



M E M O R A N D U M
SUCCESSOR AGENCY
County of Placer

TO: Honorable Successor Agency Board
DATE: July 27, 2021

FROM: Dave Defanti, Successor Agency Officer Designee
By: Janet Triplett, Senior Project Manager

SUBJECT: Approval of Purchase and Sale Agreement / County of Placer / Swiss Mart Property 8793 and 8797 North Lake Boulevard in Kings Beach, CA

ACTION REQUESTED

Adopt a Resolution to approve the Purchase and Sale Agreement for the sale of the Swiss Mart Property located at 8793 and 8797 North Lake Boulevard in Kings Beach, CA (APNs 090-192-055-000 and 090-192-062-000) to the County of Placer for \$279,000 and authorize the Successor Agency Officer, or designee, to take all necessary actions to execute the agreement and complete the sale of the Swiss Mart Property, including the payment of a six percent commission totaling \$16,740 to Mancuso Real Properties. Full execution of the Purchase and Sale Agreement would be contingent on approval by the Consolidated Oversight Board.

BACKGROUND

The 0.3± acre vacant land referred to as the Swiss Mart Property, located at 8793 and 8797 North Lake Boulevard in Kings Beach, CA, and designated as APNs 090-192-055-000 and 090-192-062-000 (see Swiss Mart Property Map) is one of three properties acquired in Kings Beach by the former Placer County Redevelopment Agency and then owned by the Placer County Successor Agency (Successor Agency). The Successor Agency is authorized to dispose of the Swiss Mart Property according to a Long-Range Property Management Plan (LRPMP) prepared by the Successor Agency and approved by the California Department of Finance. Swiss Mart Property, located at the eastern gateway to Kings Beach at the corner of Chipmunk Street and North Lake Boulevard, was a former service station. Since acquisition by the Redevelopment Agency, the service station has been demolished and remediation of petroleum hydrocarbons impacting soil and groundwater is complete. The site has received regulatory closure with the issuance of a No Further Action Required letter from the Lahontan Regional Water Quality Control Board. It is also the location of a County-owned/maintained Kings Beach gateway monument.

On May 28, 2019, the Successor Agency Board approved an exclusive Real Estate Brokerage Services Agreement with Mancuso Real Properties to list the Swiss Mart Property for sale at a price of \$279,000. On June 13, 2019, the Placer County Consolidated Oversight Board adopted Resolution No. 2019-010 to approve the Brokerage Services Agreement.

The Successor Agency received multiple offers to purchase the Swiss Mart Property from Mancuso Real Properties. On March 24, 2020, the Placer County Successor Agency approved a purchase and sale agreement with Joe and Theresa Adamo by Resolution No. 2020-046 which was followed by the Placer County Consolidated Oversight Board's approval on July 1, 2020, by Resolution No. 2020-06. This agreement was fully executed on August 5, 2020.

On March 24, 2020, the County Board of Supervisors accepted the Option to Purchase Provision within the agreement by Resolution No. 2020-047. This provision provided the County the option to acquire the Swiss Mart Property if the buyer did not obtain project

approvals within one year of the close of escrow or a certificate of occupancy within two years of the close of escrow.

On February 27, 2021, Mancuso Real Properties transmitted Theresa and Joe Adamo's termination notice resulting in this property being available for sale once again.

The County of Placer (County) and the Successor Agency have negotiated a Purchase and Sale Agreement (PSA) for the County to acquire the Swiss Mart Property from the Successor Agency. The PSA includes the following key terms:

- 1) Purchase Price - \$279,000
- 2) Refundable Deposit - \$3,000
- 3) Commission – Successor Agency to pay Mancuso Real Properties a six percent (\$16,740) commission at the close of escrow.
- 4) Escrow and Title Fees – County to pay all recording fees and Successor Agency to pay any transfer taxes. Successor Agency and County shall share equally in the cost of the CLTA Standard Coverage Policy and escrow fees.
- 5) Contingency Period – The County will have a 30-day Contingency Period after the execution of the PSA to evaluate the property and title contingencies.
- 6) Close of Escrow - Close of Escrow will occur within 20 business days of the end of the Contingency Period unless otherwise extended by mutual agreement of the parties.

To proceed with the sale of the Swiss Mart Property, it is necessary that your Board adopt a Resolution approving the Purchase and Sale Agreement on file with the Clerk of the Board and authorizing the Successor Agency Officer, or designee, to execute and implement the PSA. The full execution of the PSA will be contingent on approval by the Consolidated Oversight Board.

