

MOTION BY SUPERVISOR DON KNABE

June 14, 2016

On March 14, 2012, the Superior Court of the State of California for the County of Los Angeles issued a protocol order for the use of Cy Pres II funds. The replacement of the South Whittier Library is a Court-approved project with \$1,689,000 being identified for its use. As described, the project may include identification of a new site for a larger library that will include a more appropriate and enhanced floor plan for reference, circulation and teen areas; new technical systems including, but not limited to, AV Systems; self-check equipment; furniture; new service desk and signage. On March 25, 2014, the Board of Supervisors approved a funding agreement to transfer funds to the Community Development Commission (Commission) for the planning, design, and construction activities of the South Whittier Library Project (Project). The new, approximately 15,000 square feet, South Whittier Library will be located at the northern corner of Telegraph Road and Colima Road in unincorporated South Whittier.

The transfer of \$13,311,000 to the Commission for the proposed Project was identified as \$5,000,000 in net County cost (NCC) from the South Whittier Library Relocation Project (Capital Project No. 77603) and \$8,311,000 in Utility User Tax (UUT) funds from the East San Gabriel Valley Library Project (Capital Project No. 77486). Although the South Whittier Library Relocation Project is part of the Court-approved

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Cy Pres South Whittier Library project, the appropriate Cy Pres funds were inadvertently not identified for the Board's approval in March 2014. So it is necessary to accurately fund the Project with the \$1,689,000 in Cy Pres II funds and replace the previously identified funding for future use. The transfer will correctly identify the funding as \$5,000,000 in NCC, \$6,622,000 in UUT funds, and \$1,689,000 in Cy Pres II funds which will fully fund the project at \$13,311,000.

**I, THEREFORE, MOVE** that the Board of Supervisors approve an appropriation adjustment to transfer a total of \$1,689,000 from the South Whittier Library Relocation Project, Capital Project No. 77603 to the East San Gabriel Valley Library Project, Capital Project No. 77486.

**I, FURTHER, MOVE** that the Board, acting as the Commissioners of the Community Development Commission authorize the Executive Director, or his designee, to fund construction and other project-related costs with the \$1,689,000 in Cy Pres II funds in addition to the previously approved Fourth District Capital Funds.

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