

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

248



FROM: Economic Development Agency

SUBMITTAL DATE:

July 26, 2016

SUBJECT: Consent to Sub-Lease between John and Betty Obradovich and Enspire Solution Partners, LLC, and Bill of Sale between John L. Davidson and Margaret L. Davidson and Enspire Solution Partners, LLC – Jacqueline Cochran Regional Airport. Project is CEQA Exempt; District 4 [\$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 15601(b)(3);
2. Approve and consent to the sublease of real property located within Jacqueline Cochran Regional Airport in Thermal, California (Subleased Property), as more specifically set forth in the attached Sub-Lease with Sale of Aviation Hangar dated January 4, 2016 between John Obradovich and Betty Obradovich (as sublessor) and Enspire Solution Partner, LLC, a Washington limited liability company (as sublessee);

(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:
Rohini Dasika

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Prev. Agn. Ref.: 3.11 of 6/3/03; 3.17 of 9/14/04; 3.9 of 12/21/04; 3.23 of 9/12/06; 3.16 of 3/17/09

District: 4

Agenda Number:

3-25

FORM APPROVED COUNTY COUNSEL 7/15/16
BY: GREGORY P. PRIAMOS DATE
Departmental Concurrence

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

Economic Development Agency

FORM 11: Consent to Sub-Lease between John and Betty Obradovich and Enspire Solution Partners, LLC, and Bill of Sale between John L. Davidson and Margaret L. Davidson and Enspire Solution Partners, LLC – Jacqueline Cochran Regional Airport. Project is CEQA Exempt; District 4 [\$0]

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RECOMMENDED MOTION: (Continued)

3. Approve and consent to the sale of Building B, Hangar No. 8, currently owned by John L. Davidson and Margaret L. Davidson, located on the Subleased Property within Jacqueline Cochran Regional Airport in Thermal, California, as more specifically set forth in the attached Bill of Sale Coupled with Sub-Lease dated January 4, 2016 between John L. Davidson and Margaret L. Davidson (as seller) and Enspire Solution Partners, LLC, a Washington limited liability company (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 John Obradovich and Betty Obradovich (collectively, Obradovich), as lessee, entered into that certain Lease Desert Resorts Regional Airport dated June 3, 2003, as amended by that certain First Amendment to Lease Jacqueline Cochran Regional Airport dated on or about September 14, 2004, by that certain Second Amendment to Lease Jacqueline Cochran Regional Airport dated September 12, 2006, and that certain Third Amendment to Lease Jacqueline Cochran Regional Airport dated March 17, 2009 (collectively, Lease). The Lease relates to 9.45 acres of real property located at the Jacqueline Cochran Regional Airport, as legally described in Exhibit A to the Lease (Leased Premises). Pursuant to section 24 of the Lease, Obradovich cannot sublease any rights, duties or obligations under the Lease without the written consent of the county. Obradovich desires to sublease a portion of the Leased Premises upon which an airport hangar, identified as Building B, Hangar No. 8 is located (Subleased Premises) to Enspire Solution Partners, LLC, a Washington limited liability company, (Enspire) as more specifically set forth in the Sub-Lease with Sale of Aviation Hangar dated January 4, 2016, attached hereto as Attachment B (Sublease). If approved by the Board, the Sublease will be subject to the Lease. John L. Davidson and Margaret L. Davidson (collectively, Davidson) were the prior Board approved sublessees for the Subleased Premises and their rights have been terminated pursuant to the Lease Cancellation Agreement attached hereto as Attachment E.

In connection with the Sublease, Enspire, (as buyer) and Obradovich, (as seller) entered into that certain Bill of Sale Coupled with Sub-Lease dated January 4, 2016, relating to the sale of the airport hangar identified as Building B, Hangar No. 8 (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. Enspire 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.

(Continued)

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BACKGROUND:

Summary

(Continued)

Pursuant to the California Environmental Quality Act (CEQA), the Sublease and Bill of Sale were 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 and sale of the existing hangar, is the subletting of property involving existing facilities and no expansion of an existing use will occur. In addition, it can be seen with certainty that there is no possibility that the proposed project may have a significant effect on the environment since it is merely a continuation of existing use.

County Counsel has reviewed and approved the Consent to Sublease and the Consent to Bill of Sale as to form. Staff recommends that the Board of Supervisors approve the attached proposed Consent to Sublease and Consent to Bill of Sale.

Impact on Citizens and Businesses

The Sublease and Bill of Sale will assist in the County’s effort to increase airport operations which in turn provides 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 – Sub-Lease
- Attachment C – Consent to Bill of Sale
- Attachment D – Bill of Sale
- Attachment E – Lease Cancellation Agreement
- Attachment F – Master Ground Lease