

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



ITEM
4.3
(ID # 5022)

MEETING DATE:

Tuesday, August 29, 2017

FROM : SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY:

SUBJECT: SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY: Resolution No. 2017-018, Authorization to Sell Real Property located at 25351 Trumble Rd. Menifee, California; Approval of Agreement of Purchase and Sale and Joint Escrow Instructions; CEQA Exempt; District 5; [\$47,500]; Redevelopment Property Tax Trust Fund (Clerk to File Notice of Exemption)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the Agreement of Purchase and Sale and Joint Escrow Instructions between the Successor Agency to the Redevelopment Agency for the County of Riverside and Fuel Distributors, LLC in the amount of \$1,522,204 (Purchase Agreement), and Grant Deed and authorize the Chairman of the Board to execute the Purchase Agreement on behalf of the Successor Agency;
2. Authorize the Deputy County Executive Officer, or his designee, to execute any other documents and administer all actions necessary to complete or memorialize the sale contemplated in the Purchase Agreement, including, but not limited to executing the Grant Deed attached to the Purchase Agreement;
3. Ratify and authorize and direct staff to submit the Purchase Agreement to the Oversight Board for approval;

ACTION: Policy


Robert Field, Assistant County Executive Officer/EDA

8/16/2017



Alex Gann

8/22/2017

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Jeffries, Washington, Perez and Ashley
Nays: None
Absent: Tavaglione
Date: August 29, 2017
xc: E.O., Recorder

Kecia Harper-Ihem
Clerk of the Board
By: 
Deputy

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

RECOMMENDED MOTION: That the Board of Supervisors:

4. Approve and authorize reimbursement to EDA-Real Estate in the amount not-to-exceed \$46,500 for due diligence and staff expenses;
5. Direct the Clerk of the Board to file the Notice of Exemption with the County Clerk within 5 days of approval by the Board.
6. Find that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061 (b)(3) and Section 15301 Existing Facilities; and
7. Adopt Successor Agency Resolution No. 2017-018, authorizing the sale of real property located at 25351 Trumble Rd. Menifee, California, identified by Assessor Parcel Numbers 329-020-009 and 329-020-022, in accordance with ABx1 26 enacted in June 2011 (as amended by AB 1484 enacted in June 2012) and the Amended Long Range Property Management Plan approved by the California Department of Finance;

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$47,500	\$0	\$47,500	\$0
NET COUNTY COST	\$0	\$0	\$ 0	\$0
SOURCE OF FUNDS: Redevelopment Property Tax Trust Fund			Budget Adjustment: No	
			For Fiscal Year: 2017/18	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

ABx1 26 enacted in June 2011 (as amended by AB 1484 in June 2012) (collectively the Dissolution Act) charges the Successor Agency to the Redevelopment Agency for the County of Riverside (Successor Agency) with winding down the affairs of the former Redevelopment Agency for the County of Riverside (RDA). Pursuant to Health and Safety Code Section 34191.5, added by the Dissolution Act, the Successor Agency prepared a Long Range Property Management Plan (LRPMP) which identified all real property assets owned by the former RDA and recommended appropriate disposition strategies for each identified parcel. The LRPMP includes property profiles, a description of each property's potential use, and an explanation of the benefit of the proposed disposition strategy to the surrounding community. The LRPMP was approved by the California Department of Finance (DOF) on December 18, 2015.

The LRPMP contemplates the sale of that certain real property consisting of approximately 4.82 acres, located at 25351 Trumble Rd. Menifee, CA, identified by Assessor Parcel Numbers 329-020-009 and 329-020-022, as depicted on the attached site map (Property). In the LRPMP, the property is designated for sale using various sale methods to properly and effectively market the property to prospective buyers. Pursuant to the disposition process set forth in the LRPMP,

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
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Successor Agency staff created marketing flyers which were placed on the Economic Development Agency's website. Staff then emailed a Notice to all Public Agencies, including the link for the website, on April 4, 2016, allocating a sixty day time frame to express an interest on any of the properties. Staff placed "for sale" signs on various properties in the community, attracting interest from the public on any available properties.

