

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



ITEM
3.41
(ID # 3608)

MEETING DATE:

Tuesday, March 7, 2017

FROM : ECONOMIC DEVELOPMENT AGENCY (EDA):

SUBJECT: ECONOMIC DEVELOPMENT AGENCY (EDA): Resolution No. 2017-044,
Authorization to Convey Real Property and Improvements to the City of Indio,
District 4, CEQA Exempt [\$20] County Library Fund 100%

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that the conveyance of this property is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1, Existing Facilities Exemption; and Section 15061(b)(3), General Rule or "Common Sense" Exemption;
2. Adopt Resolution No. 2017-044, Authorization to Convey Real Property and Improvements to the City of Indio, located at 200 Civic Center Mall, in the City of Indio, County of Riverside, Assessor's Parcel Number 611-212-041;
3. Approve the Cooperative Agreement between the County of Riverside and the City of Indio and authorize the Chairman of the Board to execute the Agreement on behalf of the County;

ACTION: Policy, 4/5 Vote

Robert Field, Assistant County Executive Officer/EDA 2/22/2017

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Washington and Ashley
Nays: None
Absent: None
Date: March 7, 2017
xc: EDA, Recorder

Kecia Harper-Ihem
Clerk of the Board

By:
Deputy

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

RECOMMENDED MOTION: That the Board of Supervisors:

4. Approve the Lease Agreement and Memorandum of Lease between the County of Riverside and the City of Indio and authorize the Chairman of the Board to execute the Agreement on behalf of the County;
5. Authorize the Chairman of the Board of Supervisors to execute the Grant Deed to complete the conveyance of real property and this transaction;
6. Authorize the Assistant County Executive Officer of the Economic Development Agency, or his designee, to execute any other documents and administer all actions necessary to complete or memorialize this transaction; and
7. Direct the Clerk of the Board to submit the Notice of Exemption to the County Clerk for posting within five days of approval of this project.

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 1	\$1	\$ 20	\$ 0
NET COUNTY COST	\$ 0	\$0	\$0	\$ 0
SOURCE OF FUNDS: 100% County Library Fund			Budget Adjustment:	No
			For Fiscal Year:	2016/17

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Pursuant to Government Code Section 25365, the County of Riverside (County) may transfer interests in real property, or any interest therein, belonging to the County to another public agency, upon the terms and conditions as are agreed upon and without complying with any other provisions of the Government Code, if the property or interest therein to be conveyed is not required for county use. On February 7, 2017, the Board adopted Resolution No. 2017-037, Notice of Intention to convey Real Property to the City of Indio (City) through a Cooperative Agreement (Agreement).

The County has been working in conjunction with the City to pursue a Cooperative Agreement for the conveyance of the existing McCandless Library (Library) to the City and for the eventual relocation and modernization of a new library in the City. The Agreement seeks to provide mutual benefits for both the City and the County. Specifically, the conveyance of the existing Library will allow for the City to eventually expand its Civic Center which is currently landlocked and in much need of renovation and expansion. The conveyance will also alleviate the County of the cost, risk and burden that comes with ownership of an older and inefficient facility.

This Agreement provides that the County convey the Library to the City for a dollar and then leaseback the facility for a dollar a year for twenty years or until such time as the City is

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prepared to relocate the Library into a new location to be owned and provided by the City. The County shall be liable for one half of all maintenance costs (up to a maximum of \$75,000 per year) during the first three years of the leaseback. Following the initial three years, the City would be liable for all maintenance costs.

If the City elects not to begin construction of a new library facility by the first day of the 18th year following the Commencement Date of the Lease, then the City shall agree to one of the following: a) Extend the Lease term an additional twenty years on mutually acceptable terms and conditions; or b) Locate a mutually acceptable site for the provision of library services in the City of Indio; or c) Transfer the obligation and provision of library services to the City of Indio in compliance with the provisions of Education Code Section 19100 et. seq., as the same may be amended from time to time.

If the City constructs a replacement library, the County would provide and pay up to six hundred thousand dollars for furniture, fixtures and equipment (FF&E) necessary in the provision of library services by the County as a tenant in the new Library.

This sale is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Class 1, Existing Facilities Exemption; and Section 15061(b)(3), General Rule or "Common Sense" Exemption.

Resolution 2017-044 has been approved as to form by County Counsel.

Impact on Residents and Businesses

The County and City share a public interest in providing the residents and families of this region with improved service. The provision of library services in a modernized facility and environment will benefit both resident and the businesses in and around the new library. At the same time the modernization and renovation of the Civic Center will enhance service for residents and businesses of both the City and County.

SUPPLEMENTAL

Additional Fiscal Information

There are potential County maintenance costs of up to \$225,000 (\$75,000 per year) within the first three years of the 20 year Lease Agreement, which will be paid through the County Library Fund. The actual amount of maintenance necessary in each year of the first three years is still unknown. Beyond the third year of the Lease Agreement, the City will provide and pay for all maintenance costs.

