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

FROM: Economic Development Agency

SUBMITTAL DATE:
May 7, 2009

SUBJECT: Resolution No. 2009-142, Authorization to Purchase Real Property Interests in the City of Banning, California

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find the purchase of the real property interest as it relates to the Larry Smith Correctional Facility Project is exempt from CEQA pursuant to Section 15061 in that it does not involve any significant changes or effect to the environment;
2. Approve Resolution No. 2009-142, Authorization to Purchase Real Property Interests, located in the City of Banning, County of Riverside, Assessor's Parcel Number 543-140-006;

(Continued)

Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current F.Y. Total Cost:	\$13,500	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$13,500	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

County Executive Office Signature

Jennifer L. Sargent

Reviewed by
CCP TEAM

Christopher Hans

FORM APPROVED COUNTY COUNSEL
BY: Cynthia M. Gunzel 5-19-09
DATE: 5-19-09
SYNTHIA M. GUNZEL
Departmental Concurrence

Dept't Recomm.: Consent Policy

Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.: | District: 5 | Agenda Number:

3.15

RECOMMENDED MOTION: (Continued)

3. Approve the Acquisition Agreement, and authorize the Chairman to execute the documents necessary to complete the purchase;
4. Authorize and direct the Assistant County Executive Officer/EDA to certify acceptance of any documents running in favor of the County as part of this transaction; and
5. Authorize the Assistant County Executive Officer/EDA, or his designee, to execute any other documents and administer all actions necessary to complete this transaction.

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 Economic Development Agency (EDA) 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 the pipeline easements from private property owners to provide a new water pipeline to accommodate the Larry Smith Correctional Facility expansion.

The purchase of the property interest 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 15303, Class 3 and Section 15061, a Notice of Exemption was filed with the county clerk on April 20, 2009, and the Statute of Limitations will expire on May 25, 2009.

County Counsel has reviewed and approved Resolution No. 2009-142, Authorization to Purchase Real Property Interests consisting of a pipeline easement for the purpose of constructing, operating, inspecting, repairing, replacing and removing an underground water line that will service the correctional facility.

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

This Form 11 has been reviewed and approved by County Counsel as to legal form.

Economic Development Agency
Resolution No. 2009-142, Authorization to Purchase Real Property Interests in the City
of Banning, California
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FINANCIAL DATA:

The following summarizes the funding necessary to acquire Assessor's Parcel Number
543-140-006:

Purchase Price	\$ 2,500
Estimated Title and Escrow Charges	\$ 2,500
Real Property Appraisal	\$ 3,500
Estimated EDA Real Property Costs	<u>\$ 5,000</u>
Total Estimated Acquisition Costs:	\$ 13,500

The project budget for the Larry D. Smith Correctional Facility Expansion No. 3 Project will be used to fund this acquisition. EDA will make every effort to incorporate this acquisition into the overall general fund designation. EDA 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. EDA 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.

1 Board of Supervisors

County of Riverside

2 Resolution No. 2009-142
3 Authorization to Purchase Real Property Interests
4 in the City of Banning, County of Riverside, California
5 Assessor's Parcel Number: 543-140-006

6 BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of
7 County of Riverside, in regular session assembled on June 9, 2009, at 9:00 a.m. in the
8 meeting room of the Board of Supervisors located on the 1st floor of the County Administrative
9 Center, 4080 Lemon Street, Riverside, California, authorizes a transaction in which the County
10 of Riverside will purchase from Dominique L. O'Shia, a pipeline easement under real property,
11 located in the City of Banning, County of Riverside, State of California, identified by Riverside
12 County Assessor's Parcel Number 543-140-006, more particularly described in Exhibit "A",
13 attached hereto and thereby made a part hereof, consisting of a ten foot wide strip of land at a
14 purchase price of Two Thousand Five Hundred Dollars (\$2,500), plus miscellaneous escrow
15 and closing costs in the approximate amount of Two Thousand Five Hundred Dollars (\$2,500).

16 BE IT FURTHER RESOLVED AND DETERMINED that the Economic Development
17 Agency (EDA) is to expend approximately Eight Thousand Five Hundred Dollars
18 (\$8,500) to complete due diligence on the property, a preliminary title report, appraisal costs,
19 and miscellaneous other costs as deemed necessary.

20 BE IT FURTHER RESOLVED AND DETERMINED that the Chairman of the Board of
21 Supervisors of the County of Riverside is authorized to execute the documents to complete the
22 purchase.

23 BE IT FURTHER RESOLVED AND DETERMINED that the Assistant County Executive
24 Officer/ EDA , or his designee, is authorized to execute the necessary documents to complete
25 this purchase of real property.

FORM APPROVED COUNTY COUNSEL
BY: *Synthia M. Gunzel* 5-27-09
DATE
SYNTHIA M. GUNZEL

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