The Successor Agency offered a Request for Proposal as an opportunity to purchase and develop the vacant property. The primary use of the Property shall be as a name brand full service hotel, a full service sit down restaurant within close proximity to the hotel, a drive thru franchise restaurant, a convenience store, a car wash and a gas station. Acceptance of the offer from Fuel Distributors, a California limited Liability Company, in the amount of \$1,522,204. An updated appraisal was conducted by Michael J. Francis, MAI, dated May 18, 2016 found the fair market value of the Property to be \$1,522,204. There are costs of \$47,500 associated with this transaction are set forth in the attached proposed Agreement of Purchase and Sale with Joint Escrow Instructions, including exhibits (Purchase Agreement). The sale proceeds, minus customary closing and escrow costs, will be disbursed to the taxing entities pursuant to Health and Safety Code Section 34188. If approved by the Successor Agency, the Purchase and Sale Agreement will be forwarded to the Oversight Board of the Successor Agency to the Redevelopment Agency for the County of Riverside, for consideration.

The Successor Agency's disposition of the Property, in a manner consistent with the Dissolution Act, LRPMP and proposed Purchase Agreement, will facilitate the unwinding of the former RDA by liquidating its property in a manner aimed at maximizing value for the benefit of the taxing entities.

Pursuant to the California Environmental Quality Act (CEQA), the sale of the Property was reviewed and determined to be categorically exempt from CEQA under State CEQA Guidelines Section 15061 (b)(3), common sense, general rule exemption, and 15301 Existing Facilities.

The proposed project is the sale of vacant real Fuel Distributors, shall execute Environmental Indemnity in favor of the Successor Agency to the Redevelopment Agency for the County of Riverside and the County of Riverside. It can be seen with certainty that there is no possibility that the activity in question will have a significant impact on the environment since the conveyance is merely a transfer in title to the real property; it will not require any construction activities and will not lead to any direct or reasonably foreseeable indirect physical environmental impacts.

Resolution No. 2017-018, and the Agreement of Purchase and Sale and Joint Escrow Instructions have been approved as to legal form by County Counsel.

Impact on Citizens and Businesses

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

Pursuant to the Dissolution Act, the net proceeds from the sale of the identified disposal properties will be distributed to taxing entities, including school districts, special districts and the County.

SUPPLEMENTAL: Additional Fiscal Information


The following summarizes the funding necessary for the sale of the real property located in Menifee, identified as Assessor Parcel Numbers 329-020-009 and 329-020-022

Estimated Title and Escrow Charges	10,000
Preliminary Title Report	500
County Appraisals (Updated)	1,000
EDA Real Property Staff Time (including County Counsel Staff Time)	36,000
Total Estimated Acquisition Costs (Not-to-Exceed)	\$47,500

Attachments:

- Aerial Map
- Resolution No. 2017-018
- Agreement of Purchase and Sale with Joint Escrow Instructions, including exhibits
- Appraisal Summary
- Notice of Exemption
- DOF Letter

RF:JWW:VC:VY:YK:ra 430ED 19.199 13656
MinuteTrak 5022


Renuka Lakka, Principal Management Analyst 8/22/2017


Gregory F. Priamos, Director County Counsel 8/17/2017

1 BOARD OF SUPERVISOR

SUCCESSOR AGENCY TO THE
2 REDEVELOPMENT AGENCY FOR
3 THE COUNTY OF RIVERSIDE

4 RESOLUTION NO. 2017-018

5 RESOLUTION OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY FOR
6 THE COUNTY OF RIVERSIDE AUTHORIZING THE SALE OF REAL PROPERTY LOCATED
7 IN MENIFEE, CALIFORNIA, IDENTIFIED AS ASSESSOR'S PARCEL NUMBERS
8 329-020-009 AND 329-020-022, TO FUEL DISTRIBUTORS, LLC
9

10 **WHEREAS,** the Redevelopment Agency for the County of Riverside ("Agency") was
11 formed, existed, and exercised its powers pursuant to Community Redevelopment Law
12 (California Health and Safety Code section 33000 et seq. the "CRL");

13 **WHEREAS,** Assembly Bill No. x1 26, as modified by Assembly Bill No. 1484
14 ("Dissolution Act"), added Parts 1.8 and 1.85 to Division 24 of the CRL. As a result of the
15 Dissolution Act, the Agency was dissolved on February 1, 2012 such that the Agency is now
16 deemed a former redevelopment agency under Health and Safety Code section 34173;