If the City elects to build a new Library to replace the current McCandless Library, then the County would provide and pay for up to \$600,000 for FF&E. In the event that the City does

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provide for development of a new Library, the County will then return to the Board to pursue an allocation of funding the FF&E.

Attachments:

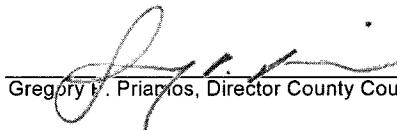
Resolution No 2017-044: Authorization to Convey Real Property and Improvements
Cooperative Agreement
Lease Agreement
Notice of Exemption
Aerial Image

RF:JWW:VC:VY:CE:tg 028EO 18.641 13494
Minute Traq #3608



Nehini Dasika, Principal Management Analyst

2/27/2017



Gregory V. Priamos, Director County Counsel

2/23/2017

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



ITEM
3.20
(ID # 3512)

MEETING DATE:

Tuesday, February 7, 2017

FROM : ECONOMIC DEVELOPMENT AGENCY (EDA):

SUBJECT: ECONOMIC DEVELOPMENT AGENCY (EDA): Resolution No. 2017-037, Notice of Intention to Convey Real Property and Improvements to the City of Indio, District 4 [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Resolution No. 2017-037, Notice of Intention to Convey Real Property and Improvements to the City of Indio, located at 200 Civic Center Mall, in the City of Indio, County of Riverside, Assessor's Parcel Number 611-212-041; and

2. Direct the Clerk of the Board to give notice pursuant to Government Code Section 6061.

ACTION: Policy

Robert Field, Assistant County Executive Officer/EDA 1/26/2017

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Tavaglione, seconded by Supervisor Jeffries and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and is set for public meeting on or after March 7, 2017 at 9:00 a.m. or as soon as possible thereafter.

Ayes: Jeffries, Tavaglione, Washington and Ashley
Nays: None
Absent: None
Date: February 7, 2017
xc: EDA, COB

Kecia Harper-Ihem
Clerk of the Board

By:
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$0	\$0	\$0	\$0
NET COUNTY COST	\$0	\$0	\$0	\$0
SOURCE OF FUNDS:			Budget Adjustment: No	
			For Fiscal Year: 2016/17	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Pursuant to Government Code Section 25365, the County of Riverside (County) may transfer interests in real property, or any interest therein, belonging to the County to another public agency, upon the terms and conditions as are agreed upon and without complying with any other provisions of the Government Code, if the property or interest therein to be conveyed is not required for county use.

The County of Riverside (County) has been working in conjunction with the City of Indio (City) to pursue a Cooperative Agreement (Agreement) for the conveyance of the existing McCandless Library (Library) to the City and for the eventual relocation and modernization of a new library in the City. The Agreement seeks to provide mutual benefits for both the City and the County. Specifically, the conveyance of the existing Library will allow for the City to eventually expand its Civic Center which is currently landlocked and in much need of renovation and expansion. The conveyance will also alleviate the County of the cost, risk and burden that comes with ownership of an older and inefficient facility.

This Agreement provides that the County convey the Library to the City for a dollar and then leaseback the facility for a dollar a year for twenty years or until such time as the City is prepared to relocate the Library into a new location to be owned and provided by the City. The County shall be liable for one half of all maintenance costs (up to a maximum of \$75,000 per year) during the first three years of the leaseback. Following the initial three years, the City would be liable for all maintenance costs.

If the City elects not begin construction of a new library facility by the first day of the 18th year following the Commencement Date of the Lease, then the City shall agree to one of the following: a. Extend the Lease term an additional twenty years on mutually acceptable terms and conditions; or b. Locate a mutually acceptable site for the provision of library services in the City of Indio; or c. Transfer the obligation and provision of library services to the City of Indio in

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STATE OF CALIFORNIA**

compliance with the provisions of Education Code Section 19100 et. seq., as the same may be amended from time to time.

If the City constructs a replacement library, the County would provide and pay up to six hundred thousand (\$600,000) dollars for furniture, fixtures and equipment necessary in the provision of library services by the County as a tenant in the new Library.

Impact on Residents and Businesses

The County and City share a public interest in providing the residents and families of this region with improved service. The provision of library services in a modernized facility and environment will benefit both resident and the businesses in and around the new library. At the same time the modernization and renovation of the Civic Center will enhance service for residents and businesses of both the City and County.

Resolution 2017-037 has been approved as to form by County Counsel.

SUPPLEMENTAL:

Additional Fiscal Information

Costs associated with this transaction will be presented with the submittal of the Authorization.

