



CITY COUNCIL STAFF REPORT

DATE: September 5, 2012

CONSENT CALENDAR

SUBJECT: SET A PUBLIC HEARING DATE FOR THE SALE OF CITY-OWNED REAL PROPERTY TO MICHAEL S. HOFFMAN, AS TRUSTEE OF THE MICHAEL S. HOFFMAN LIVING TRUST, U/A DATED 08/04/94, FOR CERTAIN REAL PROPERTY CONSISTING OF 26,172 SQUARE FEET OF LAND AREA LOCATED 102.58 FEET WEST OF GENE AUTRY TRAIL (4810 CAMINO PAROCELA), APNs: (690-101-032 and 680-101-033)

FROM: David H. Ready, City Manager

BY: Community & Economic Development Department

SUMMARY

It is recommended that the City Council approve the resolution expressing the intent to sell and setting the date to hold a public hearing for the sale of a City-owned 26,172 square foot parcel with building located at 4810 Camino Parocela, the former City-owned Animal Shelter. In October, 2011 the City opened a new animal shelter at another site, leaving the property vacant and unused.

RECOMMENDATION:

1. SET A PUBLIC HEARING FOR THE SALE OF CITY-OWNED REAL PROPERTY TO MICHAEL S. HOFFMAN, AS TRUSTEE OF THE MICHAEL S. HOFFMAN LIVING TRUST, U/A DATED 08/04/94, FOR CERTAIN REAL PROPERTY CONSISTING OF 26,172 SQUARE FEET OF LAND AREA LOCATED 102.58 FEET WEST OF GENE AUTRY TRAIL (4810 CAMINO PAROCELA), APNs: (690-101-032 and 680-101-033) ON SEPTEMBER 19, 2012

STAFF ANALYSIS:

In November 2011 the City of Palm Springs received an offer from Michael S. Hoffman, as Trustee of The Michael S. Hoffman Living Trust, U/A Dated 08/04/94 ("Buyer") on a

ITEM NO. 2.AA.

City-owned 26,172 square feet parcel with building, located 102.58 feet west of Gene Autry Trail on the north side of Camino Parocela (4810 Camino Parocela), the former City-owned Animal Shelter. Mr. Hoffman is the owner of the adjacent properties and intends to assemble the properties into a larger, developable site which will greatly benefit that high-profile corner.

Council directed Staff to bring an Agreement for Purchase and Sale back at a regularly scheduled meeting. Staff received an appraisal in February, 2012 from Scott Lidgard of Lidgard & Associates, appraisers.

California Government Code Section 37421 et. seq. requires that the City first set a date of the public hearing at which the public may make testimony regarding the sale. This resolution sets the Public Hearing date for September 19, 2012.

This action is part of a three-step process in selling City-owned parcels: (1) Council directs the negotiator as to price and terms in Closed Session; (2) Council adopts a resolution expressing its intention to sell the property and setting the date of the Public Hearing, and the City publishes a notice of Public Hearing; and (3) Council approves the Agreement for Purchase and Sale of Real Property, as well as a resolution accepting the terms of the sale. The attached resolution is Step 2 in this process.

In addition, the Planning Commission shall review the proposed sale to make a determination of General Plan consistency.

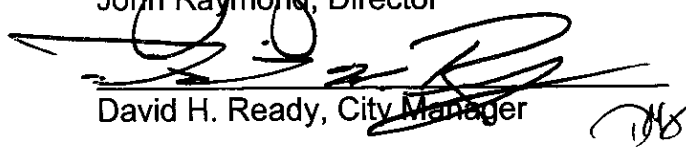
The price for the property of \$140,000 meets the fair market value standard and the process meets the requirements of City Council Resolution 14527, which requires that the City sell all land at fair market value. The sale of this parcel meets the other tests of Resolution 14527:

1. There is no foreseeable present or future use of the property for City purposes.
2. The property cannot be leased or rented for its highest and best use at fair market rental.
3. The City's need for immediate liquidation, for cash, of such property -- at its fair market value -- is greater than its need for developing continuing revenue for the lease of such property.



John Raymond, Director

Tom Wilson, Assistant City Manager



David H. Ready, City Manager

Attachments: Resolution

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF PALM SPRINGS PURSUANT TO
CALIFORNIA GOVERNMENT CODE SECTION
37421 ET. SEQ. FOR THE SALE OF CITY
PROPERTY; AND NOTICE THEREOF

WHEREAS, the City is desirous of selling certain property located in the City of Palm Springs ("Sale Property"), and described in Exhibit "A" of this Resolution, in accordance with Government Code Section 37420 et seq.; and

WHEREAS, the City Council of the City Palm Springs has received an offer from Michael S. Hoffman, as Trustee of The Michael S. Hoffman Living Trust, U/A Dated 08/04/94 ("Buyer") on a City-owned 26,172 square feet parcel with building, located 102.58 feet west of Gene Autry Trail on the north side of Camino Parocela (4810 Camino Parocela), the former City-owned Animal Shelter, which is no longer necessary for public use; and

WHEREAS, pursuant to Government Code Section 37421, persons wishing to protest the sale of the Sale Property must present testimony at the time and place designated herein for the hearing to consider the sale of the Sale Property or submit written statements protesting the sale with the City Clerk prior to such hearing; and

