

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

372



FORM APPROVED COUNTY COUNSEL
DATE 7/16/13
BY PATRICIA MUNROE
Departmental Conc.

FROM: Economic Development Agency / Facilities Management

SUBMITTAL DATE:
July 18, 2013

SUBJECT: Ordinance No. 919, Approving a Public Leaseback to Finance the Costs of Construction of a County Law Office Building in Indio

RECOMMENDED MOTION: That the Board of Supervisors:

1. Adopt Ordinance No. 919, authorizing a public leaseback of County-owned property to finance the costs of construction of a County Law office building in Indio and certification of the previously submitted Environmental Assessment No. 13-5-503 and Mitigated Negative Declaration; and
2. Direct the Clerk of the Board to file the attached Notice of Exemption with the County Clerk for posting.

BACKGROUND: (Commences on Page 2)

REVIEWED BY CIP
Christopher Hans

Christopher Hans

Robert Field

Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 5,000	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2013/14

COMPANION ITEM ON BOARD AGENDA: No

SOURCE OF FUNDS: East County Detention Center Project Budget (ECDC) – 100%	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input checked="" type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature

BY: *Jennifer Sargent*

Jennifer Sargent

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Ashley, seconded by Supervisor Stone and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended and that Ordinance 919 is adopted.

Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Date: July 30, 2013
x609 W S3 EDA/MS3 COB, Recorder

Kecia Harper-Ihem
Clerk of the Board
By: *Kecia Harper-Ihem*
Deputy

Prev. Agn. Ref.: 3.12 of 10/18/11; 3.11 of 12/6/11; 3.19 of 3/27/13; 3.21 of 11/6/12; 3.2 of 4/9/13; 3.23 of 6/18/13; 3.21 of 7/16/13

District: 4/4

Agenda Number:

3-26

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD

FISCAL PROCEDURES APPROVED
PAUL ANGULO, CPA, AUDITOR-CONTROLLER
BY Samuel Wong 7/18/13
SAMUEL WONG

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

BACKGROUND:

Ordinance No. 919 provides for a public leaseback of 5.68 acres of County-owned land on the southwest corner of Highway 111 and Jackson Street in the City of Indio as the location most suitable for the construction of a County Law Building in Indio.

In 2011, California Governor Jerry Brown signed into law Assembly Bill 109, known as the "Realignment Plan," which shifts the responsibility from the state to counties for the custody, treatment and supervision of certain offenders. This legislation, combined with the current level of demand for detention facilities in the County, has resulted in the need for additional detention system capacity.

To aid in the financing of such a facility, on March 27, 2012, the Board of Supervisors approved item 3.19 entitled "Acceptance of \$100 million AB 900 Funding Award from the Corrections Standards Authority," formally accepting a funding award in the amount of \$100 million to be applied to the planning, design, and construction of a new detention facility in the County.

The Indio County Administrative Center (CAC) at 82-675 Highway 111, Indio, was deemed to be the location most suitable for this Project and on November 6, 2012, the Board of Supervisors approved item 3.21 for an architectural services agreement to be executed between an architectural firm and the County.

The County will plan and construct a detention facility on the Indio CAC site, which will be known as the East County Detention Center (ECDC). The site is currently improved with office and related facilities totaling approximately 122,000 square feet built from 1968 to 1975. The County plans to relocate the occupants, demolish the facilities, and construct the new detention complex. The new detention complex will feature 1,627 detention beds. On February 26, 2013, the Board of Supervisors approved the Monthly Progress Report Regarding the ECDC, which enumerated the documents required by the State to date in connection with the state-provided bond financing and confirmed the submittal of these documents to the State and compliance by the County.

As a companion Project to the ECDC Project, the Economic Development Agency (EDA) identified County-owned land of approximately 5.68 acres on the southwest corner of Highway 111 and Jackson Street in the City of Indio as the location most suitable for the construction of a privately owned office building of approximately 90,000 square feet with a ground lease to the County to accommodate these departments and entities. The District Attorney, Public Defender, County Counsel, and Law Library will be permanently relocated into this new leased facility. As a result of these moves, TLMA and the Assessor-Clerk Recorder will also need to be relocated. On June 24, 2012, EDA issued a Request for Proposal to real estate developers for the planning, design, and construction of a 90,000 square foot office building to be known as the County Law Building and recommended the Board approve a Pre-Development Agreement with the Trammell Crow Company which was approved by the Board of Supervisors on April 9, 2013, as item 3-2. EDA has negotiated a Ground Lease and Facilities Lease with Riverside Community Properties Development, Inc. (RCP) as landlord and the Trammell Crow Company as developer and is seeking Board approval of these documents substantially as to form. The estimated completion timeframe for the County Law Building is the first calendar quarter of 2015.

To facilitate the financing of the Project, the landlord will procure the funds through a bond offering.

(Continued)

BACKGROUND: (Continued)

Pursuant to Revenue Procedure 82-26 of the U.S. Treasury, bonds issued by a nonprofit corporation organized under the laws of the state of California in order to finance facilities in the state of California may qualify as tax-exempt obligations upon compliance with the requirements set forth in the Revenue Procedure. Riverside Community Properties Development, Inc. (RCP) has been formed as a nonprofit public benefit corporation for the purpose of designing, permitting, constructing and equipping a new law office building and associated improvements for use by the County of Riverside.

Since the County owns land on which the Project will be constructed, it will enter into a ground lease of the land with RCP. In order to finance the Project, RCP proposes to issue tax-exempt bonds, to be designated as the "Riverside Community Properties Development, Inc. Lease Revenue Bonds, 2013 (Riverside County Law Building)."

RCP proposes to enter into the Facilities Lease Agreement (the Facilities Lease) under which RCP will undertake the Project and lease the Premises to the County; and payments by the County of rent under the Facilities Lease will be used to pay debt service on the Bonds.

Since the County does not wish to directly undertake the governmental burden associated with development of the Project, the proposal by RCP is the most efficient means for managing the financing, construction and operation of the Project. However, the transaction, as proposed, constitutes a public leaseback. As such, Government Code § 54241 requires that the action be approved by ordinance.

The Debt Advisory Committee reviewed and approved the financing for this project on June 13, 2013.

The potential environmental effects of the project to the Ground Lease and Facilities Lease were fully studied in Environmental Assessment No. 13-5-503 prepared by the City of Indio. Based thereon City of Indio, the lead agency, adopted a Mitigated Negative Declaration of June 12, 2013. The public leaseback will not result in any new significant environmental effects not identified in Environmental Assessment No. 13-5-503, nor will it substantially increase the severity of the environmental effects identified in Environmental Assessment No. 13-5-503. In addition, no considerable different mitigation measures have been identified. Accordingly, the County, as a responsible agency, hereby certifies that it has reviewed and considered the information contained in Environmental Assessment No. 13-5-503 and the Mitigated Negative Declaration adopted by the City on June 12, 2013. No further environmental documentation is therefore required to authorize the public leaseback.

FINANCIAL DATA:

Preparation, publication and hearing will cost approximately \$5,000. All costs associated with this ordinance are fully funded through the East County Detention Center Project Budget for FY 2013/14. Thus, no additional net county cost will be incurred as a result of the transaction

Attachment:
Ordinance 919
Notice of Exemption

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ORDINANCE NO. 919

AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AUTHORIZING A PUBLIC LEASEBACK TO FINANCE THE COSTS OF
CONSTRUCTION OF A COUNTY LAW OFFICE BUILDING IN INDIO

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. FINDINGS. The Board of Supervisors finds that:

- a. Pursuant to Revenue Procedure 82-26 of the U.S. Treasury (the "Revenue Procedure"), bonds issued by a nonprofit corporation organized under the laws of the state of California in order to finance facilities in the state of California may qualify as tax-exempt obligations upon compliance with the requirements set forth in the Revenue Procedure.
- b. Riverside Community Properties Development, Inc. ("RCP") has been formed as a nonprofit public benefit corporation for the purpose of designing, permitting, constructing and equipping a new law office building and related facilities in Indio, California (the "Project") for use by the County of Riverside (the "County").
- c. The County as the owner of the land on which the Project will be constructed (the "Land") will enter into a ground lease of the Land with RCP (the "Ground Lease").
- d. In order to finance the Project, RCP proposes to issue tax-exempt bonds, to be designated as the "Riverside Community Properties Development, Inc. Lease Revenue Bonds, 2013 (Riverside County Law Building)," in an aggregate principal amount to be determined (the "Bonds").
- e. RCP proposes to enter into a Facilities Lease Agreement (the "Facilities Lease") under which RCP will undertake the Project and lease the Premises (as such term is defined in the Facilities Lease) to the County.

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- f. Payments by the County of rent under the Facilities Lease will be used to pay debt service on the Bonds, but the Bonds will not in any way constitute an obligation or debt of the County.
- g. The Revenue Procedure requires that, within one year prior to issuance of the Bonds, the County approve the nonprofit corporation (RCP) and the bonds to be issued (the Bonds) and agree to accept title to the Project when the Bonds are retired.
- h. The Project is necessary to meet the County's requirements for facilities to house and support essential components of the County's civil and criminal law functions.
- i. The County does not wish to undertake directly the governmental burden associated with development of the Project, and has determined that the proposal by RCP is the most efficient means for managing the financing, construction and operation of the Project.
- j. The transaction as proposed constitutes a public leaseback that the County wishes to approve in accordance with Section 54241 of the Government Code.
- k. The potential environmental effects of the Project subject to the Ground Lease and Facilities Lease were fully studied in Environmental Assessment No. 13-5-503 prepared by the City of Indio. Based thereon City of Indio, the lead agency, adopted a Mitigated Negative Declaration on June 12, 2013. The public leaseback will not result in any new significant environmental effects not identified in Environmental Assessment No. 13-5-503, nor will it substantially increase the severity of the environmental effects identified in Environmental Assessment No. 13-5-503. In addition, no considerably different mitigation measures have been identified. Accordingly, the County, as a responsible agency hereby certifies that it has reviewed and considered the information contained in Environmental Assessment No. 13-5-503 and the Mitigated Negative Declaration adopted

1 by the City on June 12, 2013. No further environmental documentation is
2 therefore required to authorize the public leaseback.

3 Section 2. PURPOSE. The purpose of this ordinance is to authorize a public leaseback to
4 finance the costs of construction of the Project.

5 Section 3. AUTHORITY. This ordinance is adopted pursuant to California Government Code
6 Section 54241.

7 Section 4. AUTHORIZATION OF PUBLIC LEASEBACK. The public leaseback as set forth
8 in this ordinance is authorized.

9 a. Upon completion of negotiations of Ground Lease and the Facilities Lease,
10 the County shall consider approving and authorizing execution of said leases.
11 The final schedule of monthly rent payments due under the Facilities Lease
12 shall be determined and added as an exhibit to the Facilities Lease upon the
13 issuance and sale of the Bonds.

14 b. The County hereby requests that RCP lease the Land pursuant to the
15 anticipated Ground Lease and undertake the Project, and thereby relieve the
16 County of the governmental burden thereof. The County hereby approves RCP
17 solely for the purposes of approving the issuance by it of the Bonds to finance
18 the Project under the Revenue Procedure. The Bonds shall not be an obligation
19 of the County or any other agency or subdivision of the state of California,
20 subject to entering into the Ground Lease and Facilities Lease. The County
21 further agrees to accept title to the Project financed by the Bonds, including
22 any additions to the Premises, when the Bonds are discharged. At such time,
23 title to the Project financed by the Bonds will be transferred to the County at no
24 additional cost.

25 c. To the extent necessary to meet the conditions of paragraph (d)(2) of United
26 States Securities and Exchange Commission Rule 15c2-12, as applicable to a
27 participating underwriter or remarketing agent for Bonds, the County is hereby
28 authorized to enter into an undertaking in a form acceptable at the time to the

1 participating underwriter or remarketing agent, as the case may be.