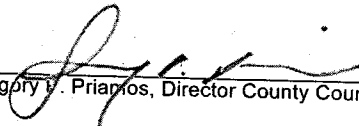
Attachments:

Aerial Image

Resolution No. 2017-037

RF:JWW:VC:VY:CE:ra 028EO 18.634 13483

MinuteTrak #3512



Gregory V. Priamos, Director County Counsel 1/26/2017

FORM APPROVED COUNTY COUNSEL
BY: R. TODD FRAHM
DATE: 1/25/17

1 Board of Supervisors

County of Riverside

2 Resolution No. 2017-037

3 Notice of Intention to Convey Real Property to the City of Indio

4 200 Civic Center Mall, Indio, County of Riverside, California

5 Assessor's Parcel Number 611-212-041

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7 WHEREAS, the City of Indio ("City") desires to expand its administrative facilities
8 to meet its growing needs and has determined certain parcels of land and a building
9 situated adjacent and contiguous to its City Hall, would best serve the need for these
10 expanded facilities;

11 WHEREAS, the County of Riverside ("County") owns land and the
12 improvements thereon, including an approximately 19,612 square foot building,
13 situated adjacent to Indio's City Hall;

14 WHEREAS, the County operates a public library on the County Property known
15 as the McCandless Library as a part of the County Free Library System pursuant to
16 Education Code, §19100, et. seq.;

17 WHEREAS, the Parties recognize and acknowledge that it is in the public
18 interest to insure that people have free and convenient access to library resources
19 regardless of where they live, and the McCandless Library is a vitally important public
20 facility which serves the welfare, education and public interests of the residents of the
21 City of Indio and the surrounding County residents;

22 WHEREAS, the City desires to acquire the County Property to expand its
23 administrative facilities and the County is willing to sell the County Property to the City
24 and lease it back from the City for use as a public library for twenty (20) years, or until
25 three (3) months after the City notifies County that the City has completed a new library
26 on City Property, if earlier; and

27 WHEREAS, the Parties desire to enter into this Agreement to provide a binding
28 process for the parties to complete the sale of County Property to the City and the

1 lease-back of the County Property by the City to the County, as well as the general
2 terms on which the City may construct a new library: now, therefore,
3

4 BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED and NOTICE IS
5 HEREBY GIVEN by the Board of Supervisors of the County of Riverside, California, in
6 regular session assembled on February 7, 2017, that the Board intends to authorize
7 and consummate a transaction on or after March 7, 2017 in which the County of
8 Riverside will convey to the City of Indio, that certain land and improvements located at
9 200 Civic Center Mall, City of Indio, County of Riverside, State of California, also
10 identified as Assessor's Parcel Number 611-212-041, consisting of land and
11 improvements (a 19,612 square foot building) on 1.54 acres of land, more particularly
12 described in Exhibit "A" Legal Description, attached hereto and thereby made a part
13 hereof. The terms and conditions of the conveyance are as follows:

14 The County of Riverside and City of Indio intend to enter into a cooperative
15 agreement that will relocate the McCandless Library that serves the Coachella Valley
16 residents. The County will convey the above referenced real property for consideration
17 of one dollar (\$1). In exchange, the City shall use its good faith efforts to construct a
18 fully improved library as a replacement facility. Upon completion of the replacement
19 McCandless Library at its relocation site, the County of Riverside will enter into a lease
20 with the City of Indio for the new library. The initial Lease term will be for a period of
21 twenty years at one dollar (\$1) a year.

22 The Board of Supervisors will meet to conclude the proposed transaction on or
23 after March 7, 2017 at 9:00 a.m. or thereafter, at the meeting room of the Board of
24 Supervisors located on the 1st floor of the County Administrative Center, 4080 Lemon
25 Street, Riverside, California.
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1 BE IT FURTHER RESOLVED AND DETERMINED that the Clerk of the Board of
2 Supervisors is hereby directed to give notice hereof as provided in Section 6061 of the
3 Government Code.

4
5
6 CE:tg/012517/028EO/18.633 S:\Real Property\TYPING\Docs-18.500 to 18.999\18.633.doc

7
8 ROLL CALL:

9 Ayes: Jeffries, Tavaglione, Washington and Ashley
10 Nays: None
11 Absent: None

12 The foregoing is certified to be a true copy of a resolution duly
13 adopted by said Board of Supervisors on the date therein set forth.

14 KECIA HARPER-IHEM, Clerk of said Board

15 By  Deputy

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EXHIBIT "A"

LEGAL DESCRIPTION OF COUNTY PROPERTY

PARCEL ONE:

LOTS 1, 2, 3, AND 4 IN BLOCK H OF INDIO TOWNSITE, IN THE CITY OF INDIO, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 10, PAGE 461 OF MAPS, RECORDS OF SAN DIEGO.

TOGETHER WITH THE SOUTHERLY HALF OF BLISS AVENUE AND ALLEY WAYS PER RESOLUTION NO. 2622, RECORDED OCTOBER 23, 1973 AS INSTRUMENT NO. 73-138062 OF OFFICIAL RECORDS.

PARCEL TWO:

LOTS 13, 14, 15 AND 16 IN BLOCK H OF INDIO TOWNSITE, IN THE CITY OF INDIO, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 10, PAGE 461 OF MAPS, RECORDS OF SAN DIEGO.

TOGETHER WITH THE SOUTHERLY HALF OF BLISS AVENUE AND ALLEY WAYS PER RESOLUTION NO. 2622, RECORDED OCTOBER 23, 1973 AS INSTRUMENT NO. 73-138062 OF OFFICIAL RECORDS.