

FORM APPROVED COUNTY COUNSEL
 BY: *Pat C. Willis* 1-29-15
 DATE: ANITA C. WILLIS

Departmental Concurrence

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

115



FROM: Parks Department

SUBMITTAL DATE:
 January 27, 2015

SUBJECT: Amendment to Lease between Metropolitan Water District of Southern California and County of Riverside Administered by Riverside County Regional Park and Open-Space District for Recreational Development of Lake Skinner; Water Use Credit; CEQA Finding of Exemption; District 3

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 Existing Facilities;
2. Approve the attached Amendment to Lease between Metropolitan Water District of Southern California and County of Riverside Administered by Regional Park and Open-Space District and Authorize the Chairman of the Board of Supervisors to execute four (4) copies of the amendment on behalf of the County; and

BACKGROUND:

Summary

On January 2, 2005, an amendment was made to lease R.L. 295, between Riverside County (County) and the Metropolitan Water District of Southern California (Metropolitan). The amendment provided water credits to the County in order operate Lake Skinner Recreation Area. The term of the water credit was for ten-years and expired on January 1, 2015.
 (continued on page 2)

[Signature]
 Scott Bangle
 Parks Director

2015-002S SB/EC

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS:

Budget Adjustment:
 For Fiscal Year:

C.E.O. RECOMMENDATION:

APPROVE

BY: *Alex Gann*
 Alex Gann

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Tavaglione and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Benoit and Ashley
 Nays: None
 Absent: None
 Date: February 10, 2015
 xc: Parks, Recorder

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

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

13-1

RECOMMENDED MOTION: continued from page 1

3. Direct the Clerk of the Board to return four (4) copies of the amendment to Riverside County Regional Park and Open-Space District for further execution and transmittal;
4. Direct the Clerk of the Board to file the Notice of Exemption with the County Clerk.

BACKGROUND:

Summary (continued)

This amendment continues the credit until such a time that the local provider of potable water (Eastern Municipal Water District) is able to provide potable service to the Lake Skinner Recreation Area. Both Parties desire to continue the mutually beneficial terms of the lease and for the Riverside County Regional Park and Open-Space District (District) to administer this Lease. It is requested that your honorable Board approve amendment whereby Metropolitan will continue to credit the County for water. A companion Form 11 for the District is set on the District's Board Agenda to accept the administrator role of this Lease.

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

County Counsel has reviewed and approved the amendment as to legal form.

Impact on Citizens and Businesses

This amendment provides for a reliable source of water at Lake Skinner Recreation Area. The Citizens and Business community can have confidence that the County is amending leases in a reasonable manner, which are also transparent and sustainable.

Attachments:

Amendment

NOE

NOTICE OF EXEMPTION

TO: County Clerk
County of Riverside
4080 Lemon St.
Riverside, CA 92501

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

FROM: County of Riverside,
Parks Department
4600 Crestmore Road
Jurupa Valley, CA 92509

January 28, 2015

2/11/15 KD
Date Initial

Project Name: Amendment to Lease between Metropolitan Water District of Southern California and County of Riverside Administered by Riverside County Regional Park and Open-Space District for Lake Skinner

Project Number: N/A

Project Location: Portion of Lake Skinner in Section 31, Township 6 South, Range 1 West, Sections 6 and 7, Township 7 South, Range 1 West, Section 36, Township 6 South, Range 2 West and Sections 1,2,3, 11 and 12, Township 7 South, Range 2 West, San Bernardino Base and Meridian and land area in Section 31, Township 6South, Range 1 West, Sections 6,7, and 18, Township 7 South, Range 1 West, Section 36, Township 6 South, Range 2 West, Sections 1, 1,11 and 12, Township 7 south, Range 2 West, San Bernardino Base and Meridian.


Description of Project: The project proposes the amendment of that certain Lease dated January 2, 1973 (R.L. 295) between the Metropolitan Water District and the County of Riverside whereby MWD has leased certain water and land areas in Lake Skinner in the Auld Valley, Riverside County, California, legally described above. A recreational park has been developed over this land and the parties desire to continue and extend this Lease and have the Riverside County Regional Park and Open-Space District ("District"), administer this Lease as successor in interest to the County of Riverside.

