



Item Number: 15

**City Council / Board of Directors**

**Written Communications**

**Meeting of: May 2, 2023**

**Submitted By:**

Keith C. Metzler, City Manager

**Subject:**

Real Property Donation Agreement

**Recommendation:**

That the Honorable Board of Directors:

- (1) Adopt Resolution VWD 23-005 accepting the donation of real property to the Victorville Water District ("District"); and
- (2) Authorize the General Manager to enter into a Real Property Donation Agreement with Sergio Carcelen.

**Fiscal Impact:**

There is no fiscal impact associated with this item.

**Strategic Plan Goal:**

This item aligns with Goal E, Invest in Infrastructure, as the acceptance of the donation would enhance the District's infrastructure investment and will provide for increased frontage for mobilization of equipment, material, tools, etc., needed for activities such as well repair or improvements.

**Background:**

On October 5, 2022, Mr. Sergio Carcelen contacted the Economic Development Department to inquire if the City would be interested in accepting a property owned by him as a donation. The Property, more specifically known as Assessor's Parcel Number 0478-144-01, is vacant land and is less than 4,999 square feet.

**Discussion:**

Economic Development staff inquired with District staff regarding said land donation and determined that such acquisition would be beneficial to the District as the Property is adjacent to an existing Victorville Water District owned property which houses a water well. District staff indicated that owning said Property would provide the District with

increased frontage and better access and mobilization for large equipment needed to perform activities such as water well rehabilitation.

In preparation for acceptance of the donated Property, a preliminary title report and environmental study were performed. These expenses, in the amount of \$2,612.50, were paid out of the approved Fiscal Year 2022-23 budgeted contract services account (4100030-52300).

The Phase 1 Environmental Site Assessment was prepared by All Phase Environmental, Inc. on November 9, 2022. The report revealed no recognized environmental conditions affecting the Property.

On November 30, 2022, a preliminary title report was performed by Commonwealth Land Title Company, which resulted in the discovery of a lien placed on the individual owner. This lien was subsequently removed by the San Bernardino County Treasurer-Tax Collector on February 13, 2023. As such, the Property's title is free from liens and other encumbrances. In addition, staff worked with legal counsel to prepare the attached Real Property Donation agreement.

Staff is seeking your Honorable Board of Directors approval to adopt Resolution No. VWD 23-005 accepting the donation of real property to the Victorville Water District and authorizing the General Manager to enter into a Real Property Donation Agreement with Mr. Sergio Carcelen.

Staff remains available for any questions or comments you may have.

**Attachments:**    A. Real Property Donation Agreement  
                              B. Resolution No. VWD 23-005  
                              C. Property Map