

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



ITEM
4.5
(ID # 5068)

MEETING DATE:

Tuesday, August 29, 2017

FROM : SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY:

SUBJECT: SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY: Resolution No. 2017-016, Approving the Transfer of Assessor's Parcel Number 759-060-024 Located in the Unincorporated Community of Thermal, County of Riverside, from the Successor Agency to the Redevelopment Agency for the County of Riverside to the County of Riverside; District 4 [\$11,000]; Redevelopment Property Tax Trust Fund; CEQA Exempt (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 and 15061 (b)(3);
2. Find and determine that the real property located in the Unincorporated Community of Thermal, California, County of Riverside, identified by Assessor's Parcel Number 759-060-024 (Property) is constructed and used for a government purpose within the meaning of Health and Safety Code Section 34181(a)(1), specifically a County Sheriff's Station and County Sheriff's Aviation Facility and Aviation Education Center, that should be transferred to the County of Riverside as the appropriate jurisdiction to acquire title to the Property pursuant to Health and Safety Code Section 34181(a)(1);

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:

3. Adopt Successor Agency Resolution No. 2017-016, Authorization to Convey Fee Simple Interest in Real Property located in the Unincorporated Community of Thermal, California, County of Riverside, Assessor's Parcel Number 759-060-024 by Grant Deed to the County of Riverside to be Retained for a Governmental Use Pursuant to Health and Safety Code Section 34181(a)(1);
4. Approve the attached Grant Deed and authorize the Chairman of the Board of Supervisors to execute the attached Grant Deed on behalf of the Successor Agency to the Redevelopment Agency for the County of Riverside (Successor Agency) as grantor;
5. Authorize the Deputy County Executive Officer, or his designee, to execute any other documents and administer all actions necessary to implement, complete and memorialize the conveyance of the Property contemplated by this action;
6. Approve and authorize reimbursement to EDA-Real Estate in the amount not-to-exceed \$11,00 for due diligence and staff expenses; and
7. Direct the Clerk of the Board to file the Notice of Exemption with the County Clerk within five days of approval by the Board.

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 11,000	\$ 0	\$ 11,000	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Redevelopment Property Tax Trust Fund (RPTTF)			Budget Adjustment: No	
			For Fiscal Year: 2017/18	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

Pursuant to Health and Safety Code Section 34175 (b), all real property and other assets of the former Redevelopment Agency for the County of Riverside (Agency) were transferred to the Successor Agency to the Redevelopment Agency for the County of Riverside (Successor Agency) as of February 1, 2012, including, but not limited to that certain real property consisting of approximately 20 acres, located off Airport Boulevard in the unincorporated community of Thermal, California, identified by Assessor's Parcel Number 759-060-024, as depicted on the attached site map (Property). The Property is currently used as a County of Riverside (County) Sheriff's Station and County Sheriff's Aviation Facility and Aviation Education Center, providing public safety and education facilities to the residents of the unincorporated communities of

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

Thermal and Coachella Valley. The development and continued use of the Property as public service facilities, and subsequent transfer to a public entity, was contemplated in that certain Lease Agreement between the H.N. and Frances C. Berger Foundation (as lessor) and the former Agency (as lessee) dated July 17, 2007, as amended by that certain First Amendment to Lease Agreement dated December 18, 2012 (collectively the, Lease). The Successor Agency accepted fee title to the Property in accordance with the terms of the existing Lease, and Minute Order Number 4.1 approved by the Board of Supervisors on July 24, 2014.

The Property was inadvertently omitted from the Amended Long Range Property Management Plan (LRPMP) prepared by the Successor Agency pursuant to Health and Safety Code Section 34191.5, and approved by the California Department of Finance (DOF) on December 18, 2015.

The Successor Agency administers the enforceable obligations of the former Agency and works to "wind down" the affairs of the former Agency, all subject to the review and approval of the Oversight Board for the Successor Agency to the Redevelopment Agency for the County of Riverside (Oversight Board).

