

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

187



FROM: Economic Development Agency and Animal Services

SUBMITTAL DATE:
May 22, 2006

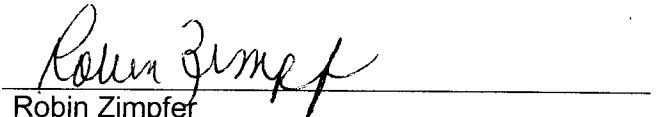
SUBJECT: Western Riverside County Animal Services Facility

RECOMMENDED MOTION: That the Board adopt Resolution No. 2006-227, declaring its intent to reimburse the Redevelopment Agency for expenditures made on the project and make the following findings:

- 1) The Western Riverside County Animal Services Facility is of primary benefit to the Jurupa Valley Redevelopment Project Area because the growth in animal population has rendered the current facility undersized and the Project will be utilized by residents within the Project Area; and
- 2) No other reasonable means of financing the Project are currently available to the community due to limited public funds which are unavailable to fund the Project; and
- 3) The improvements will assist in the elimination of physical blight within the Project Area by improving existing public facilities identified in the Jurupa Valley Redevelopment Implementation Plan.

BACKGROUND: (Continued on Page 2)


Robert Miller, Director
Department of Animal Services


Robin Zimpfer
Assistant County Executive Officer/EDA

RZ:JC:DL:TE:PB/em
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FINANCIAL DATA	Current F.Y. Total Cost:	\$ 1,599,194	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	05/06

COMPANION ITEM ON BOARD OF DIRECTORS AGENDA: Yes

SOURCE OF FUNDS: Jurupa Valley Redevelopment Capital Improvement Funds to be reimbursed with bonds issued by the County of Riverside Asset Leasing Corporation. (CORAL)	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: **APPROVE**

County Executive Office Signature



- Policy
- Consent

Dep't Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.: 8-9-05, 3.71

District: 2

Agenda Number:

Reviewed by
CIP TEAM

Departmental Concurrence

BACKGROUND: On August 9, 2005, the Board approved the relocation of the Western Riverside County Animal Shelter, on Wilderness Street, to a new location on the corner of Van Buren and Clay Street in the community of Jurupa. The Agency issued a Request for Qualifications (RFQ) for Architectural Design and Construction Management Services for the Animal Shelter facility. After an extensive review of the Statements of Qualifications submissions and a formal interview of the candidates, the Agency selected STK Architecture, Inc. based on their experience and qualifications with similar public facility projects. The attached Agreement provides \$1,599,194 for architectural, planning, engineering, and consulting services for the new facility.

The new facility will offer services including, but not limited to, spay and neuter clinics, low cost vaccines, physical exams, surgeries, microchip services, kennels, isolation and quarantine areas, public turn-in areas for unwanted or stray animals, adoption counseling and licensing, community outreach and education programs, a conference area for community meetings, educational sessions, pet training, pet art shows, and other community-animal oriented events. The new facility will also promote smoother operations, management, and accountability in a safe and user friendly environment with ample room for future growth.

The project will assist in the elimination of physical blighting conditions within the Jurupa Valley Redevelopment Project Area (the "Project Area"). The project will include landscape and hardscape features, construction of a state-of-the-art facility and will improve one of the primary gateways to the Jurupa Valley Community.

Funds for the services will initially be provided with redevelopment funds that will be reimbursed when bonds are issued by the County of Riverside Asset Leasing Corporation. (CORAL)

County Counsel has approved the attached Agreement, and staff recommends its approval.

A companion item appears on today's Board of Supervisors Agenda.