17 **WHEREAS,** upon the dissolution of the former Agency, all authority, rights, powers,
18 duties, and obligations previously vested with the former Agency (except for the former
19 Agency's housing assets and functions) under the CRL have been vested in the Successor
20 Agency to the Redevelopment Agency for the County of Riverside ("Successor Agency") under
21 Health and Safety Code section 34173;

22 **WHEREAS,** pursuant to Health and Safety Code section 34175 (b), all real property
23 and other assets of the former Agency were transferred to the Successor Agency as of
24 February 1, 2012, including, but not limited to that certain real property located in Menifee,
25 California, identified by Assessor's Parcel Numbers 329-020-009 and 329-020-022, legally
26 described in Exhibit "A" attached hereto and incorporated herein by this reference ("Property");

27 **WHEREAS,** pursuant to Health and Safety Code section 34191.5 (b), an Amended
28 Long-Range Property Management Plan ("LRPMP") was prepared and submitted for review

1 and approval to the Oversight Board for the Successor Agency to the Redevelopment Agency
2 for the County of Riverside ("Oversight Board") and the California Department of Finance
3 ("DOF"). The LRPMP addresses the disposition and use of the real property owned by the
4 former Agency. The LRPMP was approved by the DOF on December 18, 2015;

5 **WHEREAS**, the LRPMP provides for disposition of the Property at its highest value.
6 The fair market value for the Property is \$1,522,204, based on that certain appraisal prepared
7 by Michael J. Francis, MAI on July 27, 2016 ("Appraisal");

8 **WHEREAS**, Successor Agency staff issued a Request for Proposals (RFP) for the
9 disposition of the Property. As stipulated in the RFP, the preferred future use for the Property
10 is a retail and hotel/shopping service center as set forth in the DOF approved LRPMP and
11 consistent with the Redevelopment Plan for Project No. 5-1986 & 5-1987, Merger &
12 Amendment Subarea: Romoland;

13 **WHEREAS**, after a lengthy advertising period, Successor Agency staff received
14 multiple proposals, one of which was a proposal from Fuel Distributors, LLC, a California
15 limited liability company (Fuel Distributors). Fuel Distributors offered to acquire the Property for
16 \$1,522,204, fair market value consistent with the Appraisal, and committed to the future
17 development of the Property consistent with the parameters set forth in the RFP. After careful
18 review and scoring of the proposals, and an in-person interview, the selection committee
19 concluded that the Fuel Distributors proposal was responsive to the RFP;

20 **WHEREAS**, Successor Agency desires to convey the Property to Fuel Distributors, and
21 Fuel Distributors desires to acquire the Property from the Successor Agency, pursuant to the
22 terms and provisions of the proposed Agreement of Purchase and Sale and Joint Escrow
23 Instructions, including exhibits, ("Purchase Agreement") attached hereto as Exhibit "B" and
24 incorporated herein by this reference;

25 **WHEREAS**, as part of the sale, the Grant Deed conveying the Property from the
26 Successor Agency to Fuel Distributors contains covenants and restrictions relating to the future
27 use, operation and maintenance of the Property. The Grant Deed establishes that the primary
28 future use of the Property shall be a full service hotel and the remainder of the Property can only

1 be used as a drive-thru franchise restaurant, convenience store, car wash, or gas/filling station.

2 The form of Grant Deed is attached to the Purchase Agreement;

3 **WHEREAS**, the Purchase Agreement only relates to the sale of property and does not
4 allow for any construction activity, change in use, or any other condition that may lead to a direct
5 or indirect physical environmental impact at this time. Any future activity where a specific
6 development concept is provided for the Property shall require additional CEQA review as part of
7 the approval of the development;

8 **WHEREAS**, net sale proceeds, minus customary closing and escrow costs, will be
9 disbursed to the taxing entities pursuant to Health and Safety Code Section 34188;

