

1. 2023 0306 Board Agenda Sp

Documents:

[2023 0306 BOARD AGENDA SP.PDF](#)

2. 2023 0306 Board Agenda Packet Sp

Documents:

[2023 0306 BOARD AGENDA PACKET SP.PDF](#)



**AGENDA for a SPECIAL
MEETING OF THE BOARD OF DIRECTORS
VALLEY COUNTY WATER DISTRICT
5121 LANTE STREET, BALDWIN PARK, CALIFORNIA
MONDAY, MARCH 6, 2023 AT 8:00 A.M.**

1. CALL TO ORDER

2. ROLL CALL OF MEMBERS OF THE BOARD OF DIRECTORS

- ❖ President Javier E. Vargas
- ❖ Vice President Jazmin Leos
- ❖ Director Ralph Galvan
- ❖ Director David L. Muse
- ❖ Director Lenet Pacheco

3. ADOPTION OF AGENDA

- ❖ This item indicates action anticipated by the Board of Directors

4. PUBLIC COMMENT ON AGENDA AND NON-AGENDA ITEMS

- ❖ *Anyone wishing to discuss items on and not on the agenda may do so at this time. A three-minute time limit on remarks is requested.*

5. ACTION ITEMS

- A.** Consider Resolution 03-23-901 of the Board of Directors of Valley County Water District Approving the Sale of Real Property Owned by the Valley County Water District Located at 14521 Ramona Boulevard, Baldwin Park, California

6. ADJOURNMENT

PRESIDENT JAVIER VARGAS PRESIDING

In compliance with the Americans with Disabilities Act, if you have a disability, and you need a disability-related modification or accommodation to participate in this meeting, please contact the District at 626-338-7301. Requests must be made as early as possible and at least one full business day before the start of the meeting.



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VALLEY COUNTY WATER DISTRICT
Special Meeting of the Board of Directors
Monday, March 6, 2023

AGENDA ITEM:

1

CALL TO ORDER

Meeting Called to Order At: _____

Meeting Chaired By: _____



VALLEY COUNTY WATER DISTRICT
Special Meeting of the Board of Directors
Monday, March 6, 2023

AGENDA ITEM:

2

**ROLL CALL OF MEMBERS OF THE BOARD OF DIRECTORS AND
DISTRICT EMPLOYEES**

Members of the Board of Directors:

- ❖ President Javier E. Vargas
- ❖ Vice President Jazmin Leos
- ❖ Director Ralph Galvan
- ❖ Director David L. Muse
- ❖ Director Lenet Pacheco

Present:

Absent:

District Employees:

- ❖ General Counsel Christine Carson
- ❖ General Manager José Martinez

Present:

Absent:

Others Present:

- ❖ _____
- ❖ _____
- ❖ _____
- ❖ _____
- ❖ _____



VALLEY COUNTY WATER DISTRICT
Special Meeting of the Board of Directors
Monday, March 6, 2023

AGENDA ITEM: 3 **ADOPTION OF AGENDA**

❖ This item indicates action anticipated by the Board of Directors.

Motion to Approve: _____

Motion Seconded By: _____

Discussion/Changes: _____

Vote of Members: _____ / _____ / _____
Yes No Abstain

Roll Call Vote: _____ / _____ / _____ / _____ / _____
Director Galvan Director Muse Director Pacheco Vice President Leos President Vargas

Motion to Approve: CARRIED / FAILED



VALLEY COUNTY WATER DISTRICT
Special Meeting of the Board of Directors
Monday, March 6, 2023

AGENDA ITEM:

4

PUBLIC COMMENT ON AGENDA AND NON-AGENDA ITEMS

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MEMBERS OF THE PUBLIC:

COMMENTS:

❖ _____

❖ _____

❖ _____

❖ _____



VALLEY COUNTY WATER DISTRICT
Special Meeting of the Board of Directors
Monday, March 6, 2023

AGENDA ITEM:

5A

ACTION ITEM

Consider Resolution 03-23-901 of the Board of Directors of Valley County Water District Approving the Sale of Real Property Owned by the Valley County Water District Located at 14521 Ramona Boulevard, Baldwin Park, California

REPORT TO THE BOARD OF DIRECTORS:

Valley County Water District's (District) has consolidated the administrative and operations office at the newly constructed office located at 5121 Lante Street, Baldwin Park. The District declared its previous administrative office located at 14521 Ramona Boulevard, Baldwin Park a surplus property in November 2021 by Resolution 11-21-865.

