



San Bernardino County

Legislation Text

File #: 746, Agenda Item #: 48

REPORT/RECOMMENDATION TO THE BOARD OF DIRECTORS OF THE BIG BEAR VALLEY RECREATION AND PARK DISTRICT AND RECORD OF ACTION

August 6, 2019

FROM

LUTHER SNOKE, Interim Director, Special Districts Department

TERRY W. THOMPSON, Director, Real Estate Services Department

SUBJECT

Acquisition of Land for Paradise Park 2 in the Unincorporated Area of Big Bear City

RECOMMENDATION(S)

Acting as the governing body of the Big Bear Valley Recreation and Park District (BBVRPD):

1. Approve Appraisal No. 19-14, dated April 8, 2019, which is on file with the Real Estate Services Department.
2. Approve the acquisition of 21,320 square feet of vacant land [Assessor Parcel Number (APN) 0313-381-18] located on Paradise Way in the unincorporated area of Big Bear City for a purchase price of \$103,400, plus escrow and title fees estimated not to exceed \$1,500, plus \$100 independent consideration, for Paradise 2 Park Project, in accordance with Government Code Section 25350.
3. Approve the Purchase and Sale Agreement and Joint Escrow Instructions between BBVRPD and Dorothy Lyn Wilson and Wilbur Daniel Bowen to acquire said property.
4. Confirm 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 escrow instructions and any other documents necessary to complete this transaction.

(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 require additional Discretionary General Funding (Net County Cost). The cost to acquire the approximately 21,320 square feet of vacant land in fee simple is \$103,400, plus escrow and title fees not to exceed \$1,500. BBVRPD will also pay \$100 as independent consideration directly to Dorothy Lyn Wilson and Wilbur Daniel Bowen (Seller), for BBVRPD's right to purchase the Property and to terminate the Agreement prior to the expiration of the due diligence period. There is sufficient appropriation available in BBVRPD's 2019-20 Capital Improvement Program budget for the acquisition of this property.

BACKGROUND INFORMATION

Approval of this item will authorize the acquisition of approximately 21,320 square feet of vacant land (APN

0313-381-18) located on Paradise Way in the unincorporated area of Big Bear City (Property), for the development of a community park to serve the residents.

BBVRPD previously owned and operated the Big Bear City Park and Big Bear City Recreation Hall (Community Park) located off of Greenway drive in the unincorporated area of Big Bear City (APN 0311-231-28). In 1984, a small plane crashed in the center of the Park, which forced the Park to close for liability reasons because of its location on the easterly perimeter of the Big Bear City Airport. Subsequent to the crash, the Federal Aviation Administration established a portion of this Park as a runway protection zone (RPZ) for the Airport. Though efforts to sell the Community Park were addressed over the years, disposition of the Community Park for most private enterprises was complicated because it had limited use within the RPZ.

On April 4, 2017 (Item No. 47), the Board adopted Resolution No. 2017-39 to declare the 5.45-acre Community Park surplus and approve its sale to the Big Bear Airport District (Airport District), who received approval to acquire the entirety of the Community Park and not just the RPZ designated portion. The conveyance of the Community Park allowed for the parcel to remain as open space area for airport purposes and provided a one-time revenue to BBVRPD towards a replacement park to serve Big Bear City residents.

Prior to selling the Community Park to the Airport District, BBVRPD attempted to provide a replacement in the same general area as the Community Park. On September 15, 2015 (Item No. 72), the Board approved Lease Agreement No. 15-672 with Big Bear City Community Services District (BBCCSD) over a 40-year term for approximately 5.48 acres of vacant land for development of the replacement community park by BBVRPD. Under Paragraph 10, C. of the lease, BBVRPD was obligated to begin development within two years and complete the park improvements no later than three years of commencement date. However, for environmental and cultural concerns, BBVRPD was unable to proceed with the park development at this location thus terminating the lease.

In January of 2019, BBVRPD approached the Real Estate Services Department (RESD) with a potential park replacement site (Property). This Property is located approximately one-half mile northeast of the original Community Park and can provide park amenities to the same general neighborhood. BBVRPD requested assistance from the RESD to acquire this Property in fee. The Property was appraised by Brandon A. Kidd, Real Estate Appraiser & Consultant, dated April 8, 2019, and was reviewed by RESD. The fair market value of \$103,400 was determined to be reasonable. RESD presented the offer to the Seller who consented to the price and the acquisition agreement terms.

Upon mutual execution of the Purchase and Sale Agreement and Escrow Instructions, BBVRPD shall have 60 days to complete its due diligence review of the Property to determine the physical and environmental conditions and suitability of the Property for a community park. This Property will provide sufficient land for BBVRPD to construct a suitable replacement Community Park to serve the local residents of the unincorporated area of Big Bear City.

Additionally, approval of this item will authorize the Director of RESD to execute escrow documents, such as amended escrow instructions, property disclosures, notices (such as an election to proceed), contingency waivers, and settlement statements. 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.

The County can purchase this Property pursuant to Government Code Section 25350. The County has complied with the publication requirements of Government Code Section 6063.

The acquisition of this Property was reviewed pursuant to the California Environmental Quality Act (CEQA) and determined to be exempt as the Project will have no potential for causing significant effect on the environment per Section 15061(b)(3) of the CEQA guidelines. Prior to site development, BBVRPD will need to

complete a separate CEQA review under Section 15004(b)(2)(A).

PROCUREMENT

On February 21, 2019, RESD sent a request for proposals (RFP) to eight qualified appraiser teams whose work have been reviewed for the purposes of receiving RFPs for the appraisal of the potential park site acquisition. RESD received four proposals by the due date of February 28, 2019. BBVRPD selected the proposal with the most competitive fee and completion time, and from an appraiser local to the Big Bear area.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Robert Messinger, Principal Assistant County Counsel, 387-5455 and Dawn Martin, Deputy County Counsel, 387-5455) on July 5, 2019; Special Districts (Luther Snoke, Interim Director, 386-8811) on June 12, 2019; Purchasing (Michael Candelaria, Buyer III, 387-0321) on June 13, 2019; Finance (Tom Forster, Administrative Analyst, 387-4635 and Ginger Roosa, Principal Administrative Analyst, 387-4883) on July 19, 2019; and County Finance and Administration (Kelly Welty, Deputy Executive Officer, 387-5423) on July 19, 2019.

(CQ: 501-2493)