

FORM APPROVED COUNTY COUNSEL
 BY: GREGORY P. PRIAMOS
 DATE: 1/22/16
 Department Counsel

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

602



FROM: Economic Development Agency

SUBMITTAL DATE:
 January 28, 2016

SUBJECT: Resolution No. 2016-022, Authorization to Convey Fee Simple Interest Real Property (Fire Station #61) in the City of Wildomar to the City of Wildomar, District 1, CEQA Exempt, [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that the conveyance of real property is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Class 1, Existing Facilities Exemption; and Section 15061(b)(3), General Rule or "Common Sense" Exemption;
2. Adopt Resolution No. 2016-022, Authorization to Convey Fee Simple Interest in Real Property located in Wildomar, County of Riverside, Assessor's Parcel Number 368-093-008 by Grant Deed to the City of Wildomar;

(Continued)

Robert Field
 Assistant County Executive Officer/EDA

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: 2015/16

C.E.O. RECOMMENDATION: APPROVE
 BY:
 Imelda Delos Santos

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

- By: John Hawkins, Fire Chief
 Riverside County Fire
- A-30
 - 4/5 Vote
 - Positions Added
 - Change Order

Prev. Agn. Ref.: | District: 1 | Agenda Number:

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

Economic Development Agency

FORM 11: Resolution No. 2016-022, Authorization to Convey Fee Simple Interest Real Property (Fire Station #61) in the City of Wildomar to the City of Wildomar, District 1, CEQA Exempt, [\$0]

DATE: January 28, 2016

PAGE: 2 of 2

RECOMMENDED MOTION: (Continued)

3. Authorize the Chairman of the Board of Supervisors to execute the Grant Deed to complete the conveyance of real property and this transaction;
4. Authorize the Assistant County Executive Officer of the Economic Development Agency, or his designee, to execute any other documents and administer all actions necessary to complete or memorialize this transaction; and
5. Direct the Clerk of the Board to file the attached Notice of Exemption with the County Clerk for posting within five working days of Board approval.

BACKGROUND:

Summary

Pursuant to Government Code Section 25365, the County of Riverside (County) may, by a four-fifths vote, transfer interests in real property, or any interest therein, belonging to the County to another public agency, upon the terms and conditions as are agreed upon and without complying with any other provisions of the Government Code, if the property or interest therein to be conveyed is not required for county use. The County intends to convey a fee simple interests in real property located in the City of Wildomar, County of Riverside, to the City of Wildomar, by Grant Deed, Assessor's Parcel Number 368-093-008, depicted in Exhibit A, attached hereto.

When the City of Wildomar was incorporated, fire protection services no longer fell under the County's responsibility. At the time of incorporation, the station was not immediately transferred to the city. Since incorporation, the county has been working with the city on funding for station costs. By conveying this fire station property, the obligations and responsibilities will be clearly defined. The County Fire Department will be relieved of all costs, maintenance responsibilities and liabilities associated with property ownership. The City will have ownership of the station within its jurisdiction. This station was built utilizing developer fees and property taxes collected from the same community in which this station currently serves and as such should be transferred to the City at no cost.

This acquisition is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Class 1, Existing Facilities Exemption; and Section 15061(b)(3), General Rule or "Common Sense" Exemption.

Resolution No. 2016-022 and the Grant Deed have been reviewed and approved as to form by County Counsel.

Impact on Residents and Businesses

The impact of the transfer to the City of Wildomar will continue to benefit both residents and businesses through enhanced Public Safety.

SUPPLEMENTAL:

Additional Fiscal Information

There are no costs associated with this Form 11.