RECOMMENDATION TO THE BOARD OF DIRECTORS:

Staff recommends that the Board of Directors adopt Resolution 03-23-901 of the Board of Directors of Valley County Water District Approving the Sale of Real Property Owned by the Valley County Water District Located at 14521 Ramona Boulevard, Baldwin Park, California

SUPPORTING DOCUMENTATION PROVIDED:

A. DRAFT: Resolution 03-23-901

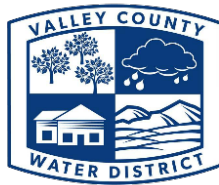
Motion to Approve: Motion Seconded By:

Vote of Members: Yes / No / Abstain

Roll Call Vote: Director Galvan / Director Muse / Director Pacheco / Vice President Leos / President Vargas

Motion to Approve: CARRIED / FAILED

SUBMITTED BY: GENERAL MANAGER, Jose L. Martinez



RESOLUTION NO. 03-23-901

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE VALLEY COUNTY WATER DISTRICT APPROVING THE SALE OF REAL PROPERTY OWNED BY THE VALLEY COUNTY WATER DISTRICT LOCATED AT 14521 RAMONA BOULEVARD, BALDWIN PARK, CALIFORNIA

WHEREAS, the VALLEY COUNTY WATER DISTRICT (“District”) owns that certain real property located at 14521 Ramona Boulevard, Baldwin Park, California, APN 8437-004-959 (the “Property”); and

WHEREAS, the Property consists of a commercial office building for which there is no present or contemplated use by the District; and

WHEREAS, on November 22, 2021 by Resolution No. 11-21-865, the District Board declared the property surplus land under the California Surplus Land Act (“SLA”) and authorized the sale of the Property subject to prior full compliance with the SLA; and

WHEREAS, the District complied with the SLA by distributing a Notice of Availability to the recipients specified in the SLA on December 2, 2021. Written findings were submitted to the State of California Housing Community Development Department (“HCD”) pursuant to the SLA; and

WHEREAS, the District subsequently solicited offers from private parties to purchase the Property; and

WHEREAS, Evergreen-Bogart & Ramona, L.L.C., an Arizona limited liability company, submitted an offer to the District for the purchase of the Property from the District; and

WHEREAS, the District Board now desires to approve the sale of the Property to Evergreen-Bogart & Ramona, L.L.C., as set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the Board of the Valley County Water District, as follows:

Section 1. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. The Agreement for the Purchase and Sale of Real Property and Joint Escrow Instructions between the District and Evergreen-Bogart & Ramona, L.L.C., a limited liability company, a copy of which is attached hereto as Exhibit A, is hereby approved as executed by the District’s Board President or District’s General Manager.

Section 3. Either the Board President or the General Manager, is hereby authorized to execute such additional documents as may be necessary to consummate the transaction including any extensions, minor waivers or modifications.

Section 4. The District Board authorizes the use of electronic signatures, including digital signatures, for the entirety of this transaction unless handwritten signatures are required by law.

Section 5. This Resolution shall take effect immediately upon its adoption.

Section 6. The Clerk of the Board shall certify to the passage and adoption of this resolution.

PASSED, APPROVED, and ADOPTED by the Board of the Valley County Water District at a regular meeting held on the 6th day of March in the year 2023.

Javier E. Vargas, President

ATTEST:

Jose L. Martinez, Secretary
(VCWD Seal)



October 28, 2021

George Guerrero
Advantage Real Estate
145758 Pipeline Ave Suite G
Chino Hills, CA 91709

RE: **Letter-of-Intent to Purchase**

Dear George:

Evergreen Devco, Inc. is interested in purchasing the above referneded property at the following terms and conditions:

