

# Sno-Isle Libraries

## BOARD OF TRUSTEES

### Board of Trustees

Kelli Smith, *President* • Rose Olson, *Vice President* • Paul Ryan, *Secretary* • Michael Adams • Jennifer DePrey • Susan Kostick • Martin Munguia

### Executive Director

Lois Langer Thompson

**August 25, 2023, 12:00 p.m.**

Sno-Isle Libraries Service Center

7312 35<sup>th</sup> Ave NE

Marysville, WA 98271

Webinar Link: [Click here to join the meeting](#)

Telephone Dial-in: +1 872 239 6205

Phone Conference ID: 247 459 627#

### Special Meeting Agenda

**1) Call to Order**

**2) Land Acknowledgement**

**3) Roll Call**

**4) \*Approval of Agenda**

**5) Executive Session**

- a) Consideration of site selection or acquisition of real estate purchase as allowed by RCW 42.30.110(1)(b). The Board is expected to take action as a result of the Executive Session.

**6) New Business**

- a) \*Potential action Regarding Site Selection or Acquisition of Real Estate Purchase – Board of Trustees President Kelli Smith. [Attachment 1](#)

**7) \*Adjournment**

\*Denotes Board of Trustees action item.

*To request accommodation for an event, email [accessibility@sno-isle.org](mailto:accessibility@sno-isle.org) or visit [sno-isle.org](http://sno-isle.org).*

# Site Selection and Acquisition Policy

Sno-Isle Libraries Board Policy

## Purpose

Library site selection and property acquisition are strategic decisions having long-lasting impacts. The criteria, process, and authority that support these decisions are of great importance, not only to Sno-Isle Libraries, but also to the local communities, the environment, and future generations.

The purpose of this policy is to establish the accountabilities and requirements accompanying the selection and acquisition of real property.

## Scope

The selection and acquisition of real property will be governed by the Sno-Isle Libraries Board of Trustees and will at all times be compliant with applicable Federal, State, and local laws, rules, regulations and ordinances. Sno-Isle Libraries shall not acquire any interest in real property unless such acquisition is authorized by a majority vote of the Board of Trustees.

Real property acquisitions must be for the purpose of providing library services as established in Chapters 27.12 RCW.

The Executive Director has responsibility for carrying out the directives of the Board of Trustees with regards to site selection and acquisition of real property. All contracts must be executed in the name of Sno-Isle Libraries and all real property agreements shall be handled in accordance to the Library's purchasing policies and procedures.

The Board of Trustees may delegate to the Executive Director its authority to enter into and execute agreements, instruments of conveyance and all other related documents pertaining to the conveyance of real property. In the event that the Executive Director is unavailable, unable, or unwilling to carry out this responsibility, the Board has the authority to act in this capacity or may delegate to a Department Director.

The Board of Trustees authorizes the Executive Director to adopt such administrative rules, procedures or guidelines as the Executive Director may determine necessary to implement this Policy, and also authorizes the Executive Director to modify those procedures as may be necessary to comply with changes in applicable laws or regulations or Board-adopted policies.

## Implementation

### Definitions

#### Site Selection

Refers to the process of seeking out potential properties to be considered for possible acquisition and purchase refers to the acquisition of real property.

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### Real Property

Any land or property that is fixed in its location. This would include permanent buildings and fixtures, site improvements, and any interests, benefits and rights inherent in the ownership of the property (such as water rights, access rights, rights of way and leases).

### **Site Selection**

When selecting a location for a new public library facility, Sno-Isle Libraries will conduct reasonable due diligence and feasibility analysis including but not limited to the following criteria to evaluate the suitability of the site:

- Clear title
- Zoning & Boundaries
- Geotechnical Evaluations
- Property liens, rights-of-way, easements, covenants, or other deed restrictions due to wetlands, water frontage, steep slopes, historical or cultural sites, or other local, state, or federal regulations
- Projected library services demand within geographic area
- Site capacity
- Access and Accessibility (public transportation, pedestrian, and automobile)
- Visibility
- Neighborhood compatibility
- Space for adequate parking
- Cost factors (land costs, building costs, site development costs)
- Demographic patterns
- Community preference
- Potential community partnerships

### **Real Property**

All real property acquisitions by purchase, exchange, donation, options, lease or other means and all real property sales or disposals will be first approved by the Board of Trustees. The final purchase and sale agreement negotiated with the property owner(s) and / or their representative(s) will be contingent upon a majority vote by the Board of Trustees at a scheduled Board meeting in public session.

Sno-Isle Libraries will not own any real property outside the jurisdictional boundaries of the Sno-Isle Libraries District.

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All real property must be conveyed with insurable title, free of outstanding liens or encumbrances, including taxes, special assessments, water and refuse bills, and any other charges assessed subject to such exceptions as specifically authorized by the Board of Trustees. In no event shall property be acquired where outstanding liens and/or encumbrances exceed the fair market value.

All property must be conveyed with insurable title. The Library may acquire real property only when it has operational and financial capacity to complete the requirements of the transaction.

Sno-Isle Libraries may acquire an option to purchase real property for a specified percentage of the purchase price with a negotiated time frame to be negotiated by the Library. This payment will be credited to the sale price at closing. If closing does not occur, the fee shall be forfeited. All option agreements are subject to all policies and procedures of Sno-Isle Libraries pertaining to property acquisitions.

Transactions involving real property are to be guided by site selection criteria developed by the Library.

Real property may not be acquired for the purpose of generating rental income.

### **Land Acquisition**

Capital facilities planning extends over a period of many years, and with this foresight, the Sno-Isle Libraries may be evaluating sites for future libraries well in advance of community readiness to fund the construction of a new library. In such a case, when the site selection process reveals a pattern of rising land costs and decreasing land supply in a particular target area, the Library staff (with the authorization of the Board of Trustees) may purchase options for the future purchase of desirable properties. With the approval of the Board, an option may be exercised / extended at an appropriate time or, if conditions change, it may be allowed to expire.

Prior to negotiating a purchase and sale agreement with property owner(s) and / or their representative(s), Library staff will meet with Board of Trustees to discuss terms and conditions of a draft purchase and sale agreement, budget considerations, and possible contingencies. This meeting shall be conducted in Executive Session if the topics meet requirements set forth in RCW 42.30.110(1)) pertaining to the Open Public Meetings Act.

When acquiring real property by purchase, exchange, or donation, the Executive Director, or designee, will secure professionally prepared appraisal reports estimating the market value of the real property being considered for acquisition as of a specific date.

The Board of Trustees may waive securing an appraisal report. Real property may be purchased or acquired for more or less than appraisal value.

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Criteria for acquisition shall include an analysis to determine that Sno-Isle Libraries' action and involvement will achieve a desired objective in a manner that is more cost effective, timely, brings greater benefits and/or adds value. Costs associated with real property acquisitions will be projected, including costs of acquisition, management and disposal.

An environmental review will be conducted prior to acquisition of any real property that is currently, or was formerly, used for commercial or industrial purposes, or any property where contamination is suspected.

### **Jointly Owned Properties**

When the Library shares ownership of properties with another agency(ies), the same site selection and land acquisition procedures are followed. However, prior to acquisition, a memorandum of understanding between the parties defining each party's responsibility and authority will be executed.

## Policy History

Date approved: 2/2020

Next review date: 2/2024

Adopted: 2007