10 **WHEREAS**, the Successor Agency has reviewed and determined that the sale of the
11 Property is categorically exempt from the California Environmental Quality Act ("CEQA")
12 pursuant to under State CEQA Guidelines Section 15061 (b)(3), common sense, general rule
13 exemption, and 15301 Existing Facilities. It can be seen with certainty that there is no
14 possibility that the activity in question will have a significant impact on the environment since
15 the conveyance is merely a transfer in title to the real property; it will not require any
16 construction activities and will not lead to any direct or reasonably foreseeable indirect physical
17 environmental impacts. In addition, the project, is limited to the purchase of property that will
18 not result in a change to the use of the site and would not result in any direct or indirect impacts
19 on the environment. The ongoing use of the property would not require any expansion of public
20 services and facilities; therefore, the project is exempt as the project meets the scope and
21 intent of the Class 1 Exemption identified in Section 15301, Article 19 of the CEQA Guidelines.
22 Any future activity where a specific development concept is provided for the Property will require
23 additional CEQA review as part of the approval of the development. While, the future use of the
24 Property has restrictions, any attempt at evaluating physical impacts related to future
25 development at this time would be wholly speculative and would provide no meaningful input or
26 analysis. The potential indirect effects from this sale would be addressed through a future
27 discretionary action for the development of the site with a future commercial use of the property
28

1 as a full-service hotel. The purchase and sale between the Successor Agency and Fuel
2 Distributors is not deemed to be an approval pursuant to CEQA for any specific development
3 and does not commit any public agency, including the City of Menifee, to a definite course of
4 action regarding a project that may lead to an adverse effect on the environment or limit any
5 choice of alternatives or mitigation measures prior to CEQA compliance. In addressing indirect
6 effects of the purchase and sale, CEQA Guidelines 15004(b) identifies the necessity of balance
7 in determining the timing of CEQA compliance, citing the need to enable environmental
8 considerations to have influence on programming and design, while at the same time having
9 enough detailed information for meaningful environmental assessment. Future development of
10 the site by Fuel Providers provides the appropriate opportunity for environmental considerations
11 to influence design and the characterization of effects would be more meaningful as there are
12 more specifics associated with the development of the property as a full-service hotel, and/or
13 restaurant and retail; and

14 **WHEREAS**, the Successor Agency's disposition of the Property, in a manner consistent
15 with the Dissolution Act, LRPMP and proposed Purchase Agreement, will facilitate the
16 unwinding of the former Agency by liquidating its property in a manner aimed at maximizing
17 value for the benefit of the taxing entities.

18
19 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by
20 the Board of Supervisors of the Successor Agency to the Redevelopment Agency for the
21 County of Riverside ("Board"), in regular session assembled on August 29, 2017, in the
22 meeting room of the Board of Supervisors located on the 1st floor of the County Administrative
23 Center, 4080 Lemon Street, Riverside, California, as follows:

- 24 1. The Recitals set forth above are true and correct and incorporated herein by
25 reference.
- 26 2. The Board, based upon a review of the evidence and information presented on the
27 matter as it relates to the sale, has determined that the sale of the Property is
28 categorically exempt from the California Environmental Quality Act ("CEQA")

1 pursuant to under State CEQA Guidelines Section 15061 (b)(3), common sense,
2 general rule exemption, and 15301 Existing Facilities. It can be seen with certainty
3 that there is no possibility that the activity in question will have a significant impact
4 on the environment since the conveyance is merely a transfer in title to the real
5 property; it will not require any construction activities and will not lead to any direct
6 or reasonably foreseeable indirect physical environmental impacts. In addition, the
7 project, is limited to the purchase of property that will not result in a change to the
8 use of the site and would not result in any direct or indirect impacts on the
9 environment. The ongoing use of the property would not require any expansion of
10 public services and facilities; therefore, the project is exempt as the project meets
11 the scope and intent of the Class 1 Exemption identified in Section 15301, Article 19
12 of the CEQA Guidelines. Any future activity where a specific development concept is
13 provided for the Property will require additional CEQA review as part of the approval
14 of the development. While, the future use of the Property has restrictions, any attempt
15 at evaluating physical impacts related to future development at this time would be
16 wholly speculative and would provide no meaningful input or analysis. The potential
17 indirect effects from this sale would be addressed through a future discretionary
18 action for the development of the site with a future commercial use of the property
19 as a full-service hotel. The purchase and sale between the Successor Agency and
20 Fuel Distributors is not deemed to be an approval pursuant to CEQA for any specific
21 development and does not commit any public agency, including the City of Menifee,
22 to a definite course of action regarding a project that may lead to an adverse effect
23 on the environment or limit any choice of alternatives or mitigation measures prior to
24 CEQA compliance. In addressing indirect effects of the purchase and sale, CEQA
25 Guidelines 15004(b) identifies the necessity of balance in determining the timing of
26 CEQA compliance, citing the need to enable environmental considerations to have
27 influence on programming and design, while at the same time having enough
28 detailed information for meaningful environmental assessment. Future development

