

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

533



FROM: Department of Facilities Management

SUBMITTAL DATE:
November 19, 2008

SUBJECT: Resolution No. 2008-498, Notice of Intention to Purchase Real Property in the City of Banning, California

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve Resolution No. 2008-498, Notice of Intention to Purchase Real Property, located in the City of Banning, County of Riverside, Assessor's Parcel Number 543-140-004;
2. Authorize the Department of Facilities Management to negotiate the purchase of the subject property, Assessor's Parcel Number 543-140-004, at a price not-to-exceed \$287,500;
3. Authorize the Department of Facilities Management to incur typical due diligence and transaction costs not-to-exceed \$13,500; and


(Continued)


 Robert Field, Director
 Department of Facilities Management

FINANCIAL DATA	Current F.Y. Total Cost:	\$301,000	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$301,000	Budget Adjustment:	No
	Annual Net County Cost:	\$ -0-	For Fiscal Year:	08/09

SOURCE OF FUNDS: General Fund Designation (Previously approved budget)	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

BY: 
 Jennifer L. Sargent

County Executive Office Signature

Reviewed by
 Christopher Hans
 COUNCIL TEAM
 FORM APPROVED COUNTY COUNSEL
 BY: 
 SYNTHIA M. GUNZEL
 DATE: 11-3-08
 Departmental Concurrence

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

RECOMMENDED MOTION: (Continued)

4. Authorize the Executive Office to transfer \$13,500 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 November 12, 2008 and removed by the county clerk on December 11, 2008, finalizing the 30-day period.

County Counsel has reviewed and approved Resolution 2008-498, Notice of Intention to Purchase Real Property of a 1,232 square foot, single family home located at 530 Wesley 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 DOFM will cover the cost for acquisition services at the time of this property transaction, the General Fund Designation will reimburse DOFM for these costs.

FINANCIAL DATA:

The following summarizes the funding necessary to acquire Assessor's Parcel Number 543-140-004:

Purchase Price:	\$ 287,500
Estimated Title and Escrow Charges	\$ 4,000
Due Diligence Expense	\$ 2,500
Estimated Real Property Appraisal	\$ 4,000
DOFM Real Property Costs	<u>\$ 3,000</u>
Total Estimated Acquisition Costs:	\$ 301,000

The project budget for the Larry D. Smith Correctional Facility Expansion No. 3 Project will be used to fund this acquisition. DOFM will make every effort to incorporate this acquisition into the overall general fund designation. DOFM 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. 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. 2008-498
4 Notice of intention to Purchase Real Property
5 In the City of Banning
6 Assessor's Parcel Number 543-140-004

7 BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of the
8 County of Riverside in regular session assembled on December 16, 2008 and NOTICE IS
9 HEREBY GIVEN, pursuant to Section 25350 of the Government Code, that this Board at its
10 public meeting on January 13, 2009 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 John C. McQuown and Susan E. McQuown, Trustee
14 McQuown Family Revocable Living Trust UA dated September 8, 1993, located at 530 Wesley
15 Street in the City of Banning, County of Riverside, State of California, identified by Riverside
16 County Assessor's Parcel Number 543-140-004 more particularly described in Exhibit "A"
17 attached hereto and thereby made a part hereof, consisting of a 1,232 square foot single
18 family residence on a 1.59 +/- acre site at a purchase price not-to-exceed Two Hundred Eighty
19 Seven Thousand, Five Hundred Dollars (\$287,500), plus miscellaneous escrow closing costs
20 and preliminary title report, in the approximate amount of Four Thousand Dollars (\$4,000).

21 BE IT FURTHER RESOLVED AND DETERMINED that the Department of Facilities
22 Management is to expend a not-to-exceed amount of Nine Thousand Five Hundred
23 Dollars (\$9,500) in General Fund Capital Project Designation account, to complete due
24 diligence on the property, consisting of a preliminary title report, appraisal costs, a hazardous
25 materials survey, DOFM staff time, and miscellaneous other studies as may be deemed
26 necessary. Any unused funds will be retained by the General Fund Capital Project
27 Designation Account.

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BE IT FURTHER RESOLVED AND DETERMINED that the Clerk of the Board of 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.

BP:ra
11/19/08
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12.335

FORM APPROVED COUNTY COUNSEL
BY: Synthia M. Gunzel 12-3-08
SYNTHIA M. GUNZEL DATE

EXHIBIT "A"

LEGAL DESCRIPTION

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

THE EAST 110 FEET OF THE WEST 220 FEET OF THE EAST HALF OF BLOCK 83 OF BANNING COLONY LANDS, AS SHOWN BY MAP ON FILE IN BOOK 3, PAGE 149, OF MAPS, RECORDS OF SAN DIEGO COUNTY, CALIFORNIA; THE EASTERLY AND WESTERLY LINES THEREOF BEING PARALLEL WITH THE WEST LINE OF THE EAST ½ OF SAID BLOCK 83.

(End of Legal Description)