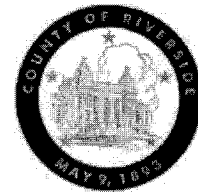


**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**ITEM**  
3.4  
(ID # 4543)

**MEETING DATE:**

Tuesday, July 11, 2017

**FROM :** EXECUTIVE OFFICE:

**SUBJECT:** EXECUTIVE OFFICE: Resolution No. 2017-121, Authorizing the Advance of Property Tax Revenue to the Palo Verde Valley Library District ; District 4 [\$200,000]; Property Tax Revenue

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

1. Approve and adopt Resolution No. 2017-121, authorizing the advance of property tax revenue to the Palo Verde Valley Library District; and,
2. Approve and authorize the Chairman to execute the attached agreement for repayment of said funds to the County of Riverside.

**ACTION:** Policy

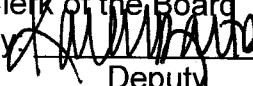
  
Melissa Noone, Associate Management Analyst 6/14/2017

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Perez, 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, Perez and Ashley  
Nays: None  
Absent: None  
Date: July 11, 2017  
xc: E.O., Auditor

Kecia Harper-Ihem  
Clerk of the Board  
By   
Deputy

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

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$200,000		\$200,000	\$
<b>NET COUNTY COST</b>				
<b>SOURCE OF FUNDS: Property Tax Revenue</b>			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year:</b>	17/18

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

Article 16, Section 6 of the California Constitution authorizes a county to lend available funds to a special district, not to exceed 85% of the district's anticipated yearly tax revenue. The loan shall be repaid from that revenue source before the district pays any other obligation.

The Palo Verde Valley Library District (District) reports limited funds and revenues available for the payment of ongoing expenditures, which include payroll and health insurance during July 1, 2017 to December 31, 2017. Therefore, the District is requesting an advance of \$200,000 of its FY 2017/18 property tax revenue. Repayment with interest is required in the same fiscal year the advancement is made. The estimated interest is \$1,673. The agreement and resolution have been approved as to form by County Counsel. The advancement today does not guarantee future advance distributions. If the District requires advancements in future fiscal years, a separate request will need to be considered by the Board of Supervisors.

**Impact on Residents and Businesses**

The advancement of property tax does not have a direct impact on citizens and businesses; however, the District's request for the advancement may contribute towards the District's ability to provide services to the residents and businesses in their service area.

**SUPPLEMENTAL:**

**Additional Fiscal Information:**

The District is obligated to pay interest on the advancement, which is estimated to be \$1,673.

**ATTACHMENTS:**

ATTACHMENT A. Agreement for Advancement of Funds to Maintain Essential Services

ATTACHMENT B. Resolution No. 2017-121; Authorizing the Advance of Property Tax Revenue to the Palo Verde Library District

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

ATTACHMENT C. Palo Verde Valley Library District Resolution No. 01-2017

  
Misley Wang

6/27/2017

  
Gregory F. Priarios, Director County Counsel

6/27/2017

2 RESOLUTION NO. 2017-121

3 RESOLUTION OF THE BOARD OF SUPERVISORS OF THE  
4 COUNTY OF RIVERSIDE FOR ADVANCEMENT  
5 OF FUNDS TO PALO VERDE VALLEY LIBRARY DISTRICT

6 WHEREAS, the Palo Verde Valley Library District (hereinafter "the District") was  
7 established in 1960 and provides the community of Blythe and surrounding areas with access to  
8 information, resources, programs and services in a safe, accessible environment; and

9 WHEREAS, the District has limited funds and revenues available for the payment of  
10 ongoing expenditures, which include payroll and health insurance during July 1, 2017 to December 31,  
11 2017; and

12 WHEREAS, California Constitution Article 16 Section 6 allows the County to temporarily  
13 advance and transfer funds to the District, up to 85% of the anticipated revenues accruing to the District  
14 in the current fiscal year, to solve the District's cash flow problems and enable it to perform its functions  
15 and meet its obligations; and

16 WHEREAS, such temporary advance and transfer of funds shall only be made upon  
17 resolution adopted by the governing body; now, therefore,

BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of  
Riverside, State of California, in regular session assembled on July 11, 2017 that:

- 18 1. The Board finds that the recitals set forth above are true and correct.
- 19 2. The Board of Supervisors agrees to advance to the District \$200,000, an amount  
20 less than 85% of the anticipated revenues accruing to the District in the current fiscal year, pursuant to  
21 a written agreement between the County and the District (the "Agreement").
- 22 3. The advance is to be repaid with interest pursuant to the Agreement which is to be  
23 administered by the County Executive Office or his designee.
- 24 4. The Agreement, a copy of which is on file with the Clerk of the Board, is approved

FORM APPROVED COUNTY COUNSEL  
BY: *[Signature]*  
DATE: 7/11/17  
DANE A. SARTORI  
COUNSEL

1 substantially as to form with such changes, additions, and omissions as the County Executive Officer or  
2 his designee shall approve.