ENVIRONMENTAL IMPACT

Your Board's action to adopt the Resolution and approve the Agreement and other authorizations provided for herein (collectively, the Action) are each exempt from CEQA review on multiple independent bases:

- The Action is not a project as defined in California Public Resources Code Section 21065 and/or California Environmental Quality Act (CEQA) Guidelines Section 15378(a) and therefore is not subject to CEQA. CEQA applies only to the approval of a project, and the Action does not constitute approval of a project. The authorization, execution and implementation of the Agreement will not cause any physical change to the environment, directly or indirectly, beyond those activities that are already authorized to occur at the site. All potential development and/or improvements referred to in the Agreement will be subject to full environmental review pursuant to applicable environmental laws.
- If the Action is determined to be a project, the Action is exempt from CEQA as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment (CEQA Guidelines Section 15061(b)(3)). For the reasons stated above, authorization to enter into the Agreement will not result in any adverse change to the environment, and thus no significant impacts will occur by virtue

of the Agreement. The Agreement does not create any new entitlements or project approvals.

- The Action is exempt from review pursuant to Section 15301 of the CEQA Guidelines. This section provides for activities, including ongoing use of existing facilities, where there is no expansion of use beyond that previously existing.
- The Action is exempt from CEQA because it does not constitute a project approval under CEQA Guidelines Section 15352(a). Approval of the Agreement and related authorizations does not commit the County of Placer as a potential project approver to a definite course of action. The Successor Agency is not approving any land use entitlements to allow the County to construct and operate a proposed project.

Each of these facts is a separate and independent basis for the Successor Agency Board's determination that the Successor Agency Board's Action is exempt from CEQA and does not require further CEQA review.

FISCAL IMPACT

The \$279,000 Purchase Price, less net liabilities and expenses, including the broker fee, will be distributed to the affected taxing entities, in proportion to each entity's share of the tax base, as required by the Long-Range Property Management Plan approved by the California Department of Finance.