- 1. BUYER:** Evergreen Devco, Inc.
- 2. SELLER:** Baldwin Park County Water District (Valley County Water District)
- 3. PROPERTY:** Approximately 0.85 acres (36,842 square feet) of improved land with an approximately 2,600 SF commercial office building located at 14521 Ramona Blvd, Baldwin Park, CA 91706, known as Assessor's Parcel Number 8437-004-959, as shown on the attached Exhibit "A".
- 4. EFFECTIVE DATE** Escrow shall be deemed opened on that date (the "Effective Date") when one (1) fully executed original of the Purchase & Sale Agreement is delivered to and accepted by the title and escrow company.
- 5. PURCHASE PRICE:** \$2,150,000
- 6. EARNEST MONEY:** \$30,000 due within three (3) business days of Effective Date ("First Deposit") to be increased by \$30,000 ("Second Deposit") upon waiver or expiration of Feasibility Period. The First Deposit shall become non-refundable thirty (30) days following the Effective Date.
- 7. SELLER'S INFORMATION:** On the Effective Date, Seller will deliver to Buyer copies (including electronic copies, if available) of all "Seller's Information Items" for which Seller has actual knowledge of and/or are in Seller's possession or control, including, but not limited to, the following items: (i) surveys, (ii) soils density reports, (iii) environmental reports, (iv) plans and specifications for improvements, (v) copies of all leases, lease amendments and option agreements, (vi) operating information [including operating budgets and general ledger reports], (vii) correspondence with the City and/or other governmental agencies, (viii) correspondence with tenants, and (ix) any third party contracts or agreements that encumber or affect the property in any manner.



8. STATUS OF DELIVERY OF PROPERTY TO BUYER:

Unless otherwise approved by Buyer in writing, Seller is obligated to deliver possession of Property to Buyer at Close of Escrow free and clear of all liens, leases, encumbrances, rights and conditions, either public or private and/or any other possessory interest(s) affecting the Property unless otherwise approved by Buyer in writing. Seller may not cause any additional title exceptions to be imposed against the Property without Buyer's express prior written consent. Buyer shall deliver the Property free of any environmental contamination.

9. CONTINGENCIES:

Buyer shall have one hundred fifty (150) days following the Effective Date (the "**Feasibility Period**") to conduct Buyer's due diligence and to complete a feasibility study for its proposed purchase of the Property, including evaluating the environmental condition of the Property and obtaining the entitlements and related governmental approvals for Buyer's proposed project. Buyer and its agents may enter the Property and undertake any and all necessary studies, tests and assessments as Buyer deems necessary to evaluate the condition of the Property. Buyer may extend the Feasibility Period by two (2) 30-day periods by making an additional \$5,000 non-refundable deposit to Escrow for each 30-day extension ("Extension Deposits"). The Extension Deposits shall be applicable to the Purchase Price.

10. CLOSE OF ESCROW:

Thirty (30) days following the expiration of Buyer's Contingencies.

11. ESCROW/TITLE:

An escrow will be established with Buyer's title company First American Title Insurance Company, 2425 E. Camelback Rd., Suite 300, Phoenix, AZ 85016, Alix Graham, upon the mutual execution of a purchase contract. Seller shall pay the cost of a standard coverage title policy, and Buyer shall pay the cost of extended coverage. Escrow fees shall be shared between the parties.

12. POSSESSION:

Possession will be delivered to Buyer upon the close of escrow with no tenancies or leases. Buyer acknowledges existing tenant. Buyer may enter the Property prior to the close of escrow to conduct such inspections and tests as Buyer deems necessary.

13. BROKERAGE:

Advantage Real Estate (George Guerrero) represents both Buyer and Seller in this transaction, and both parties consent thereto. Seller shall pay a commission to Advantage Real Estate at Close of Escrow pursuant to a separate agreement.

14. CONTRACT:

This non-binding letter-of-intent is subject to execution of a mutually acceptable purchase contract to be prepared by Buyer, and a binding



agreement does not exist until a formal purchase contract is executed by Buyer and Seller.

15. EXPIRATION: The terms and conditions outlined in this letter-of-intent to purchase shall be valid for fifteen (15) days from date of offer.


Should the terms of this letter of intent be acceptable, please sign in the space below and return one fully executed copy to my attention. Evergreen will be incurring significant expenses in reliance upon this letter, and execution by the parties hereto should be considered a mutual commitment to act in good faith to complete a formal purchase agreement incorporating the specific terms set forth above. I look forward to working with you on this transaction.

Yours very truly,

Lucas Nuttall

Lucas Nuttall
Acquisition Manager
Evergreen Devco, Inc.

AGREED AND ACCEPTED:

DocuSigned by:
SELLER: 
F13D9B9F079F4F9...

