

FORM APPROVED COUNTY COUNSEL
 4/22/15
 BY: GREGORY P. PRIAMOS DATE

Departmental Concurrence

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

820



FROM: Economic Development Agency

SUBMITTAL DATE:
April 30, 2015

SUBJECT: Operating Agreements between the County of Riverside and the Desert Recreation District – Indio Hills, Bermuda Dunes and Mecca areas, District 4, CEQA Exempt, [\$0]

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 Sections 15301 Class 1 - Existing Facilities Exemption and Section 15061 (b)(3) "Common Sense" Exemption;
2. Approve the attached Operating Agreements and Authorize the Chairman of the Board to execute the agreements on behalf of the County; and
3. Direct the Clerk of the Board to file the Notice of Exemption with the County Clerk within five (5) days of approval by the Board.

BACKGROUND:

Summary

Commences on Page 2

Robert Field
Assistant County Executive Officer/EDA

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

SOURCE OF FUNDS: N/A	Budget Adjustment: No
	For Fiscal Year: 2014/15

C.E.O. RECOMMENDATION:

APPROVE

BY:
Rohini Dasika

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley
Nays: None
Absent: None
Date: May 12, 2015
xc: EDA, Recorder

Kecia Harper-Ihem
 Clerk of the Board
 By:
 Deputy

Prev. Agn. Ref.: | **District:** 4 | **Agenda Number:**

3-14

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

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

Economic Development Agency

FORM 11: Operating Agreements between the County of Riverside and the Desert Recreation District – Indio Hills, Bermuda Dunes and Mecca areas, District 4, CEQA Exempt, [\$0]

DATE: April 30, 2015

PAGE: 2 of 3

BACKGROUND:

Summary

The County of Riverside constructed the Indio Hills, Bermuda Dunes and North Shore Community Centers to serve the needs of the surrounding communities. The Centers serve as a vital meeting place to conduct community meetings (Community Council, Neighborhood Watch), special events, ESL (English as a Second Language) and enrichment classes, conduct afterschool and summer camp programs, and provide physical fitness classes.

These facilities were primarily constructed using Redevelopment Funds and with the expectation that additional funding would be made available in order to maintain operations and programming. The County continues to seek ways to operate the facilities effectively and efficiently and to provide important services and programs to the communities we serve.

These community centers are all located within the sphere of the Desert Recreation District and the District has offered to operate and maintain these facilities at no additional cost to the County of Riverside. The District will utilize these vital facilities to continue providing services to the community while generating ongoing funding through building rentals and program fees. These Operating Agreements will ensure the long term success and vitality of each Center while minimizing the fiscal burden on the County's General Fund.

This activity is exempt from CEQA, pursuant to the Section 15301 Class 1 and the "Common Sense" Exemption, set forth in Section 15061 (b) (3) of the CEQA guidelines. By this Operating Agreement the property will not lead to any specific development, change in use, or other action that would create a direct or indirect reasonably foreseeable physical impact on the environment. No specific capital improvement plans have been prepared for the development of this property. The Operating Agreement merely changes the management of the property from the County to the Desert Recreation District. Thus, any environmental analysis related to potential future uses would be speculative and would not lead to any meaningful public review.

Operating Agreement and locations are summarized below:

Desert Recreation District:

Indio Hills Community Center 80-400 Dillon Road Desert Hot Springs, CA. 92241 3,208 Square feet	Bermuda Dunes Community Center 78-400 Avenue 42 Bermuda Dunes, Ca. 92203 2,344 Square feet	North Shore Community Center 99155 Sea View Drive Mecca, Ca. 92254 6,400 Square feet
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The agreements have been reviewed approved by County Counsel as to legal form.

Impact on Citizens and Businesses

The ongoing service and programs provided at these Community Centers will serve to enhance the quality of life for the residents of these communities. The businesses located around these centers will benefit from the local economic impact derived from the operation of these facilities.

(Continued)

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

Economic Development Agency

FORM 11: Operating Agreements between the County of Riverside and the Desert Recreation District –
Indio Hills, Bermuda Dunes and Mecca areas, District 4, CEQA Exempt, [\$0]

DATE: April 30, 2015

PAGE: 3 of 3

SUPPLEMENTAL:

Additional Fiscal Information

The financial costs to the County to maintain, clean, operate, and staff these Centers will be eliminated in favor of the Desert Recreation District fulfilling these obligations through this agreement.

