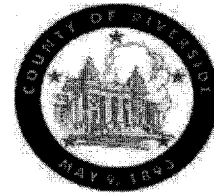


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**ITEM
3.17
(ID # 2986)**

MEETING DATE:
Tuesday, December 13, 2016

FROM : ECONOMIC DEVELOPMENT AGENCY (EDA):

SUBJECT: ECONOMIC DEVELOPMENT AGENCY (EDA): Termination of Lease Agreement with Hazelton Properties, LLC, Assessor-County Clerk-Recorder, Riverside, 81 month lease, CEQA Exempt, District 1 [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Option to Terminate the Lease agreement dated October 31, 2000, between the County of Riverside and Hazelton Properties, L.L.C. for property located at 2720 Gateway Drive, Riverside, California;

ACTION: Policy

Robert K. Field, Assistant County Director of Economic Development 11/21/2016

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: N/A			Budget Adjustment:	No
			For Fiscal Year:	2016/17

C.E.O. RECOMMENDATION: Approved

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione Washington and Ashley
Nays: None
Absent: Benoit
Date: December 13, 2016
xc: EDA, Recorder

Kecia Harper-Ihem
 Clerk of the Board
 By: Deputy

3-17

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

RECOMMENDED MOTION: That the Board of Supervisors:

2. Find that the termination of the Lease is exempt from CEQA pursuant to State CEQA Guidelines Sections 15301 and 15061(b)(3), as it can be seen with certainty that there is no possibility the activity in question may have a significant impact on the environment;
3. Authorizes the Economic Development Agency on behalf of the County of Riverside to effect the Option to Terminate; and
4. Direct the Clerk of the Board to file the Notice of Exemption with the County Clerk within five working days of approval by the Board.

BACKGROUND:

Summary

The County of Riverside entered into a ten-year lease on October 31, 2000, to occupy 18,539 square feet located at 2720 Gateway Drive, Riverside, for use by the Assessor-County Clerk-Recorder (ACR). The lease was extended for 81 months in 2011 and will expire September 2, 2017.

In an effort to reduce costs, the ACR has consolidated staff and public services into their adjacent location at 2724 Gateway Drive, Riverside, maximizing the use of available space. This has resulted in the ability to exercise the Option to Terminate as provided in the Lease agreement. The attached letter gives notice to the Lessor.

The proposed project, the termination of the Lease, was reviewed and determined to be exempt from CEQA pursuant to State CEQA Guidelines Sections 15301 and 15061(b)(3) as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. This is a mere termination of an agreement resulting in no further action or changes and does not cause significant changes in the land. The Parties have no further obligations to one another upon termination of the Lease.

Impact on Citizens and Businesses

No impact when providing services to the community are expected.

Attachments:

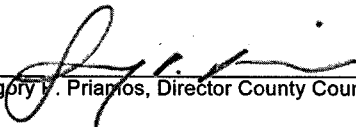
Aerial Image


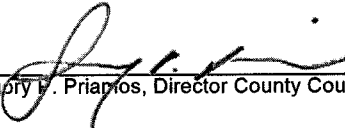
Notice of Exemption


Notice to Terminate Lease letter

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

RF:JWW:VC:VY:HR:ra RV267 18.562 13433
MinuteTraq 2986


Gregory V. Priamos, Director County Counsel 11/22/2016

 
Peter Aldana 11/22/2016 Gregory V. Priamos, Director County Counsel 11/22/2016


Kottini Dasika 12/5/2016



December 6, 2016

Mr. Thomas Notey
Hazelton Properties, LLC
c/o The Magnon Companies
815 Marlborough Ave., Suite 200
Riverside, California 92507

RE: Notice to Terminate Lease dated October 31, 2000
2720 Gateway Drive, Riverside

Dear Mr. Notey:

Paragraph 7 of the First Amendment to the above referenced lease between the County of Riverside and Hazelton Properties, LLC, provides for termination of the Lease for any reason following the County's sixty (60) day written notice.

The decision has been made to exercise that option. Accordingly, notice is hereby given that the Lease is terminated on the date sixty (60) days after the date of this letter pursuant to Paragraph 7. Following that date, the County will owe you no further obligation.

We have appreciated our successful leasehold relationship over the past 13 years with Hazelton Properties and wish you the same with future tenancies. Please feel free to contact this office should you have any questions.

