

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

October 6, 2020

**FROM**

**TERRY W. THOMPSON, Director, Real Estate Services Department**

**SUBJECT**

Appraisal and Sale of Surplus Property in the Devore area by Public Auction

**RECOMMENDATION(S)**

1. Approve Corrective Appraisal Review No. 19-45R, dated November 5, 2019, on file with the Real Estate Services Department.
  2. Adopt **Resolution No. 2020-178-01** declaring vacant land owned by the County, identified as a 4.33 acre portion of Assessor Parcel Number (APN) 0239-031-55, in the Devore area, is surplus and no longer necessary for the uses and purposes for which it was acquired pursuant to County Policy 12-17 – Surplus Property and Government Code Section 54221.
  3. Adopt **Resolution No. 2020-179** declaring the Board's intention to sell said property pursuant to Section 25526 of the Government Code (Four votes required).
  4. Adopt a finding of exemption and direct the Clerk of the Board to post a Notice of Exemption as required under the California Environmental Quality Act.
  5. Authorize the Director of the Real Estate Services Department to execute any other documents necessary to complete these transactions.
- (Presenter: Terry W. Thompson, Director, 387-5252)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

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

**Ensure Development of a Well-Planned, Balanced, and Sustainable County.**

**FINANCIAL IMPACT**

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). The County will receive revenue from the sale of this surplus property (Cost Center 1161161000; GL Account 40909980) and 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. The minimum bid to purchase this property by public auction will be \$250,000.

**BACKGROUND INFORMATION**

The recommended actions will declare County-owned property surplus (portion of APN 0239-031-55) ("Property") and authorize a sale by public auction with a minimum opening bid of \$250,000. Disposition of this Property conforms with the County's Goals and Objectives as it will generate one-time revenue for the General Fund, eliminate the County's responsibility to maintain the Property, and present the opportunity for the Property to be developed to a viable use.

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The Property proposed for surplus disposition is 4.33 acres of vacant land in the unincorporated Devore area that was previously part of the Clearwater Parkway road right-of-way. The Property was originally acquired as part of a larger 34.5-acre parcel owned by the County and acquired for Glen Helen Regional Park (GHRP).

On May 17, 2005 (Item No. 52), the Board of Supervisors (Board) adopted Resolution No. 2005-091 providing that 14.98 acres of the approximately 34.5-acre County-owned GHRP parcel (previously APN 0239-031-46) be used for development of Clearwater Parkway for the purpose of creating a new road connecting the master-planned community of Lytle Creek North (now Rosena Ranch), with Glen Helen Parkway, and replacing the 14.98 acres of GHRP land with 14.98 acres from the developer of Rosena Ranch (APN 0239-031-53). The Board adopted Resolution No. 2014-98 on May 6, 2014 (Item No. 56) to correct the legal description of Clearwater Parkway to incorporate a 0.396-acre gap of property that was intended to connect Clearwater Parkway with Glen Helen Parkway.

Clearwater Parkway was constructed by the developer of Rosena Ranch as a four-lane paved road with associated slopes and drainage facilities within the 14.98 acres, all of which is owned in fee by the County and designated as public road right-of-way in the County's maintained road system.

Subsequently, it was determined that an approximate 4.33-acre portion of Clearwater Parkway was not being utilized for roadway, slope, drainage facilities, or roadway/drainage maintenance access purposes. On May 22, 2018 (Item No. 105), the Board adopted Resolution No. 2018-69 declaring an approximate 4.334-acre portion of public road right-of-way along Clearwater Parkway was not necessary for present or prospective public use; the excess right-of-way was not required for street or highway purposes; the vacation of excess right-of-way serves a public purpose by eliminating unnecessary public road right-of-way; the vacation of the excess right-of-way is made pursuant to Section 8334(a) of the Streets and Highways Code of the State of California; and the vacation of the excess right-of-way is consistent with the County's General Plan.

The vacation of the excess road rights from the identified Property removed the Property from the County's maintained road system and made the Property available for an alternate use. The Property was reviewed pursuant to the original land acquisition for GHRP and it was determined that GHRP was made whole by receipt of the comparable 14.98-acres of vacant land granted to the County by the developer of Rosena Ranch pursuant to Resolution No. 2005-091. This 4.33 acres of vacant land is designated now as a general fund property; it was reviewed and recognized to have no further County use. The County Administrative Office authorized the Real Estate Services Department (RESO) to appraise the Property for potential surplus disposition.

The appraisal was reviewed by RESO appraisal staff and it was determined that the appraisal did not adequately contemplate physical constraints that would limit the development potential of the Property without significant site work. RESO performed a corrective review and revised the appraised value downward from \$755,000 to \$250,000. RESO believes the revised value more realistically captures the impacts of required entitlements as well as differences from the selected sales comparables. Nevertheless, the value will set the minimum opening bid and does not restrict bidders from exceeding that price.

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All appropriate local and public agencies and non-profit entities, pursuant to Government Code Section 54222, were notified on July 6, 2020, of the availability of this Property, subject to Board approval, which allows for the required 60-day period for any responses from public agencies and non-profit entities. If approved by the Board, and no responses from public agencies and non-profit entities are received by September 4, 2020, the auction will take place at 385 North Arrowhead Avenue in San Bernardino on October 15, 2020 at 2:30 p.m.

Disposition if this Property was reviewed pursuant to the California Environmental Quality Act (CEQA) and determined to be exempt from future environmental review in accordance with Section 15312 of the CEQA guidelines. The County has fulfilled its obligation under CEQA for this project with the posting of the Notice of Exemption by the Clerk of the Board.

**PROCUREMENT**

County of San Bernardino 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. The declaration of the intent to sell property and the authorization to conduct a sale of the property by public auction is in accordance with Sections 25363 and 25526 et. seq. of the Government Code.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Robert Messinger, Principal Assistant County Counsel, 387-5455) on August 14, 2020; Finance (Amanda Trussell, Principal Administrative Analyst, 387-4773 and Wen Mai, Principal Administrative Analyst, 387-4020) on August 25, 2020; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on August 31, 2020.

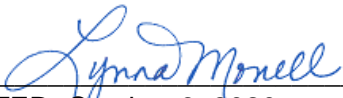
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Record of Action of the Board of Supervisors  
County of San Bernardino

**APPROVED (CONSENT CALENDAR)**

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

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: October 6, 2020



cc:    W/RESOLUTION  
      RESD- Thompson w/CEQA & Receipt  
      File- Real Estate Services w/CEQA & Receipt w/attach  
LA     10/14/2020