Attachments:

Operating Agreements for Indio Hills, Bermuda Dunes and Mecca
CEQA Notice of Exemption



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

5/13/15
Date

Kb
Initial

NOTICE OF EXEMPTION

March 11, 2015

Project Name: County of Riverside, Operating Agreements with the Desert Recreation District

Project Number: FM0419140002

Project Location:

80-400 Dillon Road, Indio Hills, California 92241; Assessor Parcel Number 750-030-034
78-400 Avenue 42, Bermuda Dunes, California 92203; Assessor Parcel Number 607-141-024
99-155 Sea View Drive, Mecca, California 92254; Assessor Parcel Number 723-221-001
(see attached exhibits)

Description of Project: The County of Riverside (County) previously constructed the Indio Hills, Bermuda Dunes and North Shore Community Centers (Centers) to serve the needs for the surrounding communities. The Centers serve as a vital meeting place to conduct community meetings (Community Council, Neighborhood Watch), special events, ESL (English as a Second Language) and enrichment classes, conduct afterschool and summer camp programs, and teaches physical fitness. These facilities were constructed primarily with Redevelopment Funds with the expectation that additional funding would be made available later to maintain operations. The County has not been able to secure long term operational funding due to budget constraints. The Centers are located within the sphere of the Desert Recreation District (District), which has offered to operate and maintain these facilities in their similar capacity at no additional cost to the County. Therefore, the County and the District will enter into Operating Agreements to ensure the long term success of each Center while minimizing the fiscal burden on the County (Project). The Project does not allow for any tenant improvements, internal/external upgrades, or substantive changes to the ongoing use of the Centers. The operation of the Centers will continue to be similar to ongoing uses and will not result in an increase in the intensity of the use of the site. No additional direct or indirect physical environmental impacts are anticipated.

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; Desert Recreation District

Exempt Status: State California Environmental Quality Act (CEQA) Guidelines, Section 15301, Class 1, Existing Facilities Exemption; Section 15061(b)(3), General Rule or "Common Sense" Exemption.

Reasons Why Project is Exempt: The Project is exempt from the provisions of CEQA specifically by the State CEQA Guidelines as identified below. The Project will not result in any specific or general exceptions to the use of the categorical exemption as detailed under State CEQA Guidelines Section 15300.2. The Project will not cause any

impacts to scenic resources, historic resources, or unique sensitive biological environments. Further, no unusual circumstances or potential cumulative impacts would occur that may reasonably create an environmental impact. The Operating Agreements for the continued operation of the Centers is not anticipated to result in any significant physical environmental impacts. The Centers are in an existing developed area, with no vacant or raw land that would be impacted by the Project.

- Section 15301 – Class 1 Existing Facilities Exemption. This exemption includes the operation, repair, maintenance, leasing, or minor alteration of existing public or private structures or facilities, provided the exemption only involves negligible or no expansion of the previous site’s use. The Project as proposed is the Operating Agreements of three existing Centers. As previously discussed, no physical upgrades, changes in usage or tenant improvements are included as part of the Project. The Operating Agreements will not increase or expand the use of the site, and merely allows for the continued use of the site in a similar capacity; therefore, the Project meets the scope and intent of the Class 1 Exemption.
- Section 15061 (b)(3) – “Common Sense” Exemption. In accordance with CEQA, the use of the Common Sense Exemption is based on the “general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.” State CEQA Guidelines, Section 15061(b)(3). The use of this exemption is appropriate if “it can be seen with certainty that that there is no possibility that the activity in question may have a significant effect on the environment.” *Ibid*. This determination is an issue of fact and if sufficient evidence exists in the record that the activity cannot have a significant effect on the environment, then the exemption applies and no further evaluation under CEQA is required. See *Muzzy Ranch Co. v Solano County Airport Land Use Comm’n* (2007) 41 Cal.4th 372.

With certainty, there is no possibility that the Project may have a significant effect on the environment. The Operating Agreements of an existing community center that only allows for the continued ongoing use of the site with no physical changes to the Centers will not have a physical environmental effect on the environment. No construction impacts would occur. The use and operation of the Centers will be substantially similar to the existing uses and will not create any new environmental impacts to the surrounding area. The Project would not create any additional traffic nor result in an increase in noise impacts associated with the use of the site. Operational impacts would remain the same as they currently exist. Therefore, in no way would the Project as proposed have the potential to cause a significant environmental impact and the Project is exempt from further CEQA analysis.

Based upon the identified exemptions above, the County of Riverside, Economic Development Agency hereby concludes that no physical environmental impacts are anticipated to occur and the Project as proposed is exempt under CEQA. No further environmental analysis is warranted.

Signed: _____



Date: _____

3/11/15

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

RIVERSIDE COUNTY CLERK & RECORDER

**AUTHORIZATION
TO BILL
BY JOURNAL VOUCHER**

Project Name: Operating Agreements with the Desert Recreation District

Accounting String: 524830-47220-7200400000- FM0419140002

DATE: March 11, 2015

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:  _____

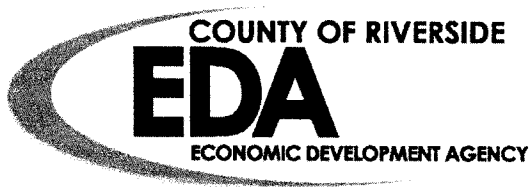
PRESENTED BY: Lorie Houghlan, Real Property Agent, Economic Development Agency