By: _____

Printed Name: Jose Martinez

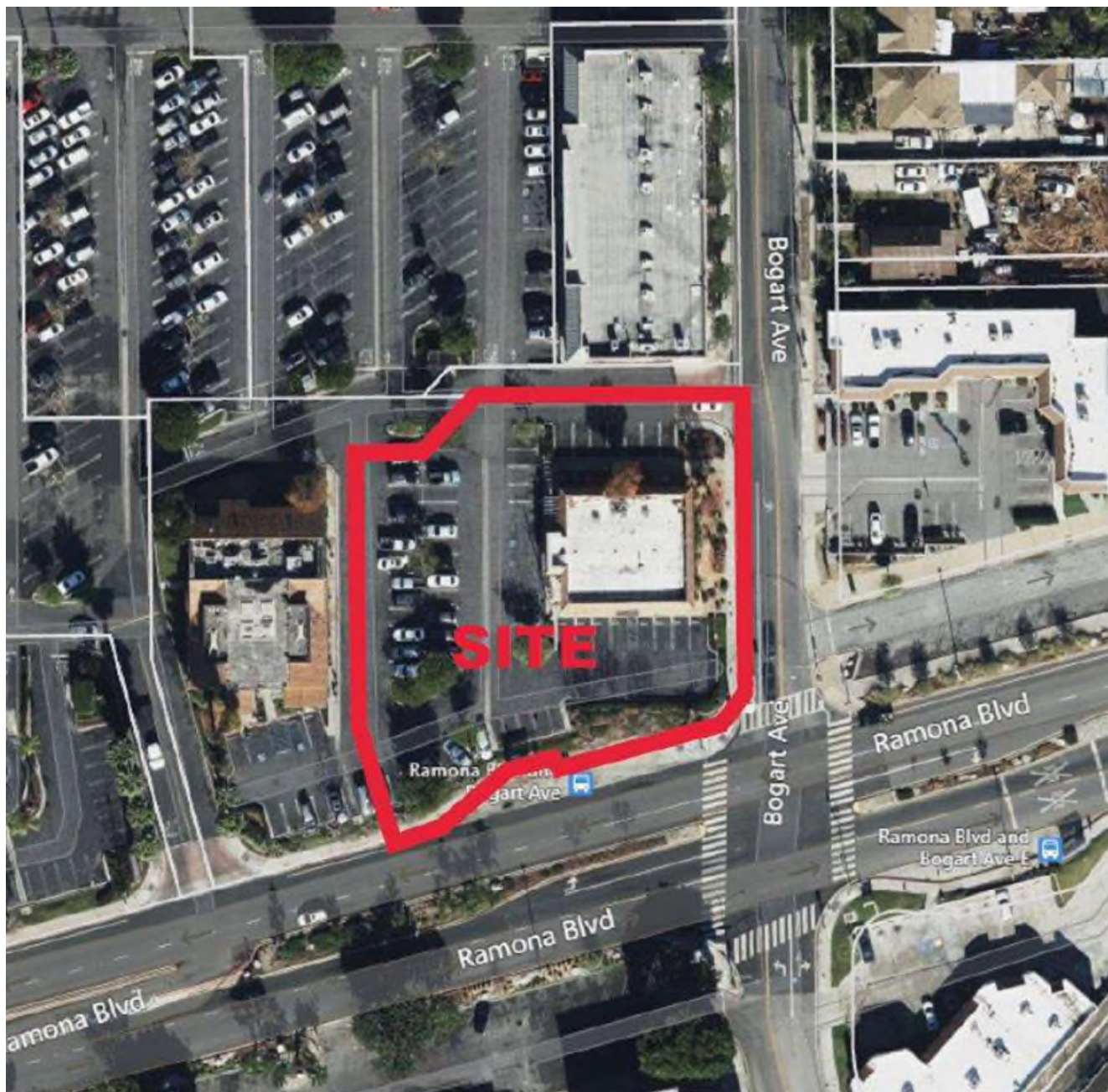
Its: _____

Date: 10/28/2021



EXHIBIT "A"

The Property





VALLEY COUNTY WATER DISTRICT
Special Meeting of the Board of Directors
Monday, March 6, 2023

AGENDA ITEM: **15** **ADJOURNMENT**

Adjourned in Memory of: _____

Meeting Adjourned At: _____