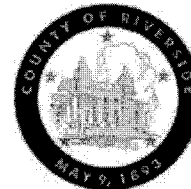


**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM
3.6
(ID # 4229)

MEETING DATE:

Tuesday, June 13, 2017

FROM : ECONOMIC DEVELOPMENT AGENCY (EDA):

SUBJECT: ECONOMIC DEVELOPMENT AGENCY (EDA): Fourth Amendment to Lease, Sheriff's Department, Perris Storage Facility, 2 Year Lease Renewal, District 1, CEQA Exempt, [\$545,537] 100% General Funds Sheriff's Budget (Clerk to file Notice of Exemption)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15301, Class 1 - Existing Facilities, and Section 15061(b) (3), the common sense exemption;
2. Approve the Fourth Amendment to Lease and authorize the Chairman of the Board to execute the same 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 days of approval by the Board.

ACTION: Policy


Robert Field, Assistant County Executive Officer/EDA

5/15/2017


Joseph Cleary

5/26/2017

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Tavaglione, Washington, Perez and Ashley
Nays: None
Absent: None
Date: June 13, 2017
xc: EDA, Recorder

Kecia Harper-Ihem
Clerk of the Board

By: 
Deputy

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

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 24,137	\$ 268,510	\$ 545,537	\$ 0
NET COUNTY COST	\$ 24,137	\$ 268,510	\$ 545,537	\$ 0
SOURCE OF FUNDS: 100% General Funds, Sheriff's Budget			Budget Adjustment: No	
			For Fiscal Year: 2016/17-2018/19	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

This Fourth Amendment to Lease represents a request from the Sheriff's Department to extend the Lease term for an additional two years at the existing premises located at 24312 Daytona Cove. The 55,625 square feet of secured warehouse space which includes reinforced concrete flooring to support heavy equipment and vehicles, continues to provide adequate storage space for Sheriff's patrol units, SWAT vehicles, trailers and equipment, as well as storage space for emergency supplies and weapons.

The Real Estate Division of the Economic Development Agency (EDA) has negotiated a two year extension at the rate of \$.38 per square foot with a three percent annual increase. This lease rate represents the lowest end of rates for comparable warehouse space in the region.

Pursuant to the California Environmental Quality Act (CEQA), the Lease was reviewed and determined to be categorically exempt from CEQA pursuant to State CEQA Guidelines Section 15301, Class 1 - Existing Facilities and Section 15061(b) (3), the common sense exemption. The proposed project, the Lease, is the letting of property involving existing facilities with no tenant improvement alterations and no expansion of an existing use will occur.

The Fourth Amendment to Lease is summarized as follows:

Location: Daytona Business Park, 24312 Daytona Cove, Perris

Lessor: Perris Citrus Avenue Storage, LP

Size: Current square feet: 55,625 square feet

Term: Two years, commencing June 12, 2017 and terminating June 11, 2019

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

Rent:	Current	New
	\$.37 PSF	\$.38 PSF
	<u>\$ 20,654.00</u> Per Month	<u>\$ 21,273.39</u> Per Month
	\$247,848.00 Per Year	\$255,280.68 Per Year

Annual Escalator: Three percent

Maintenance: Lessor

Utilities: Lessor

Custodial: No custodial required for warehouse space

Impact on Citizens and Businesses

Sherriff's presence in warehouse space continues to create dispatch efficiencies and improve public safety in this region of the County.

SUPPLEMENTAL:

Additional Fiscal Information

See attached Exhibits A, B and C. The Sheriff's department has budgeted these costs in FY 2016/17 and will reimburse EDA for all lease costs on a monthly basis

Contract History and Price Reasonableness

The lease rate is deemed competitive based upon the current market. This contract has been in place since June 12, 2012.