Health and Safety Code Section 34181 (a)(1), provides, among other things that "the oversight board shall direct the successor agency to do all of the following: (a)(1) Dispose of all assets and properties of the former redevelopment agency; provided, however, that the oversight board may instead direct the successor agency to transfer ownership of those assets that were constructed and used for a governmental purpose, such as roads, school buildings, parks, *police and fire stations*, libraries, parking facilities and lots dedicated solely to public parking, and local agency administrative buildings, to the appropriate public jurisdiction pursuant to any existing agreements relating to the construction or use of such an asset." [*emphasis added*].

The Property was inadvertently omitted from the LRPMP. Subject to the approval and direction of the Oversight Board pursuant to Health and Safety Code Section 34181 (a)(1), Successor Agency staff recommends the Successor Agency transfer the Property, including all improvements located thereon, to the County of Riverside. Successor Agency staff further recommends that the Board of Supervisors, in their capacity as the legislative body of the Successor Agency, find and determine the following, (i) that the Property is "constructed and used for governmental purpose" within the meaning of Health and Safety Code Section 34181 (a)(1), and (ii) that the County is deemed the appropriate public jurisdiction to acquire title to the Property because the Property is located within the County, and the County Sheriff's Station, County Sheriff's Aviation Facility and Aviation Education Center are County departments controlled and operated by the County. The proposed transfer will allow for the continued use and operation of the Property for public safety purposes.

If this action is approved, no compensation shall be paid by the County to the Successor Agency in connection with the proposed transfer of the Property.

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

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 15301 Class 1 – Existing Facilities and Section 15061 (b)(3), common sense, general rule exemption. The proposed project is the transfer of existing public facilities from the Successor Agency to the County as permitted under and in furtherance of the Dissolution Act, no development is contemplated as part of the proposed transfer, and 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 it will not lead to any direct or reasonably foreseeable indirect physical environmental impacts.

Staff recommends approval of Resolution No. 2017-016 authorizing the transfer of the Property by the Successor Agency to the County as governmental use property pursuant to Health and Safety Code Section 34181 (a)(1), and the attached Grant Deed. Resolution No. 2017-016 and the attached Grant Deed have been reviewed and approved as to legal form by County Counsel.

Impact on Residents and Businesses

The transfer of the Property to the County of Riverside for a governmental use will continue to benefit the safety, health and welfare of the residents of the communities of Thermal and Coachella Valley.

SUPPLEMENTAL:

Additional Fiscal Information

The following summarizes the funding necessary for the transfer of the subject real property located in Thermal, California, identified as Assessor's Parcel Number 759-060-024:

Estimated Title and Escrow Charges	\$ 2,000
Preliminary Title Report	\$ 1,000
EDA Real Property Staff Time (including County Counsel Staff Time)	\$ 8,000
Total Estimated Costs (Not-to-Exceed)	\$ 11,000

Attachments:

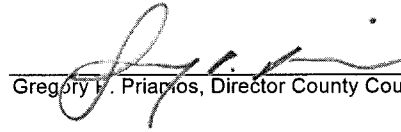
- Site Map
- Resolution No. 2017-016
- Grant Deed
- Notice of Exemption

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

RF:JWW:vc:VY:MT MT 5068


Rehini Lavika, Principal Management Analyst

8/21/2017


Gregory H. Priamos, Director County Counsel

8/16/2017

1 **BOARD OF SUPERVISORS**

SUCCESSOR AGENCY TO THE
REDEVELOPMENT AGENCY FOR
THE COUNTY OF RIVERSIDE

4 **RESOLUTION NO. 2017-016**

5 **AUTHORIZATION TO CONVEY FEE SIMPLE INTEREST IN REAL PROPERTY LOCATED**
6 **IN THE UNINCORPORATED COMMUNITY OF THERMAL, COUNTY OF RIVERSIDE,**
7 **CALIFORNIA, IDENTIFIED AS ASSESSOR'S PARCEL NUMBER 759-060-024 BY GRANT**
8 **DEED TO THE COUNTY OF RIVERSIDE TO BE RETAINED FOR A GOVERNMENTAL USE**
9 **PURSUANT TO HEALTH AND SAFETY CODE SECTION 34181(a)(1)**