1 of the site by Fuel Providers provides the appropriate opportunity for environmental
2 considerations to influence design and the characterization of effects would be more
3 meaningful as there are more specifics associated with the development of the
4 property as a full-service hotel, and/or restaurant and retail

- 5 3. The Board hereby approves and authorizes the sale by the Successor Agency to
6 Fuel Distributors LLC, a California limited liability company, by grant deed, of that
7 certain real property located in Menifee, California, identified by Assessor's Parcel
8 Numbers 329-020-009 and 329-020-022, as more particularly described in Exhibit
9 "A" attached hereto, and incorporated herein by this reference ("Property"), for a
10 purchase price of \$1,522,204. Net sale proceeds, minus customary closing and
11 escrow costs, will be disbursed to the taxing entities pursuant to Health and Safety
12 Code Section 34188;
- 13 4. The Board hereby approves the Agreement of Purchase and Sale and Joint Escrow
14 Instructions, including exhibits, attached hereto as Exhibit "B" and incorporated
15 herein by this reference ("Purchase Agreement"), and authorizes and directs the
16 Deputy County Executive Officer (Deputy CEO), or designee, of the Successor
17 Agency to execute an Agreement of Purchase and Sale with Joint Escrow
18 Instructions substantially conforming in form and substance to the attached
19 Purchase Agreement.
- 20 5. The Board hereby approves the Grant Deed, attached to the Purchase Agreement,
21 and authorizes and directs the Deputy CEO or designee of the Successor Agency to
22 execute the Grant Deed.
- 23 6. The Board further authorizes and directs the Deputy CEO or designee of the
24 Successor Agency to take any other action and execute any documents, approved
25 by County Counsel, as may be necessary to implement the conveyance of the
26 Property to Fuel Distributors pursuant to the terms approved in this Resolution and
27 the Purchase Agreement, and to administer the Successor Agency's obligations,
28 responsibilities, and duties to be performed under said Purchase Agreement.

FORM APPROVED COUNTY COUNSEL
BY: JESSICA R. BROWN DATE: 8/15/17

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- 7. The provisions of this Resolution are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, words or parts thereof of the Resolution or their applicability to other persons or circumstances.
- 8. The Deputy CEO or designee is hereby authorized and directed to submit a copy of this Resolution, including all exhibits, to the Oversight Board for the Successor Agency to the Redevelopment Agency for the County of Riverside for review and approval.

ROLL CALL:

Ayes: Jeffries, Washington, Perez and Ashley
 Nays: None
 Absent: Tavaglione

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

KECIA HARPER-IHEM, Clerk of said Board

By Karla B. Brown
Deputy

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EXHIBIT A
LEGAL DESCRIPTION

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

THOSE PORTIONS OF LOTS 499, 500, 501, 502, 503, 504, 505 AND 506 OF ROMOLA
FARMS NO. 6A, IN THE CITY OF MENIFEE, COUNTY OF RIVERSIDE, STATE OF
CALIFORNIA, AS PER MAP RECORDED IN BOOK 14, PAGES 63 THROUGH 65,
INCLUSIVE OF MAPS, RIVERSIDE COUNTY RECORDS, DESCRIBED AS
FOLLOWS:

BEGINNING AT THE MOST SOUTHERLY CORNER OF SAID LOT 504;

THENCE NORTH 36° 24' 28" EAST, 37.73 FEET ON THE SOUTHEASTERLY
LINE OF SAID LOT 504, TO AN INTERSECTION WITH THE NORTHERLY
RIGHT-OF-WAY LINE OF STATE HIGHWAY NO. 74, SAID INTERSECTION
BEING ALSO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 80° 20' 41" WEST, 30.00 FEET ON THE SAID NORTHERLY
RIGHT OF WAY LINE OF STATE HIGHWAY 74;