3 5. The Chairman of the Board is authorized to sign and execute the Agreement in final  
4 form.

5 6. The Executive Office is authorized and directed to advance said amount, and within  
6 the same fiscal year, the Auditor Controller is authorized to collect repayment with interest, consistent  
7 with the Agreement.

8 7. This Resolution shall take effect immediately upon its adoption.

9 PASSED and ADOPTED by the Board of Supervisors on July 11, 2017.

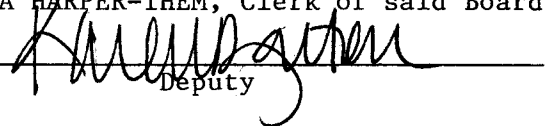
10  
11  
12 ROLL CALL:

13 Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley  
14 Nays: None  
15 Absent: None

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

18 KECIA HARPER-IHEM, Clerk of said Board

19 By

  
Deputy

# *Palo Verde Valley District Library*

125 W. Chanslorway  
Blythe, California, 92225  
(760) 922-5371  
(760) 922-5334 Fax

## **RESOLUTION #01-2017**

### **RESOLUTION OF THE BOARD OF TRUSTEES OF THE PALO VERDE VALLEY LIBRARY DISTRICT AUTHORIZING THE ADVANCEMENT OF FUNDS FROM RIVERSIDE COUNTY**

WHEREAS, the Palo Verde Valley Library District has limited funds and revenues available for the payment of ongoing expenditures, which include payroll and health insurance during July 1, 2017 to December 31, 2017;

WHEREAS, the District is permitted to request from the County an advancement on the funds collected during the fiscal year on behalf of the District;

NOW, THEREFORE, BE IT RESOLVED that we, the Board of the Palo Verde Valley Library District, do and hereby, request an advancement of District funds in the amount of \$200,000.00 from Riverside County.

The Palo Verde Valley Library District hereby authorizes any Authorized Representative to enter into on behalf of the District, or to instruct the County to enter into, any amendments or supplements or terminations of the agreement, as the Authorized Representative executing and delivering such document may require or approve, such requirement or approval to be conclusively evidenced by the execution and delivery thereof.

The Authorized Representatives are, and each of them acting alone is, authorized and directed to take any and all actions, and to execute any and all documents, as may be necessary or desirable to effectuate the purposes of this Resolution.

The following Representatives are authorized to execute any and all documents for purposes of this Resolution:

Sally Martin-Rodriguez, President and Joyce Anderson, Vice President.

PASSED AND ADOPTED at the regular meeting of the Palo Verde Valley Library District held Tuesday, May 23, 2017.

Sally Martin-Rodriguez      5-24-17  
Sally Martin-Rodriguez, President      Date

I HERBY CERTIFY that the foregoing is a full, true, and correct copy of Resolution #01-2017 adopted by the Board of Trustees of the Palo Verde Valley Library District at a duly-noticed regular meeting held on May 23, 2017.

Joyce Anderson      May 23, 2017  
Joyce Anderson, Vice President      Date

AGREEMENT FOR

ADVANCEMENT OF FUNDS TO MAINTAIN ESSENTIAL SERVICES  
(County of Riverside and Palo Verde Valley Library District)

This Agreement is made and entered by and between the COUNTY OF RIVERSIDE ("COUNTY"), and the Palo Verde Valley Library District ("DISTRICT") with the respect to the following facts:

A. COUNTY and DISTRICT now wish to enter into an agreement whereby COUNTY will advance \$200,000 to DISTRICT pursuant to California Constitution Article XVI, Section 6.

B. Under this Agreement, DISTRICT will use the funds to continue to provide essential services to the local community, to perform its functions, and to meet its financial obligations. Said funds may be used for any normal operating expense of the DISTRICT included in the district's fiscal year 2017-18 budget.

C. As the Treasurer has the authority under the California Constitution Article XVI, Section 6 and this Agreement both to transfer and replace funds, Treasurer shall coordinate with the County Executive Officer, who will be the administrator on behalf of the COUNTY for this Agreement.

