



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

**FROM:** Department of Facilities Management

**SUBMITTAL DATE:**  
December 17, 2007

**SUBJECT:** Resolution No. 2008-017, Notice of Intention to Purchase Real Property in the Unincorporated Eastvale Area of the County of Riverside and Resolution No. 2008-018, Intent to Reimburse the County of Riverside

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve Resolution No. 2008-017, Notice of Intention to Purchase Real Property located in the unincorporated Eastvale area of the County of Riverside, Assessor's Parcel Number 152-050-004;
2. Approve Resolution No. 2008-018, 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 0.58 acre parcel of land (Assessor's Parcel Number 152-050-004) in the unincorporated Eastvale area, County of Riverside, California, Obligations to be issued by the County of Riverside, and Directing Certain Actions;  
(Cont'd)

Robert Field, Director  
Department of Facilities Management

RF:SV:cm  
11.356

<b>FINANCIAL DATA</b>	<b>Current F.Y. Total Cost:</b>	\$599,000	<b>In Current Year Budget:</b>	Yes
	<b>Current F.Y. Net County Cost:</b>	\$ -0-	<b>Budget Adjustment:</b>	No
	<b>Annual Net County Cost:</b>	\$ -0-	<b>For Fiscal Year:</b>	07/08

<b>SOURCE OF FUNDS:</b> Development Impact Fees (30526)	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

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

BY: Jennifer L. Sargent

**County Executive Office Signature**

Reviewed by  
CIP TEAM  
Christopher Hans

FORM APPROVED COUNTY COUNSEL  
BY: Cynthia M. Gunzel 12-24-07  
DATE

Departmental Concurrence

Policy

Consent

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

**RECOMMENDED MOTION:** (Continued)

3. Authorize the Department of Facilities Management to negotiate the purchase of the subject property from Chien-Ru Liu and Mei-Wei Yen Liu for a price not-to-exceed \$556,000;
4. Authorize the Department of Facilities Management to incur typical due diligence and transaction costs not-to-exceed \$43,000;
5. Authorize the Executive Office to transfer \$43,000 from the General Fund Capital Project Designation account to the Department of Facilities Management (10000-7200400000) to cover various expenditures associated with this land acquisition 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;
6. Authorize the use of up to \$599,000 of Development Impact Fee Eastvale Area Plan (AP5) Community Center/Park Facilities Fund for costs associated with the purchase of APN 152-050-004; and,
7. Direct the Executive Office to transfer up to \$599,000 from Development Impact Fee Eastvale Area Plan (AP5) Community Center/Park Facilities Fund 30526 to Facilities Management as needed, pursuant to contracts and billings received for the purchase of APN 152-050-004.

**BACKGROUND:**

The Department of Facilities Management proposes that the County of Riverside purchase a 0.58+/- acre site in the unincorporated community of Eastvale. The property is located on the west side of Hamner Avenue, two parcels south of Schleisman Road, and is referred to as Assessor's Parcel No. 152-050-004. The site is one of three contiguous parcels that are being purchased to facilitate a plan to develop a coordinated campus consisting of a community center, child care center, and fire station, which will provide much needed public services to the rapidly growing unincorporated community of Eastvale.

Pursuant to the California Environmental Quality Act (CEQA), Article 5, Preliminary Review and Conduct of Initial Study, Facilities Management has determined that an Initial Study is the appropriate level of documentation for the Notice of Intent to Purchase. 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

Department of Facilities Management  
Resolution No. 2008-017, Notice of Intention to Purchase Real Property in the  
Unincorporated Eastvale Area of the County of Riverside and Resolution No. 2008-018,  
Intent to Reimburse the County of Riverside  
December 17, 2007  
Page 3

**BACKGROUND** (Continued):

environment. The CEQA documentation and the findings will be presented to the Board concurrent with the Authorization to Purchase.

County Counsel has reviewed and approved Resolution 2008-017, Notice of Intention to Purchase Real Property and Resolution No. 2008-018, a Resolution of the Board of Supervisors of the County of Riverside Declaring it's Intent to Reimburse the County of Riverside for Expenditures on the Acquisition of a 0.58 +/- acre site in the unincorporated Eastvale area of the 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 152-050-004:

Purchase Price:	\$556,000
Estimated Title and Escrow Charges	\$ 3,000
Due Diligence Expense	\$ 25,000
DOFM Real Property Costs	\$ 8,000
Estimated Appraisal Costs	\$ <u>7,000</u>
Total Estimated Acquisition Costs:	\$599,000

2  
3 Resolution No. 2008-017  
4 Notice of Intention to Purchase Real Property  
5 Unincorporated Eastvale Area of Riverside County, California  
6 0.58 Acres of Assessor's Parcel Number 152-050-004