Attachments: Resolution No. 2016-022; Map; Grant Deed; Notice of Exemption

FORM APPROVED COUNTY COUNSEL
DATE 1/11/16
BY: R. TODD FRAHM

1 Board of Supervisors

County of Riverside

2
3 RESOLUTION NO. 2016-022
4 AUTHORIZATION TO CONVEY REAL PROPERTY
5 TO THE CITY OF WILDOMAR
6 IN THE CITY OF WILDOMAR, CALIFORNIA
7 ASSESSOR'S PARCEL NUMBER 368-093-008 BY GRANT DEED

9 WHEREAS, when the City of Wildomar incorporated on July 1, 2008, the
10 County of Riverside was no longer directly responsible for providing fire protection and
11 prevention services to the City of Wildomar; and

12 WHEREAS, due to the burden to the City in providing such services,
13 cooperative agreements were put in place whereby the County of Riverside would
14 continue providing fire protection and prevention services under contract out of the fire
15 station that is currently owned by the County of Riverside and located wholly within the
16 City of Wildomar with the expectation that these facilities would be transferred to the
17 City of Wildomar at a later date; and

18 WHEREAS, the County of Riverside desires to convey the fire station, located
19 at 32637 Gruwell Street, identified by and known as Assessor's Parcel Number 368-
20 093-008, to the City of Wildomar and the City of Wildomar desires to accept the
21 conveyance of this fire station which will complete the transition that was contemplated
22 after Wildomar incorporated; and

23 WHEREAS, the County's property interest is no longer needed for County use
24 or purposes; and

25 WHEREAS, the County has reviewed and determined that the sale of the
26 Property is categorically exempt from the California Environmental Quality Act
27
28

1 ("CEQA") pursuant to State CEQA Guidelines Sections 15301 and 15061(b)(3)
2 because the proposed project is the purchase of real property involving the transfer of
3 title to the real property for the continued use of existing improvements situated on the
4 Property with no major improvements will occur at this time which will have no
5 significant impact on the environment; now, therefore,

6 BE IT RESOLVED, DETERMINED AND ORDERED by a four-fifths vote of the
7 Board of Supervisors of the County of Riverside ("Board"), in regular session
8 assembled on or after February 9, 2016, at 9:00 a.m. or soon thereafter, in the
9 meeting room of the Board of Supervisors located on the 1st floor of the County
10 Administrative Center, 4080 Lemon Street, Riverside, California, based upon a review
11 of the evidence and information presented on the matter, as it relates to this
12 acquisition, this Board:

13 1. Has determined that the proposed acquisition project is categorically
14 exempt from CEQA pursuant to State CEQA Guidelines Sections 15301 and
15 15061(b)(3) because the County is merely purchasing the fee interest in the Property
16 to continue the present use of the Property and it can be seen with certainty that there
17 is no possibility that the activity in question will have a significant effect on the
18 environment; and

19 2. Authorizes the conveyance to the City of Wildomar the following
20 described real property: Certain real property located in the City of Wildomar, County of
21 Riverside, State of California, identified by and as assessor parcel number 368-093-
22 008 by Grant Deed and, more particularly described in Exhibit "A" Legal Description for
23 each respective assessor parcel number, attached hereto and thereby made a part
24 hereof.

25 BE IT FURTHER RESOLVED AND DETERMINED that the Chairman of the
26 Board of Supervisors of the County of Riverside is authorized to execute the Grant
27 Deed to complete the conveyance of real property and this transaction.

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1 BE IT FURTHER RESOLVED AND DETERMINED that the Assistant County
2 Executive Officer/EDA or his designee, is authorized to execute any other documents
3 to complete this transaction.

4 BE IT FURTHER RESOLVED AND DETERMINED that the Clerk of the Board of
5 Supervisors is directed to file the Notice of Exemption with the County Clerk within five
6 working days of Board approval.

7 BE IT FURTHER RESOLVED AND DETERMINED that the Clerk of the Board of
8 Supervisors has given notice hereof as provided in Section 6061 of the Government
9 Code.

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CAO:ra/122115/002EV/17.783 S:\Real Property\TYPING\Docs-17.500 to 17.999\17.783.doc

Fire Station #61 Transfer to the City of Wildomar

Map of Assessor's Parcel Number 368-093-008



Legend



Notes

IMPORTANT Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.



0 196 391 Feet

391 Feet



REPORT PRINTED ON... 12/11/2015 8:03:01 AM

© Riverside County TLMA GIS

Recorded at request of and return to:

City of Wildomar
23873 Clinton Keith Rd., Suite 201
Wildomar, CA 92595

FREE RECORDING

This instrument is for the benefit of
the County of Riverside, and is
entitled to be recorded without fee.