NOW, THEREFORE, the parties hereto agree as follows:

1. TERM: The term of this Agreement shall be July 1, 2017 to June 30, 2018.
2. ADVANCEMENT: The advancement is generally described as a short term advancement provided by COUNTY to DISTRICT and repaid with interest within the same fiscal year.
  - a. COUNTY will transfer to DISTRICT the sum of \$200,000 within one week of the full execution of this agreement;
  - b. Both parties will consider the transfer to be an advance of the DISTRICT'S anticipated property tax revenue by withholding any or all of subsequent tax distributions until the loan is repaid in full;
  - c. DISTRICT agrees that COUNTY shall collect repayment(s) toward the advancement by withholding any or all of subsequent tax distributions until the loan is repaid in full;
  - d. DISTRICT agrees to compensate COUNTY for the loss of investment earning by paying interest at the same rate that COUNTY applies to funds of the DISTRICT on deposit with the COUNTY, estimated at \$1,673.

JUL 11 2017 3.4



3. PAYMENT: Payment or payments will be made at the time of normal distribution of tax revenue to special districts within the County of Riverside, typically in January, May and July of each year.

DISTRICT agrees to pay interest on the borrowed funds as follows:

a. Interest expense will begin to accrue on the date that the transfer of funds occurs.

b. Interest expense will be accrued monthly at the published county pool rate on any unpaid balance owed to COUNTY.

c. Interest and principal will be paid in full from the January distribution. Should the January distribution be less than the borrowed amount and interest, the remaining balance will be repaid from the May distribution. Should the January and May distributions be less than the borrowed amount and interest, the remaining balance will be paid by DISTRICT no later than June 30, 2018.

4. MUTUAL HOLD HARMLESS. The parties agree to hold each other, their elected officials, employees, contractors and agents mutually harmless from any and all claims, demands and liability, including attorney's fees, arising from each party's performance of this Agreement except to the extent that such liability is caused by the negligence of the other party.

5. ENTIRE AGREEMENT. This Agreement sets forth the entire agreement between the parties with respect to the subject matter hereof and all prior negotiations and dealings pertaining to the subject matter hereof shall be deemed merged herein.

6. AMENDMENT. This Agreement shall not be modified except by written consent of the parties.

7. ADMINISTRATION. The County Executive Officer, or his designee, shall administer this Agreement on behalf of COUNTY.

8. SEVERABILITY. If any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions will nevertheless continue in full force without being impaired or invalidated in any way.

9. TERMINATION. After repayment of any advanced amount with interest, this Agreement will be of no further force or effect, with the exception of Section 4, above.

10. ASSIGNMENT. Neither this Agreement nor the duties or obligations under this Agreement shall be assigned by either party without prior written consent of the other party. This does not prohibit COUNTY however from performing its duties or obligations hereunder by way of subcontract.

11. NONDISCRIMINATION. Except as provided in Section 12940 of the California Government Code, during DISTRICT'S performance of the contract, DISTRICT shall not discriminate on the grounds of race, religious creed, color, national origin, ancestry, age, physical handicap, medical condition including the medical condition of Acquired Immune Deficiency Syndrome (AIDS) or any condition related hereto, marital status, sex or sexual orientation in the selection and retention of employees and subcontractors and the procurement of materials and equipment.

12. NOTICES. All correspondence and notices required or contemplated by this Agreement shall be delivered to the respective parties at the addresses set forth below and are deemed submitted one (1) day after their deposit in the United States Mail, postage prepaid:

PALO VERDE VALLEY LIBRARY DISTRICT  
125 W. Chanslorway  
Blythe, CA 92225  
Attn: Sally Martin-Rodriguez, Board President

COUNTY OF RIVERSIDE  
4080 Lemon Street, 4<sup>th</sup> Floor  
Riverside, CA 92501  
Attn: Melissa Noone

IN WITNESS WHEREOF, COUNTY and DISTRICT have caused this Agreement to be duly executed on the 11<sup>th</sup> day of July, 2017.

PALO VERDE DISTRICT LIBRARY

By Sally Martin-Rodriguez  
Sally Martin-Rodriguez, President

By Rosemary Markove for  
Joyce Anderson, Vice President

COUNTY OF RIVERSIDE

By John Tavaglione  
John Tavaglione  
Chairperson, Board of Supervisors

ATTEST:  
Kecia Harper-Ihem, Clerk of the Board

By Karen Houston, Deputy  
Clerk of the Board

APPROVED AS TO FORM  
County Counsel

By Dale A. Gardner  
County Counsel