



**Contra
Costa
County**

To: Board of Supervisors
From: Brian M. Balbas, Public Works Director/Chief Engineer
Date: February 11, 2020

Subject: Approve donation of surplus improved real property to YMCA, 200 Lake Avenue, Rodeo area.

RECOMMENDATION(S):

APPROVE and AUTHORIZE the donation of an improved parcel of County property, located at 200 Lake Avenue, in the Rodeo area, ("Property") to the Young Men's Christian Association of the East Bay, a California non-profit corporation, ("Grantee") in accordance with the attached purchase and sale agreement pursuant to Government Code Section 25372, and take related actions under the California Environmental Quality Act, as recommended by the Public Works Director.

DETERMINE that this activity is exempt from the requirements of the California Environmental Quality Act (CEQA) under CEQA Guidelines section 15061(b)(3), and

DECLARE that the Property is surplus County property.

AUTHORIZE the Public Works Director, or designee, to execute, on behalf of the County, the attached purchase and sale agreement.

AUTHORIZE the Chair, Board of Supervisors, to execute, on behalf of the County, the grant deed in the form attached to the purchase and sale agreement.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **02/11/2020** ☒ 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
Federal D. Glover, District V
Supervisor

ABSENT: Karen Mitchoff, District IV
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: February 11, 2020

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

By: Stacey M. Boyd, Deputy

Contact: Angela Bell,
925-957-2451

cc:

RECOMMENDATION(S): (CONT'D)

DIRECT the Real Estate Division of the Public Works Department to cause said grant deed to be recorded in the County Clerk Recorder's Office and then delivered to the Grantee.

DIRECT the Director of the Department of Conservation and Development to file a Notice of Exemption with the County Clerk, and

AUTHORIZE the Public Works Director, or designee, to arrange for payment of a \$25 fee to Department of Conservation and Development for processing, and a \$50 fee to the County Clerk for filing the Notice of Exemption.

FISCAL IMPACT:

The General Fund will no longer receive one hundred dollars (\$100) per month as revenue from the YMCA under its Lease with the County. The County also will not be liable for making necessary repairs to the property that are anticipated to exceed \$500,000.

BACKGROUND:

This transaction involves County-owned property located at 200 Lake Avenue (aka 323 2nd Street) in Rodeo, California, commonly identified as Assessor's Parcel No. 357-054-016 (the "Property"). The Property consists of approximately 0.36 acres of land improved with a 4,492 square foot building and adjacent outdoor space. The Property is more particularly described in the grant deed attached to the purchase and sale agreement.

Since 1990, the Young Men's Christian Association of the East Bay, a California non-profit corporation, ("YMCA") has held a month-to-month lease with the County for use of the Property in consideration for a \$100 monthly payment to the County. The YMCA uses the Property for children's services.

The Property is surplus County property and the County no longer requires the Property for County purposes. The Property also is in need of repairs that are expected to cost more than \$500,000. The YMCA is willing to accept the Property in its current condition, and it will be responsible for making any necessary repairs to the Property.

The YMCA is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code, and it is organized for the care, teaching, or training of children. Therefore, Government Code section 25372 authorizes the County to donate the surplus Property to the YMCA under terms and conditions included in the purchase and sale agreement. The County will pay all transaction costs associated with the conveyance of the Property to the YMCA, and the YMCA will release and indemnify the County from and against any liabilities related to the condition or use of the Property.

Real Estate Division staff recommends that the Board of Supervisors approve the donation of the Property to the YMCA and take all of the actions recommended in this board order. The conveyance of the Property to the YMCA is exempt from environmental review under CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility that this activity may have a significant effect on the environment. This activity involves the transfer of title to the YMCA, which will continue its existing operations on the Property.

CONSEQUENCE OF NEGATIVE ACTION:

Without approval from the Board of Supervisors, the County will continue to be responsible for maintaining the Property and for making necessary repairs that are expected to cost more than \$500,000.

ATTACHMENTS

Grant Deed

Purchase and Sale Agreement

CEQA