7 **BE IT RESOLVED, DETERMINED AND ORDERED** by the Board of Supervisors of the  
8 County of Riverside, in regular session assembled on January 15, 2008, **NOTICE IS HEREBY**  
9 **GIVEN**, pursuant to Section 25350 of the Government Code, that this Board at its public  
10 meeting on February 26, 2008, at 9:00 a.m. in the meeting room of the Board of Supervisors  
11 located on the 1<sup>st</sup> floor of the County Administrative Center, 4080 Lemon Street, Riverside,  
12 California, intends to authorize a transaction in which the County of Riverside will purchase  
13 certain real property located on the west side of Hamner Avenue, two (2) parcels south of  
14 Schleisman Road, in the unincorporated Eastvale area of Riverside County, State of California,  
15 identified by Riverside County Assessor's Parcel Number 152-050-004, more particularly  
16 described in Exhibits "A" and "B" attached hereto and thereby made a part hereof, consisting of  
17 one separate, legal lot of 0.58 acres at a purchase price not to exceed Five Hundred Fifty-Six  
18 Thousand Dollars (\$556,000), plus miscellaneous escrow closing costs in the approximate  
19 amount of Three Thousand Dollars (\$3,000) from Chien-Ru Liu and Mei-Wei Yen Liu (Seller).  
20 The purchase of the 0.58 acre site will play a vital role in facilitating the county's plans to  
21 develop the property into a coordinated campus supporting a community center, county fire  
22 station and possible future road improvements. The site will serve to add needed public  
23 services in a rapidly growing community and population of the unincorporated community of  
24 Eastvale (City of Norco sphere of influence).

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1           **BE IT FURTHER RESOLVED AND DETERMINED** that the Department of Facilities  
2 Management is to expend Forty-Three Thousand Dollars (\$43,000) to complete due diligence  
3 on the property, consisting of a preliminary title report, appraisal costs, a hazardous  
4 materials survey and miscellaneous other studies as deemed necessary.

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

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

11 ///  
12 ///  
13 ///

SV:cm  
12/17/07  
030EO  
11.354

FORM APPROVED COUNTY COUNSEL  
BY: *Synthia M. Gunzel* 12-26-07  
SYNTHIA M. GUNZEL DATE

## **EXHIBIT "A"**

All that certain real property situated in the County of Riverside, State of California, described as follows:

**Parcel 1:**

The Southerly 100 feet of the Northerly 330 feet of Lot 52 of Kingston Tract, in the County of Riverside, State of California, as shown by map on file in Book 12, Page 6 of Maps, San Bernardino County Records.

Except the Westerly 376 feet.