2 d. All appropriate officers of the County are authorized to take any actions and to
3 execute documents as in their judgment may be necessary or desirable in order
4 to carry out the terms of, and complete the transactions contemplated by, this
5 action. All acts taken and all approvals and agreements previously made
6 pursuant to the authority of this action but prior to the effective date hereof are
7 hereby ratified and confirmed.

8 e. This ordinance shall be published before the expiration of fifteen (15) days
9 after its passage and adoption pursuant to California Government Code Section
10 25124.

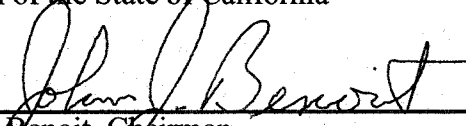
11 Section 5. SEVERABILITY. If any provision, clause, sentence or paragraph of this
12 ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity
13 shall not affect the other provisions of this ordinance which can be given effect without the invalid
14 provision or application, and to this end, the provisions of this ordinance are hereby declared to be
15 severable.

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17 SIGNATURE PROVISIONS ON FOLLOWING PAGE
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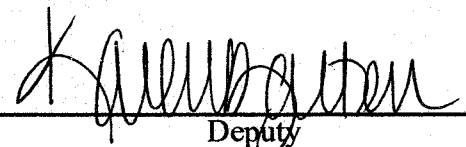
1 Section 6. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after
2 its adoption.

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4 Dated: July 30, 2013

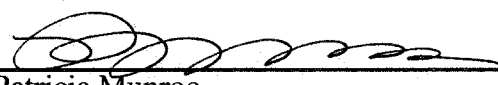
5 COUNTY OF RIVERSIDE, a political
6 Subdivision of the State of California

7
8 By: 
9 John J. Benoit, Chairman
Board of Supervisors

10 ATTEST:
11 Kecia Harper-Ihem
12 CLERK OF THE BOARD:

13 By: 
14 Deputy

15
16 APPROVED AS TO FORM:
17 Pamela J. Walls
County Counsel

18 By: 
19 Patricia Munroe
20 Deputy County Counsel


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STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE) SS

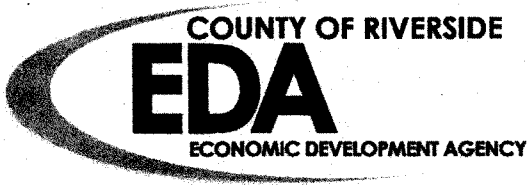
I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on July 30, 2013, the foregoing ordinance consisting of 6 Sections was adopted by the following vote:

AYES: Jeffries, Tavaglione, Stone, Benoit and Ashley
NAYS: None
ABSENT: None

DATE: July 30, 2013

KECIA HARPER-IHEM
Clerk of the Board
BY: 
Deputy

SEAL



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

8/1/13 KB
Date Initial

Date: July 16, 2013
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 # FM0417200190**

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: 7.16.13

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

RIVERSIDE COUNTY CLERK & RECORDER

**AUTHORIZATION
TO BILL
BY JOURNAL VOUCHER**

Project Name: Adoption of Ordinance 919; Approve a Public Leaseback to Finance the Costs of Construction of a County Law Building

Accounting String: 524830-47220-7200400000-FM0417200190

DATE: July 16, 2013 _____

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: Stephen Gilbert, EDA Development Manager, Economic Development Agency

-TO BE FILLED IN BY COUNTY CLERK-

ACCEPTED BY: _____

DATE: _____

RECEIPT # (S) _____



NOTICE OF EXEMPTION

July 16, 2013

Project Name: Adoption of Ordinance 919; Approve a Public Leaseback to Finance the Costs of Construction of a County Law Building

Project Number: FM0417200190

Project Location: APN: 614-050-060 southwest corner of Highway 111 and Jackson Street Indio, CA.
Latitude: 33° 42' 51.78"N, Longitude: -116° 13' 1.56"W. (see attached exhibit).

Description of Project: The purpose of Ordinance No. 919 is to authorize a public leaseback of County-owned property to finance the costs of construction for a site in Indio, known as the County Law Building. Pursuant to Revenue Procedure 82-26 of the U.S. Treasury, bonds issued by a nonprofit corporation organized under the laws of the state of California in order to finance facilities in the state of California may qualify as tax-exempt obligations upon compliance with the requirements set forth in the Revenue Procedure. Riverside Community Properties Development, Inc. (RCP) has been formed as a nonprofit public benefit corporation for the purpose of designing, permitting, constructing and equipping a new law office building and associated improvements for use by the County of Riverside. Ordinance No. 919 is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) as it can be seen with certainty that there is no possibility the activity in question may have a significant effect on the environment. The County's approval of this proposed ordinance does not create any reasonably foreseeable physical change in the environment; it only authorizes public leaseback to finance construction. The Ordinance will essentially be void if the leases authorized/contemplated by it are not ultimately approved and entered into by the Board and Further CEQA review will occur at the time the Board considers adoption of the leases. Further CEQA review, will occur at the time the Board considers adoption of the leases. Thus, it can be seen with certainty that adoption of the Ordinance will have no significant effect on the environment.

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

Exempt Status: California Environmental Quality Act (CEQA) Guidelines, General Rule Exemption Section 15061 (b) (3)

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

- Section 15061 (b) (3) - With certainty, there is no possibility that the proposed project may have a significant effect on the environment.

Signed:

Date:

7.16.13

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

JUL 30 2013

3-26

NOTICE OF EXEMPTION EXHIBIT



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

250



FORM APPROVED COUNTY COUNSEL
BY: Patricia Munroe 7/1/13
DATE

FROM: Economic Development Agency / Facilities Management

SUBMITTAL DATE:
July 3, 2013

SUBJECT: Ordinance No. 919, Authorizing a Public Leaseback to Finance the Costs of Construction of a County Law Office Building in Indio and Certification of Environmental Assessment No. 13-5-503 (EA)/Mitigated Negative Declaration

RECOMMENDED MOTION: That the Board of Supervisors introduce and adopt, on successive weeks, Ordinance No. 919, authorizing a public leaseback of County-owned property to finance the costs of construction of a County Law office building in Indio and certification of review and consideration the attached EA and Mitigated Negative Declaration.

BACKGROUND: Ordinance No. 919 provides for a public leaseback of 5.68 acres of County-owned land on the southwest corner of Highway 111 and Jackson Street in the City of Indio as the location most suitable for the construction of a County Law Building in Indio.

(Continued)

FISCAL PROCEDURES APPROVED
BY: Samuel Wong 7/3/13
DATE

REVIEWED BY CIP
Christopher Hans
Christopher Hans

Robert Field
Robert Field
Assistant County Executive Officer/EDA

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 5,000	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2013/14

COMPANION ITEM ON BOARD AGENDA: No

SOURCE OF FUNDS: East County Detention Center Project Budget – 100%	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

County Executive Office Signature BY: Jennifer L. Sargent

Policy
 Policy
 Consent
 Consent
 Dep't Recomm.:
 Per Exec. Ofc.:

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Stone, seconded by Supervisor Benoit and duly carried by unanimous vote, IT WAS ORDERED that the above ordinance is approved as introduced with waiver of reading.

Ayes: Jeffries, Tavaglione, Stone, Benoit and Ashley
 Nays: None
 Absent: None
 Date: July 16, 2013
 xc: EDA, COB

Kecia Harper-Ihem
 Clerk of the Board
 By: Kecia Harper-Ihem
 Deputy

Prev. Agn. Ref.: 3.12 of 10/18/11; 3.11 of 12/6/11; 3.19 of 3/27/13; 3.21 of 11/6/12; 3.2 of 4/9/13; 3.23 of 6/18/13 | **District:** 4/4 | **Agenda Number:** 3-21

BACKGROUND: (Continued)

In 2011, California Governor Jerry Brown signed into law Assembly Bill 109, known as the "Realignment Plan," which shifts the responsibility from the state to counties for the custody, treatment and supervision of certain offenders. This legislation, combined with the current level of demand for detention facilities in the County, has resulted in the need for additional detention system capacity.

To aid in the financing of such a facility, on March 27, 2012, the Board of Supervisors approved item 3.19 entitled "Acceptance of \$100 million AB 900 Funding Award from the Corrections Standards Authority," formally accepting a funding award in the amount of \$100 million to be applied to the planning, design, and construction of a new detention facility in the County.

The Indio County Administrative Center (CAC) at 82-675 Highway 111, Indio, was deemed to be the location most suitable for this Project and on November 6, 2012, the Board of Supervisors approved item 3.21 for an architectural services agreement to be executed between an architectural firm and the County.

The County will plan and construct a detention facility on the Indio CAC site, which will be known as the East County Detention Center (ECDC). The site is currently improved with office and related facilities totaling approximately 122,000 square feet built from 1968 to 1975. The County plans to relocate the occupants, demolish the facilities, and construct the new detention complex. The new detention complex will feature 1,627 detention beds. On February 26, 2013, the Board of Supervisors approved the Monthly Progress Report Regarding the ECDC, which enumerated the documents required by the State to date in connection with the state-provided bond financing and confirmed the submittal of these documents to the State and compliance by the County.

As a companion Project to the ECDC Project, the Economic Development Agency (EDA) identified County-owned land of approximately 5.68 acres on the southwest corner of Highway 111 and Jackson Street in the City of Indio as the location most suitable for the construction of a privately owned office building of approximately 90,000 square feet with a ground lease to the County to accommodate these departments and entities. The District Attorney, Public Defender, County Counsel, and Law Library will be permanently relocated into this new leased facility. As a result of these moves, TLMA and the Assessor-Clerk Recorder will also need to be relocated. On June 24, 2012, EDA issued a Request for Proposal to real estate developers for the planning, design, and construction of a 90,000 square foot office building to be known as the County Law Building and recommended the Board approve a Pre-Development Agreement with the Trammell Crow Company which was approved by the Board of Supervisors on April 9, 2013, as item 3-2. The estimated completion timeframe for the County Law Building is the first calendar quarter of 2015.

To facilitate the financing of the Project, the landlord will procure the funds through a bond offering.

(Continued)

BACKGROUND: (Continued)

Pursuant to Revenue Procedure 82-26 of the U.S. Treasury, bonds issued by a nonprofit corporation organized under the laws of the state of California in order to finance facilities in the state of California may qualify as tax-exempt obligations upon compliance with the requirements set forth in the Revenue Procedure. Riverside Community Properties Development, Inc. (RCP) has been formed as a nonprofit public benefit corporation for the purpose of designing, permitting, constructing and equipping a new law office building and associated improvements for use by the County of Riverside.

Since the County owns land on which the Project will be constructed, it is anticipated the County will enter into a ground lease of the land with RCP. In order to finance the Project, RCP proposes to issue tax-exempt bonds, to be designated as the "Riverside Community Properties Development, Inc. Lease Revenue Bonds, 2013 (Riverside County Law Building)." Additionally, RCP proposes to enter into the Facilities Lease Agreement (the Facilities Lease) under which RCP will undertake the Project and lease the Premises to the County; and payments by the County of rent under the Facilities Lease will be used to pay debt service on the Bonds. It is anticipated that the Ground Lease and Facilities Lease will be scheduled for Board consideration upon completion of negotiations on these leases.

Since the County does not wish to directly undertake the governmental burden associated with development of the Project, the proposal by RCP is the most efficient means for managing the financing, construction and operation of the Project. However, the transaction, as proposed, constitutes a public leaseback. As such, Government Code § 54241 requires that the action be approved by ordinance.

The Debt Advisory Committee reviewed and approved the financing for this project on June 13, 2013.

The potential environmental effects of the Project subject to the Ground Lease and Facilities Lease were fully studied in Environmental Assessment No. 13-5-503 prepared by the City of Indio. Based thereon City of Indio, the lead agency, adopted a Mitigated Negative Declaration on June 12, 2013. The public leaseback will not result in any new significant environmental effects not identified in Environmental Assessment No. 13-5-503, nor will it substantially increase the severity of the environmental effects identified in Environmental Assessment No. 13-5-503. In addition, no considerably different mitigation measures have been identified. Accordingly, the County, as a responsible agency, hereby certifies that it has reviewed and considered the information contained in Environmental Assessment No. 13-5-503 and the Mitigated Negative Declaration adopted by the City on June 12, 2013. No further environmental documentation is therefore required to authorize the public leaseback.