Attachments:

Exhibits A, B & C

Aerial Image

Fourth Amendment to Lease

Notice of Exemption

RF:JWW:VC:VY:CC:tg PR050 18.862 13556
Minute Traq # 4229

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


Rohini Dasika, Principal Management Analyst

6/5/2017



Gregory J. Priamos, Director County Counsel

5/15/2017

Exhibit A

FY 2016/17

Sheriff's Department Lease Cost Analysis 24312 Daytona Cove, Perris CA

ESTIMATED AMOUNTS

Total Square Footage to be Leased:

Current Warehouse:	55,625 SQFT	
Approximate Cost per SQFT (July - May)	\$	0.37
Approximate Cost per SQFT (June)	\$	0.38
Lease Cost per Month (July - May)	\$	20,654.00
Lease Cost per Month (June)	\$	21,273.39
Total Lease Cost (July - May)	\$	227,194.00
Total Lease Cost (June)	\$	21,273.39
Total Estimated Lease Cost for FY 2016/17	\$	248,467.39

Estimated Additional Costs:

EDA Lease Management Fee - 4.92%	\$	12,224.60
TOTAL ESTIMATED COST FOR FY 2016/17	\$	260,691.99
Amount Approved in Previous Agreement	\$	236,554.39
Amount of FY16/17	\$	24,137.59
TOTAL COUNTY COST 100% - Fourth Amendment	\$	24,137.59

Exhibit B

FY 2017/18

Sheriff's Department Lease Cost Analysis 24312 Daytona Cove, Perris CA

ESTIMATED AMOUNTS

Total Square Footage to be Leased:

Current Warehouse: 55,625 SQFT

Approximate Cost per SQFT (July - May)	\$	0.38	
Approximate Cost per SQFT (June)	\$	0.39	
Lease Cost per Month (July - May)			\$ 21,273.39
Lease Cost per Month (June)			\$ 21,911.83
Total Lease Cost (July - May)			\$ 234,007.29
Total Lease Cost (June)			\$ 21,911.83
Total Estimated Lease Cost for FY 2017/18			\$ 255,919.12

Estimated Additional Costs:

EDA Lease Management Fee - 4.92%			\$ 12,591.22
TOTAL ESTIMATED COST FOR FY 2017/18			\$ 268,510.34
TOTAL COUNTY COST 100% - Fourth Amendment			\$ 268,510.34