WHEREAS, the notice of the public hearing for September 19, 2012 at 6 p.m. in the City Council Chambers at 3200 East Tahquitz Canyon Way, Palm Springs, California, at which time any and all protests to said sale may be heard and consideration of the sale of the Sale Property is made pursuant to California Government Code Sections 37421, 37422 and 37423; and

WHEREAS, the publication of the notice of public hearing describing the proposed sale of the Sale Property is made pursuant to Government Code Sections 37422 and 37423 by circulation in a daily newspaper published and circulated in the City and posted for not less than ten days in at least three conspicuous places upon each parcel of property affected; and

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Palm Springs, as follows:

SECTION 1. The public hearing on the sale of the Sale Property shall be set for September 19, 2012 at 6 p.m. in the City Council Chambers at 3200 East Tahquitz Canyon Way, Palm Springs, California, in accordance with Government Code Sections 37421, 37422 and 37423.

SECTION 2. Notice of the public hearing to consider the sale of the Sale Property shall be published at least once in a daily newspaper published and circulated in the City,

and posted for not less than ten days in at least three conspicuous places upon each parcel of property affected by the sale.

SECTION 3. Protests to the sale of the Sale Property shall be presented at the hearing or submitted in writing to the City Clerk before the hearing at the time and date set forth herein.

SECTION 4. Final action by the City upon the sale of the Sale Property shall be set for the hearing on September 19, 2012, or such time thereafter as may be set by the City Council.

PASSED, APPROVED AND ADOPTED BY THE PALM SPRINGS CITY COUNCIL THIS 5TH DAY OF SEPTEMBER, 2012.

DAVID H. READY, CITY MANAGER

ATTEST:

JAMES THOMPSON, CITY CLERK

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, hereby certify that Resolution No. _____ is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on the 5TH day of September, 2012, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

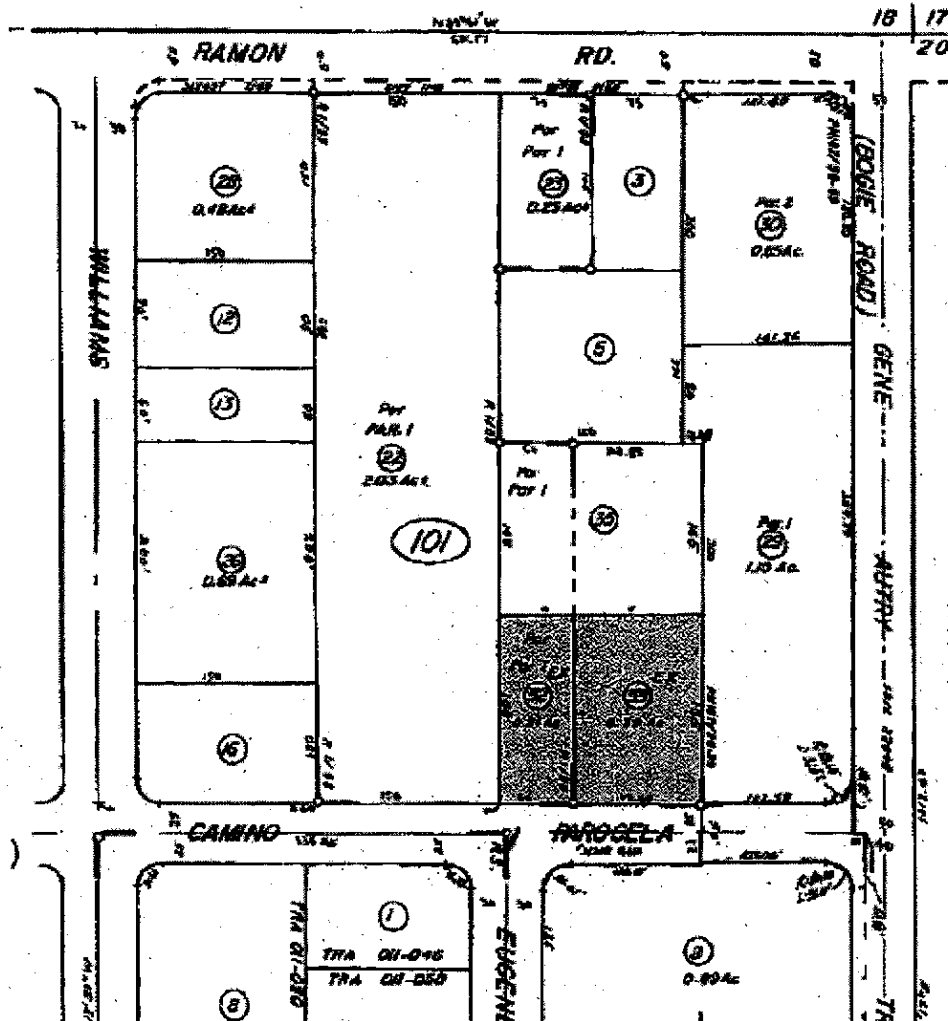
JAMES THOMPSON, CITY CLERK
City of Palm Springs, California

EXHIBIT "A"

MAP AND LEGAL DESCRIPTION

All that certain real property situated in the City of Palm Springs, County of Riverside, State of California, described as follows:

A Portion of Parcel 1, per map recorded in Book 1, Page 53 of Maps, in the office of the County Recorder, County of Riverside, California.



APNs: (690-101-032 and 680-101-033)