THENCE NORTH 56° 07' 01" WEST, 100.10 FEET CONTINUING ON SAID
NORTHERLY RIGHT OF WAY LINE;

THENCE NORTH 48° 41' 28" WEST, 396.14 FEET CONTINUING ON SAID
NORTHERLY RIGHT OF WAY LINE, TO THE BEGINNING OF A TANGENT
CURVE CONCAVE TO THE NORTHEAST AND HAVING A RADIUS OF 350.00
FEET;

THENCE NORTHWESTERLY ON SAID CURVE 207.85 FEET THROUGH AN ANGLE
OF 34° 01' 28";

THENCE TANGENT TO SAID CURVE, NORTH 14° 40' 00" WEST, 14.81 FEET;

THENCE SOUTH 89° 34' 32" EAST, 698.62 FEET TO AN INTERSECTION WITH

THE WEST RIGHT-OF-WAY LINE OF "TRUMBLE ROAD";

THENCE SOUTH 0° 45' 54" WEST, 206.68 FEET ON SAID WEST RIGHT-OF-
WAY LINE OF "TRUMBLE ROAD", TO THE BEGINNING OF A TANGENT
CURVE, CONCAVE TO THE NORTHWEST AND HAVING A RADIUS OF 167.00
FEET;

1 THENCE SOUTHWESTERLY ON SAID CURVE, 103.89 FEET THROUGH AN ANGLE
OF 35° 38' 34";

2 THENCE TANGENT TO SAID CURVE, SOUTH 36° 24' 28" WEST, 238.77 FEET TO
3 THE TRUE POINT OF BEGINNING.

4 EXCEPTING THEREFROM THAT PORTION DESCRIBED IN THE DEED TO THE
5 COUNTY OF RIVERSIDE RECORDED JUNE 20, 1967, AS INSTRUMENT NO. 53402
6 OF OFFICIAL RECORDS.

7 ASSESSOR'S PARCEL NO'S: 329-020-009 AND 329-020-022
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EXHIBIT B
AGREEMENT OF PURCHASE AND SALE AND JOINT ESCROW INSTRUCTIONS
(behind this page)

YK:ra/080917/430ED/19.196



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

9/12/17
Date

VP
Initial

NOTICE OF EXEMPTION

August 8, 2017

Project Name: Long Range Property Management Plan Menifee Surplus Sale, Trumble Road, County of Riverside

Project Number: ED190019425

Project Location: 25351 Trumble Road, east of Interstate 215, north of State Highway 74, Menifee, Riverside County, California; Assessor's Parcel Numbers (APNs): 329-020-009, 329-020-022 (See attached exhibit)

Description of Project: The Successor Agency to the Redevelopment Agency for the County of Riverside (Successor Agency) is required to conclude the affairs of the former Redevelopment Agency for the County of Riverside. A Long-Range Property Management Plan (LRMP) was created and approved by the Department of Finance on December 18, 2015, which identified all assets owned and appropriate disposition strategies. The 4.82-acre subject property located at 25351 Trumble Road on the northwest corner of Trumble Road and State Highway 74 in the City of Menifee was identified as a property that was determined to be surplus property and has been designated surplus property for sale. An offer has been received for the Property and the Successor Agency recommends acceptance of the offer from California Fuel Distributors, LLC (Buyer) in the amount of \$1,522,204, which was determined to be the fair market value of the Property based on an Appraisal Report prepared by Michael J. Francis, dated May 25, 2015. The sale proceeds, minus customary closing and escrow costs, will first be used to pay Successor Agency enforceable obligations, and then disbursed to the taxing entities, including school districts, special districts and the County, pursuant to Health and Safety Code Section 34188. The County has determined that the real property pursuant to Government Code 22520 is no longer necessary to be retained by the County for public purposes. As part of the sale, a Grant Deed has been included, which sets forth covenants, conditions, and restrictions for on-gong operation and maintenance of the property. The Grant Deed establishes that the primary use of the property shall be developed as a full service hotel and the remainder of the property can only be used as a drive-thru franchise restaurant, convenience store, car wash, or gas/filling station. The sale of the property as described and transfer of title is identified as the proposed project under the California Environmental Quality Act (CEQA). The proposed project is limited to the sale of surplus property and does not allow for any construction activity, change in use, or any other condition that may lead to a direct or indirect physical environmental impact at this time. Any future activity where a specific development concept is provided for the location would require additional CEQA review as part of the approval of the development. While, the future use of the property has restrictions, any attempt at evaluating physical impacts related to future development at this time would be wholly speculative and would provide no meaningful input or analysis.

