

RESOLUTION NO. 2024-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, OBJECTING TO THE PUBLIC SALE OF THE TAX-DEFAULTED PROPERTIES (APN 292-032-011 AND APN 312-260-017) AND FINDING THE ACQUISITION EXEMPT FROM CEQA PURSUANT TO CEQA GUIDELINES CATEGORICAL EXEMPTIONS SECTION 15332 (IN-FILL DEVELOPMENT PROJECTS), SECTION 15308 CLASS 8 (ACTIONS BY REGULATORY AGENCIES FOR PROTECTION OF THE ENVIRONMENT), AND SECTION 15304 CLASS 4(B) (MINOR ALTERATIONS TO LAND).

WHEREAS, the Treasurer - Tax Collector of Riverside County (County) sent a notice to the City dated July 10, 2024, stating that the City may be eligible to purchase tax-defaulted properties (or parcels) pursuant to a Chapter 8 Purchase Agreement; and

WHEREAS, Assessor Parcel Numbers (APN) 292-032-011 and 312-260-017 (Parcels) are such tax-defaulted properties; and

WHEREAS, the Legal Descriptions of APNs 292-032-011 and 312-260-017 are as follows:

APN 292-032-011: The land referred to herein is situated in the State of California, County of Riverside, City of Moreno Valley and described as follows:

That portion of Lot Z of Tract 12361, in the County of Riverside, State of California, as shown by Map on file in Book 124, Pages 62 through 67 inclusive of Maps, Riverside County Records, lying Northerly of the Easterly prolongation of the South line of Lot 19 of said tract.

APN 312-260-017: The land referred to herein is situated in the State of California, County of Riverside, City of Moreno Valley and described as follows:

Parcel 2, as shown by Parcel Map 30352, in the City of Moreno Valley, County of Riverside, State of California, on file September 26, 2002 in Book 202, Pages 93 through 95 of Parcel Maps, records of Riverside County, California.; and

WHEREAS, if the City wishes to pursue the purchase of these Parcels, it must respond to the County on or before August 12, 2024; and

WHEREAS, the Parcels are intended to be used for flood control purposes and as an open public space park; and

WHEREAS, the acquisition of the Parcels is in conformance with the City's General Plan (GP) pursuant to Government Code section 65402; the proposed use of

APN 292-032-011 to construct drainage improvements for flood control purposes is consistent with the City's GP (Policy S.1-7: Design, construct, and maintain street and storm drain flood control systems to accommodate 10-year and 100-year storm flows respectively); the proposed use of APN 312-260-017 for an open public space park is consistent with the City's GP (Policy PPS.1-1: Increase the acreage of parks in Moreno Valley to serve the needs of the growing population and maintain a standard of three acres of parkland per 1,000 residents); and

WHEREAS, the acquisition of the Parcels for flood control purposes and for an open public space park is in compliance with the City's Mission Statement because the construction of drainage improvements for flood control purposes could maintain a safe environment for people, and the creation of more open public space park could conserve environmental resources for the health and enjoyment of the citizens; and

WHEREAS, the acquisition of the Parcels is exempt under the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15308, Class 8 - Actions by Regulatory Agencies for Protection of the Environment; CEQA Guidelines Section 15304, Class 4(b) - Minor Alterations to Land; and CEQA Guidelines Section 15332, Class 32 – Infill developments; and

WHEREAS, the minimum bid for the Parcels is \$200,919.70 as listed in the notice sent by the County which is below the fair market value for the Parcels, therefore a formal real estate appraisal is not required for such acquisition at a low fair market value; and

WHEREAS, the City Council wishes to pursue the purchase of these Parcels through the Chapter 8 Purchase Agreement process.

WHEREAS, the City will give notice of the Agreement to Purchase Tax-Defaulted Property and the costs of giving such notice shall be paid by the City.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

The City Council hereby objects to the sale of the Parcels by the County at a public auction, and the Public Works Director/City Engineer is authorized to send a written objection letter and completed application to the Riverside County Treasurer-Tax Collector to express the City's objection to the public sale of the tax defaulted properties, APN 292-032-011 and APN 312-260-017, which includes a request for the City to acquire the Parcels in fee.

The City Council hereby approves the purchase of the Parcels from the County through a Chapter 8 Purchase Agreement process, and the City Manager is authorized to spend the minimum bid of \$200,919.70 and any additional amount that is required to complete the purchase of the Parcels pursuant to the Chapter 8 Purchase Agreement process, including, but not limited to, transaction fees and expenses. The Chief

Financial Officer is authorized to execute any required budget amendments or allocation documents as needed to effectuate the intent of this Resolution.

The intended public purposes for the purchase of the Parcels are for flood control/drainage improvements and for use as a park.

The acquisition of the Parcels is in conformance with the City's General Plan and is exempt per CEQA Guidelines Section 15308, Class 8 - Actions by Regulatory Agencies for Protection of the Environment; CEQA Guidelines Section 15304, Class 4(b) - Minor Alterations to Land; and CEQA Guidelines Section 15332, Class 32 – Infill Development.

The Public Works Director/City Engineer is authorized to take such actions and do such things as may be necessary to effectuate and complete the purchase of the Parcels, including but not limited to, the execution of any and all documents necessary to purchase and accept these Parcels in fee title and carry out this transaction to completion.

APPROVED AND ADOPTED this 6th day of August 2024.

Ulises Cabrera
Mayor
City of Moreno Valley

ATTEST:

M. Patricia Rodriguez, Acting City Clerk

APPROVED AS TO FORM:

Steven B. Quintanilla, City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, Patricia Rodriguez, Acting City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2024-XX was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 6th day of August 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

M. PATRICIA RODRIQUEZ, ACTING CITY CLERK

(SEAL)