Name of Public Agency Approving Project: County of Riverside, on behalf of its Parks Department

Name of Person or Agency Carrying Out Project: Riverside County Regional Park & Open-Space District

Exempt Status: California Environmental Quality Act (CEQA) Guidelines, Section 15301 Existing Facilities

Reason(s) Why Project is Exempt: Pursuant to the California Environmental Quality Act (CEQA), the Lease Amendment was reviewed and determined to be categorically exempt from CEQA under CEQA Guidelines Section 15301, Class 1 - Existing Facilities. The proposed project, the Lease Amendment, is the letting of property involving existing facilities with no tenant improvement alterations and no expansion of an existing use will occur. This project continues the Lease that was already in place between the parties. It can be seen with certainty that the amendment of the lease will not result in a direct or reasonably foreseeable indirect impact or physical change in the environment because it is merely a continuation of an existing lease not prompting any development or changes in the land at this time.

Signed:  Date: 1/28/15
Scott Bangle, Director, Parks Department

FEB 10 2015 13-1C

**AMENDMENT TO LEASE BETWEEN THE
METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA
AND COUNTY OF RIVERSIDE ADMINISTERED BY
RIVERSIDE COUNTY REGIONAL PARK AND OPEN-SPACE DISTRICT
FOR RECREATIONAL DEVELOPMENT OF LAKE SKINNER**

This Amendment to Lease R.L. 295, effective the First day of January 2015, between the METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA, a public corporation, hereinafter referred to as "Metropolitan", and the COUNTY OF RIVERSIDE, a political subdivision of the State of California, hereinafter referred to as "County":

Witnessth

WHEREAS, the parties hereto entered into a Lease Agreement for Recreational Development of Lake Skinner dated January 2, 1973, as amended on July 2, 1974, July 17, 1975, February 4, 1986, January 2, 2003, and January 2, 2005; and

WHEREAS, the parties have agreed that the terms and conditions in Section 9 of the Lease Agreement must be modified in order to reflect current conditions affecting the ability to serve water to the recreation area;

NOW, THEREFORE, the parties agree that the Lease Agreement is amended as follows:

1. Section 9 is amended to read as follows:

"9. Water Use Credit – Commencing January 1, 2015 and terminating at such time as Eastern Municipal Water District (EMWD) is able to provide water service to the leased recreation area, Metropolitan shall credit EMWD up to \$100,000 per year for water used by the County at the Lake Skinner recreation area. Such credit shall be for County's operation and use in maintaining the leased premises for landscape irrigation and recreation purposes, including drinking water, and shall not exceed the amount paid by EMWD to Metropolitan for the quantity of water used. County acknowledges and agrees that Metropolitan is and shall be under no obligation to pump and provide water from Lake Skinner for landscape irrigation purposes or alternatively to permit County to install and operate a well."

2. All other provisions of the Lease Agreement, as amended, not otherwise affected by this Amendment to Lease Agreement, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to Lease R.L. 295 to be executed and made effective as of the day and year first written above.

THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

COUNTY OF RIVERSIDE, on behalf of its Parks Department

By: *John Clairday*
John Clairday, Manager
Real Property Development and Management Group

By: *Marion Ashley*
Marion Ashley
Chairman, Board of Supervisors

Approved as to form:

ATTEST:
Kecia Harper-Ihem
Clerk of the Board

By: *Bryan Otake*
Bryan Otake
Senior Deputy General Counsel

By: *Karen [Signature]*
Deputy

RIVERSIDE COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT

By: *Kevin Jeffries*
Kevin Jeffries
Chairman, Board of Directors

ATTEST:
Kecia Harper-Ihem
Clerk of the Board

By: *Karen [Signature]*
Deputy

Approved as to form:
Gregory P. Priamos
County Counsel

By: *Synthia M. Gunzel*
Synthia M. Gunzel
Deputy County Counsel