FINANCIAL DATA:

Preparation, publication and hearing will cost approximately \$5,000. All costs associated with this ordinance are fully funded through the East County Detention Center Project Budget for FY 2013/14. Thus, no additional net county cost will be incurred as a result of the transaction

Attachments:

Ordinance 919

City of Indio Planning Commission Reso No. 1651

Environmental Initial Study

- 1 f. Payments by the County of rent under the Facilities Lease will be used to pay
2 debt service on the Bonds, but the Bonds will not in any way constitute an
3 obligation or debt of the County.
- 4 g. The Revenue Procedure requires that, within one year prior to issuance of the
5 Bonds, the County approve the nonprofit corporation (RCP) and the bonds to
6 be issued (the Bonds) and agree to accept title to the Project when the Bonds
7 are retired.
- 8 h. The Project is necessary to meet the County's requirements for facilities to
9 house and support essential components of the County's civil and criminal law
10 functions.
- 11 i. The County does not wish to undertake directly the governmental burden
12 associated with development of the Project, and has determined that the
13 proposal by RCP is the most efficient means for managing the financing,
14 construction and operation of the Project.
- 15 j. The transaction as proposed constitutes a public leaseback that the County
16 wishes to approve in accordance with Section 54241 of the Government Code.
- 17 k. The potential environmental effects of the Project subject to the Ground
18 Lease and Facilities Lease were fully studied in Environmental Assessment
19 No. 13-5-503 prepared by the City of Indio. Based thereon City of Indio,
20 the lead agency, adopted a Mitigated Negative Declaration on June 12,
21 2013. The public leaseback will not result in any new significant
22 environmental effects not identified in Environmental Assessment No. 13-
23 5-503, nor will it substantially increase the severity of the environmental
24 effects identified in Environmental Assessment No. 13-5-503. In addition,
25 no considerably different mitigation measures have been identified.
26 Accordingly, the County, as a responsible agency hereby certifies that it has
27 reviewed and considered the information contained in Environmental
28 Assessment No. 13-5-503 and the Mitigated Negative Declaration adopted

1 by the City on June 12, 2013. No further environmental documentation is
2 therefore required to authorize the public leaseback.

3 Section 2. PURPOSE. The purpose of this ordinance is to authorize a public leaseback to
4 finance the costs of construction of the Project.

5 Section 3. AUTHORITY. This ordinance is adopted pursuant to California Government Code
6 Section 54241.

7 Section 4. AUTHORIZATION OF PUBLIC LEASEBACK. The public leaseback as set forth
8 in this ordinance is authorized.

9 a. Upon completion of negotiations of Ground Lease and the Facilities Lease,
10 the County shall consider approving and authorizing execution of said leases.
11 The final schedule of monthly rent payments due under the Facilities Lease
12 shall be determined and added as an exhibit to the Facilities Lease upon the
13 issuance and sale of the Bonds.

14 b. The County hereby requests that RCP lease the Land pursuant to the
15 anticipated Ground Lease and undertake the Project, and thereby relieve the
16 County of the governmental burden thereof. The County hereby approves RCP
17 solely for the purposes of approving the issuance by it of the Bonds to finance
18 the Project under the Revenue Procedure. The Bonds shall not be an obligation
19 of the County or any other agency or subdivision of the state of California,
20 subject to entering into the Ground Lease and Facilities Lease. The County
21 further agrees to accept title to the Project financed by the Bonds, including
22 any additions to the Premises, when the Bonds are discharged. At such time,
23 title to the Project financed by the Bonds will be transferred to the County at no
24 additional cost.

25 c. To the extent necessary to meet the conditions of paragraph (d)(2) of United
26 States Securities and Exchange Commission Rule 15c2-12, as applicable to a
27 participating underwriter or remarketing agent for Bonds, the County is hereby
28 authorized to enter into an undertaking in a form acceptable at the time to the

participating underwriter or remarketing agent, as the case may be.

d. All appropriate officers of the County are authorized to take any actions and to execute documents as in their judgment may be necessary or desirable in order to carry out the terms of, and complete the transactions contemplated by, this action. All acts taken and all approvals and agreements previously made pursuant to the authority of this action but prior to the effective date hereof are hereby ratified and confirmed.

e. This ordinance shall be published before the expiration of fifteen (15) days after its passage and adoption pursuant to California Government Code Section 25124.

Section 5. SEVERABILITY. If any provision, clause, sentence or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

Section 6. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its adoption.

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

By: _____
Chairman

ATTEST:

CLERK OF THE BOARD:

By: _____
Deputy

(SEAL)

FORM APPROVED COUNTY COUNSEL

BY: [Signature] 7/1/13
PATRICIA MONROE DATE

PM:ay

RESOLUTION NO. 1651

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF INDIO, CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE COUNTY OF RIVERSIDE LAW OFFICE BUILDING PROJECT

WHEREAS, Trammell Crow Southern California Development Services, Inc. (on behalf of County of Riverside) (the "Applicant") has applied for Design Review 13-5-358 to construct a 3-story 90,000 square foot building and a 1-story 5,000 square foot building with associated landscape, hardscape improvements, surface parking, and photovoltaic shade structures over a portion of the parking area (the "Project") on the property located southwest corner of Jackson Street and Highway 111 (the "Property");

WHEREAS, the City of Indio is the lead agency for the Project and undertook environmental review of the Project in accordance with the authority and criteria contained in the California Environmental Quality Act ("CEQA"), the CEQA Guidelines, and the environmental regulations of the City of Indio ("City");

WHEREAS, in May 2013, an Initial Study was prepared to determine if there is potential for any significant environmental effects associated with the proposed Project. The Initial Study determined that the proposed Project will result in less than significant impacts to the environment with implementation of mitigation measures;

WHEREAS, pursuant to State CEQA Guidelines Section 15073, the Initial Study and a Mitigated Negative Declaration ("IS/MND"), along with the Notice of Intent to Adopt a Mitigated Negative Declaration, were mailed and made available for public review between May 17, 2013, and June 7, 2013. Written comment letters were received only from two City departments, and no new, unavoidable significant effects were identified during the public comment period, and pursuant to CEQA Guidelines Section 15073.5, there is no requirement to re-circulate the environmental documents for the proposed Project; and

WHEREAS, on June 12, 2013, the Planning Commission, which is the decision making body for the Project, considered the proposed IS/MND, the Mitigation Monitoring and Reporting Program, together with the staff report and supporting documents for the Project, including the comments received during the public review process, as well as any comments received at the public meeting.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF INDIO, CALIFORNIA, HEREBY RESOLVES, FINDS AND DETERMINES AS FOLLOWS:

Section 1. The Planning Commission hereby specifically finds that all of the facts set forth in the recitals of this Resolution are true and correct.

Section 2. The Planning Commission has independently reviewed the IS/MND and comments received regarding the IS/MND and, based on the whole record before the Planning Commission, finds: (i) that the IS/MND was prepared in compliance with CEQA; and (ii) that, based on the imposition of mitigation measures, there is no substantial evidence that the Project will have a significant effect on the environment. The Planning Commission further finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Planning Commission. Based on these findings, the Planning Commission hereby adopts the Mitigated Negative Declaration for this Project.

Section 3. The Planning Commission has also reviewed and considered the Mitigation Monitoring and Reporting Program for the Project that has been prepared pursuant to the requirements of Public Resources Code Section 21081.6 and finds that the Program is designed to ensure compliance with the mitigation measures during Project implementation. The Planning Commission hereby adopts the Mitigation Monitoring and Reporting Program for the Project.

Section 4. The Planning Commission designates the custodian of the documents for the Initial Study, Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program and all other materials which constitute the record of proceedings upon which the Planning Commission's decision is based, to be the Planning Department of the City of Indio. Those documents are available for public review in the Planning Department of the City of Indio located at 100 Civic Center Mall, Indio, California 92201, telephone number: (760) 391-4000.

Section 5. The Planning Commission Secretary shall certify to the passage, approval and adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 12th day of June, 2013, by the following vote, to wit:

AYES:
NOES:
ABSTAIN:
ABSENT:

Ken Weller, Chairman
Indio Planning Commission

ATTEST:

Janis Dawson,
Planning

Commission

Secretary



City of Indio
Community Development Department

100 Civic Center Mall
P.O. Drawer 1788
Indio, CA 92202
(760) 391-4120
Fax (760) 391-4027

Environmental Initial Study

Project Title: County Law Building

Case No: Environmental Assessment (EA 13-5-503)
Design Review (DR 13-5-358)

**Lead Agency
Name and
Address:** City of Indio
Community Services Department
100 Civic Center Mall
Indio, CA 92201

Property Owner: County of Riverside

Applicant: Trammell Crow Southern California Development Services, Inc. (on behalf
of County of Riverside)
3501 Jamboree Suite 230
Newport Beach, CA 92660
949-477-4700 Main Office
949-477-9107 Fax

Engineer: Webb Associates
3788 McCray Street
Riverside, CA 92506

Contact Person & Phone Number:

Leila Namvar, Assistant Planner, City of Indio 760-541-4252

Project Location:

The Site is bordered to the north by Highway 111 and commercial businesses and vacant lots; to the east by Jackson Street and Thomas Jefferson Middle School; to the southeast by a fleet services facility for Riverside County; to the south by Plaza Avenue, beyond and residential mobile home park; and to the west by parking lots, a water tank, and landscaping associated with Riverside County governmental buildings.



Zoning: Public (P)

General Plan: Public (P)

Project Description:

County of Riverside Law Building project is located on a portion of a single parcel (APN: 614-050-060), and it is located at the southwest corner of HWY 111 and Jackson Street on approximately 4.96 acres. The proposed project is located within Public (P) zoning. The project consists of a 3-story 90,000 square foot building and a 1-story 5,000 square foot

building with associated landscape, hardscape improvements, surface parking, and photovoltaic shade structures over a portion of the parking area.

Entitlements Include:

Environmental Assessment (EA 13-5-503)

Design Review (DR 13-5-358)

Surrounding Land Uses and Setting: Surrounding land use in the project vicinity is characterized by the following residential/golf course uses:

Direction	General Plan	Zoning	Current Land Use
North:	Community Commercial/CC	Community Commercial/CC	Vacant
South:	Public/P	Public/P	County of Riverside Fleet
East:	Public/P	Public/P	Jefferson Middle School
West:	Public/P	Public/P	Riverside County governmental buildings

Other public agencies whose approval is required:

Indio Water Authority – Construction Permit

City of Indio – PM10 Permit

Valley Sanitary –Sanitary Sewer Connections

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

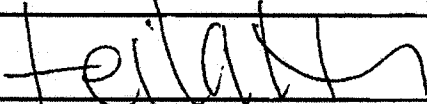
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

Aesthetics	Agriculture Resources	Air Quality
Biological Resources	Cultural Resources	Geology /Soils
Hazards & Hazardous Materials	Hydrology / Water Quality	Land Use / Planning
Mineral Resources	Noise	Population / Housing
Public Services Utilities / Service Systems	Recreation Mandatory Findings of Significance	Transportation/Traffic

DETERMINATION: (To be completed by the Lead Agency) On the basis of this initial evaluation:

	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
√	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.
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Signature:	
Print Name:	Leila Namvar
Date:	June 7, 2013

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the

following:

- a) **Earlier Analysis Used.** Identify and state where they are available for review.
 - b) **Impacts Adequately Addressed.** Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) **Mitigation Measures.** For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) **Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.**
 - 7) **Supporting Information Sources:** A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
 - 8) **This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.**
 - 9) **The explanation of each issue should identify:**
 - a) **The significance criteria or threshold, if any, used to evaluate each question; and**
 - b) **The mitigation measure identified, if any, to reduce the impact to less than significance**

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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I. AESTHETICS – Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

The topography of the surrounding mountains offers a unique vista for the Coachella Valley and for The City of Indio. The Little San Bernardino Mountains lie to the north, the San Bernardino Mountains lie to the northwest. The Indio Hills are visible to the northeast and the Santa Rosas are visible to the south. The San Jacinto Mountains offer the most scenic vista to the west. The term "views" generally refers to visual access to or the visibility of a particular sight from a given vantage point or corridor. There is not scenic views from the project site, since the surrounding area is currently urbanized and the project is not expected to cause any significant impacts relating to these vistas. .

