

TO: OVERSIGHT BOARD MEMBERS **DATE:** DECEMBER 14, 2016

FROM: COMMUNITY & ECONOMIC DEVELOPMENT **WARD:** 5
DEPARTMENT

SUBJECT: A RESOLUTION TO EXECUTE AN 18-MONTH RIGHT OF ENTRY AGREEMENT
WITH TILDEN-COIL CONSTRUCTORS, LLC FOR THE USE OF SUCCESSOR
AGENCY-OWNED VACANT LAND LOCATED AT 8717 INDIANA AVENUE IN
THE AMOUNT OF \$11,287.98 TO USE AS A CONSTRUCTION YARD

On October 11, 2012, the Oversight Board approved an amendment to the set guidelines for Right of Entry Agreement for Successor Agency-owned Properties.

The amended guidelines stipulate that right of entry agreements for vacant unimproved Successor Agency properties are to be assessed a minimum set fee of \$0.003 per square foot per day for businesses and no charge for non-profits for the first ten days and then \$0.003 per square foot per day for every day in excess of the initial ten days, with a maximum time of up to ninety (90) days.

The Successor Agency-owned parcel is approximately 0.16 acres and is zoned Commercial Retail (CR) with a General Plan designation of Commercial (C). Please reference the Property site depiction shown below.



DISCUSSION:

On October 2016, staff received a request from Tilden-Coil Constructors, LLC to utilize Successor Agency-owned vacant land located at 8717 Indiana Avenue, bearing Assessor Parcel Number 233-140-017, as a construction lay-down yard for 18-months (in conjunction with the adjacent Housing Authority-owned vacant land located at 8733 Indiana Avenue, bearing Assessor Parcel Number 233-140-016).

The construction lay-down yard is needed for Tilden-Coil's construction of the new Gordon and Jill Bourns College of Engineering facility at California Baptist University.

Applying the aforementioned assessment guidelines to the site, the assessment for the Successor Agency-owned property is \$11,287.98. However, in the event of an early termination of the Right of Entry Agreement, the Successor Agency shall return to Tilden-Coil Constructors, LLC the pro-rata portion of its advanced payment up to the date of termination.

Prepared by: Emilio Ramirez, Development Director
Approved as to form: Gary G. Geuss, Successor Agency General Counsel

Attachments:

1. Resolution
2. Right of Entry Agreement