

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

157



FROM: Economic Development Agency

SUBMITTAL DATE:
September 16, 2005

SUBJECT: Notice of No Significant Effect on the Environment and Notice of Intent to Request for Release of Funds - Indio Senior Center Acquisition Project

RECOMMENDED MOTION: That the Board of Supervisors

1. Find that the *Request for Release of Funds* for the project is not an action that may significantly effect the quality of the environment; and
2. Authorize the Chairman to sign the *Request for Release of Funds* to be filed with the U.S. Department of Housing and Urban Development (HUD).

BACKGROUND: (Continued on Second Page)

Departmental Concurrence

RZ:RF:JT:MHT
S:\Templates\EDA-001a-F11.doc

Robin Zimpfer

Robin Zimpfer
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 1,022,157	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2005-2006

COMPANION ITEM ON BOARD OF DIRECTORS AGENDA: NO

SOURCE OF FUNDS: \$1,022,157 from City of Indio Community Development Block Grant (CDBG) Allocation.

Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

FORM APPROVED COUNTY COUNSEL

County Executive Office Signature *Lisa Brandt*

OCT 06 2005
BY *Lee A. Vincent*

Policy Policy
Consent Consent

Dep't Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.: _____ **District:** 4 **Agenda Number:** _____

3.20

BACKGROUND:

The U.S. Department of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) program is subject to environmental review, including finding a level of clearance and requesting release of funds, in accordance with the National Environmental Policy Act (NEPA) regulations 24 CFR Part 58.

The City of Indio is proposing to utilize \$1,022,157 of CDBG funds for the acquisition of an existing building to be used as the new City of Indio Senior Center. CDBG funds will be used to acquire the vacant facility located at 45-700 Aladdin Street, Indio, CA. The facility was previously used as a medical office building and convalescent home. It comprises 15,152 square feet situated on 1.71 acres centrally located in the City with easy access from Highway 111.

Having completed the applicable review procedures outlined in 24 CFR Part 505, an evaluation has been made of the potential effects the project shall have on the environment. The attached documentation (form HUD-7015.15) has been prepared pursuant to 24 CFR Part 58. A finding has been made that the proposed project, Indio Senior Center Acquisition, will not have a significant effect on the environment.

Attachments: HUD-7015.15 Request for Release of Funds
Public Notice

Request for Release of Funds and Certification

U.S. Department of Housing and Urban Development
Office of Community Planning and Development

OMB No. 2506-0087
(exp. 11/30/2004)

This form is to be used by Responsible Entities and Recipients (as defined in 24 CFR 58.2) when requesting the release of funds, and requesting the authority to use such funds, for HUD programs identified by statutes that provide for the assumption of the environmental review responsibility by units of general local government and States. Public reporting burden for this collection of information is estimated to average 36 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number.

Part 1. Program Description and Request for Release of Funds (to be completed by Responsible Entity)

1. Program Title(s) Community Development Block Grant	2. HUD/State Identification Number	3. Recipient Identification Number (optional)
4. OMB Catalog Number(s) 14-218	5. Name and address of responsible entity County of Riverside - Economic Development Agency 44-199 Monroe Street, Ste. B Indio, CA 92201	
6. For information about this request, contact (name & phone number) Mary H. Thiery, 760/863-2552	7. Name and address of recipient (if different than responsible entity) City Of Indio 100 Civic Center Mall PO Drawer 1788 Indio, CA 92202	
8. HUD or State Agency and office unit to receive request U.S. Dept. Housing and Urban Development 611 West 6th Street, Suite 800 Los Angeles, CA 90017		

The recipient(s) of assistance under the program(s) listed above requests the release of funds and removal of environmental grant conditions governing the use of the assistance for the following

9. Program Activity(ies)/Project Name(s) Indio Senior Center Acquisition Project	10. Location (Street address, city, county, State) 45-700 Aladdin Street Indio, CA 92201 Riverside County
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11. Program Activity/Project Description

The City of Indio is proposing to utilize \$1,022,157.00 of CDBG funds to acquire an existing building located at 45-700 Aladdin Street, Indio, CA. The City intends to renovate and convert the 15,152 square-foot facility into the new Indio Senior Center. The new facility will be centrally located within the City and have easy access to Hwy 111.

The currently vacant building was previously used as a medical office and a convalescent home. It is situated on 1.71 acres and has approximately 31,800 square feet of landscaped area, 24,000 square feet of parking areas, and 2,000 square feet of patio area. It has been determined that minimal upgrades and renovation will be required to successfully convert this facility into a functioning senior center.

