

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

115C



**FROM:** Regional Park and Open-Space District

**SUBMITTAL DATE:**  
January 27, 2015

**SUBJECT:** Amendment to Lease between Metropolitan Water District of Southern California and County of Riverside Administered by Riverside County Regional Park and Open-Space District for Recreational Development of Lake Skinner; Water Use Credit, District 3

**RECOMMENDED MOTION:** That the Board of Directors:

1. Approve the attached Amendment to Lease between Metropolitan Water District of Southern California and the County of Riverside Administered by Riverside County Regional Park and Open-Space District and Authorize the Chairman of the Board of Directors to execute four (4) copies of the amendment on behalf of the District; and
2. Direct the Clerk of the Board to return four (4) copies of the amendment to Riverside County Regional Park and Open-Space District for further execution and transmittal.

**BACKGROUND:**

**Summary**

On January 2, 2005, an amendment was made to lease R.L. 295, between Riverside County (County) and the Metropolitan Water District of Southern California (Metropolitan). The amendment provided water credits to the County in order operate Lake Skinner Recreation Area. The term of the water credit was for ten-years and expired on January 1, 2015.

(continued on page 2)

  
 Scott Bangle  
 General Manager

2015-025D SB/EC

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


**SOURCE OF FUNDS:**

**Budget Adjustment:**

**For Fiscal Year:**

**C.E.O. RECOMMENDATION:**

APPROVE

BY:   
Alex Gann

**County Executive Office Signature**

**MINUTES OF THE BOARD OF DIRECTORS**

FORM APPROVED COUNTY COUNSEL  
 BY: ANITA C. WILLIS  
 DATE: 1-24-15

Departmental Concurrence

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

Prev. Agn. Ref.: M.O. 3.12;11/30/04 | District: 3 | Agenda Number:

**DISTRICT  
13-1**

**SUBMITTAL TO THE BOARD OF DIRECTORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**  
**FORM 11:** Amendment to Lease between Metropolitan Water District of Southern California and County of Riverside Administered by Riverside County Park and Open-Space District for Recreational Development of Lake Skinner; Water Use Credit, District 3

**DATE: January 27, 2015**

**PAGE: 2 of 2**

**BACKGROUND:**

**Summary (continued)**

This amendment continues the credit until such a time that the local provider of potable water (Eastern Municipal Water District) is able to provide potable service to the Lake Skinner Recreation Area. Both Parties desire to continue the mutually beneficial terms of the Lease and for the Riverside County Regional Park and Open-Space District (District) to administer this Lease. It is requested that your honorable Board approve amendment whereby Metropolitan will continue to credit the County for water. A companion Form 11 for the County is set on the County Parks Department Board Agenda to assign to the District the administrator role of this Lease.

County Counsel has reviewed and approved the amendment as to legal form.

**Impact on Citizens and Businesses**

This amendment provides for a reliable source of water at Lake Skinner Recreation Area. The Citizens and Business community can have confidence that the County is amending leases in a reasonable manner, which are also transparent and sustainable.

**Attachments:**

Amendment

**AMENDMENT TO LEASE BETWEEN THE  
METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA  
AND COUNTY OF RIVERSIDE ADMINISTERED BY  
RIVERSIDE COUNTY REGIONAL PARK AND OPEN-SPACE DISTRICT  
FOR RECREATIONAL DEVELOPMENT OF LAKE SKINNER**

This Amendment to Lease R.L. 295, effective the First day of January 2015, between the METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA, a public corporation, hereinafter referred to as "Metropolitan", and the COUNTY OF RIVERSIDE, a political subdivision of the State of California, hereinafter referred to as "County":

Witnessth

WHEREAS, the parties hereto entered into a Lease Agreement for Recreational Development of Lake Skinner dated January 2, 1973, as amended on July 2, 1974, July 17, 1975, February 4, 1986, January 2, 2003, and January 2, 2005; and

WHEREAS, the parties have agreed that the terms and conditions in Section 9 of the Lease Agreement must be modified in order to reflect current conditions affecting the ability to serve water to the recreation area;

NOW, THEREFORE, the parties agree that the Lease Agreement is amended as follows:

1. Section 9 is amended to read as follows:

"9. Water Use Credit – Commencing January 1, 2015 and terminating at such time as Eastern Municipal Water District (EMWD) is able to provide water service to the leased recreation area, Metropolitan shall credit EMWD up to \$100,000 per year for water used by the County at the Lake Skinner recreation area. Such credit shall be for County's operation and use in maintaining the leased premises for landscape irrigation and recreation purposes, including drinking water, and shall not exceed the amount paid by EMWD to Metropolitan for the quantity of water used. County acknowledges and agrees that Metropolitan is and shall be under no obligation to pump and provide water from Lake Skinner for landscape irrigation purposes or alternatively to permit County to install and operate a well."

2. All other provisions of the Lease Agreement, as amended, not otherwise affected by this Amendment to Lease Agreement, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to Lease R.L. 295 to be executed and made effective as of the day and year first written above.

THE METROPOLITAN WATER DISTRICT  
OF SOUTHERN CALIFORNIA

COUNTY OF RIVERSIDE, on  
behalf of its Parks Department

By: \_\_\_\_\_  
John Clairday, Manager  
Real Property Development and  
Management Group

By: \_\_\_\_\_  
Marion Ashley  
Chairman, Board of Supervisors

Approved as to form:

ATTEST:  
Kecia Harper-Ihem  
Clerk of the Board

By: \_\_\_\_\_  
Bryan Otake  
Senior Deputy General Counsel

RIVERSIDE COUNTY REGIONAL  
PARK AND OPEN SPACE DISTRICT

By: \_\_\_\_\_  
Kevin Jeffries  
Chairman, Board of Directors

ATTEST:  
Kecia Harper-Ihem  
Clerk of the Board

By: \_\_\_\_\_  
Deputy

Approved as to form:  
Gregory P. Priamos  
County Counsel

By: \_\_\_\_\_  
Synthia M. Gunzel  
Deputy County Counsel