



Monterey County

Item No.

Board Report

Board of Supervisors Chambers

168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: RES 20-216

December 08, 2020

Introduced: 11/20/2020

Current Status: Agenda Ready

Version: 1

Matter Type: General Agenda Item

Adopt a Resolution to:

- a. Re-declare identified remnant lanes in the unincorporated areas of Hatton Fields and Carmel Woods located near the City of Carmel as surplus real property and no longer needed for County or public purposes;
- b. Direct the Department of Public Works, Facilities, & Parks to publish a Notice of Intention to Sell Surplus Property for the identified remnant lanes in the unincorporated areas of Hatton Fields and Carmel Woods per Government Code section 25526;
- c. Find that all remnant lane sales are categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15312 Surplus Government Property Sales;
- d. Delegate the Contracts/Purchasing Officer the authority to execute final Offers and Agreements to Purchase Real Property, Quitclaim Deeds, and other necessary transfer documents to complete present and future surplus remnant lane sales not exceeding \$25,000 for a period of five (5) years, pursuant to Government Code section 25526.5; and
- e. Direct the Housing and Community Development Department to issue a certificate of compliance for a legal lot line adjustment within thirty (30) days of a completed remnant lane sale to expedite the legal lot line adjustment process as an incentive for neighboring property owners to purchase a remnant lane.

RECOMMENDATION:

It is recommended that the Board of Supervisors adopt a resolution to:

- a. Re-declare identified remnant lanes in the unincorporated areas of Hatton Fields and Carmel Woods located near the City of Carmel as surplus real property and no longer needed for County or public purposes;
- b. Direct the Department of Public Works, Facilities, & Parks to publish a Notice of Intention to Sell Surplus Property for the identified remnant lanes in the unincorporated areas of Hatton Fields and Carmel Woods per Government Code section 25526;
- c. Find that all remnant lane sales are categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15312 Surplus Government Property Sales;
- d. Delegate to the Contracts/Purchasing Officer the authority to execute final Offers and Agreements to Purchase Real Property, Quitclaim Deeds, and other necessary transfer documents to complete present and future surplus remnant lane sales not exceeding \$25,000 for a period of five (5) years, pursuant to Government Code section 25526.5; and
- e. Direct the Housing and Community Development Department to issue a certificate of compliance for a legal lot line adjustment within thirty (30) days of a completed remnant lane sale to expedite the legal lot line adjustment process as an incentive for neighboring property owners to purchase a remnant lane.

SUMMARY/DISCUSSION:

Government Code Section 25526.5 authorizes the Board of Supervisors to sell land with a value not exceeding \$25,000 declared surplus property and no longer necessary for County or public purposes in the manner and upon the terms and conditions it determines without complying with other sections of the Government Code. The Board initially authorized the Contracts/Purchasing Officer to conduct sales of remnant lane sections in the unincorporated areas of Hatton Fields and Carmel Woods located near the City of Carmel from 2004 through 2009. Since that initial bid offering, property owners in the Carmel Woods and Hatton Fields subdivisions have expressed interest in acquiring available remnant lane sections (surplus land) located adjacent to their properties (Attachment A-Location Map). Attachment B provides a listing of remnant lane sections available for sale within the Carmel Woods and Hatton Fields subdivisions. It is to the County's advantage to sell surplus lands to reduce annual maintenance requirements and costs for unneeded surplus land. Due to changes in the real estate market and to comply with California Constitution Article 16, section 6, which prohibits the County from making a "gift" of anything to a private group or person, a certified appraiser was engaged to establish a new appraisal price of the surplus lands. The identified surplus land's minimum value is based on a price per square foot determined by its perceived usefulness and utility. Based on the recent appraisal report and determination of value, each remnant lane section is valued at \$2, \$5, or \$8 per square foot.

If approved by the Board, the sale process will provide adjacent property owners the right-of-first-refusal to acquire their neighboring remnant lane section, none of which are stand-alone developable parcels, as they likely have the highest utility and use for them. This would also allay any concerns of the Hatton Field and Carmel Woods property owners about the potential of abnormal and inconsistent development. The buyer of the surplus land will purchase the property "as-is" and assume all associated costs to complete the sale, including, but not limited to: survey costs, closing costs, lot line adjustment fees, and deed recordation costs. The final purchase price of the surplus land is determined when its actual square footage is verified by a licensed surveyor, engaged and paid for by the buyer. Net sale proceeds will provide a one-time revenue increase to PWFP General Fund, Budget Unit 8176, when a sale is finalized. PWFP-Real Property will coordinate the transaction process. The Contracts/Purchasing Officer, as authorized by the Board, will execute final Offers and Agreements to Purchase Real Property, Quitclaim Deeds, and other necessary transfer documents to complete surplus land sales not exceeding \$25,000. Attachments C and D, respectively, provide a sample Offer and Agreement to Purchase Real Property and sample Quitclaim Deed for use with the proposed sales.

The sale of surplus land is exempt from CEQA pursuant to CEQA Guidelines section 15312 pertaining to surplus government property sales.

OTHER AGENCY INVOLVEMENT:

The Office of County Counsel-Risk Manager reviewed and approved the Sample Offer and Agreement to Purchase Real Property and Sample Quitclaim Deed as to form. Upon approval, the Contracts/Purchasing Officer will execute Offers and Agreements to Purchase Real Property, Quitclaim Deeds, and other necessary transfer documents to complete a sale. As an incentive for neighboring property owners to purchase surplus land, HCD will expedite the legal lot line adjustment

process, to the extent possible, and issue a certificate of compliance for a legal lot line adjustment within thirty (30) days of a completed sale.

FINANCING:

Staff time to prepare this report and attachments is included in Fiscal Year 2020-21 Adopted Budget, Fund 001, Appropriation Unit RMA006; however, the cost of appraising the surplus land, estimated at \$8,250 was not. Staff is not requesting any budget modification currently. Should the need arise where an adjustment is needed based on the above actions, staff will return to the Board via the Budget Committee to request an increase to appropriations and/or revenue. All funds provided by homeowners during the purchase transaction of a remnant lane section will be handled by PWF in conjunction with HCD. Annual cost for maintaining the subject remnant lanes is funded in Fiscal Year 2020-21 Road Fund 002, Appropriation Unit RMA012. At times, unplanned costs associated with unanticipated maintenance needs or for removal of downed trees is significant. As surplus land is sold, annual routine maintenance costs will be reduced negligibly; significant unanticipated maintenance costs associated with the surplus lanes will be eliminated.


BOARD OF SUPERVISORS' STRATEGIC INITIATIVES:

If approved, this action supports the Board of Supervisors' Strategic Initiatives for Economic Development and Infrastructure. The addition of surplus remnant lane sections to adjacent homeowners' properties adds value to the properties through increased lot size and could potentially create an opportunity to expand existing homes, which in turn, would increase the property tax base. Conveying a remnant lane to neighboring homeowners encourages consistent development within the area and lowers the County's ongoing annual maintenance costs.

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

Prepared by: Ivo N. Basor, Management Analyst I (831) 796-6427

Reviewed by: Lindsay Lerable, Chief of Facilities

Approved by: Randell Ishii, MS, PE, PTOE, Director of Public Works, Facilities, & Parks 

Attachments:

Attachment A-Location Map

Attachment B-Listing of Remnant Lane Sections For Sale

Attachment C-Sample Offer and Agreement to Purchase Real Property

Attachment D-Sample Quitclaim Deed

Attachment E-Draft Resolution

(Attachments are on file with the Clerk of the Board)

cc: Director of Housing and Community Development Department Carl P. Holm, AICP