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 the
25 Unincorporated community of Thermal, County of Riverside, California, identified as Assessor's
26 Parcel No. 759-060-024, legally described in Exhibit A attached hereto and incorporated herein
27 by this reference ("Property"). The Property is currently used as a County of Riverside
28 ("County") Sheriff's Station and County Sheriff's Aviation Facility and Aviation Education Center

1 to provide public safety and education facilities to the residents of the unincorporated
2 communities of Thermal and Coachella Valley;

3 **WHEREAS**, the development and continued use of the Property as public service
4 facilities, specifically a Sheriff's Station and County Sheriff's Aviation Facility and Aviation
5 Education Center, and subsequent transfer to a public entity, was contemplated in that certain
6 Lease Agreement between the H.N. and Frances C. Berger Foundation (as lessor) and the
7 former Agency (as lessee) dated July 17, 2007, as amended by that certain First Amendment
8 to Lease Agreement dated December 18, 2012 (collectively, the "Lease");

9 **WHEREAS**, pursuant to the terms of the Lease and Minute Order No. 4.1 approved by
10 the Board of Supervisors on July 24, 2014, the Successor Agency accepted fee title to the
11 Property;

12 **WHEREAS**, Successor Agency administers the enforceable obligations of the former
13 Agency and works to "wind down" the affairs of the former Agency, all subject to the review and
14 approval of this Oversight Board for the Successor Agency to the Redevelopment Agency for
15 the County of Riverside ("Oversight Board");

16 **WHEREAS**, Health and Safety Code section 34181 (a)(1), provides, among other
17 things that, "[t]he oversight board shall direct the successor agency to do all of the following:

18 (a)(1) Dispose of all assets and properties of the former redevelopment agency; provided,
19 however, that the oversight board may instead direct the successor agency to transfer
20 ownership of those assets that were constructed and used for a governmental purpose, such
21 as roads, school buildings, parks, *police and fire stations*, libraries, parking facilities and lots
22 dedicated solely to public parking, and local agency administrative buildings, to the appropriate
23 public jurisdiction pursuant to any existing agreements relating to the construction or use of
24 such an asset." [*emphasis added*];

25 **WHEREAS**, the Property was inadvertently omitted from the Amended Long-Range
26 Property Management Plan prepared pursuant to Health and Safety Code Section 34191.5 (b),
27 and approved by the California Department of Finance on December 18, 2015;

1 **WHEREAS**, the Successor Agency now desires to confirm that the Property is
2 “constructed and used for a governmental purpose” within the meaning of Health and Safety
3 Code Section 34181(a)(1), specifically a County Sheriff's Station and County Sheriff's Aviation
4 Facility and Aviation Education Center, and desires to authorize the Successor Agency to
5 transfer, by quit claim deed or grant deed, Successor Agency's fee title interest in the Property,
6 including all improvements located thereon, to the County of Riverside pursuant to Health and
7 Safety Code Section 34181(a)(1);

8 **WHEREAS**, the County is the appropriate public jurisdiction to acquire title to the
9 Property because the Property is located within the County and the County Sheriff's Station
10 and County Sheriff's Aviation Facility and Aviation Education Center are County departments
11 controlled and operated by the County;

12 **WHEREAS**, the proposed transfer will allow for the continued use and operation of the
13 Property for public safety purposes;

14 **WHEREAS**, no compensation shall be provided to the Successor Agency in connection
15 with the proposed transfer of the Property to the County;

16 **WHEREAS**, the Successor Agency has reviewed and determined that the conveyance
17 of the Property is categorically exempt from the California Environmental Quality Act (“CEQA”)
18 pursuant to CEQA Guidelines Section 15301 Class 1 – Existing Facilities and Section 15061(b)
19 (3), common sense exemption. The proposed project is the transfer of existing public facilities
20 from the Successor Agency to the County as permitted under and in furtherance of the
21 Dissolution Act, no development is contemplated as part of the proposed transfer, and it can be
22 seen with certainty that there is no possibility that the activity in question will have a significant
23 impact on the environment since the conveyance is merely a transfer in title to the real
24 property; it will not require any construction activities and will not lead to any direct or
25 reasonably foreseeable indirect physical environmental impacts; and

26 **WHEREAS**, the Successor Agency's disposition of the Property to the County shall be
27 done expeditiously and in a manner aimed at maximizing value consistent with the Dissolution
28 Act.