Exhibit C

FY2018/19
Sheriff's Department Lease Cost Analysis
24312 Daytona Cove, Perris CA

ESTIMATED AMOUNTS

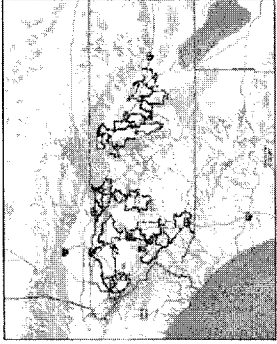
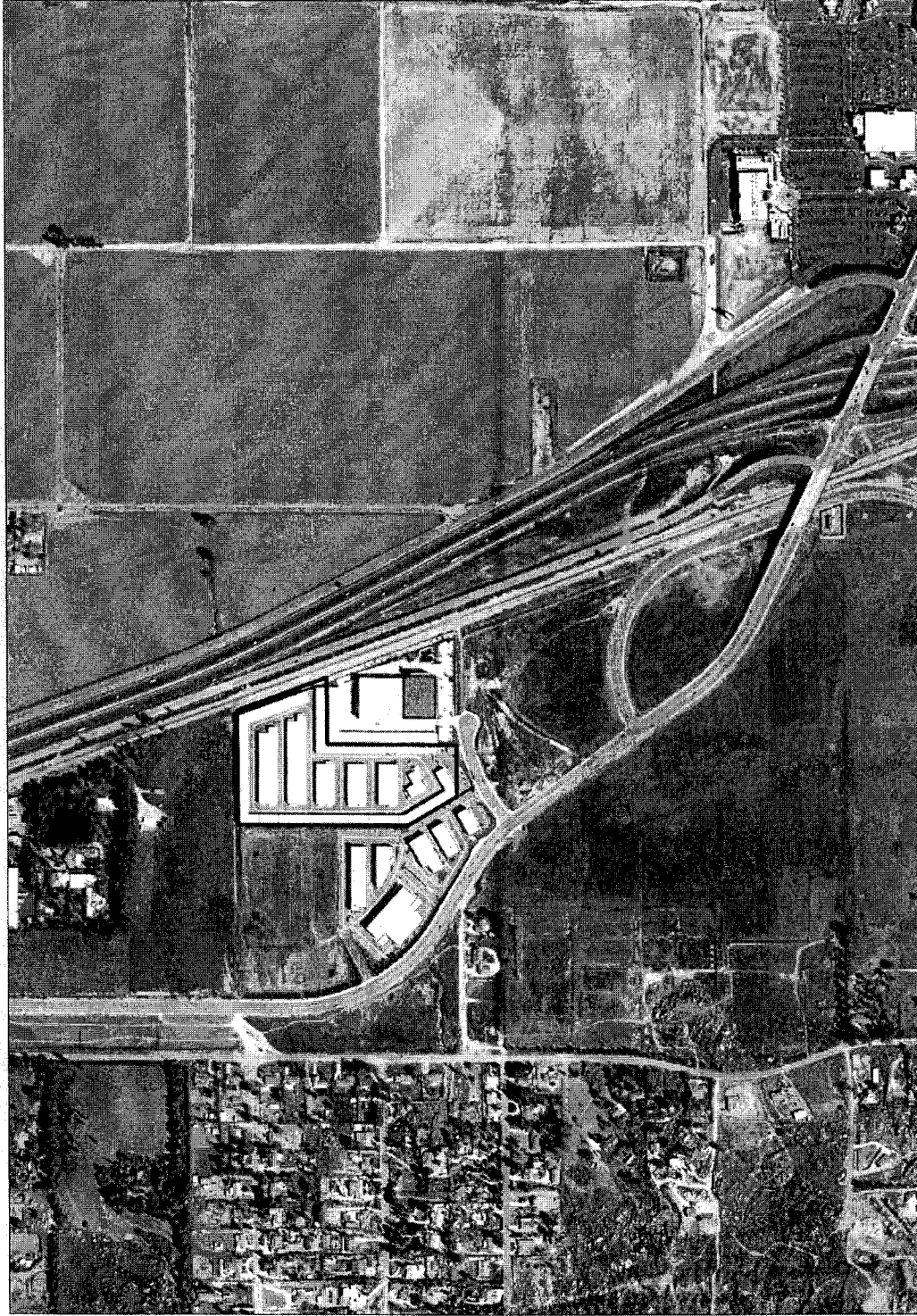
Total Square Footage to be Leased:

Current Warehouse:	55,625 SQFT	
		FY 2018/19
Approximate Cost per SQFT (July - May)	\$ 0.39	
Approximate Cost per SQFT (June)		
Lease Cost per Month (July - May)		\$ 21,911.83
Lease Cost per Month (June)		\$ -
Total Lease Cost (July - May)		\$ 241,030.13
Total Lease Cost (June)		\$ -
Total Estimated Lease Cost for FY2018/19		\$ 241,030.13
EDA Lease Management Fee - 4.92%		\$ 11,858.68
TOTAL ESTIMATED COST FOR FY2018/19		\$ 252,888.81
TOTAL COUNTY COST 100% - Fourth Amendment		\$ 252,888.81

F11: Cost - Total Cost \$ 545,536.75
F11: Net County Cost - Total Cost \$ 545,536.75

Fourth Amendment to Lease

24312 Daytona Cove, Perris



Legend



0 946

1,892 Feet



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© Riverside County RCIT GIS

Notes

APN 305-170-035

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.