(Govt. Code 6103)

CAO:ra/121515/029FR/18.009

(Space above this line reserved for Recorder's use)

PROJECT: City of Wildomar
Fire Station #61
APN: 368-093-008

GRANT DEED

FOR GOOD AND VALUABLE CONSIDERATION, receipt and adequacy of which are hereby acknowledged,

COUNTY OF RIVERSIDE, a political subdivision of the State of California

Grants(s) to the City of Wildomar, a municipal corporation, the fee simple interest in real property in the City of Wildomar, County of Riverside, State of California, as more particularly described as:

See Exhibit "A" attached hereto
and made a part hereof

Dated: _____

GRANTOR:

**COUNTY OF RIVERSIDE, a political
subdivision of the State of California**

ATTEST:
Kecia Harper-Ihem
Clerk of the Board

By: _____
John J. Benoit, Chairman
Board of Supervisors

By: _____
Deputy

EXHIBIT "A"

All that certain real property situated in the County of Riverside, State of California, described as follows:

Lots 13, 14 and 15 in Block 39 of T. Frames Addition of Wildomar, in the County of Riverside, State of California, as per map recorded in Book 1, Page 35 of Maps, in the Office of the County Recorder of San Diego County, California, together with at portion of the Southeast half of the alley coincident with said lots lying Northeast of the Northwesterly prolongation of the Southwest line of said Lot 13 and Southwest of the Northwesterly prolongation of the Northeast line of said Lot 15, said alley being vacated by Resolution of the Board of Supervisors of the County of Riverside, a certified copy of said resolution being recorded April 6, 1978, as Instrument No. 65718 of Official Records.

Assessor's Parcel No: 368-093-008



NOTICE OF EXEMPTION

December 21, 2015

Project Name: County of Riverside, Transfer of Fire Station #61 to the City of Wildomar

Project Number: FM0412700029

Project Location: 32367 Gruwell Street, south of Palomar Street; Assessor's Parcel Number (APN): 368-093-008; Wildomar, CA (See attached exhibits)

Description of Project: The County of Riverside (County) has been providing fire protection services to the City of Wildomar since its incorporation on July 1, 2008. Although, the responsibility of the provision of fire protection services was transferred to the City upon its incorporation, the County entered into a cooperative agreement, whereby the County would continue to provide fire protection services under contract, with the understanding that in the future, the facility would be transferred to the City's direct control. With the conveyance of Fire Station #61 and property, the County will be relieved of cost, maintenance responsibilities and liabilities associated with property ownership. This station was built utilizing developer fees and property taxes collected from the same community in which this station currently serves, and will be transferred to the City at no cost. Pursuant to Government Code Section 25365, the County may convey, quitclaim, or otherwise transfer to any special district or public agency within the county, any real property, or interest therein belonging to the County upon the terms and conditions as are agreed if the property or interest therein to be conveyed is not required for County use. The conveyance of the property and Fire Station #61 does not require any construction activity, change in use, or any other condition that may lead to a direct or indirect physical environmental impact at this time. Fire Station #61 will continue to provide fire protection services to the City for Wildomar and no expansion of use would occur. The transfer of ownership of Fire Station #61 and the land from the County to the City is the proposed Project under the California Environmental Quality Act (CEQA).

Name of Public Agency Approving Project: County of Riverside, Economic Development Agency

Name of Person or Agency Carrying Out Project: County of Riverside, Economic Development Agency; City of Jurupa Valley

Exempt Status: State CEQA Guidelines, Section 15301, Class 1, Existing Facilities Exemption; and Section 15061(b) (3), General Rule or "Common Sense" Exemption, Codified under Title 14, Articles 5 and 19, Sections 15061 and 15300 to 15301, and 15320.

Reasons Why Project is Exempt: The Project will not result in any specific or general exceptions to the use of the categorical exemption as detailed under State CEQA Guidelines Section 15300.2. The Project is the conveyance of real property from the County to the City, so that the City will provide its own fire protection services. Further, no unusual circumstances or potential cumulative impacts would occur that may reasonably create an environmental impact. The proposed conveyance of real property will not have an effect on the environment and the mere transfer of ownership interest will not alter or expand the existing use that may create any future direct or indirect physical environmental impact; thus, no environmental impacts are anticipated to occur.