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, California Fuel Distributors, LLC

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

AUG 29 2017 4:3

P.O. Box 1180 • Riverside, California • 92502 • T: 951.955.8916 • F: 951.955.6686

www.rivcoeda.org

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

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 is the proposed sale of real property that is no longer needed for the use by or purposes of the County. The project will not cause any impacts to scenic resources, historic resources, or unique sensitive environments and will not result in any physical changes to the existing site. Any future development project at this property would require a full evaluation under CEQA at that time. Further, no unusual circumstances or potential cumulative impacts would occur that may reasonably create an environmental impact. The proposed sale of real property will not have an effect on the environment and does not allow for any development, construction, or change of use that may create a future reasonably foreseeable direct or indirect physical environmental impact.

- **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, is limited to the purchase of property that will not result in a change to the use of the site and would not result in any direct or indirect impacts on the environment. The ongoing use of the property 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 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. With certainty, there is no possibility that the sale of may have a significant effect on the environment. The proposed project is the sale of existing surplus property and any future development would require CEQA review, and any potential change of use or future project would be wholly speculative at this time. Therefore, in no way would the project, as proposed, have the potential to cause a significant environmental impact.

The potential indirect effects from this sale would be addressed through a future discretionary action for the development of the site with a future commercial use of the property as a full-service hotel. The purchase and sale between the County and Buyer is not deemed to be an approval pursuant to CEQA for any specific development and does not commit any public agency, including the City of Menifee, to a definite course of action regarding a project that may lead to an adverse effect on the environment or limit any choice of alternatives or mitigation measures prior to CEQA compliance. In addressing indirect effects of the purchase and sale, CEQA Guidelines 15004(b) identifies the necessity of balance in determining the timing of CEQA compliance, citing the need to enable environmental considerations to have influence on programming and design, while at the same time having enough detailed information for meaningful environmental assessment. When considering future indirect effects from the purchase and sale, at this point in the process, the design of a future project is not known or reasonably foreseeable and, therefore, is not substantive enough to provide a meaningful analysis of environmental effects. In consideration of the broad-based potential indirect effects of the future development of the site as a full service hotel, and/or restaurant and retail, the site is located adjacent to roadways with capacity to accommodate any trips generated by future development. The site is located at the intersection of State Highway 74 and Trumble Road which are both four-lane roadways and the site is surrounded by commercial and industrial development. The site is also in close proximity to a railway and the Interstate 215 and not in close proximity to sensitive receptors. The parcels involved in the sale are zoned Scenic Highway Commercial under the City of Menifee and Hotels, restaurants, and retail are permitted uses under this zoning designation. Based on a conceptual hotel that would comply with the zoning and is located on the proposed located, no environmental impacts would be anticipated to occur. Future development of the site by the buyer provides the appropriate opportunity for environmental considerations to influence design and the characterization of effects would be more meaningful as there are more specifics associated with the development of the property as a full-service hotel, and/or restaurant and retail.

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, meets all of the required categorical exemptions as identified. No further environmental analysis is warranted.

Signed:  Date: 8/8/17

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

RIVERSIDE COUNTY CLERK & RECORDER

**AUTHORIZATION
TO BILL
BY JOURNAL VOUCHER**

Project Name: Long Range Property Management Plan Menifee Surplus Sale, Trumble Road,
County of Riverside

Accounting String: 524830-47220-7200400000- ED190019425

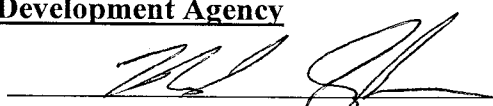
DATE: August 8, 2017

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: Yolanda King, Real Estate Division, Economic Development Agency

-TO BE FILLED IN BY COUNTY CLERK-

ACCEPTED BY: -

DATE: -

RECEIPT # (S) -



Date: August 8, 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 # ED190019425**
Long Range Property Management Plan Menifee Surplus Sale, Trumble Road, County of 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