1 **FOURTH AMENDMENT TO LEASE**
2 **24312 Daytona Cove, Perris, California**

3
4 **THIS FOURTH AMENDMENT TO LEASE** ("Fourth Amendment"), dated as of
5 June 13, 2017, is entered into by and between the COUNTY OF
6 RIVERSIDE, a political subdivision of the State of California, ("County"), and PERRIS
7 CITRUS AVENUE STORAGE LP, a California limited partnership ("Lessor"), same
8 party however previously referenced as Perris Citrus Storage LP, sometimes
9 collectively referred to as the "Parties".

10 **RECITALS**

11 a. Lessor and County have entered into that certain Lease dated June 12,
12 2012, pursuant to which Lessor has agreed to lease to County and County has agreed
13 to lease from Lessor that certain building located at 24312 Daytona Cove, Perris, as
14 more particularly described in the Lease.

15 b. The Lease has been amended by:

16 i. The First Amendment to Lease dated September 10, 2013 by and
17 between County of Riverside and Perris Citrus Avenue Storage LP, a California Limited
18 Partnership (the 1st Amendment), whereby the Parties amended the Lease to among
19 other things extend the term, reduce the square footage.

20 ii. The Second Amendment to Lease dated September 9, 2014
21 between County of Riverside and Perris Citrus Avenue Storage LP, a California Limited
22 Partnership (the 2nd Amendment), whereby the Parties amended the Lease to among
23 other things extend the term and rent.

24 iii. The Third Amendment to Lease dated September 15, 2015
25 between County of Riverside and Perris Citrus Avenue Storage LP, a California Limited
26 Partnership (the 3rd Amendment), whereby the Parties amended the Lease to among
27 other things extend the term and rent.

28 ///

JUN 13 2017 3.6

1 c. The Original Lease together with this amendment are collectively referred
2 to as the "Lease."

3 d. The Parties now desire to amend the Lease to extend the term period.

4 **NOW THEREFORE**, for good and valuable consideration the receipt and
5 adequacy of which is hereby acknowledged, the Parties agree as follows:

6 1. **Term.** Section 4 (4.1) of the Original Lease is hereby amended by the
7 following:

8 The term of this lease shall be extended for Two (2) years commencing on June
9 12, 2017 and terminating on June 11, 2019.

10 2. **Rent.** Section 5.1 of the Original Lease is hereby amended by the
11 following:

<u>Lease Period</u>	<u>Monthly Rent</u>
June 12, 2017 thru June 11, 2018	\$21,273.39
June 12, 2018 thru June 11, 2019	\$21,911.83

15
16 3. **CAPITALIZED TERMS.** Fourth Amendment to Prevail. Unless defined
17 herein or the context required otherwise, all capitalized terms herein shall have the
18 meaning defined in the Lease, as heretofore amended. The provisions of this Fourth
19 Amendment shall prevail over any inconsistency or conflicting provisions of the Lease,
20 as heretofore amended, and shall supplement the remaining provisions thereof.

21 4. **MISCELLANEOUS.** Except as amended or modified herein, all terms of
22 the Lease shall remain in full force and effect. If any provisions of this Fourth
23 Amendment shall be determined to be illegal or unenforceable, such determination
24 shall not affect any other provision of the Lease. Neither this Fourth Amendment nor
25 the Lease shall be recorded by the County.

26
27 (Remainder of Page Intentionally Left Blank)
28


1 **EFFECTIVE DATE.** This Fourth Amendment to Lease shall not be binding or
2 consummated until its approval by the Riverside County Board of Supervisors and fully
3 executed by the Parties.