Part 2. Environmental Certification (to be completed by responsible entity)

With reference to the above Program Activity(ies)/Project(s), I, the undersigned officer of the responsible entity, certify that:

1. The responsible entity has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project(s) named above.
2. The responsible entity has assumed responsibility for and complied with and will continue to comply with, the National Environmental Policy Act of 1969, as amended, and the environmental procedures, permit requirements and statutory obligations of the laws cited in 24 CFR 58.5; and also agrees to comply with the authorities in 24 CFR 58.6 and applicable State and local laws.
3. After considering the type and degree of environmental effects identified by the environmental review completed for the proposed project described in Part 1 of this request, I have found that the proposal did did not require the preparation and dissemination of an environmental impact statement.
4. The responsible entity has disseminated and/or published in the manner prescribed by 24 CFR 58.43 and 58.55 a notice to the public in accordance with 24 CFR 58.70 and as evidenced by the attached copy (copies) or evidence of posting and mailing procedure.
5. The dates for all statutory and regulatory time periods for review, comment or other action are in compliance with procedures and requirements of 24 CFR Part 58.
6. In accordance with 24 CFR 58.71(b), the responsible entity will advise the recipient (if different from the responsible entity) of any special environmental conditions that must be adhered to in carrying out the project.

As the duly designated certifying official of the responsible entity, I also certify that:

7. I am authorized to and do consent to assume the status of Federal official under the National Environmental Policy Act of 1969 and each provision of law designated in the 24 CFR 58.5 list of NEPA-related authorities insofar as the provisions of these laws apply to the HUD responsibilities for environmental review, decision-making and action that have been assumed by the responsible entity.
8. I am authorized to and do accept, on behalf of the recipient personally, the jurisdiction of the Federal courts for the enforcement of all these responsibilities, in my capacity as certifying officer of the responsible entity.

Signature of Certifying Officer of the Responsible Entity

Title of Certifying Officer

**Chairman, Board of Supervisors
County of Riverside**

Date signed

X

Address of Certifying Officer

**Board of Supervisors, County Administrative Center
County of Riverside
4080 Lemon Street, 5th Floor, Riverside, CA 92501**

Part 3. To be completed when the Recipient is not the Responsible Entity

The recipient requests the release of funds for the programs and activities identified in Part 1 and agrees to abide by the special conditions, procedures and requirements of the environmental review and to advise the responsible entity of any proposed change in the scope of the project or any change in environmental conditions in accordance with 24 CFR 58.71(b).

Signature of Authorized Officer of the Recipient

Title of Authorized Officer

Date signed

X

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Request for Release of Funds and Certification

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11. Program Activity/Project Description

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The currently vacant building was previously used as a medical office and a convalescent home. It is situated on 1.71 acres and has approximately 31,800 square feet of landscaped area, 24,000 square feet of parking areas, and 2,000 square feet of patio area. It has been determined that minimal upgrades and renovation will be required to successfully convert this facility into a functioning senior center.

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4. The responsible entity has disseminated and/or published in the manner prescribed by 24 CFR 58.43 and 58.55 a notice to the public in accordance with 24 CFR 58.70 and as evidenced by the attached copy (copies) or evidence of posting and mailing procedure.
5. The dates for all statutory and regulatory time periods for review, comment or other action are in compliance with procedures and requirements of 24 CFR Part 58.
6. In accordance with 24 CFR 58.71(b), the responsible entity will advise the recipient (if different from the responsible entity) of any special environmental conditions that must be adhered to in carrying out the project.

As the duly designated certifying official of the responsible entity, I also certify that:

7. I am authorized to and do consent to assume the status of Federal official under the National Environmental Policy Act of 1969 and each provision of law designated in the 24 CFR 58.5 list of NEPA-related authorities insofar as the provisions of these laws apply to the HUD responsibilities for environmental review, decision-making and action that have been assumed by the responsible entity.
8. I am authorized to and do accept, on behalf of the recipient personally, the jurisdiction of the Federal courts for the enforcement of all these responsibilities, in my capacity as certifying officer of the responsible entity.

Signature of Certifying Officer of the Responsible Entity	Title of Certifying Officer Chairman, Board of Supervisors County of Riverside
X	Date signed

Address of Certifying Officer
**Board of Supervisors, County Administrative Center
 County of Riverside
 4080 Lemon Street, 5th Floor, Riverside, CA 92501**

Part 3. To be completed when the Recipient is not the Responsible Entity

The recipient requests the release of funds for the programs and activities identified in Part 1 and agrees to abide by the special conditions, procedures and requirements of the environmental review and to advise the responsible entity of any proposed change in the scope of the project or any change in environmental conditions in accordance with 24 CFR 58.71(b).

Signature of Authorized Officer of the Recipient	Title of Authorized Officer
X	Date signed

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

SECTION A

Public Notice

FINDING OF NO SIGNIFICANT IMPACT UPON THE ENVIRONMENT
&
INTENT TO REQUEST RELEASE OF FUNDS

NOTICE TO PUBLIC OF FINDING OF NO SIGNIFICANT IMPACT
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

September 17, 2005

Marion Ashley, Chairman, Riverside County Board of Supervisors
County Administrative Center, 4080 Lemon Street,
Riverside, California, 92501, (951) 955-1040

TO ALL INTERESTED AGENCIES, GROUPS, AND PERSONS:

The purpose of this notice is to identify two (2) separate but related actions to be taken by the County of Riverside.