Mitigation Measures: None

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

The property has been used historically for a school and the site has been grade several times since 90s. No scenic resources such as trees, rock outcropping and historic buildings within a state scenic highway are found on the property and will not, therefore, be impacted.

Mitigation Measures: None

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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c) Substantially degrade the existing visual character or quality of the site and its surroundings? <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>
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Discussion:

The City will ensure that the visual qualities of the development demonstrate positive aesthetic. The project design (including architecture and landscape architecture) will require review and approval by the City's Planning Commission. The development's design and construction shall be in full compliance with the City's General Plan Design Guidelines, as well as applicable regulations in the City's Development Code. There is no light source on the site now because it is vacant. Project lighting will be necessary to ensure nighttime security. The project's lighting plan will include low intensity energy efficient lighting typical for commercial setting. Therefore no significant impacts are anticipated as a result of lighting from this project. In addition, the project shall comply with the City of Indio zoning ordinances [Section 159.653 (1) Lighting Requirements. The equivalent of one foot candle of illumination shall be provided throughout the parking area. All lighting shall be on a time-clock or photo-sensor system. Lighting used to illuminate parking areas shall be designed and located to confine direct rays to the premises. No spillover or bleeding of light beyond the property line or into the sky shall be permitted. Light standards shall be a maximum of 24 feet in height in nonresidential areas and 20 feet in height in residential areas. Illumination shall not include low pressure sodium or similar lighting techniques.]

Mitigation Measures: None

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>
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Discussion:

There is no light source on the site now because of its day time use. Project lighting will be necessary to ensure nighttime community security. The project's lighting plan will include low intensity energy efficient lighting typical of a residential setting. Therefore no significant impacts are anticipated as a result of lighting from this project.

Mitigation Measures: None

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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II. AGRICULTURE RESOURCES – Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

Discussion:

The project is infill within an urbanized area with commercial and industrial uses. The project site has been used by the school district. The site currently is covered with asphalt, sand and disturbed soils and no farming activities are occurring. The site is not within Prime Farmlands, Unique Farmlands, or Farmlands of Statewide Importance. Therefore, construction and operation of the proposed project would not affect or convert any Prime Farmlands, Unique Farmlands, or Farmlands of Statewide Importance. No impacts are expected related to the Farmland Mapping and Monitoring Program.

Mitigation Measures: None

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

Discussion:

As discussed previously, the project is infill within an urbanized area consists of 95,000 square feet of building, landscape, off-site, and parking improvements. The zoning for the project site is Public (P). No impacts are expected related to zoning for agricultural use or a Williamson Act contract (also See above).

Mitigation Measures: None-See above

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104 (g))?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Discussion:

No impacts are expected related to zoning for forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104 (g)). The zoning for the project is Public (P). According to the City's zoning ordinances, within Public zone, agriculture is not a permitted use (also See above).

Mitigation Measures: None

d) Result in loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

The project is infill within the Indio Downtown area, no changes will occur in the existing environment which could result in conversion of Farmland to non-agricultural uses. The subject project is zoned Pubic (P) and according to the City General Plan 2020, it is not in any farmland land. According to the City's zoning ordinances, within Public zone, agriculture is not a permitted use (also See above).

Mitigation Measures: None

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

The project site is not within any County or City farmland map and it is zoned Public (P). According to the City's zoning ordinances, within Public zone, agriculture is not a permitted use.

Mitigation Measures: None

III. AIR QUALITY: Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

The project is located within the South Coast Air Basin (SCAP), which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD), the local air pollution control district. The SCAQMD is responsible for administering the Air Quality Management Plan (AQMP) for the SCAB, which is a comprehensive air pollution control program for attaining State and federal ambient air quality standards. The City has an adopted Air Quality Element that is part of the General Plan. The Air Quality Element contains policies and goals for attaining State and federal air quality standards, while continuing economic growth, and includes implementation strategies for local AQMP. A significant impact would occur if the proposed project was inconsistent with the AQMP or the Air Quality Element of the City's General Plan. The proposed Project is consistent with the General Plan 2020 and the Zoning Ordinances pertaining to the project and therefore consistent with the General Plan and analyzed within the Environmental Impact Report for the General Plan. The project is consequently consistent with the AQMP (Air Quality Management Plan) and final CVSIP (Coachella Valley State Implementation Plan – adopted May 6, 2003.) The project will not conflict with or obstruct implementation of the applicable air quality plan because it will be conditioned to follow the CVSIP and to incorporate mitigation measures (discussed below) during construction activities to reduce air quality impacts to the greatest amount feasible.

Mitigation Measures: None

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The General Plan indicates that the Riverside County Comprehensive General Plan has designated most of Indio as a "Blowsand Hazard Zone." Within this area, an "Active Blowsand Zone" has also been defined. The subject property is "not" located within the boundary of the "Active Blowsand Zone." The Coachella Valley is within the "Blowsand Zone" by its desert climate nature. Two types of air pollutant sources must be considered with respect to the proposed project: stationary sources and mobile sources. Stationary source considerations include emissions from natural gas combustion and emissions at the power plant associated with the electrical requirements of the proposed development. Mobile source considerations include exhaust emissions resulting from short-term construction activities and long-term vehicular travel associated with the proposed project. During the life of the proposed development, a variety of emissions will be produced by its day-to-day operations. Only a small portion of the project-related emissions would be emitted at a fixed location by stationary sources. The majority of the emissions would be emitted by motor vehicles along the roadways used for site access. Construction equipment and construction related activities for the proposed project will contribute to short term air quality impacts. Because there are existing residential developments to the north, south, east and west of the proposed project, construction activities may potentially expose sensitive receptors to pollutants. The applicant will be required to adhere to the City's Fugitive Dust and Erosion Control policies and ordinance to minimize potential construction related emissions. An approved Fugitive Dust (PM10) Plan will be required prior to issuance of a grading permit. The mitigation plan will include methods of maintaining/cleaning the construction equipment, soil stabilization and wind fencing. Proposed permanent landscaping for the development will help to reduce the future levels of fugitive dust in the area. Short-term impacts on air quality will occur during the construction activities related to the proposed project. Since PM10 concentrations are of concern in the Coachella Valley and residential development exists in the project vicinity that will be exposed to higher PM10 concentrations during the construction activities on-site, all feasible mitigation measures should be incorporated to reduce construction-related PM10 emissions to the maximum extent feasible. The project will be required to comply with The City's Adopted PM10 program, South Coast Air Quality Management District overall air quality regulations, final Coachella Valley State Implementation Plan (adopted May 6, 2003.) The Coachella Valley is currently considered in non-attainment by EPA. The inclusion of mitigation measures in the project will minimize the potential air quality impacts attributable to the proposed project to less than significant levels. Two types of air pollutant sources must be considered with respect to the proposed project: stationary sources and mobile sources. Stationary source considerations include emissions from natural gas combustion and emissions at the power plant associated with the electrical requirements of the proposed development. Mobile source considerations include exhaust emissions resulting from short-term construction activities and long-term vehicular travel associated with the proposed

project. During the life of the proposed development, a variety of emissions will be produced by its day-to-day operations. Only a small portion of the project-related emissions would be emitted at a fixed location by stationary sources. The majority of the emissions would be emitted by motor vehicles along the roadways used for site access. Short-term impacts on air quality will occur during the construction activities related to the proposed project. Since PM10 concentrations are of concern in the Coachella Valley and residential development exists in the project vicinity that will be exposed to higher PM10 concentrations during the construction activities on-site, all feasible mitigation measures should be incorporated to reduce construction-related PM10 emissions to the maximum extent feasible. The City of Indio will use its discretionary permit authority to place conditions of approval on the proposed project that require compliance with all Federal, State, and City's applicable policies, rules, regulations and ordinances. The following measures reflect policies, rules or regulations that apply to the proposed development.

Mitigation Measures:

1. A plan to control fugitive dust through implementation of best available dust control measures shall be prepared and submitted to the City of Indio for approval prior to the issuance of any earth moving permits associated with the project.
2. The project proponent shall comply with all applicable SCAQMD Rules and Regulations including but not limited to the following:
 - Rule 403 (Fugitive Dust) specifies control measures for use in developing site specific fugitive dust control plans to minimize blowing dust from construction sites and insure the cleanup of construction related dirt on approach routes to the site including: watering measures, chemical stabilizers, wind fencing, covering haul vehicles, bed liners in haul vehicles, wheel washers and high wind measures;
 - Rule 1108 and 1108.1 prohibits the use of rapid and medium cure cutback asphalts as well as organic compounds in emulsified asphalts used during the construction process.; and
 - Rule 1113 (Architectural Coatings) restricts the VOC content of any architectural coating materials used on-site to a maximum of 2.08 pounds of VOC per gallon.
 - Rule 1113 (Architectural Coatings) restricts the VOC content of any architectural coating materials used on-site to a maximum of 2.08 pounds of VOC per gallon.
3. Building construction on-site shall comply with the energy use guidelines in Title 24 of the California Administrative Code.
4. Earth-moving activities shall be suspended during first and second stage ozone episodes or when winds exceed 25 MPH per the Coachella Valley PM10 State Implementation Plan and SCAQMD Rule 403.1.
5. Adequate watering techniques shall be employed to partially mitigate the impact of construction-generated dust particulates. Portions of the project site that are undergoing earth moving operations shall be watered such that a crust will be formed on the ground surface and then watered again at the end of the day, as part of the constructions specifications.
6. Any construction access roads should be paved as soon as possible and cleaned

- after each work day. The maximum vehicle speed limit on unpaved road surfaces should be 15 mph.
7. All trucks shall maintain at least two feet of freeboard.
 8. Trucks hauling dirt, sand, soil or other loose dirt material off-site shall be covered and washed off before leaving the site.
 9. Adjacent streets shall be swept if silt is carried over to adjacent public thoroughfares.
 10. As part of the construction specifications, any vegetative ground cover to be utilized on-site shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems needed to water these plants shall be installed as soon as possible to maintain the ground cover and minimize wind erosion of the soil.
 11. Construction operations affecting off-site roadways shall be scheduled for off-peak traffic hours and shall minimize obstruction of through-traffic lanes.
 12. Construction fences/screens shall be installed around all active areas.
 13. Building construction on-site shall comply with the energy use guidelines in Title 24 of the California Administrative Code.
 14. Earth-moving activities shall be suspended during first and second stage ozone episodes or when winds exceed 25 MPH per the Coachella Valley PM10 State Implementation Plan and SCAQMD Rule 403.1.
 15. Adequate watering techniques shall be employed to partially mitigate the impact of construction-generated dust particulates. Portions of the project site that are undergoing earth moving operations shall be watered such that a crust will be formed on the ground surface and then watered again at the end of the day, as part of the constructions specifications.
 16. Any construction access roads should be paved as soon as possible and cleaned after each work day. The maximum vehicle speed limit on unpaved road surfaces should be 15 mph.
 17. All trucks shall maintain at least two feet of freeboard.
 18. Trucks hauling dirt, sand, soil or other loose dirt material off-site shall be covered and washed off before leaving the site.
 19. Adjacent streets shall be swept if silt is carried over to adjacent public thoroughfares.
 20. As part of the construction specifications, any vegetative ground cover to be utilized on-site shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems needed to water these plants shall be installed as soon as possible to maintain the ground cover and minimize wind erosion of the soil.
 21. Construction operations affecting off-site roadways shall be scheduled for off-peak traffic hours and shall minimize obstruction of through-traffic lanes.
 22. Construction fences/screens shall be installed around all active areas.