-TO BE FILLED IN BY COUNTY CLERK-

ACCEPTED BY: _____

DATE: _____

RECEIPT # (S) _____



Date: March 11, 2015

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 # FM0419140002**
80-400 Dillon Road, Indio Hills, California 92241; Assessor Parcel Number 750-030-034
78-400 Avenue 42, Bermuda Dunes, California 92203; Assessor Parcel Number 607-141-024
99-155 Sea View Drive, Mecca, California 92254; Assessor Parcel Number 723-221-001

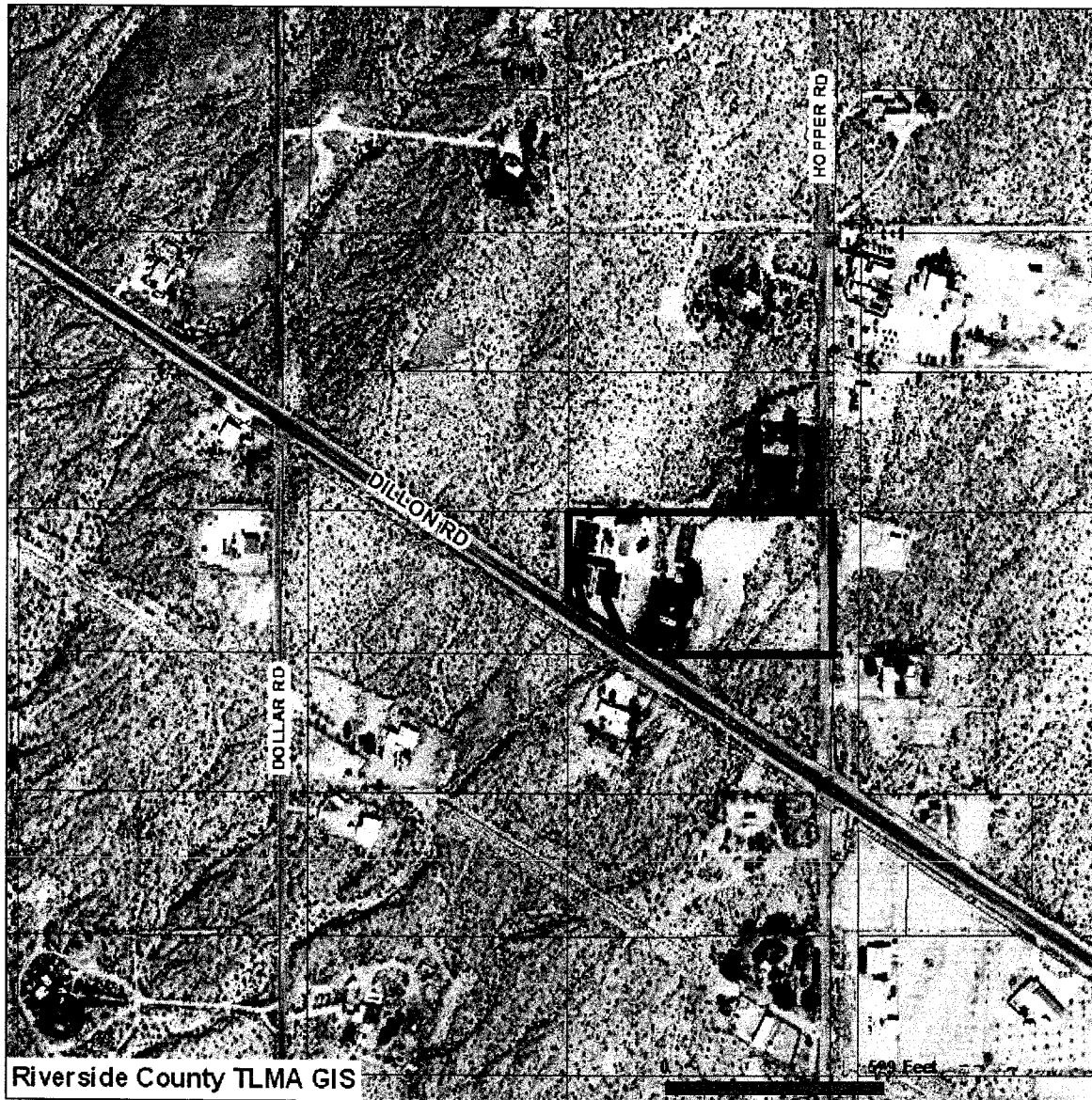
The Riverside County's Economic Development Agency's Project Management Office is requesting that you post the attached Notice of Exemption. Attached you will find an authorization to bill by journal voucher for your posting fee.

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

RIVERSIDE COUNTY GIS



Selected parcel(s):
750-030-034

IMPORTANT

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

REPORT PRINTED ON...Wed Mar 11 10:51:03 2015

Version 131127

RIVERSIDE COUNTY GIS



Selected parcel(s):

607-141-024

IMPORTANT

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Version 131127

RIVERSIDE COUNTY GIS



Selected parcel(s):
723-221-001

IMPORTANT

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