

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



913

FROM: Successor Agency to the Redevelopment Agency

SUBMITTAL DATE:
December 6, 2012

SUBJECT: First Amendment to Lease – H.N. and Frances C. Berger Foundation

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Existing Facilities;
2. Ratify the First Amendment to Lease and authorize the Chairman of the Board to execute the same on behalf of the County; and
3. Direct the Successor Agency to submit to the Oversight Board for approval.

BACKGROUND: (Commences on Page 2)

Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 1	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2012/13

COMPANION ITEM ON BOARD AGENDA: No	
SOURCE OF FUNDS: Real Estate Division	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

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS OF THE SUCCESSOR AGENCY TO
THE REDEVELOPMENT AGENCY**

On motion of Supervisor Benoit, seconded by Supervisor Stone and duly carried by unanimous vote, IT WAS ORDERED that the above matter is tentatively approved pending final action by the oversight board.

Ayes: Buster, Tavaglione, Benoit and Ashley
Nays: None
Absent: Stone
Date: December 18, 2012
xc: RDA, EDA, Auditor

Kecia Harper-Ihem
Clerk of the Board
By:
Deputy

Prev. Agn. Ref.: 9.19 of 7/17/07

District: 4/4

Agenda Number: **4.2**

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

FISCAL PROCEDURES APPROVED
 PAUL ANGULO, CPA, AUDITOR-CONTROLLER
 BY: Samuel Wong 12/5/12
 SAMUEL WONG
 DATE: 10-18-12
 ANITA C. WILLIS
 FORM APPROVED COUNTY COUNSEL
 BY: Anita C. Willis

Dept'l Recomm.: Consent Policy
 Per Exec. Ofc.: Consent Policy

BACKGROUND:

In July, 2007, the Redevelopment Agency for the County of Riverside (RDA) entered into a five-year lease agreement with the H.N. and Frances C. Berger Foundation (The Foundation) for the purpose of the RDA developing a sheriff's station, aviation facilities, and related street improvements on approximately 18 acres in the unincorporated area of Thermal, California. Under the terms of the lease the property is to be conveyed to the RDA after substantial completion of the project. Prior to the dissolution of the RDA, the majority of the property was developed as stipulated and has been operating for the purposes intended. At the request of The Foundation, the attached First Amendment to Lease extends the lease by two years, until July 2014 to accommodate their charitable goal and time frame for the land transfer from The Foundation to the County of Riverside Successor Agency to the Redevelopment Agency.

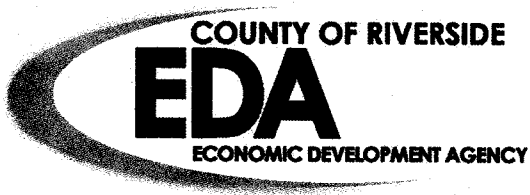
At the termination of the lease, the Successor Agency will follow all guidelines pursuant to the property management plan as required by AB 1484.

Pursuant to the California Environmental Act (CEQA), the Lease Amendment was reviewed and determined to be categorically exempt from CEQA Guidelines Section 15301, Class 1 – Existing Facilities. The proposed project, the Lease Amendment, is the letting of property involving existing facilities. No expansion of an existing use will occur. A summary of the lease is as follows:

- Location: 86625 – 86675 Airport Blvd.
Thermal, CA
- Lessor: H.N. and Frances C. Berger Foundation
P.O. Box 13390
Palm Desert, CA 92255-3390
- Term: Two years commencing July 17, 2012 and terminating July 16, 2014.
- Rent: One dollar per year.
- Utilities: County pays all utility costs.
- Custodial: To be provided by County.
- Maintenance: County provides all property maintenance.

The attached First Amendment to Lease has been reviewed and approved by County Counsel as to legal form.

Attachment:
First Amendment to Lease



Original Negative Declaration/Notice of Determination was routed to County Clerks for posting on.

12/27/12
Date

KA
Initial

Date: November 27, 2012
To: Mary Ann Meyer, Office of the County Clerk
From: John Alfred, Acting Senior Environmental Planner, Project Management Office
Subject: County of Riverside Economic Development Agency Project # FM042671000900

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: John Alfred, Acting Senior Environmental Planner, Economic Development Agency, 3403 10th Street, Suite 400. Riverside, CA 92501. If you have any questions, please contact John Alfred at 955-4844.

Attachment

cc: file

Signed: _____ Date: _____

John Alfred, Acting Senior Environmental Planner
County of Riverside, Economic Development Agency

DEC 18 2012

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Redevelopment Agency
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NOTICE OF EXEMPTION

November 27, 2012

Project Name: Successor Agency to the Redevelopment Agency for the County of Riverside, Berger Foundation Lease

Project Number: FM042671000900

Project Location: APN: 759-060-024, 86625 – 86675 Airport Boulevard, Thermal, California.
Latitude: 33° 38' 31.5031"N, Longitude: -116° 9' 8.6"W. (See attached exhibit).

Description of Project: The Successor Agency to the Redevelopment Agency for the County of Riverside and the H.N. and Frances C. Berger Foundation, a Delaware corporation ("Lessor" or "The Foundation") desires to extend its lease of the Property to the Successor Agency for the purpose of operating, to the extent permitted by law, thereon public service facilities to include a Sheriff's Station and Sheriff's Aviation Facility on APN 759-060-024 to provide public safety to the residents of Thermal and the Coachella Valley. Whereas, the Successor Agency and The Foundation acknowledge that at or prior to the expiration of the lease, the property will be conveyed to the Successor Agency with the stipulation that the use of the land be for public purposes and providing that the Successor Agency will be responsible for on-going maintenance and operation of the property

Name of Public Agency Approving Project: The Successor Agency to the Redevelopment Agency

Name of Person or Agency Carrying Out Project: The Successor Agency to the Redevelopment Agency

Exempt Status: California Environmental Quality Act (CEQA) Guidelines, Section 15301, Existing Facilities, Class 1 and General Rule Exemption Section 15061

Reasons Why Project is Exempt: The project is exempt from the provisions of CEQA specifically by CEQA Guidelines:

- Section 15301, Class 1 – Lease and Operating Agreement, is the letting of property involving existing facilities and no expansion of existing use will occur; and
- Section 15061 - With certainty, there is no possibility that the proposed project may have a significant effect on the environment.

Signed: _____

Date: _____

11.27.12

John Alfred, Acting Senior Environmental Planner
County of Riverside, Economic Development Agency

EXHIBIT A

RIVERSIDE COUNTY GIS



Selected parcel(s):

759-060-024

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.

REPORT PRINTED ON...Tue Oct 30 13:44:20 2012

Version 120920

RIVERSIDE COUNTY CLERK & RECORDER

**AUTHORIZATION
TO BILL
BY JOURNAL VOUCHER**

Project Name: Berger Foundation Lease

Accounting String: 525020-47220-7200400200 -Project # TH009

DATE: November 20, 2012

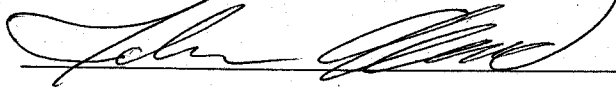
AGENCY: Riverside County Economic Development Agency

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: John Alfred, Acting Senior Environmental Planner, Economic Development Agency

Signature: _____



PRESENTED BY: Heidi Rigler, Real Property Agent, Economic Development Agency

-TO BE FILLED IN BY COUNTY CLERK-

ACCEPTED BY: _____

DATE: _____

RECEIPT # (S) _____