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Discussion:

As discussed previously, because of the Coachella Valley's status of non-attainment, and the resultant scrutiny of air quality measurements, any air quality impacts in the area can be considered cumulative. The size of the project (approximately 4.96 acres) leads to what can be considered a negligible cumulative impact. With incorporation of required mitigation measures discussed previously, a less than significant impact related to a cumulatively considerable net increase of any criteria pollutant is expected.

Mitigation Measures: See a) this section

d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Discussion:

The Site is bordered to the north by Highway 111 and commercial businesses and vacant lots; to the east by Jackson Street and Thomas Jefferson Middle School; to the southeast by a fleet services facility for Riverside County; to the south by Plaza Avenue, beyond and residential mobile home park; and to the west by parking lots, a water tank, and landscaping associated with Riverside County governmental buildings.

Mitigation Measures: See a) this section

e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

The development includes office uses and anticipated odors are those that are commonly found in a these settings and therefore the development will not create objectionable odors. Short-term odor impacts associated with project construction, including diesel fumes and asphalt paving, will dissipate quickly and will not pose an impact.

Mitigation Measures: None

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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IV. BIOLOGICAL RESOURCES -- Would the project:

<p>a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

The subject site consists of approximately 4.96 acres of vacant land, located on the southwest corner of Highway 111 and Jackson Street. The site is owned by the County of Riverside and is currently undeveloped. The site was previously developed as a school (Roosevelt Public School and Roosevelt Grammar School) which occupied the site at least from 1929 through 1996. The site is completely disturbed and no species identified as a candidate, sensitive, or special status species or their habitats are expected to be impacted.

Mitigation Measures: None

<p>b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

As mentioned previously, the subject site consists of approximately 5.6 acres of vacant land, located on the southwest corner of Highway 111 and Jackson Street. The site is owned by the County of Riverside and is currently undeveloped. The site was previously developed as a school (Roosevelt Public School and Roosevelt Grammar School) which occupied the site at least from 1929 through 1996. The site is completely disturbed and no species identified as a candidate, sensitive, or special status species or their habitats are expected to be impacted.

Mitigation Measures: None

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Discussion:

As discussed formerly, the property has previously developed as a school (Roosevelt Public School and Roosevelt Grammar School) which occupied the site at least from 1929 through 1996. It will therefore have no adverse effects related to these resources and to direct removal, filling, hydrological interruption or other means. No impacts are anticipated,

Mitigation Measures: None

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Discussion:

No migratory wildlife corridors or native wildlife nursery sites are found on the property. The project will not interfere with movement of any native resident or migratory fish or wildlife species. No impacts related to these resources are expected.

Mitigation Measures: None

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Discussion:

The project will not conflict with any local policies or ordinances protecting biological resources. The property was previously developed as a school (Roosevelt Public School and Roosevelt Grammar School) which occupied the site at least from 1929 through 1996. The site contains no protected biological resources. No impacts are anticipated.

Mitigation Measures: None

Issues	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

The project will not conflict with any habitat conservation plan. The site contains no protected habitat resources. No impacts are anticipated.

Mitigation Measures: None

V. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

The property was previously developed as a school (Roosevelt Public School and Roosevelt Grammar School) which occupied the site at least from 1929 through 1996. The subject property was fully disturbed during these previous grading activities, the project developer complied with the monitoring requirement, and no impacts related to historical resources are anticipated.

Mitigation Measures: None

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

As discussed above, the property was previously developed as a school (Roosevelt Public School and Roosevelt Grammar School) which occupied the site at least from 1929 through 1996. The subject property was fully disturbed during these previous grading activities, the project developer complied with the monitoring requirement, and no impacts related to historical resources are anticipated.

Mitigation Measures: None

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

As stated earlier, the subject property was previously developed as a school (Roosevelt Public School and Roosevelt Grammar School) which occupied the site at least from 1929 through 1996. The subject property was fully disturbed during these previous grading activities, the project developer complied with the monitoring requirement, and no impacts related to historical resources are anticipated. No impacts related to paleontological resources are anticipated.

Mitigation Measures: None

d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

During the previous grading activities of the subject property was disturbed in its entirety. In compliance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the Riverside County Coroner must be notified immediately. If the coroner determines that the remains are not recent and may be Native American, in accordance with Public Resource Code 5097.94, the coroner will notify the Native American Heritage Commission (NAHC) within 24 hours of the find. The NAHC will then determine, in consultation with the property owner, the disposition of the human remains. No impacts are anticipated for the current project related to human remains.

Mitigation Measures: None

VI. GEOLOGY AND SOILS -- Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

The proposed development is not located within a known historical resource as defined in 15064.5. No impacts are anticipated.

Mitigation Measures: None

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

The proposed development is not located within a known a archaeological resource as defined in 15064.5. No impacts are anticipated.

Mitigation Measures: None

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

The project is not located within a known paleontological rescores. No impacts are anticipated.

Mitigation Measures: None

d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

The project is not located within a cemetery. As it was mentioned previously, during the previous grading activities of the subject property was disturbed in its entirety. In compliance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the Riverside County Coroner must be notified immediately. If the coroner determines that the remains are not recent and may be Native American, in accordance with Public Resource Code 5097.94, the coroner will notify the Native American Heritage Commission (NAHC) within 24 hours of the find. The NAHC will then determine, in consultation with the property owner, the disposition of the human remains. No impacts are anticipated for the current project related to human remains.

Mitigation Measures: None

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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VII. Greenhouse Gas Emissions --Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

Traffic Study indicates that the project at its AM PEAK will generate 210, and at its PM PEAK will generate 204 (total net trip per day 1505). The proposed building will be LEED Certified and will provide solar system, which will provide a significant decrease in carbon foot print of the project. The proposed project construction and operation would not result substantial GHG emissions nor would it otherwise conflict with applicable State or City plans and polices or regulations adopted for the purpose of reducing greenhouse gas emission. Therefore, the impact of project and construction and operation would be expected to be less than significant.
Mitigation Measures: None

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

The proposed project construction and operation would not result substantial GHG emissions nor would it otherwise conflict with applicable State or City plans and polices or regulations adopted for the purpose of reducing greenhouse gas emission. Therefore, the impact of project and construction and operation would be expected to be less than significant. The project will not conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.
Mitigation Measures: None

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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VII. HAZARDS AND HAZARDOUS MATERIALS --Would the project:

<p>a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</p> <p style="text-align: right;"> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> </p>
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Discussion:

The proposed office use is not hazardous in nature. Routine transport, use or disposal of hazardous materials (beyond that of household use) are not anticipated and will therefore not pose a risk to the public or the environment. Less than significant impacts are expected.

Mitigation Measures: None

<p>b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</p> <p style="text-align: right;"> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> </p>
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Discussion:

As mentioned previously, the office uses are not hazardous in nature. The release of hazardous material that may create a significant hazard to the public or the environment is not anticipated. Less than significant impacts are expected.

Mitigation Measures: None

<p>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</p> <p style="text-align: right;"> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> </p>
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Discussion:

As mentioned previously, the proposed project is an office use and it is not hazardous in nature. Therefore, despite the proximally of this project to Jefferson Middle School, the project will not result in the emissions or handling of hazardous material. No impacts are anticipated.

Mitigation Measures: None

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Discussion:

The property is not located on a hazardous material site. No impacts are anticipated.

Mitigation Measures: None

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

Discussion:

The project is not located within two miles of an airport. No impacts are anticipated related to this issue.

Mitigation Measures: None

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

Discussion:

The project is not within the vicinity of a private airstrip. No impacts are expected related to this issue.

Mitigation Measures: None

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

The proposed circulation plan has been reviewed by the Fire Department to ensure that the project will not interfere with any known emergency response plans. Less than significant impacts are anticipated.

Mitigation Measures: None

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

The project is not adjacent to or intermixed with wildlands. No impacts are expected related to wildland fires.

Mitigation Measures: None

VIII. HYDROLOGY AND WATER QUALITY -- Would the project:

a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Discussion:

A project may be deemed to have a significant effect on hydrology and water quality if it will significantly affect absorption rates, drainage patterns, the rate and amount of surface runoff, the quality and/or quantity of surface and/or groundwater movements or would expose people or property to water-related hazards such as flooding. The proposed project will not violate any water quality standards or waste discharge requirements because the Regional Water Quality Control Board, responsible for administering the Federal Clean Water Act on a regional level, has standards and waste discharge requirements for water quality that must be met during both construction of a project and on-going during the life of a project. Furthermore, the Regional Water Quality Control Board (RWQCB) Colorado River Basin Region, implements National Pollutant Discharge Elimination System (NPDES) permit requirements for surface water discharge for all qualifying projects, including this project site, to reduce the potential impacts associated with storm water runoff. The developer must submit a Notice of Intent (NOI) to the RWQCB along with a Stormwater Pollution Prevention Plan (SWPPP) identifying the Best Management Practices (BMPs) that will be implemented during project construction.

The developer will be required to ensure through the SWPPP that storm water and urban pollutants would be retained and mitigated on-site. The developer must submit the NOI and SWPPP to the City Public Works Department prior to issuance of grading permits. In addition, the City Engineer requires the preparation of hydrology analysis to ensure that on-site retention or detention is sufficient to hold the 100-year storm flows on-site.

Mitigation:

- 1. Prior to issuance of a grading permit, the applicant shall supply the City Public Works Department with a copy of the NOI and SWPPP filed with the RWQCB. Best Management Practices as set forth in the SWPPP shall be included as notes on the grading plans approved by the Department.**
- 2. Prior to issuance of a grading permit, a Water Quality Management Plan shall be prepared that shows how stormwater and nuisance water will be retained on-site and how urban pollutants would be handled during the life of the subject project.**

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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<p>b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?</p> <p style="text-align: right;"> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> </p>
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Discussion:

The Indio Water Authority (IWA) provides water to the majority of the City of Indio residential, commercial and industrial users and would provide the water supply to the project site. Water supplies for Indio and other municipalities in the Valley have been primarily from the Coachella Valley Groundwater basin, which benefits from the stored surplus Colorado/All American Canal system. Water supplies are supplemented with surface water diverted from local streams; Coachella/All American Canal water imported from the Colorado River, imported water exchanged for the State Water Project (SWP) entitlement water, and recycled water from wastewater treatment plants.

The project will be required to adhere to City standards water conservation. In addition, drought tolerant landscaping is being proposed throughout the project area. Implementation of City conservation programs and the use of drought tolerant landscaping will result into a less than significant impact. The project shall abide by all applicable federal, state codes, and the City's Water Efficient Landscape Ordinance and the water conservation recommendation of the California Department of Water Resources and the applicable water districts. The project will be expected to follow water conservation guidelines included within the Indio General Plan

Mitigation Measures: None

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Discussion:

The site contains no streams or rivers. No impacts are expected related to this specific issue. The applicant/developer will be required to construct stormwater retention facilities as a condition of development. As proposed, the project will capture runoff during a major storm within the retention facility that is proposed under the parking lot. Discharge from the retention basin is expected to discharge into the Coachella Valley Water District's (CVWD) storm channel. The channel conveys flood waters to the Whitewater River and ultimately to the Salton Sea. The discharge into the storm channel is controlled; therefore, a significant increase in the rate and amount of surface runoff exiting the site is not expected. In addition, erosion control Best Management Practices during construction would be addressed through the Storm Water Pollution Prevention Plan (SWPPP). Impacts are considered less than significant. Final improvements, including landscaping, will serve to stabilize soils throughout the life of the project. These improvements will prevent substantial erosion or siltation on or off-site. Less than significant impacts are anticipated.