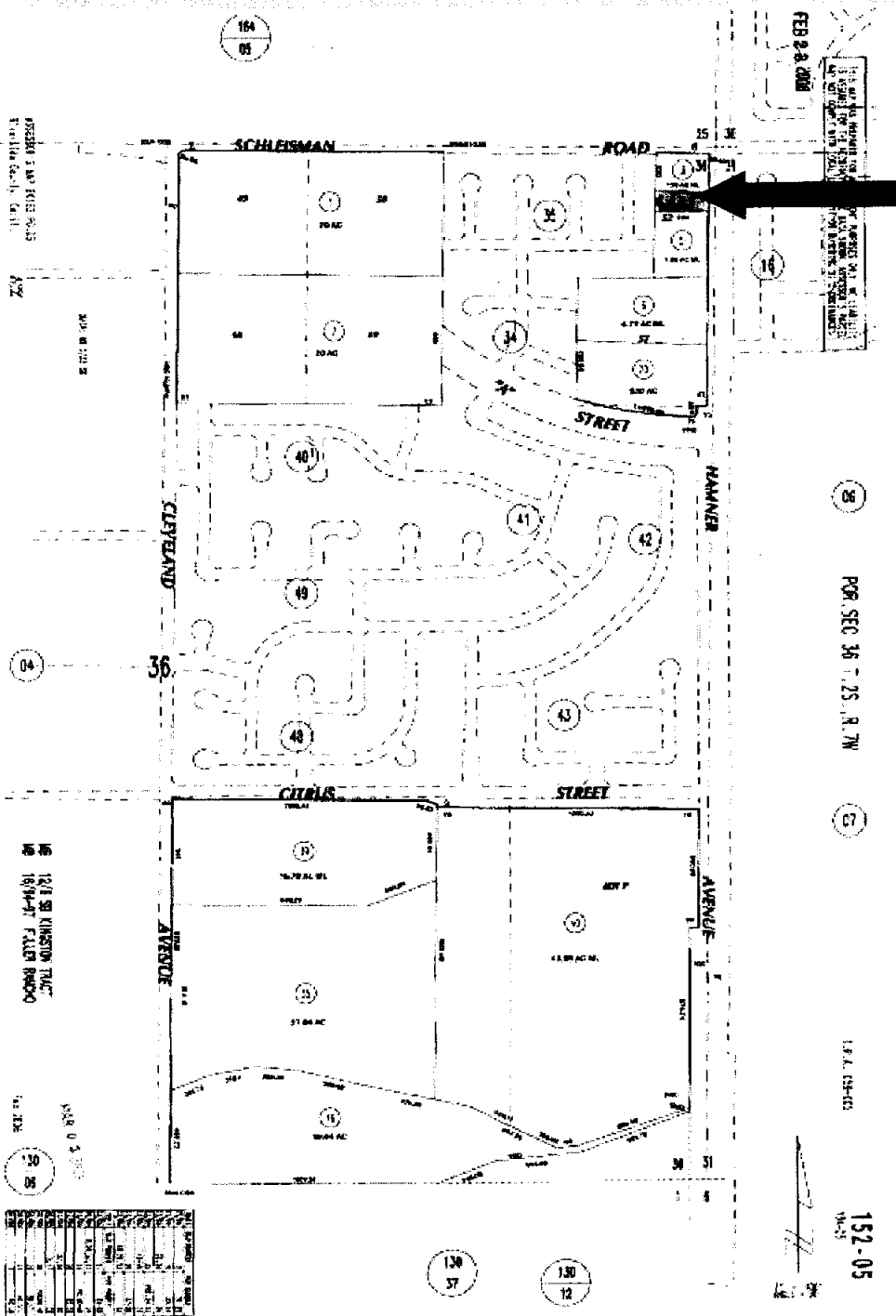
**Parcel 2:**

An easement over the Westerly 40 feet of the Southerly 530 feet of the following described property:

Lot 52 of Kingston Tract, in the County of Riverside, State of California, as shown by map on file in Book 12, Page 6, San Bernardino County Records.

Except the Westerly rectangular 376 feet thereof, for the purposes of access to water well contained within said easement, with the right to extract and use water, repair and maintain said well, and lay pipe lines and transport water to the above described property.

# EXHIBIT "B"



2  
3 Resolution No. 2008-018  
4 A Resolution of the Board of Supervisors of Riverside County  
5 Declaring Its Intent to Reimburse The County of Riverside  
6 For Expenditures on the Acquisition of a  
7 0.58 Acre Site (Assessor's Parcel Number 152-050-004) in the Unincorporated  
8 Eastvale Area of the County of Riverside, California  
9 Obligations to Be Issued by  
10 The County of Riverside and Directing Certain Actions  
11

12 **WHEREAS**, the County of Riverside (the "County") proposes to undertake acquisition  
13 services for the purchase of a 0.58 acre site located on the west side of Hamner Avenue, two  
14 (2) parcels south of Schleisman Road, in the unincorporated Eastvale area of the County of  
15 Riverside, California (Assessor's Parcel No. 152-050-004), on behalf of the County of  
16 Riverside;

17 **WHEREAS**, the intent of the County is to issue (or cause a non-profit Public Benefit  
18 Corporation to issue) debt to finance the costs of the acquisition purchase price, title and  
19 escrow fees, staff expense, due diligence and pre-design of the facilities on a permanent basis  
20 (the "Debt"), and to use a portion of the proceeds of such debt to reimburse expenditures  
21 made by the County for the acquisition purchase price, title and escrow fees, staff expense,  
22 due diligence and pre-design of the facilities prior to the issuance of the Debt;

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

1           **WHEREAS**, the County expects to expend funds (other than funds derived from the  
2 issuance of bonds) on expenditures relating to acquisition purchase price, title and escrow  
3 fees, staff expense, due diligence and pre-design of the facilities prior to the issuance of Debt  
4 which expenditures will be properly chargeable to a capital account under general federal  
5 income tax principles; and the County reasonably expects to be reimbursed for such  
6 development cost expenditures with the proceeds of the Debt;

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

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

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

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

- 21           1.       The County will undertake acquisition services for a 0.58 acre site in the  
22 unincorporated Eastvale area in the County of Riverside on behalf of the County of Riverside.
- 23           2.       The County hereby declares its intent to reimburse itself for (i) costs associated  
24 with the development of the facility prior to the date of issuance of the Obligations and (ii) to  
25 use a portion of the proceeds of the Obligations for reimbursement to the County for

1 expenditures for the Facility that are paid before the date of issuance of the Obligations.

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

9     ///  
10    ///  
11    ///

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 15th day of January, 2008, by the  
3 following vote:

4 YES:

6 NO:

8 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: Synthia M. Gunzel  
22 Cynthia M. Gunzel  
23 Deputy County Counsel

24 SV:cm  
25 12/17/07  
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