

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

803



FROM: Economic Development Agency

SUBMITTAL DATE:
October 22, 2007

SUBJECT: Assignment of Leases Jacqueline Cochran Regional Airport

RECOMMENDED MOTION: That the Board of Supervisors:

1. Consent to the: 1) Assignment of Lease dated June 8, 2007, between Ed Winters and Richard Netzley, as Assignors, and Mitch Moldenhauer, as Assignee, of the Lease dated July 1, 1992, between the County of Riverside, as Lessor, and Joe Schaffer, as Lessee, Assigned to Ed Winters and Richard Netzley, which Assignment was consented to by County on or about May 22, 1995. 2) Assignment of Lease dated June 5, 2007, between Bruce G. Schwartz, as Assignor, Dennis Jensen, as Assignee, of the Lease dated July 1990 between the County of Riverside, as Lessor, and Bruce G. Schwartz, as Lessee.
2. Authorize the Chairman of the Board to Execute the Consent to Assignment.

BACKGROUND: The Economic Development Agency has received two Assignment of Lease agreements for month-to-month tiedown leases at Jacqueline Cochran Regional Airport.

(Continued on page 2.)

Robin Zimpfer

RZ:DL:CC:DS:HO

Robin Zimpfer
Assistant County Executive Officer/EDA

S:\EDCOM\AIRPORTS\County Counsel\JCRA UD\JCRA UD F11 assign S-J WN-M 22 oct 07 rev 31 oct 07.doc

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	N/A

COMPANION ITEM ON BOARD OF DIRECTORS AGENDA: No

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

C.E.O. RECOMMENDATION: APPROVE

BY *Jennifer L. Sargent*
Jennifer L. Sargent

County Executive Office Signature

FORM APPROVED COUNTY COUNSEL
BY: Gordon V. Woo 10/31/07
DATE: GORDON V. WOO

Departmental Concurrence

Consent
 Policy

 Consent
 Policy

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

Prev. Agn. Ref.:

District: 4th

Agenda Number:

3.21

BACKGROUND: (continued)

Both of these agreements were assigned without the written consent of the County of Riverside (hereinafter County) and County now desires to consent to the Assignments in connection with certain Surrender of Leasehold Agreements which have been negotiated between the County and Assignees Winters, Netzley and Jensen, which will allow County to undertake redevelopment of the area occupied by the Assignees.

Mr. Winters and Netzley sold Grandville Bros. Aircraft Co. and the hangar attached to the Leasehold to Mr. Moldenhauer on or about September 28, 2005. Mr. Moldenhauer occupied the property for over a year before the County became aware of the sale. Stephen Sunseri, outside Counsel for the County, prepared the Assignments of Lease between County and Mr. Moldenhauer. After all reasonable and diligent efforts on the part of Mr. Sunseri, he was unable to locate Mr. Winters and Mr. Netzley and obtain their signatures on the Assignment of Lease. It is his opinion that this is of no effect and that the intent of the parties is being carried out through Mr. Moldenhauer who has agreed to the terms of the Assignment Agreement and has met his rental obligations since taking possession. His letter of October 24, 2007, is attached for a complete description of his efforts to obtain the signatures of Mr. Winter and Mr. Netzley.

Economic Development Agency staff recommends that the Board of Supervisors consent to the Assignments of Lease. County Counsel has reviewed the Assignments of Lease and approved the Consent as to Form.