Mitigation Measures: See VIII a.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Discussion:

As mentioned previously, the site contains no streams or rivers. No impacts are expected related to this specific issue. The project will convert a vacant property into a government office facility. The construction of interior private streets, on-site and off-site improvements, as well as the law building, will increase the amount of impervious area that exists on the property, creating an increase to the amount of urban storm water runoff from the property. The applicant/developer will be required to construct stormwater retention facilities as a condition of development; therefore, a significant increase in the rate and amount of surface runoff exiting the site is not expected. Impacts are considered less than significant. Final improvements, including landscaping, will serve to stabilize soils throughout the life of the project. These improvements will prevent substantial erosion or siltation on or off-site. Less than significant impacts are anticipated.

Mitigation Measures:

23. The developer/applicant shall propose construction of an on-site system that collects and conveys storm water runoff through on-site interior streets to retention facilities. The on-site conveyance shall be designed consistent with the City's flood control policies, providing for conveyance of storm water runoff from the 10-year storm event through interior private streets and conveyance of storm water runoff from the 100-year storm event through the use of full-width private street rights-of-way and collection/conveyance in retention facilities. Grading and street plans shall be approved by the City Engineer demonstrating an acceptable method for accepting and conveying storm water runoff to protect proposed development from localized flooding during the 100-year storm event, prior to issuance of building permits.

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Discussion:

Activities associated with this project will not generate significant quantities of pollutants that could degrade water quality. During construction, the project's Storm Water Pollution Prevention Plan (SWPPP) would require Best Management Practices (BMPs) such as street sweeping, facility maintenance, and storm drain gravel bags that must be implemented to control surface water quality degradation. Thus, degradation of water quality is not anticipated.

Mitigation Measures: See sections VIII d. and VII a.

f) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

The City of Indio Water Authority (IWA) will serve the commercial project needs for domestic water use which is considered to be less of a demand than residential use. The project will aid in reducing potential impacts to groundwater through design such as water conservation planting and water conservation plumbing. Impacts to water quality are considered to be less than significant.

Mitigation Measures: None

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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g) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

The project site is not within any Special Flood Hazard Area. The project site is designated by the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) as Zone X Shaded, which states areas that have 0.2% chance annual flood with average depths of less than 1 foot o with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood. On-site storm water runoff during a major storm event will be directed and conveyed to on-site retention areas protecting interior development areas from localized flooding. These measures will also serve to protect any downstream properties from flooding. Less than significant impacts are anticipated.

In order to minimize flood hazards, the City's General Plan dictates that all development projects must retain stormwater runoff on-site via retention facilities and dry well basins until master planned trunk facilities are constructed. Furthermore, it states that a 100 year water surface elevation must not encroach within 10 feet of building structures while building pads must be elevated a minimum of one foot above surrounding natural ground. In addition, retention facilities must be designed for the 100-year event and water must be drained from basins within 24 hours. These developmental standards will ensure that less than significant impacts will occur to the environment .

Mitigation Measures: None

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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IX. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

The project is infill within an urbanized area and consists of 95,000 square feet of office building, landscape, off-site, and parking improvements within Public (P) zone and it is within an urbanized area surrounded by commercial and public land use. No impacts are anticipated related to this issue. The project will not physically divide an established community. No impacts are anticipated related to this issue.

Direction	General Plan	Zoning	Current Land Use
North:	Community Commercial/CC	Community Commercial/CC	Vacant
South:	Public/P	Public/P	County of Riverside Fleet
East:	Public/P	Public/P	Jefferson Middle School
West:	Public/P	Public/P	Riverside County governmental buildings

Mitigation Measures: None

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion

The proposed project is not within any specific plan or project master plan areas. The proposed project will adhere to the General Plan 2020 polices and land use regulation and will comply with the City's development standards in all other areas including height, parking dimension, landscape standards and design guidelines. It is the intent of these tools to insure compliance with the General Plan and good zoning practices. No impact

Mitigation Measures: None

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

The project site is contained within the area of the draft Coachella Valley Multi-species Habitat Conservation Plan which outlines policies for conservation of habitats and natural communities. The site is not designated for conservation purposes in the plan and there are no significant biological resources on the property. No impacts are anticipated related to this issue.

Mitigation Measures: None

X. MINERAL RESOURCES -- Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

According to the Indio General Plan EIR, the site is located within an area containing no significant mineral deposits. The area is classified as Mineral Resource Zone MRZ-1. MRZ-1 indicates areas where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence. No impacts are anticipated related to a known mineral resource.

Mitigation Measures: None

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

As discussed previously, the Indio General Plan EIR indicates that the property is located within an area containing no significant mineral deposits. No impacts are anticipated related to a locally-important mineral resource recovery site.

Mitigation Measures: None

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XI. NOISE -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

The existing commercial uses within the vicinity are currently exposed to transportation related noise impacts. Jackson Street and Highway 111 accommodates passenger cars, trucks, buses and motorcycles that increase ambient noise levels on the project site. However the project is an office building that will be constructed with large setback on HWY 111 and Jackson St. In addition, the project will be surrounded by tall perimeter and parking lot landscape. The CNEL noise metric allows the total noise exposure of an area resulting from many individual noise events over a long period of time to be summed and expressed as a single value and mapped as a series of contour lines around the noise source. In the case of highway noise, CNEL values typically reflect the noise exposure over the peak activity period or over a year, as is often the case with airport contours. The City of Indio noise standards designates a maximum of 65 CNEL as acceptable in outside activity areas and 45 CNEL as acceptable in interior living areas for residential areas. The project has the potential to expose existing area and future projects within the vicinity to existing roadway noise sources as well as future noise sources. A source of noise, which can be considered as a long term increase in existing noise, is related to development of the Project. Development of the site will increase noise levels over the existing condition. A portion of the increase in noise will occur due to the future increases in traffic noise adjacent to the roadways in the vicinity that provide access to the site. Traffic Study indicates that the project at its AM PEAK will generate 210, and at its PM PEAK will generate 204 (total net trip per day 1505). Another source of noise, which can be considered as a short term increase in existing noise, is related to construction activities that will cause impacts from heavy equipment that could periodically exceed City thresholds and affect some of the nearby residences and businesses. Two types of noise impacts should be considered during the construction phase. First, the transport of workers and equipment to the construction site will incrementally increase noise levels along the roadways leading to and from the site. The increase, although temporary in nature, will be audible to noise receptors located along the roadways utilized for this purpose. Second, the noise generated by the actual on-site construction activities will increase noise levels in the area. The project will abide by the City's Municipal Code regulations for construction hours.

Pacific Standard Time --

- Monday through Friday, between 7:00 a.m. and 6:00 p.m.
- Saturday, 8:00 a.m. through 6:00 p.m.
- Sunday, 9:00 a.m. through 6:00 p.m.
- Government Holidays, 9:00 a.m. through 5:00 p.m.

Pacific Daylight Time-

- Monday through Friday, between 6:00 a.m. and 6:00 p.m.
- Saturday, 7:00 a.m. through 6:00 p.m.
- Sunday, 9:00 a.m. through 5:00 p.m.
- Government Holidays, 9:00 a.m. through 5:00 p.m.

(Per City of Indio Chapter 95C.08)

Mitigation Measures:

24. During the construction, all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and the engines shall be equipped with shrouds.

25. The project will abide by the City's Municipal Code regulations for construction hours as follow:

Pacific Standard Time –

- Monday through Friday, between 7:00 a.m. and 6:00 p.m.
- Saturday, 8:00 a.m. through 6:00 p.m.
- Sunday, 9:00 a.m. through 6:00 p.m.
- Government Holidays, 9:00 a.m. through 5:00 p.m.

Pacific Daylight Time-

- Monday through Friday, between 6:00 a.m. and 6:00 p.m.
- Saturday, 7:00 a.m. through 6:00 p.m.
- Sunday, 9:00 a.m. through 5:00 p.m.
- Government Holidays, 9:00 a.m. through 5:00 p.m.

(Per City of Indio Chapter 95C.08)

26. During the construction, all construction equipment shall be in proper working order and maintained in a proper state of tune to reduce backfires.

27. The project contractor shall position all stationary equipment should be placed such that emitted noise is directed away from noise-sensitive receptors near the project site.

28. The construction of the subject office building shall comply with applicable minimum sound proofing requirements 2010 California Building Standard Codes and Title 24 Energy Mandates.

29. The construction contractor shall locate equipment staging in areas farthest from noise-sensitive receptors during all phases of construction.

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Discussion:

As discussed previously, the project will produce short term ground borne noise levels during construction. The mitigation measures discussed in section XI a) will work to reduce project impacts to less than significant. Operation of the project would not generate ground borne vibration or ground-borne noise levels not otherwise typical of office/commercial uses. However, during construction, some vibration and related ground-borne noise associated with excavation and foundation construction may occur. Nevertheless, this is anticipated to be short-term once excavation and foundation construction has been completed. With the eventual use of commercial automobile traffic on the project site and mitigation measures outlined in XI.a) above during construction, the impact from ground-borne vibrations should be less than significant.

Mitigation Measures: See section XI. a)

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

As mentioned earlier, the project will slightly increase ambient noise levels on a permanent basis. Noise impacts characteristic of this project discussed previously include intermittent noise increases during, building operation, landscape maintenance, building maintenance, trash pick-up, heating ventilation and air conditioning unit operation, deliveries, employees, and clients visiting the site, and parking lot activities (engine noise and car door slamming.) The project's perimeter landscape will serve to reduce the noise levels. A portion of the increase in noise will occur due to the future incremental increases in traffic noise adjacent to the roadways within vicinity that provide access to the site. The project will introduce approximately 1504 total daily net trip the area roads. These increases are expected to be less than significant.

Mitigation Measures: None

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Discussion:

As discussed previously, the project will produce a temporary increase in ambient noise levels during construction activities. The mitigation measures discussed in section XI a) will work to reduce project impacts to less than significant.

Mitigation Measures: See section XI. a)

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

The project is not located within two miles of a public airport. No impacts are anticipated related to this issue.

Mitigation Measures: None

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

The project is not located within the vicinity of a private airstrip. No impacts are anticipated related to this issue.

Mitigation Measures: None

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XII. POPULATION AND HOUSING – Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Discussion:

The proposed development conforms to the densities found in the General Plan 2020 and will not exceed the area's population projections. The U.S. Census forecast reports the current population of the City is close to 80,000. The proposed project is within an area that the City's General Plan 2020 is designated as Public (P) with allows government offices. The proposed project meets the general development standards of Public designation. The increase in the population for this area is accounted for within the City's General Plan EIR. Therefore the proposed project is not expected to induce substantial growth within the vicinity directly.

Mitigation Measures: None

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

Discussion:

The site is currently vacant and zoned Public. Therefore, the project will not displace any housing. No impacts are expected related to this issue.

Mitigation Measures: None

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Discussion:

The site is currently vacant and zoned Public. Therefore, the project will not displace any public. No impacts are expected related to this issue.

Mitigation Measures: None

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XIII. PUBLIC SERVICES				
<p>a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</p>				
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

The proposed project will increase the demand for fire protection services in the area. Fire services for the City of Indio are provided under contract by Riverside County Fire Department/California Department of Forestry and Fire Protection. There are five stations located within the City of Indio. According to the General Plan EIR, the property is located within the service area of Indio Station #1 located at 46990 Jackson Street.

Implementation of the following conditions will reduce impacts to less than significant levels:

- The project will be required to provide on-site fire hydrants as well as adequate emergency access to the project and to the individual residences.
- Project site plans shall be reviewed and approved by the Fire Department prior to approval of project.
- The project will comply with Uniform Fire Code, Uniform Building Code and other applicable state and national code provisions regarding building construction, including fire sprinklers.
- The developer shall pay any additional required fees for fire protection services for the development.

Mitigation Measures: None

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

Police services are provided by the Indio Police Department. The City of Indio Police Department is located at 46-800 South Jackson Street in Indio, less than one miles east of the subject property. According to the Police Department's web site, the City of Indio Police Department employs 59 sworn officers, 18 civilian employees, with an additional 80 volunteers. According to the recent U.S. Census data, the current population of the City of Indio is 81,000. This would result in a total of 1.4 officers per 1000 population. 1.5 officers per 1000 population (1.5:1000) is the desirable ratio. To reduce impacts to less than significant levels the project will comply with the following conditions:

- The developer shall submit plans to the City Community Development Department and the Indio Police Department for evaluation of internal circulation, project lighting and other elements that affect emergency access and project security.
- The developer shall insure that the project is designed and developed in accordance with the Indio Municipal Code regarding Building Security Regulations.

