

365

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



FROM: Department of Facilities Management

SUBMITTAL DATE:
November 15, 2007

SUBJECT: Resolution No. 2007-501, Notice of Intention to Purchase Real Property in the City of Indio, California, and Resolution 2007-502, Intent to Reimburse the County of Riverside.

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve Resolution No. 2007-501, Notice of Intention to Purchase Real Property - located in the City of Indio, County of Riverside, Assessor's Parcel Number 608-080-032;
2. Approve Resolution No. 2007-502, A Resolution of the Board of Supervisors of the County of Riverside Declaring its Intent to Reimburse the County of Riverside for Expenditures on the Acquisition of the Subject Property, Obligations to be Issued by the County of Riverside and Directing Certain Actions;

(Cont'd)

Robert Field, Director
Department of Facilities Management

RF:VY:cm
11.309

FINANCIAL DATA	Current F.Y. Total Cost:	\$4,300,700	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ -0-	Budget Adjustment:	No
	Annual Net County Cost:	\$ -0-	For Fiscal Year:	07/08

SOURCE OF FUNDS: Palm Desert Redevelopment Pass-Through Funds	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY:
Jennifer V. Sargent

County Executive Office Signature

FORM-APPROVED COUNTY COUNSEL
BY: PAMELA J. WALLS
DATE: _____
Departmental Concurrence

Dept't Recomm.: Consent Policy

Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.:

District: 4

Agenda Number:

3.29

Department of Facilities Management

Resolution No. 2007-501, Notice of Intention to Purchase Real Property in the City of Indio, California, and Resolution 2007-502, Intent to Reimburse the County of Riverside.
November 15, 2007

Page 2

RECOMMENDED MOTION: (Continued)

3. Authorize the Department of Facilities Management to negotiate the purchase of the subject property from Indio Homes 130, L.P., a California Limited Partnership, for price not to exceed \$4,225,000;
4. Authorize the Department of Facilities Management to incur typical due diligence and transaction costs not to exceed \$75,700; and
5. Authorize the Executive Office to transfer \$75,700 from the General Fund Capital Project Designation account to the Department of Facilities Management (10000-7200400000) to cover various expenditures associated with this transaction, including due diligence costs, transaction cost, and staff time, with any unused funds to be returned to the General Fund Capital Project Designation account.

BACKGROUND:

The Department of Facilities Management proposes that the County of Riverside purchase an 8.87 +/- acre site in the City of Indio. The vacant property is located at the southeast corner of Fred Waring Drive and Hoover Street. The site is contiguous to the recently purchased Monroe Park Building, which houses the Department of Public Social Services (DPSS), Economic Development Agency (EDA), Human Resources Department, and College of the Desert. This new vacant site will be used to relocate DPSS out of the existing Monroe Park Building and into an adjoining and new lease-construct facility. The site will serve to add needed public services in a newly created County campus complex that will serve the rapidly growing communities and population of the Coachella Valley.

Pursuant to the California Environmental Quality Act (CEQA) Article 5, Preliminary Review and Conduct of Initial Study, the Facilities Management Department has determined that an Initial Study is the appropriate level of documentation for the project. In accordance with CEQA Guidelines Section 15063, the Department will conduct an Initial Study to determine if the project may have a significant effect on the environment.

It is anticipated there will be no substantial evidence that the project or any of its aspects will cause the significant effect on the environment and that a (Mitigated) Negative Declaration will be prepared in conjunction with the Initial Study. The CEQA documentation and findings will be presented to the Board concurrent with the Authorization to Purchase.

(cont'd)

BACKGROUND: (continued)

County Counsel has reviewed and approved Resolution 2007-501, Notice of Intention to Purchase Real Property, and Resolution 2007-502, a Resolution of the Board of Supervisors of the County of Riverside Declaring its Intent to Reimburse the County of Riverside for Expenditures on the Acquisition of a 8.87 +/- acre Site in the City of Indio, County of Riverside, California, Obligations to be Issued by the County of Riverside and Directing Certain Actions, as to legal form.

