

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF THE BOARD GOVERNED COUNTY SERVICE AREAS
AND RECORD OF ACTION**

August 20, 2019

FROM

LUTHER SNOKE, Interim Director, Special Districts Department

TERRY W. THOMPSON, Director, Real Estate Services Department

SUBJECT

Sale of Surplus Property in Twentynine Palms by Public Auction

RECOMMENDATION(S)

Acting as the governing body of the Board Governed County Service Area 70, TV-5 (Mesa) (CSA 70-TV5):

Adopt **Resolution No. 2019-133** authorizing the sale of property owned by CSA 70-TV5, located at 73658 Old Dale Road in the City of Twentynine Palms, consisting of approximately 14,410 square feet of land, improved with an 801 square foot office building [Assessor Parcel Number (APN) 0617-125-17], by public auction to be conducted by the Real Estate Services Department and to be held on October 16, 2019 for a minimum opening bid of \$35,000, as authorized by Sections 25363 and 25526 et seq. of the Government Code (Four votes required).

(Presenter: Terry W. Thompson, Director, 387-5252)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

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

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). CSA 70-TV5 will be relieved of any ongoing maintenance obligations associated with the fee ownership of the property. Unless the property is sold to another public agency pursuant to Government Code Section 54222, the County will receive property tax revenue from the property and CSA 70-TV5 will receive revenue from the sale (3310001786). The minimum bid to purchase this property by public auction will be \$35,000.

BACKGROUND INFORMATION

The recommended action will approve the sale of surplus property owned by CSA 70-TV5 in the City of Twentynine Palms by public auction (APN 0617-125-17) with a minimum bid of \$35,000.

On January 30, 1996 (Item No. 61), the Board of Supervisors (Board) accepted the donation of real property located at 73658 Old Dale Road in the City of Twentynine Palms from the Morongo Basin TV Club, Inc., a non-profit organization. The property was conveyed to CSA 70-TV5 to provide ongoing television translator and low-power television services to the communities of Copper Mesa, Desert Heights, Flamingo Heights, Landers, and Yucca Mesa.

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In 2013, CSA 70-TV5 relinquished its Federal Communications Commission (FCC) analog broadcast licenses in favor of providing only digital broadcasts as mandated by the FCC. The transition to digital broadcasts coupled with other technological changes in signal receipt, monitoring, and transmission has made the property obsolete to the television service provided and the property is now vacant.

The property consists of 14,410 square feet of land and is improved with an 801 square foot office building. CSA 70-TV5 determined that the property is no longer necessary for the uses and purposes for which it was acquired and contacted the Real Estate Services Department (RES D) to assist with the disposition of the property by public auction.

On October 31, 2017 (Item No. 52), the Board approved Appraisal No. 17-20 dated July 13, 2017, prepared by Ader Appraisals, which is on file with RES D. The appraisal established a value of \$73,000 for the property. The Board also adopted Resolution No. 2017-218, which declared the property surplus, authorized its sale by public auction, and approved the minimum bid of \$73,000.

The public auction was held on January 11, 2018. RES D received a number of inquiries from interested parties; however, the auction did not result in the submittal of any bids. On April 17, 2018 (Item No. 50), the Board adopted Resolution No. 2018-54, which authorized RES D to hold a second public auction with a minimum bid of \$73,000. The second public auction was held on May 31, 2018 and the auction did not result in the submittal of any bids.

On November 6, 2018 (Item No. 61), the Board adopted Resolution No. 2018-176, which authorized RES D to hold a third public auction with a reduced minimum bid of \$59,999. The auction was held on December 12, 2018 and unfortunately, the auction did not result in any bids.

On April 2, 2019 (Item No. 30), the Board adopted Resolution No. 2019-28, which authorized RES D to hold a fourth public auction with a minimum bid of \$59,999. RES D expanded its advertising efforts to a larger market area. The auction was held on May 21, 2019, and unfortunately, the auction did not result in any bids.

Subsequently, RES D reviewed the current market data as well as feedback received from the public regarding the asking price. Given the lack of movement of commercial property in the area, deferred maintenance, and age of the building, RES D recommends holding another public auction at a reduced price of \$35,000 in order to sell the property.

If approved by the Board, the auction will take place at the CSA 20 – Joshua Tree Park and Recreation office located at 6171 Sunburst Avenue in Joshua Tree on Wednesday October 16, 2019 at 11:00 a.m.

All appropriate local and public agencies and non-profit entities, pursuant to Government Code Section 54222, were notified of the availability of this property. Notices were sent on November 13, 2017, initiating the required 60-day notification period in which an agency interested in purchasing the property must respond. RES D received no written requests to purchase the property from any qualifying agencies meeting the minimum requirements within the 60-day period.

This project was reviewed pursuant to the California Environmental Quality Act (CEQA) and determined to be exempt from future environmental review in accordance with a Class 12

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Exemption pursuant to Section 15312 of the CEQA Guidelines. The County fulfilled its obligation under CEQA for this project by posting the Notice of Exemption with the Clerk of the Board.

PROCUREMENT

County Policy 12-17 – Surplus Real Property, allows for property that is no longer needed and has no economic reason for retention to be declared surplus and disposable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Dawn Martin, Deputy County Counsel and Luke Wooley, Deputy County Counsel 387-5455) on July 23, 2019; Special Districts Department (Luther Snoke, Interim Director, 386-8811) on June 28, 2019; Finance (Ginger Roosa, Principal Administrative Analyst, 387-4883 and Tom Forster, Administrative Analyst, 387-4635) on July 30, 2019; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on August 5, 2019.

(JG: 677-0477)

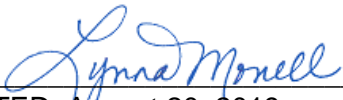
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Record of Action of the Board of Supervisors
Board Governed County Service Areas

APPROVED (CONSENT CALENDAR)

Moved: Josie Gonzales Seconded: Dawn Rowe
Ayes: Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales
Absent: Robert A. Lovingood

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: August 20, 2019



cc: File- SDD w/reso
vh 08/23/2019