Mitigation Measures: None

Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

Prior to the issuance of a building permit for residential construction the developer shall pay a school impact fee based on the current rate as adopted by the Desert Sands Unified School District. These standard school site fees are expected to reduce impacts to less than significant levels.

Mitigation Measures: None

Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

The project is not required to provide park or pay Quimby Fee, because it is not a residential project. The project would not significantly impact the City's park system. However, as a part of the project, the applicant is providing lush landscape areas and outdoor easting areas.

Mitigation Measures: None

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

The development will not contribute to an increased need for government services beyond those discussed in this section (XIII). No impact is anticipated.

Mitigation Measures: None

XIV. RECREATION

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

Property taxes from the project can be used to offset maintenance of parks and recreation facilities in the City of Indio. No impact is anticipated.

Mitigation Measures: None

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

The project does not include recreational facilities because it is a government office building. No impacts are anticipated related to this issue.

Mitigation Measures: None

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XV. TRANSPORTATION/TRAFFIC -- Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

Discussion:

The project will introduce 1505 total net trip per day to the area roads. The General Plan Circulation Element indicates that Highway 111 is a Secondary with 4 lanes and a center median. The following conditions will reduce project related impacts to less than significant levels. The developer/applicant is required to do the minimum on-site and off-site and designed them in accordance with City design standards and as required by the City Engineer. The developer/applicant shall submit street improvement plans for construction of required streets (HWY 111, Jackson Street, Plaza Avenue, and all private streets) to the City Engineer for review and approval. The developer/applicant shall pay Traffic Uniform Mitigation Fees (TUMF) prior to issuance of building permits. The Project shall comply with the conditions and requirements set forth by the City of Indio Development Services Department and Engineering Services Department. All access points shall conform to Development Services Department and Engineering Services Department standard access spacing.

Mitigation Measures

Applicant shall construct full off-site street improvements on the following streets:

- **Highway 111 full-width street improvements (both sides) from Towne Street to Jackson Street.**
- **Jackson Street half street improvements (west side) from Highway 111 to Plaza Avenue, including the intersection of Plaza Avenue. The east side of Jackson Street shall be slurry sealed (Type II), and with new striping from Highway 111 through the intersection of Plaza Avenue.**
- **Plaza Avenue full-width street improvements (both sides), including curb & gutter, sidewalk and drainage improvements.**

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

Discussion:

See XV a)

Mitigation Measures: as above

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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<p>c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

The project will not result in a change in air traffic patterns or a change in traffic location. However, the mitigation measure will help to reduce these effects to less than significant.

Mitigation Measures: None

<p>d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

No incompatible uses are anticipated to occur within the project. No hazardous design features are proposed within the project. However, the applicant/developer will be required to comply with the City's requirements for line of sight and parking, which will assure that safe driving conditions are maintained throughout the project. No incompatible uses are expected for the project site. Additionally, the proposed project development will be in accordance with the City of Indio standards for street widths, number of lanes, new turn lanes, etc. Therefore, no traffic hazards would be created by the proposed development. No impacts are anticipated related to these issues

Mitigation Measures: None

<p>e) Result in inadequate emergency access?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

The design of the project will require Fire Department review and approval. The City's Fire Department has determined that emergency access to the site will not be hampered. This review includes in-depth analysis of emergency access (and in conjunction, access to nearby uses.) The project will have direct access from Highway 111, Jackson Street and Oasis Street. The project includes pedestrian friendly facilities, safe pedestrian path of travel and drop off areas to help improve circulation. This will ensure that impacts relating to access are less than significant.

Mitigation Measures: None

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

City regulations dictate that before a project is approved for implementation, adequate parking must be provided on the project site pursuant to the Zoning Ordinance. The applicant/developer has ensured that onsite parking is adequate for the proposed use by providing adequate parking stalls (including covered car ports). The design of these on-site parking facilities is in accordance with the City of Indio's Municipal Code. No impacts are expected.

Mitigation Measures: None

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

The developer is coordinating with Sun Line Transit regarding required public transit facilities on or adjacent to the project. No conflicts with adopted policies supporting alternative transportation will be included within the project. Less than significant impacts are anticipated.

Mitigation Measures: None

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XVI. UTILITIES AND SERVICE SYSTEMS – Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

The Valley Sanitary District (VSD) provides sewer lines and wastewater treatments in the City. The project is included in VSD's master planned collection system and treatment plan improvements. The treatment plant is currently undergoing phase one of an expansion project to provide increased treatment capacity. The existing sewer lines in the project area of Highway 111 have limited capacity but interim capacity is available (The Valley Sanitary District will construct new sewer improvements in partnership with the County of Riverside EDA in 2014 to address the sewer pipeline deficiency within the project area. However, in meantime the existing detention facility account for a certain portion, allotment of the flow contribution to the Highway 111 sewer. This allotment may be shifted from the existing facilities to project. This allotment shift between locations shall be coordinated in writing between the County of Riverside EDA, VSD and applicant/developer/builder/designer of the proposed project). A future interceptor to provide ultimate service capacity for this area is included in VSD's Capital Improvement Program. A specific time frame for construction of this project will be ultimately development driven. A Mitigated Negative Declaration was recently approved by VSD's Board of Directors for the interceptor project. Therefore, no significant impact on wastewater treatment is anticipated.

Mitigation Measures: None

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

See discussion above.

Mitigation Measures: None

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

The project will include design to convey storm flows to retention basins or underground chambers on-site. (See discussion in section VIII d.) Impacts related to storm water drainage facilities are expected to be less than significant.

Mitigation Measures: None

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Discussion:

See discussion in VIII, Hydrology and Water Quality.

Mitigation Measures: None

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Discussion:

See XVI a) for a discussion of the wastewater treatment of the project site.

Mitigation Measures: None

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

Burrtec Waste Management provides solid waste disposal to the City of Indio and surrounding area. Trash from the City is currently being hauled to the Edom Hill Landfill operating by the County of Riverside. The City of Indio's General Plan EIR states that implementation of the General Plan, including projected development in the area of the proposed development project, would not have a significant impact on the provisions of solid waste services. Policies in the General Plan require new developments to comply with the source Reduction and Recycling Elements and AB 939.

Mitigation Measures: None

g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

The City of Indio has a franchise agreement with Burrtec to serve the solid waste disposal needs of the City. All solid waste activities are carried out in compliance with all State, Federal and local statutes regulating solid Waste. The project will comply with all federal, state and local statutes and regulations related to solid waste. Less than significant impacts are expected related to this issue.

Mitigation Measures: None

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XVII. MANDATORY FINDINGS				
OF SIGNIFICANCE --				
<p>a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

As evidenced by this Initial Study, the proposed development does not have the potential to affect biological resources. No significant cultural resources were identified on site; however, during grading and excavation, resources may be discovered. Mitigation measures have been identified that would reduce potential impacts associated with cultural resources will be reduced to levels of less than significance.

Mitigation Measures: None

<p>b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Discussion:

Based upon the information provided within this Initial Study, the proposed project could result in cumulative impacts on air quality; however mitigation measures will reduce impacts to less than significant levels.

Mitigation Measures: See section III.

Issues:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Discussion:

As demonstrated by the Initial Study, the project does not contain environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly, if the proposed mitigation measures are incorporated into the project. Based upon the information provided within this Initial Study, the proposed project could result in impacts related to environmental effects (air quality) which will cause substantial adverse effects on human beings. Mitigation measures will reduce impacts to less than significant levels.

Mitigation Measures: See section III

SUMMARY OF MITIGATION MEASURES:

1. A plan to control fugitive dust through implementation of best available dust control measures shall be prepared and submitted to the City of Indio for approval prior to the issuance of any earth moving permits associated with the project.
2. The project proponent shall comply with all applicable SCAQM Rules and Regulations including but not limited to the following:
 - Rule 403 (Fugitive Dust) specifies control measures for use in developing site specific fugitive dust control plans to minimize blowing dust from construction sites and insure the cleanup of construction related dirt on approach routes to the site including: watering measures, chemical stabilizers, wind fencing, covering haul vehicles, bed liners in haul vehicles, wheel washers and high wind measures;
 - Rule 1108 and 1108.1 prohibits the use of rapid and medium cure cutback asphalts as well as organic compounds in emulsified asphalts used during the construction process.; and
 - Rule 1113 (Architectural Coatings) restricts the VOC content of any architectural coating materials used on-site to a maximum of 2.08 pounds of VOC per gallon.
 - Rule 1113 (Architectural Coatings) restricts the VOC content of any architectural coating materials used on-site to a maximum of 2.08 pounds of VOC per gallon.
3. Building construction on-site shall comply with the energy use guidelines in Title 24 of the California Administrative Code.
4. Earth-moving activities shall be suspended during first and second stage ozone episodes or when winds exceed 25 MPH per the Coachella Valley PM10 State Implementation Plan and SCAQMD Rule 403.1.

5. Adequate watering techniques shall be employed to partially mitigate the impact of construction-generated dust particulates. Portions of the project site that are undergoing earth moving operations shall be watered such that a crust will be formed on the ground surface and then watered again at the end of the day, as part of the constructions specifications.

6. Any construction access roads should be paved as soon as possible and cleaned after each work day. The maximum vehicle speed limit on unpaved road surfaces should be 15 mph.

7. All trucks shall maintain at least two feet of freeboard.

8. Trucks hauling dirt, sand, soil or other loose dirt material off-site shall be covered and washed off before leaving the site.

9. Adjacent streets shall be swept if silt is carried over to adjacent public thoroughfares.

10. As part of the construction specifications, any vegetative ground cover to be utilized on-site shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems needed to water these plants shall be installed as soon as possible to maintain the ground cover and minimize wind erosion of the soil.

11. Construction operations affecting off-site roadways shall be scheduled for off-peak traffic hours and shall minimize obstruction of through-traffic lanes.

12. Construction fences/screens shall be installed around all active areas.

13. Building construction on-site shall comply with the energy use guidelines in Title 24 of the California Administrative Code.

14. Earth-moving activities shall be suspended during first and second stage ozone episodes or when winds exceed 25 MPH per the Coachella Valley PM10 State Implementation Plan and SCAQMD Rule 403.1.

15. Adequate watering techniques shall be employed to partially mitigate the impact of construction-generated dust particulates. Portions of the project site that are undergoing earth moving operations shall be watered such that a crust will be formed on the ground surface and then watered again at the end of the day, as part of the constructions specifications.

16. Any construction access roads should be paved as soon as possible and cleaned after each work day. The maximum vehicle speed limit on unpaved road surfaces should be 15 mph.

17. All trucks shall maintain at least two feet of freeboard.

18. Trucks hauling dirt, sand, soil or other loose dirt material off-site shall be covered and washed off before leaving the site.

19. Adjacent streets shall be swept if silt is carried over to adjacent public thoroughfares.

20. As part of the construction specifications, any vegetative ground cover to be utilized on-site shall be planted as soon as possible to reduce the disturbed area subject to wind erosion. Irrigation systems needed to water these plants shall be installed as soon as possible to maintain the ground cover and minimize wind erosion of the soil.

21. Construction operations affecting off-site roadways shall be scheduled for off-peak traffic hours and shall minimize obstruction of through-traffic lanes.

22. Construction fences/screens shall be installed around all active areas.

23. Prior to issuance of a grading permit, the applicant shall supply the City, Public Works Department with a copy of the NOI and SWPPP filed with the RWQCB. Best Management Practices as set forth in the SWPPP shall be included as notes on the grading plans approved by the Department.

24. Prior to issuance of a grading permit, a Water Quality Management Plan shall be prepared that shows how stormwater and nuisance water will be retained on-site and how urban pollutants would be handled during the life of the subject project.