1 **NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED AND ORDERED** by
2 the Board of Supervisors of the Successor Agency to the Redevelopment Agency for the
3 County of Riverside ("Board"), in regular session assembled on August 29, 2017, at 9:00 a.m.
4 on the 1st floor of the County Administrative Center, 4080 Lemon Street, Riverside, California,
5 as follows:

- 6 1. The Recitals set forth above are true and correct and incorporated herein by
7 reference.
- 8 2. The Board, based upon a review of the evidence and information presented on the
9 matter as it relates to the conveyance, has determined that the conveyance of the
10 Property is categorically exempt from the California Environmental Quality Act
11 ("CEQA") pursuant to CEQA Guidelines Section 15301 Class 1 – Existing Facilities
12 and Section 15061(b) (3), common sense exemption. The proposed project is the
13 transfer of existing public facilities from the Successor Agency to the County as
14 permitted under and in furtherance of the Dissolution Act, no development is
15 contemplated as part of the proposed transfer, and it can be seen with certainty that
16 there is no possibility that the activity in question will have a significant impact on
17 the environment since the conveyance is merely a transfer in title to the real
18 property; it will not require any construction activities and will not lead to any direct
19 or reasonably foreseeable indirect physical environmental impacts.
- 20 3. The Board hereby finds and determines, based on all of the evidence in the record
21 before it, that that certain real property located in the unincorporated community of
22 Thermal, County of Riverside, California, identified as Assessor's Parcel No. 759-
23 060-024, legally described in Exhibit A attached hereto and incorporated herein by
24 this reference ("Property") is constructed and used for a government purpose within
25 the meaning of Health and Safety Code Section 34181(a)(1), specifically a County
26 Sheriff's Station and County Sheriff's Aviation Facility and Aviation Education
27 Center.

FORM APPROVED COUNTY COUNSEL
BY: *[Signature]* 8/17/17
DATE: 8/17/17
BY: J. HALLOR, BROWN

- 1 4. The Board hereby further finds that the County is the appropriate public jurisdiction
- 2 to acquire title to the Property because the Property is located within the County and
- 3 the County Sheriff's Station and County Sheriff's Aviation Facility and Aviation
- 4 Education Center are County departments controlled and operated by the County.
- 5 5. The Board hereby authorizes the Successor Agency to transfer, by quit claim deed
- 6 or grant deed in a form approved by County Counsel, Successor Agency's fee title
- 7 interest in the Property, including all improvements located thereon, to the County of
- 8 Riverside pursuant to Health and Safety Code Section 34181(a)(1), subject to the
- 9 approval of the Oversight Board for the Successor Agency to the Redevelopment
- 10 Agency for the County of Riverside ("Oversight Board").
- 11 6. The Board hereby authorizes the Deputy CEO or designee of the Successor
- 12 Agency to execute a quit claim deed or grant deed, and take any other action and
- 13 execute any documents, approved by County Counsel, as may be necessary to
- 14 implement the transfer of the Property to the County pursuant to the terms approved
- 15 in this Resolution.
- 16 7. The provisions of this Resolution are severable and if any provision, clause,
- 17 sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable
- 18 to any person or circumstances, such illegality, invalidity, unconstitutionality, or
- 19 inapplicability shall not affect or impair any of the remaining provisions, clauses,
- 20 sentences, words or parts thereof of the Resolution or their applicability to other
- 21 persons or circumstances. The Board hereby declares that it would have adopted
- 22 this Resolution irrespective of the invalidity of any particular portion of this
- 23 Resolution.
- 24 8. The Deputy CEO or designee of the Successor Agency is hereby authorized and
- 25 directed to submit a copy of this Resolution, including all exhibits, to the Oversight
- Board 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 HARRINGTON, Clerk of said Board
By: *[Signature]* Deputy

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EXHIBIT A
LEGAL DESCRIPTION OF PROPERTY
(behind this page)