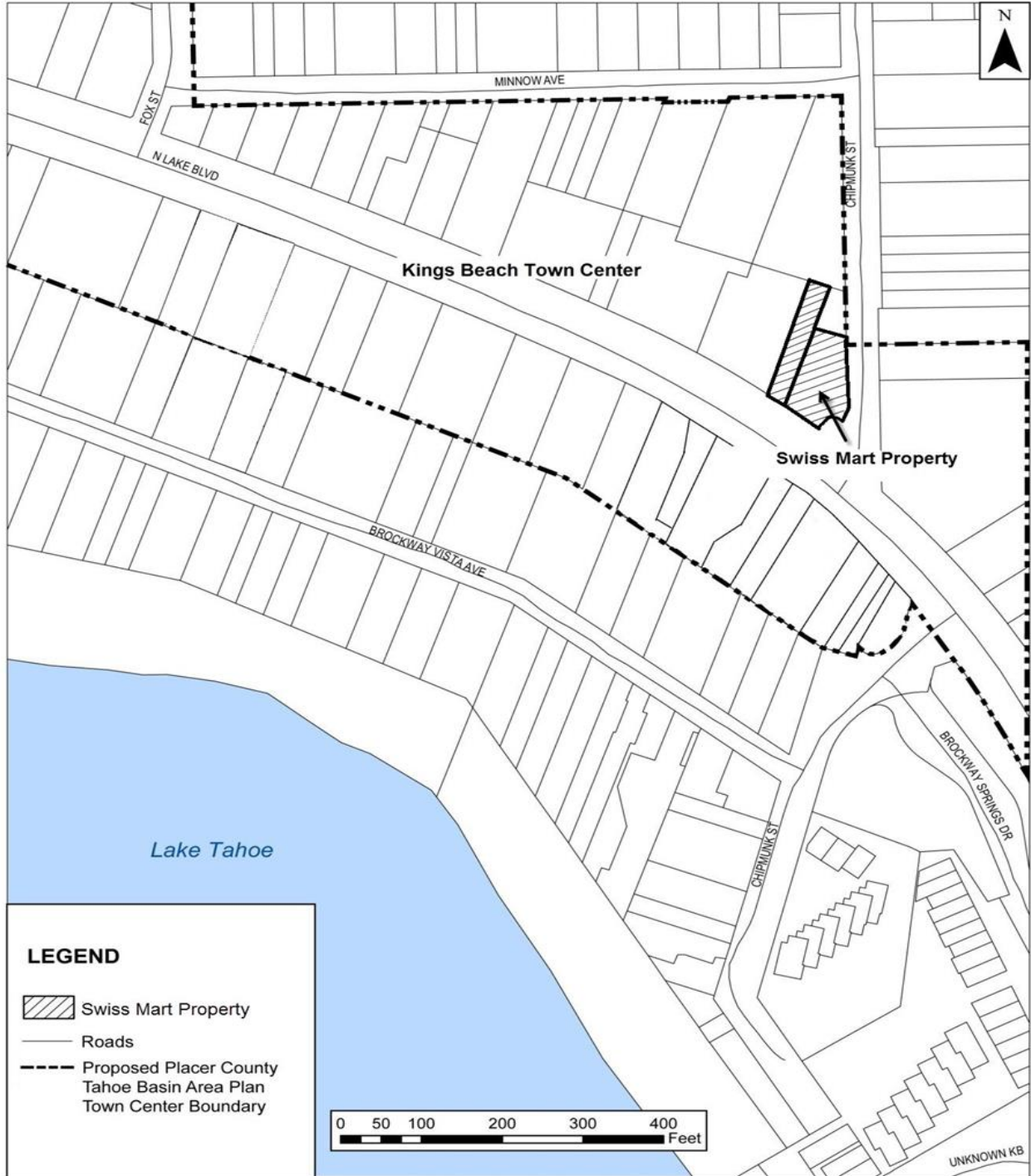
ATTACHMENTS

Attachment A – Swiss Mart Property Map

Attachment B – Resolution

On file with Clerk of the Board – Purchase and Sale Agreement Swiss Mart Property

Attachment A
Swiss Mart Property Map



Attachment B
Resolution

**Before the Placer County Successor Agency Board
County of Placer, State of California**

In the matter of:

Resolution No.: _____

Resolution to approve the Purchase and Sale Agreement for the sale of the Swiss Mart Property, located at 8793 and 8797 North Lake Boulevard in Kings Beach, CA (APNs 090-192-055-000 and 090-192-062-000) to the County of Placer for \$279,000, and authorize the Successor Agency Officer, or designee, to take all necessary actions to execute the agreement and complete the sale of the property.

The following Resolution was duly passed by the Placer County Successor Agency Board at a regular meeting held _____ by the following vote:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chair,
Placer County Successor Agency Board

Attest:

Clerk of said Board

WHEREAS, The Swiss Mart Property is one of three properties acquired in Kings Beach by the former Placer County Redevelopment Agency and then owned by the Placer County Successor Agency (Successor Agency). The Swiss Mart Property is located at 8793 and 8797 North Lake Boulevard in Kings Beach, CA (APNs 090-192-055-000 and 090-192-062-000).

WHEREAS, On May 28, 2019, the Successor Agency Board approved an exclusive Real Estate Brokerage Services Agreement with Mancuso Real Properties to list the Swiss Mart Property (Property) for sale at a price of \$279,000.

WHEREAS, On March 24, 2020, the Placer County Successor Agency approved an agreement with Joe and Theresa Adamo by Resolution No. 2020-046 which was followed by the Placer County Consolidated Oversight Board's approval on July 1, 2020, by Resolution No. 2020-06.

WHEREAS, On March 24, 2020, the County Board of Supervisors accepted the Option to Purchase Provision within the agreement by Resolution No. 2020-047.

WHEREAS, On February 27, 2021, Mancuso Real Properties transmitted a termination agreement signed by Theresa and Joe Adamo.

WHEREAS, The Swiss Mart Property is now available to sell.

WHEREAS, The County of Placer desires to purchase the Swiss Mart Property from the Successor Agency.

WHEREAS, The County of Placer and the Placer County Successor Agency have negotiated a Purchase and Sale Agreement (PSA) for the County to acquire the Swiss Mart Property from the Successor Agency.

NOW, THEREFORE, BE IT RESOLVED, By the Placer County Successor Agency Board, that the Purchase and Sale Agreement for the sale of the Swiss Mart Property to the County of Placer for \$279,000 is approved.

BE IT FURTHER RESOLVED, The Successor Agency Officer, or designee, is hereby authorized to enter into the Purchase and Sale Agreement and take all further actions necessary to implement the terms of agreement and to acquire the Swiss Mart Property, including the payment of a six percent commission totaling \$16,740 to Mancuso Real Properties.