1 RESOLUTION No. 2006-227

2 A RESOLUTION OF THE
3 BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE
4 DECLARING ITS INTENT TO REIMBURSE
5 THE REDEVELOPMENT AGENCY FOR THE COUNTY OF RIVERSIDE
6 FOR EXPENDITURES ON THE DEVELOPMENT OF
7 THE WESTERN RIVERSIDE COUNTY ANIMAL SERVICES FACILITY
8 OBLIGATIONS TO BE ISSUED BY
9 THE COUNTY OF RIVERSIDE AND DIRECTING CERTAIN ACTIONS

10 **WHEREAS**, the Redevelopment Agency for the County of Riverside (the
11 "Agency") proposes to undertake development services for the Western Riverside
12 County Animal Shelter Facility (the "Facility"), on behalf of the County of Riverside
13 Animal Services Department;

14 **WHEREAS**, the intent of the County of Riverside (the "County"), is to issue (or
15 cause a non-profit Public Benefit Corporation to issue) debt to finance the costs of the
16 Facility on a permanent basis (the "Debt"), and to use a portion of the proceeds of such
17 debt to reimburse expenditures made by the Agency for the development of the Facility
18 prior to the issuance of the Debt;

19 **WHEREAS**, this Resolution is intended to be a "declaration of official intent", in
20 accordance with Treasury Regulations United States Income Tax Regulations section
21 1.150-2, which generally provides that proceeds of tax-exempt debt are not deemed to
22 be expended when such proceeds are used for reimbursement of expenditures made
23 prior to the date of issuance of such debt, unless certain procedures are followed, one
24 of which is a requirement that (with certain exceptions), prior to the payment of any such
25 expenditure, the issuer declares an intention to reimburse such expenditure;

26 **WHEREAS**, the Agency expects to expend funds (other than funds derived from
27 the issuance of bonds) on expenditures relating to the design of the Facility prior to the
28 issuance of the Debt, which expenditures will be properly chargeable to a capital
account under general federal income tax principles; and the Agency reasonably

1 expects the County to reimburse the Agency for such development cost expenditures
2 with the proceeds of the Debt;

3 **WHEREAS**, at the time of the reimbursement, the Agency will evidence the
4 reimbursement in a writing which identifies the allocation of the proceeds of the Debt to
5 the Agency, for the purpose of reimbursing the Agency for the development cost
6 expenditures made prior to the issuance of the Debt;

7 **WHEREAS**, the Agency reasonably expects the County to make the
8 reimbursement allocation no later than eighteen (18) months after the later of (i) the
9 date on which the earliest original expenditure for the Facility is paid or (ii) the date on
10 which such Facility is placed in service (or abandoned), but in no event later than three
11 (3) years after the date on which the earliest original expenditure for the Facility is paid;
12 and,

13 **WHEREAS**, it is in the public interest and for the public benefit that the County
14 declares its official intent to reimburse the expenditures referenced herein.

15
16 **NOW, THEREFORE, BE IT RESOLVED**, by the County of Riverside Board of
17 Supervisors, as follows:

18 1. The County intends to work cooperatively with the Agency to undertake
19 development services for the Western Riverside County Animal Services Facility, on
20 behalf of the County of Riverside Animal Services Department;

21 2. The County hereby declares it's intent to reimburse the Agency for (i)
22 costs associated with the development of the Facility prior to the date of issuance of the
23 Obligations and (ii) to use a portion of the proceeds of the Obligations for
24 reimbursement to the Agency for expenditures for the Facility that are paid before the
25 date of issuance of the Obligations.

26 3. The County understands that, pursuant to United States Income Tax
27 Regulations section 1.150-2(d), in order for a reimbursement from the Obligations for
28 the cost of a portion of the Facility to be deemed spent for federal income tax purposes,

1 such reimbursement needs to occur no later than 18 months after the later of (i) the
2 date such expenditure was paid, or (ii) the date the portion of the Facility for which such
3 expenditure was made is placed in service, but in no event may any such expenditure
4 being reimbursed be made more than three (3) years after such expenditure was paid.

5 The foregoing resolution was passed and adopted by the County of Riverside
6 Board of Supervisors at a regular meeting held on the ____ day of _____, 2006, by
7 the following vote:

8
9 YES:

10
11 NO:

12
13 ABSENT:

14
15 ABSTAIN:

16
17
18 **ATTEST:**

19
20 By: _____
21 Nancy Romero
22 Clerk of the Board of Supervisors

23 **Approved As To Form:**

24
25 By: Lee A. Simonson
26 County Counsel

27
28 s:\RDACOM\DIS2\Animal Services\Resolution 2006-227-Final