EXHIBIT A
LEGAL DESCRIPTION

All that certain real property situated in the County of Riverside, State of California, described as follows:

Parcel A

A portion of Section 21, Township 6 South, Range 8 East, San Bernardino Meridian, according to the official plat thereof, in the unincorporated area of the County of Riverside, State of California, described as follows:

Commencing at the centerline intersection of Airport Boulevard and Polk Street, said point also being the north east corner of Section 21;

Thence North $89^{\circ}49'33''$ West along the centerline of said Airport Boulevard, a distance of 1456.65 feet to the Northwest corner of that certain 60.00 foot strip of land dedicated to Coachella Valley County Water District recorded November 22, 1949 in Book 1125 Page 492 of Official Records;

Thence South $00^{\circ}08'44''$ West along the West line of said 60.00 foot strip of land a distance of 30.00 feet to the true point of beginning;

Thence continuing along the West line of said 60.00 foot strip of land South $00^{\circ}08'44''$ West a distance of 1275.61 feet to a point on the South line of the East half of Lot 2 of Coachella Land and Water Companies subdivision of said section filed in Book 4 of maps at Page 53, records of said County;

Thence South $89^{\circ}57'27''$ West along said South line of the East half of Lot 2, a distance of 600.00 feet to the West line of said East half of Lot 2;

Thence North $00^{\circ}08'43''$ East along said West line of the East half of Lot 2, a distance of 1277.88 feet to the North line of said East half of Lot 2;

Thence South $89^{\circ}49'33''$ East along said North line of the East half of Lot 2, a distance of 600.00 feet to the true point of beginning.

Assessor's Parcel No: 759-060-024

Recorded at request of and return to:
County of Riverside
Economic Development Agency
Real Property Division
3403 10th Street, Suite 400
Riverside, CA 92501
Attn: Monica Tlaxcala/Yolanda King

FREE RECORDING
This instrument is for the benefit of
the County of Riverside and is
entitled to be recorded without fee.
(Govt. Code 6103)

(Space above this line reserved for Recorder's use)

PROJECT: LRPMP
APN: 759-060-024

GRANT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, the Successor Agency to the Redevelopment Agency for the County of Riverside, a public entity ("Grantor") hereby grants to County of Riverside, a political subdivision of the State of California ("Grantee"), the real property in the County of Riverside, State of California, as more particularly described in that certain legal description attached hereto as Exhibit "A" and incorporated herein by this reference, together with all appurtenant easements and access rights and other rights and privileges appurtenant to the land, and subject only to matters of records ("Property").

1. The Grantee covenants and agrees for itself, its successors, its assigns and every successor in interest to the Property or any part thereof, that the Property shall continue to be used for a public purpose.
2. The Grantee covenants and agrees for itself, its successors, its assigns and every successor in interest to the Property or any part thereof, that there shall be no discrimination against or segregation of any person or group of persons, on account of any basis listed in subdivision (a) or (d) of Section 12955 of the Government Code, as those bases are defined in Sections 12926, 12926.1, subdivision (m) and paragraph (1) of subdivision (p) of Section 12955, and Section 12955.2 of the Government Code, in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of the land, nor shall the transferee itself or any person claiming under or through him or her, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use, or occupancy, of tenants, lessees, sublessees, subtenants, or vendees of the Property. With respect to familial status, this paragraph shall not be construed to apply to housing for older persons, as defined in Section 12955.9 of the Government Code. With respect to familial status, nothing in this paragraph shall be construed to affect Sections 51.2, 51.3, 51.4, 51.10, 51.11, and 799.5 of the Civil Code, relating to housing for senior citizens. Subdivision (d) of Section 51 and Section 1360 of the Civil Code and subdivisions (n), (o) and (p) of Section 12955 of the Government Code shall apply to this paragraph.
3. The Grantee covenants and agrees for itself, its successors, its assigns and every successor in interest to the Property or any part thereof, that Grantee, its successors and assigns shall refrain from restricting the rental, sale or lease of the Property on the basis of the race, color, creed, religion, sex, sexual orientation, marital status, national origin or ancestry of any person. All

deeds, leases or contracts shall contain or be subject to substantially the following nondiscrimination or nonsegregation clauses:

(a) In deeds: "The grantee herein covenants by and for himself or herself, his or her heirs, executors, administrators, and assigns, and all persons claiming under or through them, that there shall be no discrimination against or segregation of, any person or group of persons on account of any basis listed in subdivision (a) or (d) of Section 12955 of the Government Code, as those bases are defined in Sections 12926, 12926.1, subdivision (m) and paragraph (1) of subdivision (p) of Section 12955, and Section 12955.2 of the Government Code, in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of the premises herein conveyed, nor shall the grantee or any person claiming under or through him or her, establish or permit any practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees, or vendees in the premises herein conveyed. With respect to familial status, this paragraph shall not be construed to apply to housing for older persons, as defined in Section 12955.9 of the Government Code. With respect to familial status, nothing in this paragraph shall be construed to affect Sections 51.2, 51.3, 51.4, 51.10, 51.11, and 799.5 of the Civil Code, relating to housing for senior citizens. Subdivision (d) of Section 51 and Section 1360 of the Civil Code and subdivisions (n), (o) and (p) of Section 12955 of the Government Code shall apply to this paragraph. The foregoing covenants shall run with the land."

(b) In leases: "The lessee herein covenants by and for himself or herself, his or her heirs, executors, administrators, and assigns, and all persons claiming under or through him or her, and this lease is made and accepted upon and subject to the following conditions: That there shall be no discrimination against or segregation of any person or group of persons, on account of any basis listed in subdivision (a) or (d) of Section 12955 of the Government Code, as those bases are defined in Sections 12926, 12926.1, subdivision (m) and paragraph (1) of subdivision (p) of Section 12955, and Section 12955.2 of the Government Code, in the leasing, subleasing, transferring, use, occupancy, tenure, or enjoyment of the premises herein leased nor shall the lessee himself or herself, or any person claiming under or through him or her, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use, or occupancy, of tenants, lessees, sublessees, subtenants, or vendees in the premises herein leased. With respect to familial status, this paragraph shall not be construed to apply to housing for older persons, as defined in Section 12955.9 of the Government Code. With respect to familial status, nothing in this paragraph shall be construed to affect Sections 51.2, 51.3, 51.4, 51.10, 51.11, and 799.5 of the Civil Code, relating to housing for senior citizens. Subdivision (d) of Section 51 and Section 1360 of the Civil Code and subdivisions (n), (o) and (p) of Section 12955 of the Government Code shall apply to this paragraph."

(c) In contracts: "There shall be no discrimination against or segregation of any person or group of persons, on account of any basis listed in subdivision (a) or (d) of Section 12955 of the Government Code, as those bases are defined in Sections 12926, 12926.1, subdivision (m) and paragraph (1) of subdivision (p) of Section 12955, and Section 12955.2 of the Government Code, in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of the land, nor shall the transferee itself or any person claiming under or through him or her, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location,

number, use, or occupancy, of tenants, lessees, sublessees, subtenants, or vendees of the land. With respect to familial status, this paragraph shall not be construed to apply to housing for older persons, as defined in Section 12955.9 of the Government Code. With respect to familial status, nothing in this paragraph shall be construed to affect Sections 51.2, 51.3, 51.4, 51.10, 51.11, and 799.5 of the Civil Code, relating to housing for senior citizens. Subdivision (d) of Section 51 and Section 1360 of the Civil Code and subdivisions (n), (o) and (p) of Section 12955 of the Government Code shall apply to this paragraph.”

4. All conditions, covenants and restrictions contained in this Grant Deed shall be covenants running with the land, and shall, in any event, and without regard to technical classification or designation, legal or otherwise, be, to the fullest extent permitted by law and equity, binding for the benefit and in favor of, and enforceable by Grantor, its successors and assigns, against Grantee, its successors and assigns, to or of the Property conveyed herein or any portion thereof or any interest therein, and any party in possession or occupancy of said Property or portion thereof. The covenants contained in this Grant Deed shall be construed as covenants running with the land and not as conditions which might result in forfeiture of title.

5. Every covenant and condition and restriction contained in this Grant Deed shall remain in effect in perpetuity.

6. In amplification and not in restriction of the provisions set forth hereinabove, it is intended and agreed that Grantor shall be deemed a beneficiary of the agreements and covenants provided hereinabove both for and in its own right and also for the purposes of protecting the interests of the community. All covenants without regard to technical classification or designation shall be binding for the benefit of Grantor, and such covenants shall run in favor of Grantor for the entire period during which such covenants shall be in force and effect, without regard to whether Grantor is or remains an owner of any land or interest therein to which such covenants relate. Grantor shall have the right, in the event of any breach of any such agreement or covenant, to exercise all the rights and remedies, and to maintain any actions at law or suit in equity or other proper proceedings to enforce the curing of such breach of agreement or covenant.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed on its behalf by its officer hereunto duly authorized this _____ day of _____, 20__.

GRANTOR:

Successor Agency to the Redevelopment
Agency to the County of Riverside, public entity

By: _____
Alex Gann,
Deputy County Executive Officer

APPROVED AS TO FORM:
GREGORY P. PRIAMOS
COUNTY COUNSEL

By: *Shaila R. Brown*
Shaila R. Brown,
Deputy County Counsel

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)

COUNTY OF _____)

On _____ before me, _____, a Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

EXHIBIT A
LEGAL DESCRIPTION

All that certain real property situated in the County of Riverside, State of California, described as follows:

Parcel A

A portion of Section 21, Township 6 South, Range 8 East, San Bernardino Meridian, according to the official plat thereof, in the unincorporated area of the County of Riverside, State of California, described as follows:

Commencing at the centerline intersection of Airport Boulevard and Polk Street, said point also being the north east corner of Section 21;

Thence North $89^{\circ}49'33''$ West along the centerline of said Airport Boulevard, a distance of 1456.65 feet to the Northwest corner of that certain 60.00 foot strip of land dedicated to Coachella Valley County Water District recorded November 22, 1949 in Book 1125 Page 492 of Official Records;

Thence South $00^{\circ}08'44''$ West along the West line of said 60.00 foot strip of land a distance of 30.00 feet to the true point of beginning;

Thence continuing along the West line of said 60.00 foot strip of land South $00^{\circ}08'44''$ West a distance of 1275.61 feet to a point on the South line of the East half of Lot 2 of Coachella Land and Water Companies subdivision of said section filed in Book 4 of maps at Page 53, records of said County;

Thence South $89^{\circ}57'27''$ West along said South line of the East half of Lot 2, a distance of 600.00 feet to the West line of said East half of Lot 2;

Thence North $00^{\circ}08'43''$ East along said West line of the East half of Lot 2, a distance of 1277.88 feet to the North line of said East half of Lot 2;

Thence South $89^{\circ}49'33''$ East along said North line of the East half of Lot 2, a distance of 600.00 feet to the true point of beginning.

Assessor's Parcel No: 759-060-024

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by the Grant Deed dated _____, 2017 from the Successor Agency to the Redevelopment Agency for the County of Riverside, public entity, to the County of Riverside, a political subdivision of the State of California referred to herein and in the deed as "Grantee," is hereby accepted by the undersigned officer on behalf of the County of Riverside pursuant to Resolution No. 2017-188 adopted by the Board of Supervisors on _____, 2017, and the Grantee consents to recordation thereof by its duly authorized officer.

GRANTEE:

COUNTY OF RIVERSIDE,
a political subdivision of the State of California

By: _____
Robert Field
Assistant County Executive Officer/EDA

Date: _____

ATTEST:
Kecia Harper-Ihem
Clerk of the Board

By: _____
Deputy

APPROVED AS TO FORM:
Gregory P. Priamos, County Counsel

By: _____
Elena M. Boeva
Deputy County Counsel



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

9/12/17 Date kb Initial

NOTICE OF EXEMPTION

August 10, 2017

Project Name: County of Riverside, Economic Development Agency (EDA) Transfer of Thermal Sheriff Station from Successor Agency to County, Thermal, California

Project Number: ED1900194

Project Location: 86625 Airport Boulevard, west of Highway 111, Thermal California, 92274; Assessor's Parcel Number (APN) 759-060-024; (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. Pursuant to Health and Safety Code Section 34175 (b), all real property and other assets of the former Agency were transferred to the Successor Agency as of February 1, 2012, including, but not limited to that certain real property consisting of approximately 20 acres, located off Airport Boulevard in the unincorporated community of Thermal, California, identified by Assessor's Parcel Number 759-060-024, as depicted on the attached site map (Property). The Property is currently used as a County of Riverside (County) Sheriff's Station and County Sheriff's Aviation Facility and Aviation Education Center to provide public safety and education facilities to the residents of the unincorporated communities of Thermal and Coachella Valley. The development and continued use of the Property as public service facilities, specifically a Sheriff's Station and County Sheriff's Aviation Facility and Aviation Education Center and subsequent transfer to a public entity, was contemplated in that certain Lease Agreement between the H.N. and Frances C. Berger Foundation (as lessor) and the former Agency (as lessee) dated July 17, 2007, as amended by that certain First Amendment to Lease Agreement dated December 18, 2012 (collectively the "Lease"). Pursuant to the terms of the Lease and Minute Order Number 4.1 approved by the Board of Supervisors on July 24, 2014, the Successor Agency accepted fee title to the Property.

Pursuant to Health and Safety Code Section 34181 (a)(1), provides, among other things that "[t]he oversight board shall direct the successor agency to do all of the following: (a)(1) Dispose of all assets and properties of the former redevelopment agency; provided, however, that the oversight board may instead direct the successor agency to transfer ownership of those assets that were constructed and used for a governmental purpose, such as roads, school buildings, parks, police and fire stations, libraries, parking facilities and lots dedicated solely to public parking, and local agency administrative buildings, to the appropriate public jurisdiction pursuant to any existing agreements relating to the construction or use of such an asset." The Property was inadvertently omitted from the Amended LRPMP and the Successor Agency now desires to transfer by Grant Deed, including all improvements located thereon, to the County of Riverside. The County is deemed the appropriate public jurisdiction to acquire title to the Property because the Property is located within the County and the County Sheriff's Station and County Sheriff's Aviation Facility and Aviation Education Center are County departments controlled and operated by the County. The proposed transfer will allow for the continued use and operation of the Property for public safety purposes. The transfer of the property from the Successor Agency to the County is identified as the discretionary action to be analyzed under the California Environmental Quality Act (CEQA). The proposed action is the transfer of real property containing a sheriff station and aviation facility and Education Center and would involve the continuing use of the facility and no expansion will occur. The operation of the facility will continue to provide public safety services and no additional direct or indirect physical environmental impacts are anticipated.

AUG 29 2017 4.5

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

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 EDA, Successor Agency to the Redevelopment Agency for the County of Riverside

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 possibly 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 transfer of the Property from the Successor Agency to the County.

- **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 transfer of property which is developed with an existing facility consisting of the Sheriff's Station and County Sheriff's Aviation Facility and Aviation Education Center to provide public safety and education facilities to the residents of the unincorporated communities of Thermal and Coachella Valley. The use of the facility by the County Sheriff's Department as would continue, would be consistent with the current 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 transfer of Property is limited a contractual transaction and the indirect effects would be limited to continued use of the existing facility. The use and operation of the facility will not differ from the existing use and will not create any new environmental impacts to the surrounding area. 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 exemption 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: 8/10/17

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

RIVERSIDE COUNTY CLERK & RECORDER

**AUTHORIZATION
TO BILL
BY JOURNAL VOUCHER**

**Project Name: Transfer of Thermal Sheriff Station from Successor Agency to County,
Thermal, California**

Accounting String: 524830-47220-7200400000 - ED1900194

DATE: August 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: Monica Tlaxcala, Real Estate Division, Economic Development
Agency

-TO BE FILLED IN BY COUNTY CLERK-

ACCEPTED BY: -

DATE: -

RECEIPT # (S) -



Date: August 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 # ED1900194**
Transfer of Thermal Sheriff Station from Successor Agency to County, Thermal, California

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