- **Section 15301 – Class 1 Existing Facilities Exemption:** This categorical exemption includes the operation, repair, maintenance, leasing, or minor alteration of existing public or private structures or facilities, provided the exemption only involves negligible or no expansion of the previous site’s use. The Project, as proposed, is limited to the conveyance of real property from the County to the City. The Project would not result in any change in use and will not increase or expand the use of the site. The site is currently developed as a Fire Station and does not contain environmentally sensitive areas. The continued provision of fire protection services by the City upon conveyance of the property will not require and additional infrastructure. The existing building was designed and planned for fire protection services and the conveyance of the real property would result in the continued use of the site in a similar capacity; therefore, the Project is exempt as the Project meets the scope and intent of the Class 1 Exemption identified in Section 15301, Article 19, Categorical Exemptions of the CEQA Guidelines.
- **Section 15061 (b) (3) – “Common Sense” Exemption:** In accordance with CEQA, the use of the Common Sense Exemption is based on the “general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.” State CEQA Guidelines, Section 15061(b) (3). The use of this exemption is appropriate if “it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.” *Ibid*. This determination is an issue of fact and if sufficient evidence exists in the record that the activity cannot have a significant effect on the environment, then the exemption applies and no further evaluation under CEQA is required. See *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal. 3d 68. The ruling in this case stated that if a project falls within a category exempt by administrative regulation or 'it can be seen with certainty that the activity in question will not have a significant effect on the environment', no further agency evaluation is required. With certainty, there is no possibility that the conveyance of this property may have a significant physical effect on the environment. The conveyance of the property does not facilitate an increase in the intensity of use of the site. The conveyance of this property does not require any construction activities and would not lead to any direct or reasonably foreseeable indirect physical environmental impacts to the existing site. Therefore, in no way, would the transfer of property between the County and the City, as proposed, have the potential to cause a significant environmental impact and the Project is exempt from further CEQA analysis.

Based upon the identified exemptions above, the County of Riverside, Economic Development Agency hereby concludes that no physical environmental impacts are anticipated to occur and the Project as proposed meets all of the required categorical exemptions as identified. No further environmental analysis is warranted.

Signed:  Date: 12/21/15

Mike Sullivan, Senior Environmental Planner
County of Riverside, Economic Development Agency

RIVERSIDE COUNTY CLERK & RECORDER

**AUTHORIZATION
TO BILL
BY JOURNAL VOUCHER**

Project Name: Transfer of Fire Station #61 to the City of Wildomar

Accounting String: 528500-47220-7200400000- FM0412700029

DATE: December 2, 2015

AGENCY: Riverside County Economic Development Agency

THIS AUTHORIZES THE COUNTY CLERK & RECORDER TO BILL FOR FILING AND HANDLING FEES FOR THE ACCOMPANYING DOCUMENT(S).

NUMBER OF DOCUMENTS INCLUDED: One (1)

AUTHORIZED BY: Mike Sullivan, Senior Environmental Planner, Economic Development Agency

Signature:  _____

PRESENTED BY: Craig Olsen, Senior Real Property Agent, Economic Development Agency

-TO BE FILLED IN BY COUNTY CLERK-

ACCEPTED BY: _____

DATE: _____

RECEIPT # (S) _____



Date: December 2, 2015

To: Mary Ann Meyer, Office of the County Clerk

From: Mike Sullivan, Senior Environmental Planner, Project Management Office

Subject: **County of Riverside Economic Development Agency Project # FM0412700029**
Transfer of Fire Station #61 to the City of Wildomar

The Riverside County's Economic Development Agency's Project Management Office is requesting that you post the attached Notice of Exemption. Attached you will find an authorization to bill by journal voucher for your posting fee.

After posting, please return the document to:

Mail Stop #1330

Attention: Mike Sullivan, Senior Environmental Planner,

Economic Development Agency,

3403 10th Street, Suite 400, Riverside, CA 92501

If you have any questions, please contact Mike Sullivan at 955-8009.

Attachment

cc: file