

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

411



**FROM:** Economic Development Agency / Facilities Management

**SUBMITTAL DATE:**  
January 24, 2013

**SUBJECT:** Second Amendment to Revenue Lease with Western Riverside Council of Governments, Riverside

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

1. Ratify the attached Second Amendment to Revenue Lease and authorize the Chairman of the Board to execute the same on behalf of the County; and
2. Find that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Existing Facilities.

**BACKGROUND:** (Commences on Page 2)

Robert Field  
Assistant County Executive Officer/EDA

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 0	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:** 100% Revenue Lease

Positions To Be Deleted Per A-30 ☐

Requires 4/5 Vote ☐

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

APPROVE

BY

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Ashley, seconded by Supervisor Stone and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Stone, Benoit and Ashley  
Nays: None  
Absent: Tavaglione  
Date: February 5, 2013  
xc: EDA

Kecia Harper-Ihem  
Clerk of the Board

By   
3-31  
Deputy

Prev. Agn. Ref.: 3.18 of 10/8/02; 3.7 of 3/25/2003

District: 2/2

Agenda Number:

**BACKGROUND:**

This Second Amendment to Revenue Lease represents a request from Western Riverside Council of Governments (WRCOG) to extend the Lease of County owned space located on the third floor annex located at 4080 Lemon Street, Riverside, California. The Lease has been extended for a period of five years with an annual rent increase of two percent.

Pursuant to the California Environmental Quality Act (CEQA), the Lease was reviewed and determined to be categorically exempt from CEQA under CEQA Guidelines 15301, Class 1-Existing Facilities. The proposed project, the Lease, is the letting of property involving existing facilities with minor tenant improvement alterations and no expansion of an existing use will occur.

The Lease terms are summarized below:

Lessor:	County of Riverside								
Premises Location:	4080 Lemon Street Third Floor Annex Riverside, CA								
Size:	5,532 Square Feet								
Term:	Five years, October 1, 2012 through September 30, 2017								
Rent:	<table><thead><tr><th>Current</th><th>New</th></tr></thead><tbody><tr><td>\$ 1.87 per sq. ft.</td><td>\$ 1.90 per sq. ft.</td></tr><tr><td>\$ 10,359.21 per month</td><td>\$ 10,551.73 per month</td></tr><tr><td>\$124,310.52 per year</td><td>\$126,620.84 per year</td></tr></tbody></table>	Current	New	\$ 1.87 per sq. ft.	\$ 1.90 per sq. ft.	\$ 10,359.21 per month	\$ 10,551.73 per month	\$124,310.52 per year	\$126,620.84 per year
Current	New								
\$ 1.87 per sq. ft.	\$ 1.90 per sq. ft.								
\$ 10,359.21 per month	\$ 10,551.73 per month								
\$124,310.52 per year	\$126,620.84 per year								
Rental Adjustments:	Two percent annual increase								
Utilities:	WRCOG pays for all telephone services, County provides all other utility services								
Custodial:	County provides custodial services								
Maintenance:	County provides maintenance								
Improvements:	None								
Parking:	Sufficient to meet WRCOG requirements								

The attached Second Amendment to Revenue Lease has been reviewed by County Counsel as to legal form.

Attachments:  
Second Amendment to Revenue Lease

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**RECITALS**

A. County and Lessee have entered into a lease, dated October 8, 2002, (the "Lease") pursuant to which County has agreed to lease to Lessee and Lessee has agreed to lease from County that certain building located at 4080 Lemon Street, Third Floor Annex, Riverside, California 92501, as more particularly described in Exhibit A of the Lease.

B. The Parties now desire to amend the Lease to extend the term and revise the amount of the annual increase.

1. TERM. Section 4.1 of the Lease is deleted and replaced with the following language: The term of this Lease shall be extended for five (5) years commencing on October 1, 2012 and terminating on September 30, 2017.

Amount	Year
\$10,566.39	October 1, 2012 thru September 30, 2013
\$10,777.72	October 1, 2013 thru September 30, 2014
\$10,993.28	October 1, 2014 thru September 30, 2015
\$11,213.14	October 1, 2015 thru September 30, 2016
\$11,437.40	October 1, 2016 thru September 30, 2017

1 The rent shall be increased annually by a flat rate of two (2%) percent. Rent shall be  
2 payable, in advance, on the first day of the month.

3 3. SECOND AMENDMENT TO PREVAIL. The provisions of this Second  
4 Amendment shall prevail over any inconsistency or conflicting provisions of the Lease.

5 4. MISCELLANEOUS. Except as amended or modified herein, all the terms of the  
6 Original Lease shall remain in full force and effect and shall apply with the same force  
7 and effect. If any provisions of this Amendment or the Lease shall be determined to be  
8 illegal or unenforceable, such determination shall not affect any other provision of the  
9 Lease and all such other provisions shall remain in full force and effect.

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12 (SIGNATURES ON NEXT PAGE)

5. EFFECTIVE DATE. This Second Amendment to Lease shall not be binding or consummated until its approval by the Riverside County Board of Supervisors and fully executed by the Parties.

IN WITNESS WHEREOF, the parties have executed this Second Amendment as of the date first written above.

Dated: \_\_\_\_\_

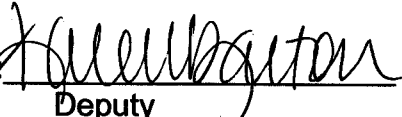
**LESSEE:**

**WESTERN RIVERSIDE COUNCIL OF  
GOVERNMENTS**

By:   
Rick Bishop, Executive Director

**ATTEST:**

Kecia Harper-Ihem  
Clerk of the Board

By:   
Deputy

**LESSOR:**

**COUNTY OF RIVERSIDE**

By:   
John J. Benoit, Chairman  
Board of Supervisors

**APPROVED AS TO FORM:**

Pamela J. Walls  
County Counsel

By:   
Patricia Munroe  
Deputy County Counsel

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