORMATION

The acquisition of approximately 0.70 acres of land improved with two buildings (A and B) totaling approximately 13,900 square feet (Assessor's Parcel Number [APN] 0396-171-21) located at 14440 Civic Drive in the City of Victorville (Property) will provide new office space for the District Attorney's (DA) prosecution team to improve operational inefficiencies, thereby improving government operations, and allow them to meet the social service needs of the County residents, which are consistent with County goals and objectives.

The DA represents the interests of the people in the County in the criminal justice system as mandated by California State law. Offices for the DA are either housed in Courthouses or near court facilities to ensure efficient access during prosecution, ease of transporting case documents to Court hearings, and coordination with witnesses and victims to attend court proceedings.

Nearly 50 DA staff members occupy space inside the Victorville Courthouse and the space lacks a breakroom, a conference room, and has a patchwork filing system. The space is no longer adequate for the DA's operational needs and there is no room for growth. No amount of reconfiguration of the space will provide for those needs.

In September 2020, after a comprehensive review of available space in the Victorville area, the Real Estate Services Department (RESA) notified the DA that the buildings across the street from the Victorville Courthouse, located at 14440 Civic Drive, were being offered for sale. Building A is a one-story building consisting of approximately 4,500 square feet of space. Building B is a two-story building consisting of approximately 9,400 square feet of space. Both Buildings have some deferred maintenance and will need remodeling and modernization. At the request of the DA, RESA approached the property owner and negotiated a purchase price of \$1,450,000. As part of the comprehensive review of available space in the area, RESA conducted a general property search in the region and determined that alternative sites were limited and infeasible for DA operations.

The proximity of the proposed buildings to the Courthouse is ideal and there is enough space for both offices and cubicles, a filing system, conference or training room, breakroom, and designated parking. The DA is already familiar with Building A as its Juvenile Unit occupied it from 2002 through 2014. Approximately half of the current DA staff, 25 staff members, will be moved from the Courthouse into Buildings A and B, and it provides some room for growth. The other 25 DA staff members will remain in the Victorville Courthouse.

Approval of this item will authorize the Director of RESA (Director) to execute escrow documents, such as amended escrow instructions, property disclosures, notices (such as an election to proceed), contingency waivers, and settlement statements. This is necessary because a 45-business day due diligence period will follow execution of the Agreement and the Director will be authorized to act on inspection findings to either proceed to closing the transaction or terminate the Agreement. The Director will not be authorized to execute any documents that would bind the County to any actions not contemplated by, or arising from, the transaction which is the subject of these recommendations.

It is recommended the Board of Supervisors find the Project to be categorically exempt from further review under 15312, Surplus Government Property Sales of the California Environmental

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Quality Act (CEQA) Guidelines (Title 14, California Code of Regulations). As evidenced by the Notice of Exemption, staff has reviewed the recommended action pursuant to CEQA and has determined it be categorically exempt from further environmental review.

PROCUREMENT

Purchase of this Property will be made by the County pursuant to Government Code section 25350. The County has complied with the publication requirements of Government Code section 6063, as well as provided the City of Victorville notice pursuant to Government Code section 65402.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Scott Runyan, Principal Assistant County Counsel, and Katherine Hardy, Deputy County Counsel, 387-5455) on October 18, 2022; Project & Facilities Management (Don Day, Director, 387-5224) on August 15, 2022; District Attorney (Michael Fermin, Chief Assistant District Attorney, and Claudia Walker, Chief of Administration, 382-7689) on September 30, 2022; Purchasing (Bruce Cole, Supervising Buyer, 387-2148) on August 19, 2022; Finance (Kathleen Gonzalez, Administrative Analyst, 387-5412, and Penelope Chang, Administrative Analyst, 387-4886) on October 25, 2022; and County Finance and Administration (Diana Atkeson, Deputy Executive Officer, 387-4376) on October 25, 2022.

(JAG: 677-8210)

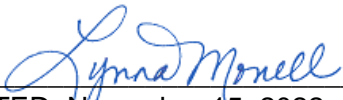
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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Janice Rutherford
Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Curt Hagman, Joe Baca, Jr.
Absent: Dawn Rowe

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: November 15, 2022



cc: RESD - Thompson w/agree w/CEQA & receipt
Contractor - C/O RESD w/agree
File - w/agree w/CEQA & receipt w/map
CCM 11/23/2022