

Reviewed by  
*CP/TEAM*  
Christopher Hans

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



**FROM:** Department of Facilities Management

**SUBMITTAL DATE:**  
June 23, 2008

**SUBJECT:** Resolution No. 2008-087, Notice of Intention to Purchase Real Property in the City of Banning, California

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

1. Approve Resolution No. 2008-087, Notice of Intention to Purchase Real Property, located in the City of Banning, County of Riverside, Assessor's Parcel Number 543-120-004;
2. Authorize the Department of Facilities Management to negotiate the purchase of the subject property, Assessor's Parcel Number 543-120-004, at a price not-to-exceed \$285,000;
3. Authorize the Department of Facilities Management to incur typical due diligence and transaction costs not-to-exceed \$41,880; and

Lisa Brandl for:

(Continued)

*Lisa Brandl for*

Robert Field, Director  
Department of Facilities Management

<b>FINANCIAL DATA</b>	<b>Current F.Y. Total Cost:</b>	\$ 326,880	<b>In Current Year Budget:</b>	N/A
	<b>Current F.Y. Net County Cost:</b>	\$ 326,880	<b>Budget Adjustment:</b>	N/A
	<b>Annual Net County Cost:</b>	\$ -0-	<b>For Fiscal Year:</b>	08/09

<b>SOURCE OF FUNDS:</b> General Fund Designation (Previously approved budget)	<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*  
Jennifer L. Sargent

**County Executive Office Signature**

Policy  
 Policy

Consent  
 Consent

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

Prev. Agn. Ref.: 2.0 6/19/06, 3.20, 2/5/08 | District: 5 | Agenda Number:

3.39

FORM APPROVED COUNTY COUNSEL  
BY: *Synthia M. Gunzel* DATE: *6-23-08*  
SYNTHIA M. GUNZEL

**RECOMMENDED MOTION:** (Continued)

4. Authorize the Executive Office to transfer \$326,880 from the General Fund Designation to the Department of Facilities Management 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 CIP General Fund Designation account.

**BACKGROUND:** On June 19, 2006, the Board of Supervisors received a report regarding the need to increase the capacity of the county's jail system. The report recommended adding 400 to 600 beds to the Larry Smith Correctional Facility. In response the Department of Facilities Management (DOFM) has had a 582 bed expansion designed and bid; the construction contract was recently awarded and the project is underway.

Accomplishing the increase in bed capacity necessitated the purchase of additional property to provide for increased parking capacity and to create a buffer zone between the facility and the adjacent neighborhood.

The purchase of the property and subsequent development is exempt from the provisions of CEQA since it does not involve any significant changes to the environment. Pursuant to CEQA Guidelines, Section 15301, Class 1 and Section 15311, Class 11, a Notice of Exemption was filed with the county clerk on January 15, 2008 and removed by the county clerk on February 16, 2008, finalizing the 30-day period.

County Counsel has reviewed and approved Resolution 2008-087, Notice of Intention to Purchase Real Property of a 1,838 square foot, single family home located at 1540 S. Hargrave Street City of Banning, County of Riverside, California. Obligations to be issued by the County of Riverside and Directing Certain Actions, as to legal form.

While Facilities Management will cover the cost for acquisition services at the time of this property transaction, the General Fund Designation will reimburse Facilities Management for these costs.

**FINANCIAL DATA:** The following summarizes the funding necessary to acquire Assessor's Parcel Number 543-120-004:

Purchase Price:	\$ 285,000
Estimated Title and Escrow Charges	\$ 4,000
Due Diligence Expense	\$ 2,380
Estimated Real Property Appraisal	\$ 4,000
Acquisition Consultant Costs	\$ 3,500
Demolition Expense	\$ 25,000
DOFM Real Property Costs	\$ 3,000
Total Estimated Acquisition Costs:	\$ 326,880

Any necessary budget adjustments will be brought forward under separate cover seeking authorization to purchase the related real property.

The project budget for the Larry D. Smith Correctional Facility Expansion No. 3 Project will be used to fund this acquisition. The Department of Facilities Management will make every effort to incorporate this acquisition into the overall general fund designation. The Department of Facilities Management will work collectively with the Executive Office to ensure appropriate funding is available.

All costs associated with this property acquisition are fully funded through the General Fund Designation for FY 08/09. No costs are anticipated to be incurred in FY 2007/08. Facilities Management will return to the Board under separate cover for any necessary budget adjustments associated with this transaction for FY 2008/09. Thus, no additional net county costs will be incurred as a result of this transaction.

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3 Resolution No. 2008-087  
4 Notice of Intention to Purchase Real Property  
5 In the City of Banning, County of Riverside, California  
6 Assessor's Parcel Number: 543-120-004

7 BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of the  
8 County of Riverside, in regular session assembled on July 1, 2008, and NOTICE IS HEREBY  
9 GIVEN, pursuant to Section 25350 of the Government Code, that this Board at its public  
10 meeting on July 29, 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 from Nora Covell, certain real property located in the City of Banning, County of Riverside,  
14 State of California, identified by Riverside County Assessor's Parcel Number 543-120-004,  
15 more particularly described in Exhibit "A", attached hereto and thereby made a part hereof,  
16 consisting of one 1,838 square foot, single family home at a purchase price not-to-exceed Two  
17 Hundred and Eighty Five Thousand Dollars (\$285,000), plus miscellaneous escrow and  
18 closing costs in the approximate amount of Four Thousand Dollars (\$4,000).

19 BE IT FURTHER RESOLVED AND DETERMINED that the Department of Facilities  
20 Management is to expend approximately Thirty Seven Thousand Eight Hundred and Eighty  
21 Dollars (\$37,880) to complete due diligence on the property, consultant acquisition cost, a  
22 preliminary title report, appraisal costs, a hazardous materials survey and miscellaneous other  
23 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.

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

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7 CE:jw  
8 05/20/08  
9 027EO  
10 11.860

11 FORM APPROVED COUNTY COUNSEL

12 BY:

13 *Synthia M. Gunzel*  
14 *6-23-08*  
15 DATE

16 SYNTHIA M. GUNZEL  
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# EXHIBIT "A"

## LEGAL DESCRIPTION

The land referred to herein is situated in the State of California, County of Riverside, described as follows:

That portion of the westerly half of Lot 85, as shown by map of Banning Land and Water Company Lands, in the City of Banning, County of Riverside, State of California, as shown on a map recorded in book 2, page(s) 34 of maps, in the office of the county recorder of said County, more particularly described as follows:

Beginning at the southwest corner of said lot 85; thence north along the westerly boundary of said lot, a distance of 132 feet for a point of beginning; thence continuing north along the westerly boundary of said lot, a distance of 132 feet, thence south  $89^{\circ} 57'$  east, 330.44 feet to a point on the easterly line of the west half of said lot 85; thence south  $0^{\circ} 26'$  east, 132 feet; thence north  $89^{\circ} 57'$  west, a distance of 330.47 feet to the true point of beginning.

Excepting therefrom the westerly 25 feet thereof included in Hargrave Street.

End of Legal Description