



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: April 18, 2017

Subject: APPROVE the Conveyance of Surplus Real Property to the Pleasant Hill Recreation and Park District

RECOMMENDATION(S):

DETERMINE that the County-owned real property located at 1750 Oak Park Blvd and 75 Santa Barbara Road in Pleasant Hill (APN 149-271-014; the Property) is surplus and is not required for future County use. Project No. WO5028.

FIND that the conveyance of the Property to the Pleasant Hill Recreation and Park District is categorically exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15312.

DIRECT the Public Works Director, or designee, to file a CEQA Notice of Exemption with the County Clerk.

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute an agreement to: (1) grant an exclusive option, through December 31, 2019, to the Pleasant Hill Recreation and Park District to purchase the Property for \$3 million, pursuant to Government Code Section 25365; and (2) settle the litigation entitled

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **04/18/2017** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: April 18, 2017

David Twa, County Administrator and Clerk of the Board of Supervisors

By: Stephanie Mello, Deputy

Contact: Karen Laws, (925)
313-2228

cc:

RECOMMENDATION(S): (CONT'D)

Pleasant Hill Recreation and Park District v. County of Contra Costa, et al., Contra Costa Superior Court Case No. N16-0477.

AUTHORIZE the Public Works Director, or designee, to execute the documents necessary to implement the conveyance of the Property to the District if the District exercises the option, including a grant deed conveying fee title to the District.

AUTHORIZE the Public Works Director, or designee, to execute a lease with the District to lease the existing Pleasant Hill Library from the District for zero rent if the Property is conveyed to the District and the County has not vacated the Library at the time of conveyance.

FISCAL IMPACT:

Revenue from this sale will be deposited to reimburse the accumulated expenditures related to the transaction and to the County Library Fund, fund 120600.

BACKGROUND:

The County-owned parcel at 1750 Oak Park Boulevard and 75 Santa Barbara Road (the Property) is approximately 5 acres. The Property is the site of the Pleasant Hill Library and the Contra Costa County Library Administration building. The library complex was constructed in 1965.

In 2014, the County retained a consultant to evaluate deferred maintenance at the library complex. The ISES study concluded it would cost \$10.5 million to address the deferred maintenance at the library complex. Following the study, Library Administration relocated to 777 Arnold Drive, Martinez. The Library Administration building is now vacant.

County-owned property at 1700 Oak Park Boulevard is adjacent to the 5-acre Property. The 1700 Oak Park Boulevard property is approximately 10 acres. An approximately 3-acre portion of 1700 Oak Park Boulevard is a potential site for a new Pleasant Hill Library and is among the candidate sites that the Pleasant Hill Library Task Force identified for a new community library.

On November 8, 2016 voters passed the City of Pleasant Hill's Measure K, which established a half-cent sales tax. The City intends to set aside a portion of the tax proceeds to fund debt service on bonded indebtedness to finance the construction of a new library to replace the existing Pleasant Hill Library.

Based on the above facts, the Property at 1750 Oak Park Boulevard and 75 Santa Barbara Road is surplus and no longer needed for future County use. The Pleasant Hill Recreation and Park District would like to purchase the Property from the County and acquire it for potential recreation and park purposes.

County and District staff have negotiated an agreement that grants an option to the District to purchase the 5-acre Property. Under the agreement, the County grants the District an exclusive option to purchase the Property for \$3 million. The option expires on December 31, 2019.

The agreement also allocates CEQA document preparation costs between the County and the District. If one environmental document will be prepared for the future use of the 5-acre Property and the property at 1700 Oak Park Boulevard, the District will be responsible for 20 percent of the total cost, up to \$60,000, of preparing the single environmental document. If separate CEQA documents are required, the District will pay for environmental review of the Property.

Under the agreement, the County may vacate the existing Pleasant Hill Library at any time. If the District exercises the option before the County vacates the library, the County will lease the library from the District for zero rent. The County will be responsible for all liability related to the condition of the library, pay for all services provided to the library, and be responsible for maintaining the library. The County must vacate the library no later than April 1, 2021. After the County leaves the library, the District will be responsible for demolishing the library at the District's sole cost and liability. The estimated cost to the District of demolishing the library is \$1 million to \$1.5 million.

Finally, the agreement resolves pending litigation between the County and the District. On March 21, 2016, the District filed a petition for writ of mandate regarding the property at 1700 Oak Park Boulevard. The matter, entitled *Pleasant Hill Recreation and Park District v. County of Contra Costa, et al.*, Contra Costa Superior Court Case No. N16-0477, involved a dispute under the Surplus Lands Act (Govt. Code, § 54220 et seq.). Under the agreement, the District must dismiss the lawsuit within 10 days after the effective date of the agreement. The District may not exercise its option until after it dismisses the lawsuit.

Notice of this transaction was published in the East Bay Times in compliance with Government Code Section 6061, as required by Government Code section 25365.

CONSEQUENCE OF NEGATIVE ACTION:

The property at 1750 Oak Park Blvd and 75 Santa Barbara Road in Pleasant Hill would not be conveyed to the Pleasant Hill Recreation and Park District under an option agreement and pending litigation between the County and the District would not be resolved.

CLERK'S ADDENDUM

Speakers: Sue Noah, Pleasant Hill City Council, Bobby Glover, Pleasant Hill Parks & Recreation District; Stever Van Dorn, Pleasant Hill Chamber of Commerce.