Sincerely,

Robert Field, Assistant County Executive Officer
Economic Development Agency

HR:hr

Approved as to Form:
Gregory P. Priamos, County Counsel

By:

R. Todd Frahm
Deputy County Counsel



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

12/13/16
Date

KB
Initial

NOTICE OF EXEMPTION

November 15, 2016

Project Name: County of Riverside, Economic Development Agency (EDA) Termination of Assessor-County Clerk Recorder (ACR) Gateway Lease Agreement with Hazelton Properties LLC, Riverside

Project Number: FM042611026700

Project Location: 2720 Gateway Drive, east of Valley Springs Parkway, Riverside, California 92507; Assessor's Parcel Number (APN) 291-450-066 (See Attached Exhibit)

Description of Project: The County of Riverside (County) Board of Supervisors entered into a ten-year lease on October 31, 2000, to occupy 18,539 square feet of office space located at 2720 Gateway Drive, Riverside for use by the ACR. The lease was extended for 81 months in 2011 and will expire September 2, 2017. In an effort to reduce costs, the ACR has requested the EDA Real Estate Division exercise the Option to Terminate as provided in the Lease agreement. The County occupies the adjacent building located at 2724 Gateway and would accommodate ACR upon termination of the lease. No expansion of the existing building at 2724 Gateway Drive would be needed to accommodate ACR. The termination of the Lease is identified as the proposed Project under the California Environmental Quality Act (CEQA). The Project is a mere termination of an agreement resulting in no further action or changes and does not cause significant physical changes in the land. 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 and Hazelton Properties LLC

Exempt Status: State CEQA Guidelines, Section 15301, Class 1, Existing Facilities Exemption; Section 15061(b) (3), General Rule or "Common Sense" Exemption, Codified under Title 14, Articles 5 and 19, Sections 15061 and 15300 to 15301.

Reasons Why Project is Exempt: The proposed Project is categorically 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 an impact to an environmental resource of hazardous or critical concern nor does the Project include unusual circumstances which could have the possibility of a significant effect on the environment. The Project would not result in impacts to scenic highways, hazardous waste sites, historic resources, or other sensitive natural environments, or have a cumulative effect to the environment. No significant environmental impacts are anticipated to occur with the termination of the Lease Agreement.

12.13.16 3.A

- **Section 15301 – Class 1 Existing Facilities Exemption:** This categorical 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 limited to the termination of a lease agreement. The termination of the lease agreement would result in the relocation of ACR to the existing adjacent building at 2724 Gateway Drive. The consolidation of space by the County would reduce operating expenses and the relocation would not result in a substantial increase in intensity of use or exceed the planned capacity of the site. The County currently occupies the adjacent building and can also accommodate the relocation of ACR without requiring any expansion of public services and facilities. Therefore, the Project is exempt as the Project meets the scope and intent of the Class 1 Exemption identified in Section 15301, Article 19, Categorical Exemptions of the CEQA Guidelines.
- **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 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 *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal. 3d 68. The ruling in this case stated that if a project falls within a category exempt by administrative regulation or 'it can be seen with certainty that the activity in question will not have a significant effect on the environment', no further agency evaluation is required. With certainty, there is no possibility that the Project may have a significant effect on the environment. The proposed termination of the Lease Agreement will not result in any direct or indirect physical environmental impacts. The County will consolidate its leased space by moving ACR into the adjacent building at 2724 Gateway Drive. The termination of the Lease Agreement will result in no changes to the existing use and will not create any new environmental impacts to the surrounding area. No alterations and no impacts to the existing use of the site would occur. 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: 11/15/16

Mike Sullivan, Senior Environmental Planner
County of Riverside, Economic Development Agency

RIVERSIDE COUNTY CLERK & RECORDER

**AUTHORIZATION
TO BILL
BY JOURNAL VOUCHER**

**Project Name: ACR Gateway Termination of Lease with Hazelton Properties LLC,
Riverside**

Accounting String: 524830-47220-7200400000 - FM042611026700

DATE: November 15, 2016

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: Mike Sullivan, Senior Environmental Planner, Economic Development Agency

Signature: 

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

-TO BE FILLED IN BY COUNTY CLERK-

ACCEPTED BY: -

DATE: -

RECEIPT # (S) -



Date: November 15, 2016

To: Mary Ann Meyer, Office of the County Clerk

From: Mike Sullivan, Senior Environmental Planner, Project Management Office

Subject: **County of Riverside Economic Development Agency Project # FM042611026700**
ACR Gateway Termination of Lease with Hazelton Properties LLC, Riverside

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: Mike Sullivan, Senior Environmental Planner,

Economic Development Agency,

3403 10th Street, Suite 400, Riverside, CA 92501

If you have any questions, please contact Mike Sullivan at 955-8009.

Attachment

cc: file