On or about the October 18, 2005, Board of Supervisors meeting, the County of Riverside will request the U.S. Department of Housing and Urban Development (HUD) to release federal funds under the Community Development Block Grant (CDBG) program for the following project:

PROJECT NAME: Indio Senior Center Acquisition Project-City of Indio

FUNDING: HUD Community Development Block Grant (CDBG) Program \$1,022,157.00

PURPOSE: The City of Indio is proposing to use CDBG funds for the acquisition of a vacant 15,152 square foot building located at 45-700 Arabia Street, Indio, CA. The City will subsequently renovate the facility to be used as the new Indio Senior Center. The building is located on a 1.7 acre site in a R3 (multi-family residential) zone. The facility was formerly used as a medical clinic and convalescent home and includes parking, landscaping, and storage areas.

LOCATION: The project will be located at 45-700 Aladdin Street, Indio, CA 92201.

It has been determined that such request of funds will not constitute an action significantly impacting the quality of the human environment. Accordingly, the County of Riverside has decided not to prepare an Environmental Impact Statement/Environmental Impact Report under the National Environmental Policy Act of 1969, as amended (PL 91-190).

The reason for such decision not to prepare such statement is as follows: the County of Riverside prepared and approved an Environmental Assessment (in accordance with 24 CFR 58.36) dated September 4, 2005. The Environmental Assessment was conducted, and the potential impacts and alternative^{wise} evaluated^{wise} through consultation with appropriate resources. Based upon the findings, it has been concluded that the proposed project will have an overall negative beneficial effect on the human environment.

An environmental review record respecting the above-listed project has been made by the County of Riverside which documents the environmental review of the project and more fully sets forth the reason why such statement is not required. The environmental review record is on file at the Riverside County Economic Development Agency, Workforce Development Center, 44-199 Monroe Street, Suite B, Indio, CA 92201, and is available, upon request, for public examination and copying between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. No further environmental review of such project is proposed to be conducted prior to the Request for Release of Federal Funds.

All interested agencies, groups, and persons disagreeing with this decision are invited to submit written comments for consideration by the County of Riverside to: Riverside County Economic Development Agency, Workforce Development Center, 44-199 Monroe Street, Suite B, Indio, CA 92201. All such written comments should be received at the above address on or before **October 17, 2005**. All such comments so received will be considered, and the County will not request the release of federal funds or take any administrative action on the above-listed project prior to HUD's written authorization to use those funds. It is requested that those forwarding comments specify which of the proposed actions is being addressed.

The City of Indio, a governmental entity, will undertake the project describe above with CDBG funds from the U.S. Department of Housing and Urban Development (HUD). The County of Riverside is certifying to HUD that the County and Supervisor Marion Ashley, in his official capacity of Chairman of the Board of Supervisors, consent to accept the jurisdiction of the federal courts if an action is brought to enforce responsibilities in relation to environmental reviews, decision making and action; and that these responsibilities have been satisfied. The legal effect of the certification is that upon approval, the City of Indio may use CDBG funds for the proposed project, and HUD will have satisfied its responsibilities under the National Environmental Policy Act of 1969. HUD will accept an objection to its approval of the release of funds and acceptance of the certification only if it is on one of the following bases:

- a. That the certification was not, in fact, executed by the certifying officer or other officer of applicant approved by HUD;
- b. That the applicant failed to make a level of clearance finding, or omitted a step in making the finding as required by Federal regulation;
- c. That the County of Riverside has committed funds or incurred cost, not authorized by 24 CFR Part 58, before approval of a release of funds by HUD; or
- d. That another Federal agency acting pursuant to 40 CFR Part 1504 has submitted written findings that the project is unsatisfactory from the standpoint of environmental quality.

The U.S. Department of Housing and Urban Development will hold the Request for Release of Federal Funds for an additional 15-day comment period. Potential objectors should contact HUD to verify the actual last day of the objection period. Objections must be prepared and submitted in accordance with the required procedures under 14 CFR 58.75 of the Interim Regulations found in the Federal Register dated April 12, 1982. These regulation are available from the County of Riverside.

Objections must be addressed to: Environmental Clearance Officer, U.S. Department of Housing and Urban Development, 611 W. 6th Street, Suite 800, Los Angeles, CA, 90017. Objections to the release of funds on a basis other than those stated above will not be considered by HUD. No objections received by HUD after **November 10, 2005**, will be considered.

Marion Ashley, Chairman
Riverside County Board of Supervisors