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

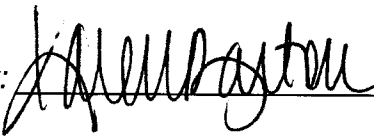
6
7
8 **LESSEE:**
9 **COUNTY OF RIVERSIDE**

LESSOR:
PERRIS CITRUS AVENUE STORAGE LP

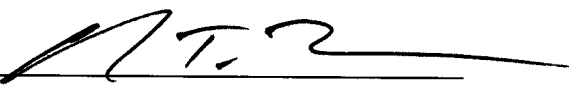
10 By: 
11 Chairman
12 Board of Supervisors

By: 
Pam Christensen, District Manager,
as Agent for Lessor

13 **ATTEST:**
14 Kecia Harper-Ihem
15 Clerk of the Board

16 By: 
17 Deputy

18
19 **APPROVED AS TO FORM:**
20 Gregory P. Priamos, County Counsel

21 By: 
22
23 R. Todd Frahm

24
25
26
27 CC:ra/041117/PR050/18.863



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

6/14/17
Date

KB
Initial

NOTICE OF EXEMPTION

April 10, 2017

Project Name: County of Riverside, Economic Development Agency (EDA) Sheriff Storage Facility, Perris, 4th Amendment to Lease

Project Number: FM042552005000

Project Location: 24312 Daytona Cove, west of Interstate 215, Perris, California 92553; Assessor's Parcel Number (APN) 305-170-035; (See Attached Exhibit)

Description of Project: On June 12, 2012, the County of Riverside (County) entered into a lease agreement with Citrus Avenue Storage, LP, for the building located at 24312 Daytona Cove in Perris, California (APN 305-170-035) for use as a storage facility by the County Sheriff's Department. The 55,625 square feet of secured warehouse space which includes reinforced concrete flooring to support heavy equipment and vehicles, continues to provide adequate storage space for Sheriff's patrol units, SWAT vehicles, trailers and equipment, as well as storage space for emergency supplies and weapons. There have been three previous amendments which include the reduction of leased space and extensions and modifications to the term of the lease. This leased warehouse space continues to meet the requirements for the County Sheriff's Department and an additional two year extension is being sought. The 4th Amendment to the Lease Agreement, which is the letting of property involving existing facilities for an additional two-year term, is identified as the proposed Project under the California Environmental Quality Act (CEQA). 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 Citrus Avenue Storage, LP

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 have unusual circumstances that could possibility have 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 4th Amendment to the Lease Agreement.

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Administration
Aviation
Business Intelligence
Cultural Services
Community Services
Custodial

Housing
Housing Authority
Information Technology
Maintenance
Marketing

Economic Development
Edward-Dean Museum
Environmental Planning
Fair & National Date Festival
Foreign Trade
Graffiti Abatement

Parking
Project Management
Purchasing Group
Real Property
Redevelopment Agency
Workforce Development

- 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 an extension of the Lease Agreement of warehouse space in an existing building. The extension of the lease would not result in any direct or indirect impacts on the environment. The use of the warehouse space would be consistent with the designated land use, and would not require 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 4th Amendment to the Lease Agreement is limited to the extension of a lease agreement. The direct and indirect effects would be limited to the continued use of a warehouse building. The Lease Agreement will not result in any direct or indirect physical environmental impacts. 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: 4/10/17

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

RIVERSIDE COUNTY CLERK & RECORDER

**AUTHORIZATION
TO BILL
BY JOURNAL VOUCHER**

Project Name: Sheriff Storage Facility, Perris, 4th Amendment to Lease

Accounting String: 524830-47220-7200400000- FM042552005000


DATE: April 10, 2017

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: Cindy Campos, Real Property Agent III, Economic Development Agency

-TO BE FILLED IN BY COUNTY CLERK-

ACCEPTED BY: _____

DATE: _____

RECEIPT # (S) _____



Date: April 10, 2017
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 # FM042552005000**
Sheriff Storage Facility, Perris, 4th Amendment to Lease

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

Administration
Aviation
Business Intelligence
Cultural Services
Community Services
Custodial

Housing
Housing Authority
Information Technology
Maintenance
Marketing

Economic Development
Edward Dean Museum
Environmental Planning
Fair & National Date Festival
Foreign Trade
Graffiti Abatement

Parking
Project Management
Purchasing Group
Real Property
Redevelopment Agency
Workforce Development

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