

FORM APPROVED COUNTY COUNSEL
 BY: GREGORY P. PRIAMOS
 DATE: 1/14/15

Departmental Concurrence

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

833



FROM: Economic Development Agency

SUBMITTAL DATE:
 January 14, 2014

SUBJECT: Consent to Sublease between Bachelor Mountain Group, LLC, Joseph L. Ciabattoni and Norma J. Ciabattoni, and Bill of Sale between Dave Dillehay, Joseph Ciabattoni and Norma Ciabattoni – Hemet-Ryan Airport; Project is CEQA Exempt; District 3, [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that the project is exempt from California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301 and Section 15061(b)(3);
2. Approve and consent to sublease of real property located within Hemet-Ryan Airport in Hemet, California (Subleased Property), as more specifically set forth in the attached Sublease Agreement – Land Only between Bachelor Mountain Group, LLC, (as sublessor) and Joseph L. Ciabattoni and Norma J. Ciabattoni (as sublessee) (Sublease);

(Continued)

Robert Field
 Assistant County Executive Officer/EDA
 By: Jeffery Van Wagonen, Managing Director

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS: N/A
Budget Adjustment: No
For Fiscal Year: 2014/15

C.E.O. RECOMMENDATION:

APPROVE
 BY: Rohini Dasika
 Rohini Dasika

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

- A-30
- 4/5 Vote
- Positions Added
- Change Order

Prev. Agn. Ref.: 3.21 of 9/15/09; 3.9 of 5/3/11 | **District:** 3/3 | **Agenda Number:**

3-5

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
Economic Development Agency

FORM 11: Consent to Sub-Lease between Bachelor Mountain Group, LLC, Joseph L. Ciabattoni and Norma J. Ciabattoni, and Bill of Sale between Dave Dillehay, Joseph Ciabattoni and Norma Ciabattoni – Hemet-Ryan Airport; Project is CEQA Exempt; District 3, [\$0]

DATE: January 14, 2014

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RECOMMENDED MOTION: (Continued)

3. Approve and consent to the sale of the aircraft storage hangar known as Unit No. 9C, previously owned by Dave Dillehay, located on the Subleased Property within Hemet-Ryan Airport in Hemet, California, as more specifically set forth in the attached Bill of Sale between David Dillehay (as seller) and Joseph and Norma Ciabattoni (as buyer) (Bill of Sale);
4. Authorize the Chairman of the Board of Supervisors to sign the attached Consent to Sublease and Consent to Bill of Sale; and
5. Authorize the Assistant County Executive Officer/EDA, or designee, to execute any additional documents necessary to implement the Sublease and Bill of Sale, subject to approval by County Counsel.

BACKGROUND:

Summary

The County of Riverside (County), as lessor, and Bachelor Mountain Group, LLC, (BMG), as lessee, entered into that certain Lease dated September 15, 2009 (Lease). The Lease relates to the 6.56 acres of real property located at the Hemet-Ryan Airport (Leased Premises). Pursuant to Section 26 of the Lease, BMG cannot sublease any rights, duties or obligations under the lease without the written consent of the County. BMG desires to sublease a portion of the Leased Premises upon which an airport storage hangar, identified as Unit No. 9C is located (Subleased Premises) to Joseph L. Ciabattoni and Norma J. Ciabattoni, as more specifically set forth in the Sublease Agreement – Land Only dated September 1, 2014, attached hereto as Attachment B (Sublease). If approved by the Board, the Sublease will be subject to the Lease. Dave Dillehay was the prior Board approved sublessee for the Subleased Premises. Dave Dillehay's sublessee rights have been terminated pursuant to the Lease Cancellation Agreement attached hereto as Attachment E.

In connection with the Sublease, Joseph and Norma Ciabattoni (as buyer) and Dave Dillehay (as seller) entered into that certain Bill of Sale, dated September 4, 2014, relating to the sale of aircraft storage hangar known at Unit No. 9C (Bill of Sale), the effectiveness of which is subject to the consent and approval by the County. A copy of the Bill of Sale is attached hereto as Attachment D. Joseph and Norma Ciabattoni will not change the existing use of the Subleased Premises. The Bill of Sale and the Sublease will not impact or modify the terms of the Lease.

Pursuant to the California Environmental Quality Act (CEQA), the Sublease was reviewed and determined to be categorically exempt from CEQA under State CEQA Guidelines 15301, Class 1 – Existing Facilities and State CEQA Guidelines 15061(b) (3), General Rule or "Common Sense" Exemption. The proposed project, the Sublease, is the letting of property involving existing facilities and no expansion of an existing use will occur. In addition, there is no possibility that the proposed project will have a significant effect on the environment. EDA staff recommends that the Board of Supervisors approve the Consent to Sublease and Consent to Bill of Sale attached hereto as Attachments A and C respectively. County Counsel has reviewed and approved the Consent to Sublease and the Consent to Bill of Sale as to legal form.

(Continued)

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

Economic Development Agency

FORM 11: Consent to Sub-Lease between Bachelor Mountain Group, LLC, Joseph L. Ciabattone and Norma J. Ciabattone, and Bill of Sale between Dave Dillehay, Joseph Ciabattone and Norma Ciabattone – Hemet-Ryan Airport; Project is CEQA Exempt; District 3, [\$0]

DATE: January 14, 2014

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BACKGROUND:

Summary (Continued)

Impact on Citizens and Businesses

The Sublease and Bill of Sale will assist in the County's effort to increase airport operations which will in turn provide increased patron activities for local businesses.

SUPPLEMENTAL:

Additional Fiscal Information

There is no net County cost and no budget adjustment required.

ATTACHMENTS:

- Attachment A – Consent to Sublease
- Attachment B – Sublease Agreement – Land Only
- Attachment C – Consent to Bill of Sale
- Attachment D – Bill of Sale
- Attachment E – Lease Cancellation Agreement