FINANCIAL DATA:

The following summarizes the funding necessary to acquire Assessor's Parcel Number 608-080-032:

Purchase Price:	\$4,225,000
Estimated Title and Escrow Charges	\$ 15,500
Due Diligence Expense	\$ 35,000
Estimated Real Property Appraisal	\$ 6,000
DOFM Real Property Costs	<u>\$ 19,200</u>
Total Estimated Acquisition Costs:	\$4,300,700

2
3 Resolution No. 2007- 501
4 Notice of Intention to Purchase Real Property
5 In the City of Indio, County of Riverside, California
6 APN 608-080-032

7 BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of the
8 County of Riverside in regular session assembled on December 18, 2007, and NOTICE IS
9 HEREBY GIVEN, pursuant to Section 25350 of the Government Code, that this Board at its
10 public meeting on January 15, 2008, at 9:00 a.m., in the meeting room of the Board of
11 Supervisors located on the 1st floor of the County Administrative Center, 4080 Lemon Street,
12 Riverside, California, intends to authorize a transaction in which the County of Riverside will
13 purchase certain real property from Indio Homes 130 LP, a California limited partnership,
14 located in the City of Indio, County of Riverside, State of California, identified by Riverside
15 County Assessor's Parcel Number 608-080-032, more particularly described in Exhibit "A",
16 attached hereto and thereby made a part hereof, consisting of one separate, legal lot of 8.87
17 acres at a purchase price not-to-exceed four million two hundred twenty-five thousand dollars
18 (\$4,225,000), plus miscellaneous escrow closing costs in the approximate amount of fifteen
19 thousand five hundred dollars (\$15,500).

20 BE IT FURTHER RESOLVED AND DETERMINED that the Department of Facilities
21 Management is to expend approximately sixty thousand two hundred dollars (\$60,200) to
22 complete due diligence on the property, consisting of a preliminary title report, appraisal costs,
23 a hazardous materials survey and miscellaneous other studies as deemed necessary.

24 BE IT FURTHER RESOLVED AND DETERMINED that the Clerk of the Board of
25 Supervisors is directed to give notice hereof as provided in Section 6063 of the Government
Code.

BE IT FURTHER RESOLVED AND DETERMINED that the Director of the Department
of Facilities Management, or his designee, is authorized to execute the necessary documents
to complete this purchase of real property.

///
///

FORM APPROVED COUNTY COUNSEL
BY: *[Signature]* DATE 12/7/07
JOE S. RANK

1 which expenditures will be properly chargeable to a capital account under general federal
2 income tax principles; and the County reasonably expects to be reimbursed for such
3 development cost expenditures with the proceeds of the Debt;

4 **WHEREAS**, at the time of the reimbursement, the County will evidence the
5 reimbursement in a writing which identifies the allocation of the proceeds of the Debt to the
6 County, for the purpose of reimbursing the County for the acquisition purchase price, title and
7 escrow fees, staff expense, due diligence and pre-design cost expenditures made prior to the
8 issuance of debt;

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

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

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

18 1. The County will undertake acquisition services for a 8.87 acre site in the City of
19 Indio in the County of Riverside on behalf of the County.

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

24 3. The County understands that, pursuant to United States Income Tax
25 Regulations section 1.150-2(d), in order for a reimbursement from Obligations for the cost of a
portion of the Facility to be deemed spent for federal income tax purposes, such reimbursement
needs to occur no later than eighteen (18) months after the later of (i) the date such
expenditure was paid, or (ii) the date the portion of the Facility for which such expenditure was
made is placed in service, but in no event may any such expenditure being reimbursed be
made more than three (3) years after such expenditure was paid.

1 The foregoing resolution was passed and adopted by the Board of Supervisors for the
2 County of Riverside at a regular meeting held on the ____ day of _____, 2007, by the
3 following vote:

4 YES:

6 NO:

9 ABSENT:

11 ABSTAIN:

13 **ATTEST:**

14 Nancy Romero
15 Clerk of the Board of Supervisors

16 By: _____
17 Deputy

18 **APPROVED AS TO FORM:**

19 Joe S. Rank
20 County Counsel

21 By: 
22 Deputy

23 VY:pa
24 12/07/07
25 133FM24
11.308

EXHIBIT A - 608-080-032



Selected parcel(s):
608-080-032

LEGEND

- SELECTED PARCEL
- PARCELS
- INDIO
- CIRCULATION ELEMENT
ULTIMATE RIGHT-OF-WAY
(APPROX)
- PARKS,
NATIONAL FORESTS,
NATIONAL MONUMENTS

IMPORTANT

This information is made available through the Riverside County Geographic Information System. The information is for reference purposes only. It is intended to be used as base level information only and is not intended to replace any recorded documents or other public records. Contact appropriate County Department or Agency if necessary. Reference to recorded documents and public records may be necessary and is advisable.

REPORT PRINTED ON... Mon Nov 05 14:07:56 2007