25. The developer/applicant shall propose construction of an on-site system that collects and conveys storm water runoff through on-site interior streets to retention facilities. The on-site conveyance shall be designed consistent with the City's flood control policies, providing for conveyance of storm water runoff from the 10-year storm event through interior private streets and conveyance of storm water runoff from the 100-year storm event through the use of full-width private street rights-of-way and collection/conveyance in retention facilities. Grading and street plans shall be approved by the City Engineer demonstrating an acceptable method for accepting and conveying storm water runoff to protect proposed development from localized flooding during the 100-year storm event, prior to issuance of building permits.

26. The project applicant and project operators shall implement construction site Best Management Practices (BMPs,) source control BMPs and treatment control BMP's prior to issuance of grading permits. Prior to the commencement of grading and construction, the applicant shall obtain coverage under the State Water Resources Control Board General Activity Storm Water Permit. The applicant shall ensure that a Storm Water Pollution Prevention Plan (SWPPP) is prepared before construction begins, is implemented and is maintained and shall be updated throughout the construction period. The SWPPP will identify potential pollutant sources on the site, show the location of management practices to be used to minimize erosion and sedimentation during construction, describe measures which eliminate pollution of storm runoff by any chemicals and materials used during the construction process.

27. Prior to the issuance of any grading permits, the applicant shall submit evidence to the City Engineer that the applicant has obtained coverage under the NPDES (National

Pollutant Discharge Elimination System) statewide General Construction Activity Stormwater Permit from the State Water Resources Control Board.

28. During the construction, all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers and the engines shall be equipped with shrouds.

29. The project will abide by the City's Municipal Code regulations for construction hours as follow:

- Pacific Standard Time –
- Monday through Friday, between 7:00 a.m. and 6:00 p.m.
- Saturday, 8:00 a.m. through 6:00 p.m.
- Sunday, 9:00 a.m. through 6:00 p.m.
- Government Holidays, 9:00 a.m. through 5:00 p.m.
- Pacific Daylight Time-
- Monday through Friday, between 6:00 a.m. and 6:00 p.m.
- Saturday, 7:00 a.m. through 6:00 p.m.
- Sunday, 9:00 a.m. through 5:00 p.m.
- Government Holidays, 9:00 a.m. through 5:00 p.m.

(Per City of Indio Chapter 95C.08)

30. During the construction, all construction equipment shall be in proper working order and maintained in a proper state of tune to reduce backfires.

The project contractor shall position all stationary equipment should be placed such that emitted noise is directed away from noise-sensitive receptors near the project site.

31. The construction of the subject office building shall comply with applicable minimum sound proofing requirements 2010 California Building Standard Codes and Title 24 Energy Mandates.

32. The construction contractor shall locate equipment staging in areas farthest from noise-sensitive receptors during all phases of construction.

33. Applicant shall construct full off-site street improvements on the following streets:

- Highway 111 full-width street improvements (both sides) from Towne Street to Jackson Street.
- Jackson Street half street improvements (west side) from Highway 111 to Plaza Avenue, including the intersection of Plaza Avenue. The east side of Jackson Street shall be slurry sealed (Type II), and with new striping from Highway 111 through the intersection of Plaza Avenue.
- Plaza Avenue full-width street improvements (both sides), including curb & gutter, sidewalk and drainage improvements.

34. Applicant shall submit signage and striping plans for City approval.

35. Applicant shall be responsible for upgrading the existing traffic signal at Highway 111 and Jackson Street.

36. Applicant shall construct a minimum 36' wide roadway on Plaza Avenue. This will provide two 13' wide outside travel lanes, as well as a 10' wide eastbound left turn lane approaching Jackson Street. The left turn lane shall extend westerly to the driveway on the north side of Plaza Avenue, about 150' west of Jackson Street. In addition, the northwest and southwest corners of Plaza Avenue at Jackson Street shall be reconstructed to provide curb returns with 25' minimum radius.

37. Turning movements from the proposed project shall be per the approved traffic study.

38. Applicant shall construct a full traffic signal to accommodate vehicular and pedestrian movements at the intersection of Highway 111 and Smurr Street.

References

1. Phase I Environmental Site Assessment by Haley & Aldrich, Inc. Costa Mesa, California, April 2013
2. City of Indio General Plan 2020, Volume 1, prepared by the Chambers Group, October 1993
3. City of Indio General Plan 2020, Volume 2, Environmental Setting Report, October 1993
4. Coachella Valley Association of Governments (CVAG), Final Recirculated Coachella Valley Multiple Species Habitat Conservation Plan/Natural Community Conservation Plan, September 2007
5. Traffic Impact Analysis, prepared by LSA Associates, May 21, 2013
6. FEMA website (<http://www.fema.gov/>)
7. South Coast Air Quality Management District Website (<http://aqmd.gov/>)



OFFICE OF
CLERK OF THE BOARD OF SUPERVISORS
1st FLOOR, COUNTY ADMINISTRATIVE CENTER
P.O. BOX 1147, 4080 LEMON STREET
RIVERSIDE, CA 92502-1147
PHONE: (951) 955-1060
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KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

July 31, 2013

THE DESERT SUN
ATTN: LEGALS
P.O. BOX 2734
PALM SPRINGS, CA 92263

FAX: (760) 778-4731
E-MAIL: legals@thedesertsun.com

RE: ADOPTION OF ORDINANCE NO. 919

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Saturday, August 3, 2013**.

We require your affidavit of publication immediately upon completion of the last publication.

Your invoice must be submitted to this office in duplicate, **WITH TWO CLIPPINGS OF THE PUBLICATION**.

NOTE: PLEASE COMPOSE THIS PUBLICATION INTO A SINGLE COLUMN FORMAT.

Thank you in advance for your assistance and expertise.

Sincerely,

Cecilia Gil

Board Assistant to:
KECIA HARPER-IHEM, CLERK OF THE BOARD

Gil, Cecilia

From: Moeller, Charlene <CMOELLER@palmspri.gannett.com>
Sent: Wednesday, July 31, 2013 10:56 AM
To: Gil, Cecilia
Subject: RE: FOR PUBLICATION: Adoption of Ord. No 919

Ad received and will publish on date(s) requested.

Charlene Moeller | Media Sales Legal Notice Coordinator

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From: Gil, Cecilia [<mailto:CCGIL@rcbos.org>]
Sent: Wednesday, July 31, 2013 10:27 AM
To: tds-legals
Subject: FOR PUBLICATION: Adoption of Ord. No 919

Attached is an Adoption of Ordinance, for publication on Saturday, Aug. 3, 2013. Please confirm. THANK YOU!

Cecilia Gil
Board Assistant
Clerk of the Board
951-955-8464
MS# 1010

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

ORDINANCE NO. 919

**AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AUTHORIZING A PUBLIC LEASEBACK TO FINANCE THE COSTS OF
CONSTRUCTION OF A COUNTY LAW OFFICE BUILDING IN INDIO**

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1.

FINDINGS. The Board of Supervisors finds that:

- a. Pursuant to Revenue Procedure 82-26 of the U.S. Treasury (the "Revenue Procedure"), bonds issued by a nonprofit corporation organized under the laws of the state of California in order to finance facilities in the state of California may qualify as tax-exempt obligations upon compliance with the requirements set forth in the Revenue Procedure.
- b. Riverside Community Properties Development, Inc. ("RCP") has been formed as a nonprofit public benefit corporation for the purpose of designing, permitting, constructing and equipping a new law office building and related facilities in Indio, California (the "Project") for use by the County of Riverside (the "County").
- c. The County as the owner of the land on which the Project will be constructed (the "Land") will enter into a ground lease of the Land with RCP (the "Ground Lease").
- d. In order to finance the Project, RCP proposes to issue tax-exempt bonds, to be designated as the "Riverside Community Properties Development, Inc. Lease Revenue Bonds, 2013 (Riverside County Law Building)," in an aggregate principal amount to be determined (the "Bonds").
- e. RCP proposes to enter into a Facilities Lease Agreement (the "Facilities Lease") under which RCP will undertake the Project and lease the Premises (as such term is defined in the Facilities Lease) to the County.
- f. Payments by the County of rent under the Facilities Lease will be used to pay debt service on the Bonds, but the Bonds will not in any way constitute an obligation or debt of the County.
- g. The Revenue Procedure requires that, within one year prior to issuance of the Bonds, the County approve the nonprofit corporation (RCP) and the bonds to be issued (the Bonds) and agree to accept title to the Project when the Bonds are retired.
- h. The Project is necessary to meet the County's requirements for facilities to house and support essential components of the County's civil and criminal law functions.
- i. The County does not wish to undertake directly the governmental burden associated with development of the Project, and has determined that the proposal by RCP is the most efficient means for managing the financing, construction and operation of the Project.
- j. The transaction as proposed constitutes a public leaseback that the County wishes to approve in accordance with Section 54241 of the Government Code.
- k. The potential environmental effects of the Project subject to the Ground Lease and Facilities Lease were fully studied in Environmental Assessment No. 13-5-503 prepared by the City of Indio. Based thereon City of Indio, the lead agency, adopted a Mitigated Negative Declaration on June 12, 2013.

The public leaseback will not result in any new significant environmental effects not identified in Environmental Assessment No. 13-5-503, nor will it substantially increase the severity of the environmental effects identified in Environmental Assessment No. 13-5-503. In addition, no considerably different mitigation measures have been identified. Accordingly, the County, as a responsible agency hereby certifies that it has reviewed and considered the information contained in Environmental Assessment No. 13-5-503 and the Mitigated Negative Declaration adopted by the City on June 12, 2013. No further environmental documentation is therefore required to authorize the public leaseback.

Section 2. PURPOSE. The purpose of this ordinance is to authorize a public leaseback to finance the costs of construction of the Project.

Section 3. AUTHORITY. This ordinance is adopted pursuant to California Government Code Section 54241.

Section 4. AUTHORIZATION OF PUBLIC LEASEBACK. The public leaseback as set forth in this ordinance is authorized.

- a. Upon completion of negotiations of Ground Lease and the Facilities Lease, the County shall consider approving and authorizing execution of said leases. The final schedule of monthly rent payments due under the Facilities Lease shall be determined and added as an exhibit to the Facilities Lease upon the issuance and sale of the Bonds.
- b. The County hereby requests that RCP lease the Land pursuant to the anticipated Ground Lease and undertake the Project, and thereby relieve the County of the governmental burden thereof. The County hereby approves RCP solely for the purposes of approving the issuance by it of the Bonds to finance the Project under the Revenue Procedure. The Bonds shall not be an obligation of the County or any other agency or subdivision of the state of California, subject to entering into the Ground Lease and Facilities Lease. The County further agrees to accept title to the Project financed by the Bonds, including any additions to the Premises, when the Bonds are discharged. At such time, title to the Project financed by the Bonds will be transferred to the County at no additional cost.
- c. To the extent necessary to meet the conditions of paragraph (d)(2) of United States Securities and Exchange Commission Rule 15c2-12, as applicable to a participating underwriter or remarketing agent for Bonds, the County is hereby authorized to enter into an undertaking in a form acceptable at the time to the participating underwriter or remarketing agent, as the case may be.
- d. All appropriate officers of the County are authorized to take any actions and to execute documents as in their judgment may be necessary or desirable in order to carry out the terms of, and complete the transactions contemplated by, this action. All acts taken and all approvals and agreements previously made pursuant to the authority of this action but prior to the effective date hereof are hereby ratified and confirmed.
- e. This ordinance shall be published before the expiration of fifteen (15) days after its passage and adoption pursuant to California Government Code Section 25124.

Section 5. SEVERABILITY. If any provision, clause, sentence or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable.

Section 6. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its adoption.

John J. Benoit, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **July 30, 2013**, the foregoing Ordinance consisting of six (6) sections was adopted by said Board by the following vote:

AYES: Jeffries, Tavaglione, Stone, Benoit and Ashley
NAYS: None
ABSENT: None

Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant